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DLA Reform Team,
1st Floor,
Caxton House,
Tothill Street,
LONDON,
SW1H 9HA

Dear Team Leader,

Disability Living Allowance Reform: Public Consultation

1: I enclose my initial response to your document.

2: I am also speaking for my severely handicapped son, [REDACTED] who has been in a care home for the past 21 years. You will note that the DLA reform proposals would have very serious consequences for him. No assurances have been provided on how his continuing mobility requirements will be funded.

3: You will note that – like many others – I judge this document to have very serious failings and suggest that it should be withdrawn as soon as possible for further input and amendment.

With best wishes,

Yours sincerely,

[REDACTED]

[REDACTED]

Disabled Living Allowance Reform – Public Consultation

Submission by [REDACTED]

[REDACTED]

- 1.0. Reception of the Consultation Paper.** Ministers must have hoped that this document would be greeted – like a First Night Performance – with acclaim, or at least some polite hand-clapping. Instead it has been met with the equivalent of jeers and cat-calls. Why?
- 2.0. Failings of the Document.** It has been described by one respondent as 'deeply flawed' and 'not fit for purpose.' Another provides the following summary: 'The reasons given for DLA reform are not robust. There is little supporting evidence and no independent academic research.' My own criticism will be directed mainly at section 21.
- 3.0. The flaws of section 21 – 'Payment will stop if the individual is in hospital or in a care home.'** The consultation document states: 'Payment of the care component of DLA has always stopped if an individual's needs are being met by public funds in a hospital or similar institution or care home. As part of the Comprehensive Spending Review we announced that the benefit will cease to be paid for both components (i.e. including the Mobility Allowance) after that individual has been in that hospital or care home for 28 days. **Although payment is stopped, the underlying entitlement remains, meaning that the individual will not have to reapply for the benefit on leaving the hospital or care home.'**
 - 3.1** That final sentence underlines the insensitivity and sheer ignorance of this particular insert, designed presumably as some form of 'sweetener'. It shows how little those responsible for this consultation document understand the nature and purpose of care homes. Those who drafted – and approved – this wording seem to have been totally ignorant of the situation of seriously disabled people in care homes. When the disabled person leaves the care home it will probably be either in an ambulance on the way to die in hospital, or inside a coffin on the way to burial or cremation. Not needing to reapply for Mobility Allowance is more like a bad joke than a serious concession.
 - 3.2.** The removal of the Mobility Element is based on the faulty assumption that all mobility requirements are already met by payments to the care home by the local authority. For nearly two months charities and individuals have been correcting DWP on this. In most

cases transport is funded entirely from the residents' Mobility Allowance: in a few cases the local authority makes a minor contribution. Yet DWP continues to shelter behind the fig-leaf that mobility is already double-funded. **It is disgraceful that this misleading interpretation has not been corrected in this official document.**

4.0: Saying one thing and doing another: The document teems with assurances that the most disabled will receive the greatest help. For instance: 'We want to make sure that the disabled people who need it most get extra money to help pay for the care and support they need.' That sounds fair enough, until we remember that the total budget for the support of disabled people is to be trimmed by 20%: extra money for person A can only be found by taking it from person B. Which leads on to:-

5.0: 'A Fair Crack of the Whip' or 'Sheep and Goats?'

5.1. It is clear from comments on many websites that the disabled community has not been hoodwinked into accepting the Government's proposals as some form of 'Christmas come early.'

5.2. An 'objective assessment' is proposed which will be the means of separating sheep from goats. Nothing has yet been published about this 'objective assessment', but deep suspicions have been aroused about its validity as a means of allocating support

5.3. Further questions have been raised about the probable costs of the process and of the necessary appeal procedures.

5.4. In fact the whole system looks remarkably similar to the functioning of the Old Poor Law. (About half of the money available was swallowed up by administration and legal costs: only half reached the poor in the form of food and drink – as readers of Dickens will remember.)

6.0. The Right to Say 'I'm not having this!'

6.1. This critique may seem over-harsh towards people who presumably gave their 'hearts and minds' towards compiling the PIP proposals. Probably they have all done their best. However I'm reminded of that famous letter from Dr. Johnson to Lord Chesterfield when brushing off a presumed favour. 'I hope it is no very cynical asperity not to confer obligation when no benefit has been received.'

6.2. There is no doubt that all of us working with and for disabled people had hoped for better things: but as Johnson said, 'I have long been wakened from that dream of hope....'

7.0. Recommendations

7.1. The consultation paper has been shown to be seriously flawed and 'unfit for purpose through neglect of the proper consultation procedures; it should be withdrawn immediately.

7.2. It is wrong that further time and money should be expended by Government, charities and individuals in 'flogging a dead horse' – which is what this proposal now resembles.

7.3. The Equality and Human Rights Commission is due to explore the Government's handling of this matter – in particular the Treasury's failure to consult its own specialist Office for Disablement Issues. It appears that this Office was informed of these sweeping proposed changes only on the morning of the Spending Review. (Baroness Campbell of Surbiton, House of Lords 1 November.) This part of the Commission's investigation should be pushed forward as rapidly as possible because of the anxiety and concern the proposals are causing to the disablement community. As the saying goes in a Laurel and Hardy movie 'Here's another fine mess you've got us into!' How was it allowed to happen through failure to follow approved procedures?

7.4. Since even the Government's own proposals seem likely to incur MORE rather than LESS expenditure, it would seem wise to defer such a comprehensive change to the Benefits System until the economic situation has improved. (Major administrative changes almost inevitably run over budget.)

7.5. At least the DWP must preserve an innate sense of humour in selecting St. Valentine's Day, 14 February, as closing date for responses to the Consultation! I wonder which of these two 19th Century Valentines will be sent in by disabled people?

***My Dearest Miss,
I send thee a kiss***

or

***'R. stands for rod,
Which can give a smart crack,
And ought to be used,
For a day on your back.'***

Somehow I don't think there will be showers of rose petals!

[REDACTED]