

# Changing Disability Living Allowance to Personal Independence Payment

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Tell us what you think

March 2012



Easy Read

**DWP** Department for  
Work and Pensions

# Important

## Green writing

In this easy-read booklet we sometimes explain what words mean.

The first time we mention any of these words, it is in **bold green** writing. Then we write what the words mean in a **light purple** box.

If any of the words are used later in the booklet, we show them in **normal green** writing.

These words and what they mean are also in a word list at the back of the booklet.

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Tel: 0113 399 4000  
Web: [www.cds.co.uk/clarity](http://www.cds.co.uk/clarity)

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**DWP Changing Disability Living Allowance**

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## What this booklet is about

This booklet is part of our **consultation** about changing **Disability Living Allowance**.

### Consultation

This is when the government asks what people think about their plans, and for ideas about the best ways of doing things.

### Disability Living Allowance

This is money that someone with a disability or a health condition may be able to get to help them pay for the help and support they need.

We want to find out what people think about our plans to change **Disability Living Allowance** to a new benefit in 2013. The new benefit is called **Personal Independence Payment**.



### Personal Independence Payment

This is a new benefit to help disabled people live full, active and independent lives. Disabled people who can get the benefit will get money to help them pay the extra costs of being disabled.

**Personal Independence Payment** will be for people aged 16 to 64. This is money to help people meet the extra costs of being disabled.

The government decided to change **Disability Living Allowance** to **Personal Independence Payment** from April 2013.

We have already asked people what they think about changing **Disability Living Allowance** to **Personal Independence Payment**. You can find out more about this at this web address. [www.dwp.gov.uk/docs/dla-reform-response-easy-read.pdf](http://www.dwp.gov.uk/docs/dla-reform-response-easy-read.pdf)

Some things will stay the same.

- People must have a long-term disability or health condition to get **Personal Independence Payment**.
- **Personal Independence Payment** is money that people can spend in any way they choose.



We are now asking you to tell us what you think about some more changes.

- We want to know what you think about the rules for **Personal Independence Payment**.
- We want to know what you think about some plans we have about **Disability Living Allowance**, **Attendance Allowance** and **Carer's Allowance**.

### Attendance Allowance

This is money that people aged 65 or over may be able to get if they need someone to help look after them because they are disabled.

### Carer's Allowance

This is money that people get if they look after someone who is disabled.



# Our plans

## Getting Personal Independence Payment

### Linking rules

Some people have a health condition that changes often. If a person's health condition gets better they may have their benefit stopped.

We want to make sure that if the person's health condition gets worse within a year after their benefit is stopped, they can get the benefit again without waiting.





### Upper age limit

If people already have **Personal Independence Payment** when they reach age 65 they can carry on getting it.

But no one can claim **Personal Independence Payment** for the first time when they are aged 65 or over.

### Claims from young people at age 16

Children under age 16 will still be able to get **Disability Living Allowance**.

To make sure there are no gaps in payment for young people getting **Disability Living Allowance** and coming up to age 16, we will write to the parent or guardian before the young person reaches 16.

We will tell them that their **Disability Living Allowance** award is about to end and they should apply for **Personal Independence Payment**. This would also apply to those people on indefinite awards at the moment.

We will keep paying **Disability Living Allowance** until a decision on their **Personal Independence Payment** has been worked out.

### Temporary absences abroad

People getting **Disability Living Allowance** could get it for 6 months if they went abroad. We do not think this should happen any more for **Disability Living Allowance**, **Attendance Allowance**, **Carer's Allowance** or **Personal Independence Payment** when it starts. We think that people should only be paid for up to 4 weeks at a time. Unless they have gone abroad for medical treatment.



## Habitual Residence Test

People who get **Disability Living Allowance**, **Attendance Allowance** and **Carer's Allowance** must have lived in Great Britain to pass a residence test. This is called the ordinarily residence test.

This means you must show you normally live in Great Britain and you plan to stay here for a long time.

People who get a benefit like Housing Benefit, which is worked out on money they have coming in, have to pass a test called the Habitual Residence Test.

This also means that people have to show they normally live in Great Britain.

We want to make the residence test the same as the test for benefits which are worked out on money people have coming in.

This will make it easier for people claiming **Disability Living Allowance**, **Attendance Allowance**, **Carer's Allowance** or **Personal Independence Payment**.

There will be other rules for people in the army, navy or air force to help them meet the test while they are working abroad.

### Changes to the Past Presence Test

At the moment, when people claim **Disability Living Allowance**, **Attendance Allowance**, or **Carer's Allowance** they must have lived in Great Britain for 26 out of the last 52 weeks.

People must keep passing this test as long as they claim one of these benefits.

To be able to get **Personal Independence Payment**, **Disability Living Allowance**, **Attendance Allowance** and **Carer's Allowance**, we think people should have to spend longer in Great Britain. We think people should have lived in Great Britain for at least 2 years out of the last 3 years.



# Paying Personal Independence Payment

## People in care homes

We do not want to change the rules for people in **care homes**.

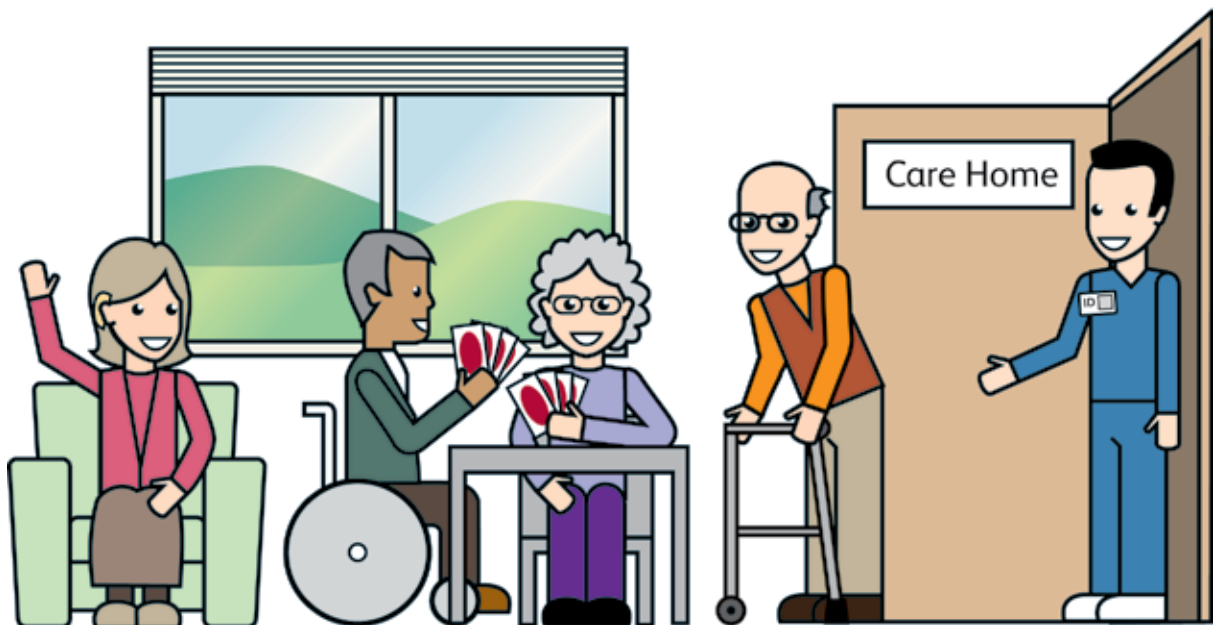
### Care homes

These are places where people go to live when they cannot get the support they need to live in their own home. Sometimes they are called residential or nursing homes.

This means that the **daily living component** will stop when a person has been in a **care home** for 28 days. But we will carry on paying any **mobility component** to people who can get it.

### Daily living component

This is money based on if a person needs support to do things which are part of daily life.



### Mobility component

This is an amount that may be paid to someone who has extra costs of getting out and about because of a disability.

### Hospital

We will stop paying the **daily living component** and the **mobility component** when a person has been in hospital or somewhere like a hospital for more than 28 days.

This will happen even if the person has a vehicle from the **Motability scheme**.

### Motability Scheme

This is a scheme that lets disabled people use part of their benefit to rent or buy a car, a powered wheelchair or a scooter.

But once a person comes out of hospital, the **daily living component** and the **mobility component** will start to be paid again.



## Changes to the rules for Disability Living Allowance and Attendance Allowance

To stop people being paid twice, we will treat **Motability Scheme** customers the same way as other people who are in hospital.

This would mean that both the **care component** and the **mobility component** would stop when a person has been in hospital for 28 days.

### Care component

This is money that can be paid to someone who needs help with personal care or supervision.

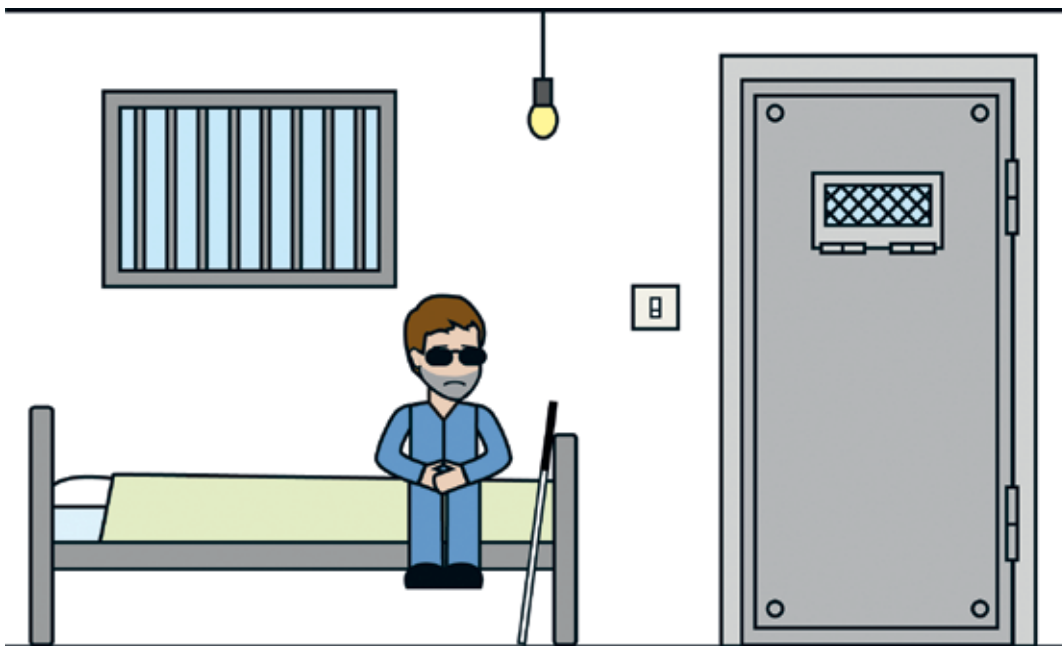
At the moment, **Motability Scheme** customers have their mobility component paid for more than 28 days. This means they can keep their car, powered wheelchair or scooter.



### People in prison

When disabled people are in prison all their disability needs are met by the prison. And after 28 days benefit payments stop.

We want to know if you think that **Personal Independence Payment** should be paid for 28 days if a person is kept in a police station or put in prison.



### Getting other benefits

At the moment, if someone gets **Disability Living Allowance** this can mean they can also get other benefits.

We want the same thing to happen with **Personal Independence Payment**.



## Carer's Allowance

If a disabled person gets any rate of the **daily living component** of **Personal Independence Payment**, their carer may be able to get **Carer's Allowance**.

## Motability Scheme

If someone gets the higher rate of the **mobility component** of **Personal Independence Payment**, called the enhanced rate, they can choose to join the **Motability Scheme**.

## Other government departments

Other government departments are looking to see if getting **Personal Independence Payment** means that their benefits and support can be given to the disabled person or a carer.



## How long will Personal Independence Payment be paid

This is not being looked at in this **consultation**. The length of time **Personal Independence Payment** will be paid for will be based on a person's needs.

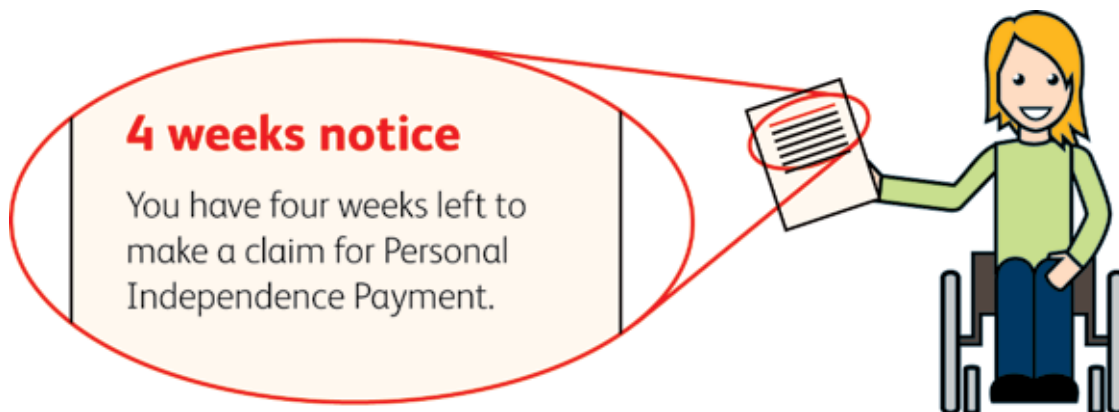
## Checking if people can get Personal Independence Payment

People aged between 16 and 64 who are getting **Disability Living Allowance** will have to say if they want to claim **Personal Independence Payment**.

We will start to check if these people can get **Personal Independence Payment** in October 2013. We should have finished the checks by the end of 2016.

If people who are getting **Disability Living Allowance** can get **Personal Independence Payment**, we want to make sure there are no gaps in the payments.

Once we say that a person can make a claim for **Personal Independence Payment**, they will have 4 weeks to make the claim.



We will remind people to make the claim and help them if they need more time.

If people do not make a claim to **Personal Independence Payment**, after 4 weeks their **Disability Living Allowance** will stop.

If a person does not have an **appointee** we will check to see if those people need more help to claim **Personal Independence Payment**. We will remind people to make a claim more than once before we stop paying the benefit.

### Appointee

An appointee is someone who can act on your behalf and collect your benefits for you.

People will be able to appeal against the decision to stop **Disability Living Allowance**. If people have a good reason for not making a claim for **Personal Independence Payment** when we ask them, we will do what we can to help them.

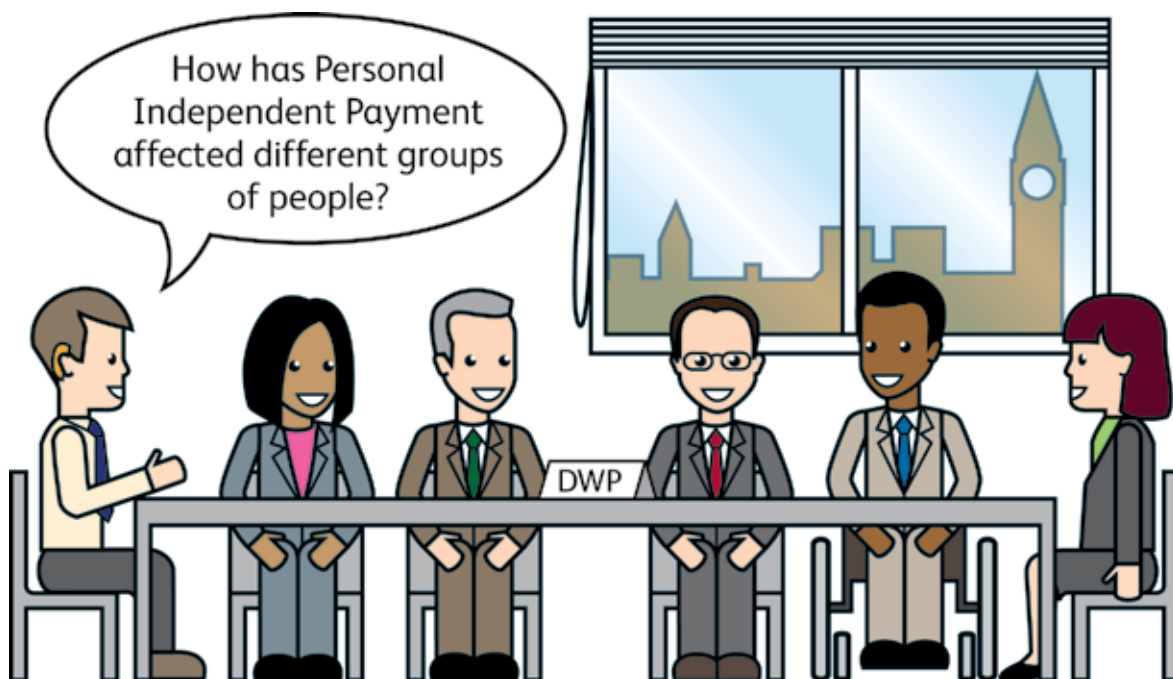


## Equality impact assessment

We will do **equality impact assessments** as the rules for **Personal Independence Payment** are worked out.

### Equality impact assessment

This is a way of working out if and by how much a change affects race, disability and/or gender equality.



## About the questions

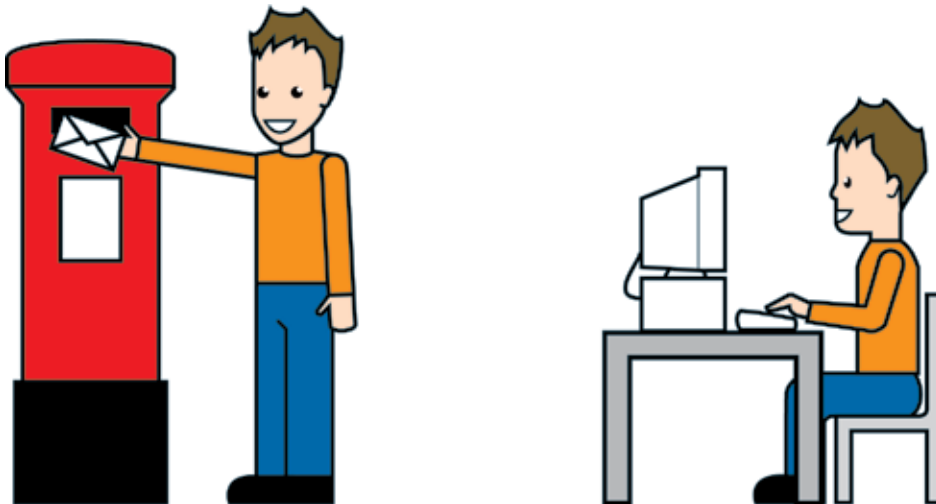
On the next few pages there are questions that we would like you to give us your answers to.

This **consultation** starts on 26 March 2012 and will end on 30 June 2012.

Send your replies to

PIP Policy Team  
Department for Work and Pensions  
Caxton House  
Tothill Street  
London  
SW1H 9NA

Or you can email your reply to  
[Pip.feedback@dwp.gsi.gov.uk](mailto:Pip.feedback@dwp.gsi.gov.uk)



## And finally, thank you

Thank you for taking the time to look at this booklet and taking part in the **consultation**.

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# Questions

## Question 1

This question is about linking rules. See page 8.

We want to give support to people with long-term health conditions which can get better or get worse at different times. Do you think we are going to do this in the best way? If not, can you think of another way we could give support to people?

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## Question 2

This question is about linking rules. See page 8.

Should the linking rules for **Personal Independence Payment** be different for people aged 65 and over?

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## Question 3

This question is about claims from young people at age 16.  
See page 9.

We want to make sure there are no gaps in payment for young people when they reach age 16. Do you think our plans will work or should we do something different?

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## Question 4

This question is about Habitual Residence Test and changes to the Past Presence Test. See pages 11 and 12.

This question is for **Personal Independence Payment, Disability Living Allowance, Attendance Allowance** and **Carer's Allowance**.

Do you think it is sensible to move towards a Habitual Residence Test so that it lines up with other benefits?

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## Question 5

This question is about Habitual Residence Test and changes to the Past Presence Test. See pages 11 and 12.

This question is for **Personal Independence Payment, Disability Living Allowance, Attendance Allowance** and **Carer's Allowance**.

Do you think it is fair for us to say that people must have been living in Great Britain for 2 out of the last 3 years before they can get these benefits?

Should this period of time be longer?

How long do you think someone should have lived in Great Britain before they can get **Personal Independence Payment**?

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## Question 6

This question is about Habitual Residence Test and changes to the Past Presence Test. See pages 11 and 12.

This question is for **Personal Independence Payment, Disability Living Allowance, Attendance Allowance and Carer's Allowance.**

Do you think that people who are in the army, the navy or the air force should be treated as living in Great Britain, even if they have to work abroad?

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## Question 7

This question is about temporary absences abroad. See page 10.

This question is for **Personal Independence Payment, Disability Living Allowance, Attendance Allowance** and **Carer's Allowance**.

We think that if someone is out of the country for 4 weeks that they should not be able to get these benefits.

Do you think 4 weeks is long enough?

If not, why not?

How long do you think someone should be allowed to be away from this country and still be able to get these benefits?

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## Question 8

This question is about temporary absences abroad. See page 10.

This question is for **Personal Independence Payment, Disability Living Allowance, Attendance Allowance** and **Carer's Allowance**.

We think that if someone has gone abroad for medical treatment, they should still get these benefits for 26 weeks, which is 6 months.

Do you think this is the right amount of time? Can you think of any times when the 6 month period should be longer? For example, for people getting retirement pension?

If you think the time should be longer, how long do you think the time period should be?

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## Question 9

This question is about temporary absences abroad. See page 10.

This question is for **Personal Independence Payment, Disability Living Allowance, Attendance Allowance** and **Carer's Allowance**.

Can you think of any other times when people should be allowed to go abroad for a long time and still get these benefits?

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## Question 10

This question is about the upper age limit. See page 9.

We want to make sure that we can afford to keep paying **Personal Independence Payment** in the future.

Do you think our plans not to pay **Personal Independence Payment** to people who are either at the age they can get their State retirement pension or age 65 when they first claim are right?

If you do not agree with these plans, what would you do to make sure we can afford to pay **Personal Independence Payment** in the future?

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## Question 11

This question is about paying Personal Independence Payment. See pages 13 and 14.

What do you think about our **Personal Independence Payment** plans for dealing with people who are in **care homes** or in hospital?

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## Question 12

This question is about people in prison. See page 16.

Do you think our plans to stop **Personal Independence Payment** for people kept in police stations or people in prison are right?

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## Question 13

This question is about people in prison. See page 16.

Do you agree that **Personal Independence Payment** should be paid for 28 days if a disabled person is in prison so they can pay for any unpaid costs to do with their disability?

If you do not agree, why not?

How long do you think **Personal Independence Payment** should be paid for someone who is in prison?

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## Question 14

This question is about people in prison. See page 16.

If someone is put in prison again within one year of coming out of prison, do you think we should join up the periods of time the person is in prison to go towards the 28 days when **Personal Independence Payment** will stop?

If you do not think we should do this, why not?

If you agree that the periods of time in prison should be joined up, but you think it should cover a different period, what other period of time do you think it should cover?

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## Question 15

This question is about checking if people can get Personal Independence Payment. See pages 18 and 19.

People will be allowed to appeal against the decision to stop **Disability Living Allowance**. This will make sure that people who have a good reason for not claiming Personal **Independence Payment** when they were asked to will be able to make a claim without losing any benefit.

Do you think this is fair?

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## Question 16

This question is about checking if people can get Personal Independence Payment. See pages 18 and 19.

Do you think our plans and the time it will take to check people can get **Personal Independence Payment** are fair?

If not, what changes should we make to our plans?

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## Question 17

This question is about checking if people can get Personal Independence Payment. See pages 18 and 19.

We want to include a process to help people who may find it hard to make a claim for **Personal Independence Payment**.

What do you think are the best ways to help the people who will need extra help?

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## Question 18

This question is about checking if people can get Personal Independence Payment. See pages 18 and 19.

We plan to send people reminders to claim **Personal Independence Payment** before we stop paying **Disability Living Allowance**.

Do you think we should do anything else to make sure people claim Personal Independence Payment in time?

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## Question 19

This question is about Habitual Residence Test and changes to the Past Presence Test. See pages 11 and 12.

This question is for **Personal Independence Payment, Disability Living Allowance, Attendance Allowance** and **Carer's Allowance**.

Do you think people should have to have been living in Great Britain for at least 2 years out of the last 3 years?

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## Question 20

This question is about Habitual Residence Test and changes to the Past Presence Test. See pages 11 and 12.

Do you think children receiving **Disability Living Allowance** should also have to show that they have been living in Great Britain for at least 2 years out of the last 3 years?

If not what would be a fair test for children?

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### Question 21

This is a general question.

How could our plans affect different equality groups?

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### Question 22

This is a general question.

What other things should we think about when we are working out our plans?

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## Question 23

This is a general question.

There are some areas where we do not have information to say how our plans will affect some groups of people. The information we do not have is for these things.

- Sexual orientation
- Religion or belief
- Civil partnerships
- Pregnancy or maternity
- Gender reassignment

Where do you think we can get this information?

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## Word list

### Appointee

An appointee is someone who can act on your behalf and collect your benefits for you ..... 19

### Attendance Allowance

This is money that people aged 65 or over may be able to get if they need someone to help look after them because they are disabled ..... 7

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## Motability Scheme

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## **Personal Independence Payment**

This is a new benefit to help disabled people live full, active and independent lives. Disabled people who can get the benefit will get money to help them pay the extra costs of being disabled.....6

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DLA Reform Team  
4th Floor  
Caxton House  
Tothill Street  
London  
SW1H 9NA

Email: [Pip.feedback@dwp.gsi.gov.uk](mailto:Pip.feedback@dwp.gsi.gov.uk)

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