

PIP advice from the Disability Law Service 2019

(This is information that I received myself on calling the DLS earlier in 2019. You may wish to call them yourselves, though this information should be a good start point)

In regards to making an application for Personal Independence Payment (PIP), I can now advise you on which steps to take in order to maximise the success of your application.

In order for you to move forward correctly, it is advisable that you gather together all your current medical evidence. As we discussed, making an appointment to see your GP or consultant would be a good step to take so that you can receive the right support in your application from your healthcare professionals.

Once you have done this, your next step will be to put together what is known as a written submission (or written statement). Your written submission should describe your current medical conditions and how these conditions affect your day-to-day living. As you cite each condition and how it affects you each day, refer specifically to your medical evidence.

(I was informed that this should be about when it is at your worst, and how that relates to the various categories set out in the PIP and Universal Credit forms. For example, if your sleep keeps you in bed most of the day, then you cannot make yourself a proper meal, or have the time to shower and look after yourself)

You can do this by simply referring to the document by name and then the page number. In doing this, you will focus any decision maker towards your medical evidence so that it should not be overlooked.

Here is a useful web tool that you can use to look at the descriptors relating to (PIP), where you can focus your written submission on descriptors of activities which are relevant to your current conditions:

<https://pipinfo.net/#activities>

When detailing your conditions and how they affect your day-to-day living, please try to explain in your written statement that activities cannot be undertaken '*reliably*', '*safely*', '*to an acceptable stand*', '*in a reasonable time*', or '*repeatedly*'. In doing this you will show that your conditions satisfy Regulation 4 of the Social Security (Personal Independence Payment) Regulations 2013:

<http://www.legislation.gov.uk/uksi/2013/377/regulation/4>

I realise that you may find putting together such a complex written submission a difficult task. You could use these useful web tools in order to find free, local advisory services that may be able to help you do this:

<https://advice.local.uk/>

<https://www.turn2us.org.uk/Get-Support/Information-and-help>

Once you have all this to hand, contact the DWP PIP new claims number on, 0800 917 2222, to request a claim form.

Make a note of the date of this request for your PIP application as you will have 1 calendar month from this date to make your application, and it will be the date from which any award for PIP will be backdated.

Please do try to put together a written statement, as if your application is unsuccessful, your written statement may be vitally important if you need to make any further appeals in the future.

After this, you will be contacted by an Independent Assessment Service (IAS) provider, either Capita or Atos. They will give you a time and a location for you to attend your assessment. It is advisable that you attend with a friend or family member. You can ask for reasonable adjustments to be made to the assessment, just contact your (IAS) provider to discuss what adjustments you would require (home visit, recording the assessment e.g.).

(I believe asking for a recording is a sound step to make, especially with Brain Fog)

If following your assessment your application for PIP is unsuccessful, you will first need to request a Mandatory Reconsideration from the DWP. You can do this by following the instructions found on the back of your decision letter, either making a verbal request over the phone or putting your request in writing. It is advisable to always do both. **You must make a request for a Mandatory Reconsideration within 1 calendar month from the date of the decision letter.**

If your Mandatory Reconsideration is unsuccessful, or you disagree with any decision, you can make an appeal to the First Tier of Her Majesty's Courts and Tribunals Service (HMCTS). **Application for this appeal must be made within 1 calendar month from the date of your Mandatory Decision letter.**

You can do so by following the instructions via this web link:

<https://www.gov.uk/administrative-appeals-tribunal/how-to-appeal>

If your appeal to the First Tier Tribunal is again unsuccessful, or you wish to challenge any decision made, please contact us here at the Disability Law Service immediately so that we can advise you on which steps to take next.

Please remember to stay as organised as possible, send any correspondence via recorded delivery, and keep to all deadlines.

If you have any further issues, please feel free to contact the Disability Law Service again on, 020 7791 9800, and select option 5 for the benefits section.