

Claiming Personal Independence Payment (PIP) when your child turns 16

Information sources

Contact A Family produce a booklet 'Personal Independence Payment and other benefits at 16':

http://www.cafamily.org.uk/media/741263/pip_guide.pdf

Government advice here on what to do when your child approaches 16:

<https://www.gov.uk/disability-living-allowance-children/when-your-child-turns-16>

A useful guide to the PIP claims process is The Claimant's Journey:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/448596/pip-advisers-claimant-journey.pdf

Refer to the points system that DWP assessors consider when considering applications:

<http://www.benefitsandwork.co.uk/personal-independence-payment-pip/pip-points-system>

When your child turns 16 and they have been receiving Child DLA up to that point, they will become responsible for making a claim for PIP in their own right. However, it is still possible for a parent/carer to oversee their claim as an 'appointee'. Transfer from DLA to PIP is not automatic and the young person will be required to make a fresh claim for PIP as an adult. If they choose not to claim PIP, Child DLA will cease when they turn 16. If the claim for PIP is successful, payments will continue from Child DLA to PIP at the current rate, and as determined by the award given. As the parent responsible for the existing DLA claim, you will be kept informed by letters from the DWP of each stage of the process. The Claimant's Journey (gov.uk document above) will explain each stage of the process.

The Department for Work and Pensions (DWP) will contact you:

- first when your child is aged 15 years and 7 months
- three months later they will send you a reminder
- shortly after your child turns 16 they will then send a letter to your child (or to you if you have been made their appointee) inviting them to make a claim for PIP.

NB: These timings can vary. It will depend on when their current DLA claim is due to expire and at time of writing children on indefinite DLA awards are not being dealt with yet.

Application for appointeeship

You will receive a letter from DWP asking if you want to apply for appointeeship over your child's claim for PIP. You will be asked to give reasons for your request. It is not sufficient to say that your child would prefer you to manage their claim

or that you think it will be easier – you have to show why they would not be able to manage it themselves. This includes managing their finances independently, and also managing their claim with DWP to include informing them of any changes in their condition and how it affects them. DWP will contact you to arrange for one of their officers to visit you and your child at home. It is a straightforward meeting in which the DWP officer will ask to see proof of identity (you will be given a list of suitable ID in the appointment letter) and the officer will determine whether the request for appointeeship is valid for that young person. It is unusual for appointeeship requests not to be agreed. You only need to give a very brief explanation on the form. You don't need to provide any supporting evidence, so you just need to say that your child can't manage it themselves.

The DWP officer will need to meet the child and talk to them if they are able to communicate, to ask them if they are happy for their parent to be their appointee and why they feel that would be best. Again, this is a very simple process with no pressure on the child.

You will also be asked how you/the young person wants their benefit to be paid, should the claim be successful. This can either be in an account in the young person's name or you can continue to have it paid into your own account, if this has been the case to date. This cannot be a joint account unless it is in your and your child's name. It cannot be a husband and wife account.

The existing claim for DLA will continue, either until the child turns 16 and does not make an application for PIP, or whilst the PIP claim is being considered by DWP.

Starting the claim

There are two parts to claiming PIP. The first is done by phone to DWP (PIP New Claims 0800 917 2222), who will take personal details to complete the PIP1 element. This will establish that the child meets the qualifying criteria for PIP, after which the DWP will send a copy of PIP2 form 'How Your Disability Affects You', to be completed and returned within four weeks. (NB: You can request an extension of two weeks if you have valid reasons for not returning the form in the specified time, but you will have to phone DWP in advance to ask for it).

You will be asked the following information about the claimant:

- The claimant's personal and contact details
- Residency details (known as residency and presence)
- Relevant periods spent in hospital, residential care
- Claims under special rules for terminally ill people
- Payment (bank account) details, and
- What are your main illnesses or disabilities?

It can help speed up the claim if the caller has this information ready before calling. The call can be made by someone supporting the claimant.

The PIP2 form 'How Your Disability Affects You'

When you are sent the form, you will also receive a copy of How Your Disability Affects You – Information Booklet but you can also download a copy here for information:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/256508/personal-independence-payment-information-booklet.pdf

The form focuses on a series of activities and the claimant will be asked to provide information about their ability to carry them out, including any support they need to do so. The DWP assessor will award points on the activity depending on the level of ability the claimant has for carrying it out. The DWP must take into account their ability not just to carry out an activity, but to carry it out **safely, reliably, repeatedly and in a reasonable time period**.

10 daily living activities

- preparing food
- taking nutrition
- managing therapy or monitoring a health condition
- washing and bathing
- managing toilet needs or incontinence
- dressing and undressing
- communicating verbally
- reading and understanding signs, symbols and words
- engaging with other people face- to-face
- making budgeting decisions

2 mobility activities

- planning and following a journey
- moving around.

To get an award of the daily living component, you need to score:

8 points for the standard rate

12 points for the enhanced rate

For daily living, the points need to be scored from **activities 1-10** above.

To get an award of the mobility component you need to score:

8 points for the standard rate

12 points for the enhanced rate

The National Autistic Society's web site on PIP claims has a page which gives advice on terminology and how to phrase your answers for each of the activities: <http://www.autism.org.uk/about/benefits-care/benefits/pip.aspx> and click on **PIP: the points-based criteria** on the right of the page.

For each of the activities, the claimant can only be considered as able to carry it out if they can do it **safely, to an acceptable standard, repeatedly and in a reasonable time period**. Consider these factors when giving your answers, and refer to them to evidence the responses you give.

Activities need to be achievable in 'a reasonable time period'. The guide time is usually double that which the activity would take for someone without disabilities. Write about the time taken for the claimant to (eg) cook a meal, and compare with how long you would expect it to take for someone without disabilities. Do this for every activity where timings apply.

You do not have to write the answers directly onto the form if the space limits your response. Some people type their answers in Word, using the same question headings as given on the form – this allows you to give as much information as is necessary to fully describe the claimant's difficulties with each activity, and you can edit as many times as you need to be sure you have an accurate answer. The answers document can be attached to the PIP2 form whole or you can cut and stick each answer onto the relevant page. Either is acceptable.

Your claim is judged on how your condition affects you **MOST OF THE TIME**. Do not be tempted to follow the commonly issued advice to write about your worst day. It is unwise advice that can undermine your claim. You can include information about what it is like on a bad day, but then quantify how often a bad day happens.

Writing a diary of the care you provide over a few days, will give you the best foundation to complete the forms.

Evidence

The DWP is specific about the kind of evidence you may submit to support your claim.

DO send:

Reports and Care or Treatment plans about you from:

- Specialist nurses
- Community Psychiatric Nurses
- Social workers
- Occupational Therapists
- GPs
- Hospital doctors
- Physiotherapists
- Support workers

Your hospital discharge or outpatient clinic letters.

Your statement of special educational needs.

Your certificate of visual impairment.

Your test results like:

- Scans
- Diagnostic tests
- Audiology

Your current repeat prescription lists

Photographs or X-rays.

Letters about Other benefits.

Letters from people who know you but only if they can provide us with more information about how your condition affects you that you haven't already told us about on your form.

For people with autism, it can also be useful to send:

Diary entries for particular days when your child has needed specific support – these can provide useful examples of areas of need which you can use to highlight problems with the assessment activities
Medication record (available from your GP), if applicable
Correspondence (eg emails) with medical professionals overseeing the child's care, especially those raising concerns and asking for advice.

DON'T send:

General information or fact sheets about your condition(s) that are not about you personally. Appointment cards or letters about medical appointments:

- Times
- Dates
- Directions.

Information about tests you are going to have.

Fact sheets about your medication

Provide a list of enclosures

Write a covering note of documents you are sending to support your claim. You might want to number the documents and list with a description by number, eg:

1. X's Education Health and Care Plan, dated xxx
2. X's recent Educational Psychologist report, dated xxx
3. Email correspondence with X's consultant psychiatrist regarding possible side-effects of medication, dated xxx

etc. This makes it easier for DWP assessors to look at the documents in the context of your claim.

Keep a photocopy of all documents you are sending, including the completed PIP2 form (or scan into your computer) before you post them. This will be useful if your claim is rejected and you need to refer to it to ask for Reconsideration or go to Appeal. If your claim is successful, it is useful to look back on when the claim is reviewed. It is advisable to send your documents by Special Delivery to track the item and be sure it has reached its destination.

Do not send originals of your supporting evidence (reports etc). Take photocopies and send those instead.

On receipt at DWP, the PIP2 form and accompanying evidence will be passed to a DWP assessor, who will decide if further evidence and/or medical examination is needed before a decision can be made on the claim.

Medical examination

In most cases, but not always (about 90% of first applications) the young person will be asked to attend a medical consultation as part of the assessment process.

This will take place after the PIP2 form has been completed and returned to DWP. If there is sufficient evidence provided on the PIP2 and enclosed documents, the DWP may decide that a medical consultation is not necessary. They may also decide that there are sound reasons for the young person not attending a consultation if those reasons are associated with their disability, though this does not necessarily mean that they will give an award.

The medical examination will involve an assessor going through every question from the PIP form and asking for more detail and description of the claimant's difficulties. They might also ask you to move around, stand up, raise your arms etc, but nothing that causes pain.

Advice letter

The DWP Decision Maker will take advice from the assessor and will decide whether or not to give an award (approve the claim). They will then write to the claimant. Depending on the outcome, the letter will either state that the claim has been successful and give a breakdown of points that resulted in the award, and the amount that will be paid, or advice on how to appeal if the claim was unsuccessful.

If you need to appeal a decision...

This guide has been recommended to support your request for reconsideration and appeal:

<http://www.advicenow.org.uk/guides/how-win-pip-appeal>

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