

# Advice Portsmouth

## Personal Independence Payment (PIP) Factsheet

### Eligibility

To be eligible to claim PIP you must be;

- 16 years old+ (but under state pension age).
- Suffered with your health conditions for 3 months and expecting this to continue for at least 9 months.
- Usually must have lived in the UK for at least 2 of the last 3 years. (may still qualify if recently returned to UK from living in EEA country).

Along with the above criteria, to be eligible for PIP you must struggle to care for yourself **and/or** struggle with mobility for more than half of the time.

It is possible to receive PIP whether you are working or not.

### The PIP award

A decision to award PIP is based on the application form, the medical assessment and any medical evidence you have been able to submit with your claim.

There are two components to PIP, you can be awarded one or both components.

Each component has a number of Activities which you are scored on, the scores are set within the descriptors whereby the assessor will pick the descriptor/score they believe mostly

applies to you, based on the information you have provided them with.

Your scores are added up across all the activities for each component.

### **The Daily Living Care component (DLC)**

There are 10 Activities within this component where between 0-84 points could be awarded overall. The DLC activities focus around your care/support needs.

It is important to acknowledge *needs* that are there, even if the person does not receive the relevant care/support (for example they live alone).

### **The Mobility Component (MOB)**

This component is harder to get with only 2 Activities whereby you could be scored between 0-24 points overall.

### Scoring

There are two award rates of each PIP component, which are scored as follows;

The standard rate – between 8-11 points  
The enhanced rate – 12 or more points

### Rates

The weekly rates for PIP are as follows;

Component	Standard rate	Enhanced rate
DLC	£59.70	£89.15
MOB	£23.60	£62.25

(Financial year 2020/21)

PIP is usually paid every 4 weeks.

## Disagreeing with a decision

### **Mandatory Reconsideration Stage**

When a decision is made, you will receive details of how you scored for each activity and a summary of the assessors' findings. If you disagree with this decision, you can challenge this with a 'Mandatory Reconsideration Request' (MRR) within one month of the date of the decision letter. It is best to do this in writing.

When the DWP receive an MRR, they will look over the decision again along with any additional evidence you have submitted. They will then decide either to stick to the original decision or to change it, this is called a Mandatory Reconsideration Notice (MRN), you will receive two copies of this in the post.

### **Advice/guidance**

- It is important to note that when you challenge a decision, the whole award is reconsidered, therefore the scores across both components will be looked at again and could be changed.
- It is rare to jump from 0 to 8+ points in the MR stage (without significant new information/evidence). Therefore, if you are awarded a total of 0 points (and wish to challenge this), it's worth submitting a basic MRR outlining what you disagree with, whilst starting to gather further strong medical evidence ready for a later appeal. You should also seek advice as to the strength of a further appeal – we can help with this at Advice Portsmouth.
- If you were only a couple of points off being awarded PIP, then it's worth including some additional medical evidence at the MR stage as it could bump your points up enough to be awarded.

### **Tribunal appeal stage**

If you still disagree with the decision of the MRN, the next stage is to appeal to HM Courts and Tribunal Service (HMCTS) within one month of the date of the MRN.

For this stage you need to complete and post a SSCS1 form and a copy of your MRN to HMCTS. The SSCS1 will ask if you will be attending a hearing – this is always recommended to enable you to answer any questions the Tribunal Service have for you. When HMCTS receive your SSCS1, you will be sent a letter of acknowledgment.

Some weeks after this you will receive a bundle of paperwork – this will include copies of the original claim form, the full assessment report, the decision letter, the MR paperwork and any medical evidence you have submitted (everything they have used to make their decision).

The next thing you will receive from the HMCTS is a hearing date.

It is advised that you spend the time between submitting your SSCS1 and receiving your hearing date, to gather medical evidence to support and build your appeal, this should be summarised with a written submission which should be sent to HMCTS at least 2 weeks before your hearing date.

**It is important to consider the PIP descriptors when challenging a decision. This enables you to score yourself and gives structure to your appeal.** The PIP descriptors can be found publicly online, alternatively you can pick up a copy from Advice Portsmouth.

### Appeal outcome

If you win your appeal your payments will be backdated to your original claim date. If you lose your appeal, this can only be further challenged if there has been an error in law – you should get further advice on this.