

The knock-on effect of changing from DLA to PIP - Case Study 2016-17



Mo heard about Merton CIL through word of mouth and got in touch for support with a benefits Health Assessment for Personal Independence Payments (PIP). Mo was one of many people experiencing a review of his entitlement to benefits in the changeover from Disability Living Allowance to PIP. In Merton, another 2,600 people are still waiting to undergo this change. Normally we offer people one or two sessions to prepare them for a Health Assessment so that they know what to expect, and we go along to the Health Assessment with them. When Mo got in touch with us before the assessment, we were fully booked. What we did do was explain his right to ask for an assessment closer

to home – he had been told to go to Barking – and we signposted him to some guidance, which we also posted to him. Mo said that the information “Confirmed some things I already knew and told me some things I didn’t know, both of which were helpful”.

Importantly, we stayed in touch with Mo. Following the Health Assessment, Mo let us know that he was awarded PIP but only for the Daily Living component and not for the Mobility component. He said the assessor hadn’t given him time to explain the impact of his different impairments properly, and had prevented his friend, who went with him, from making any notes. The decision was a real cause for concern for Mo because under DLA he had been entitled to the Mobility component and had used that money to lease an adapted car under the Motability scheme.



Mo’s disability had not changed, but the benefit had. Now Mo was in a situation where he was no longer entitled to lease his adapted car, and was going to be forced to return

it. He used that car to get to work, and Mo wasn't sure how he would get to work without it.



We supported Mo through the Mandatory Reconsideration process. This is the pre-appeal stage where you ask the DWP to reconsider their initial decision. The DWP decided to uphold their initial decision, so Mo went to appeal. This was a difficult decision for Mo because at tribunal, there is always the possibility that the whole award will be looked at again, and there is the risk that the award will be reduced or refused altogether, as well as the possibility of getting a higher award, which Mo was asking for.

However, Mo felt that he had been unfairly assessed so he went ahead with the appeal. We supported Mo with a preparation session to go through what he could expect at the Tribunal, and we supported Mo to speak up at the Tribunal. The Tribunal found that Mo was eligible for the Mobility component at the standard rate. This outcome meant that Mo was not entitled to re-access the Motability scheme, but was able to access a range of other benefits such as Blue Badge and Freedom Pass, as well as seeing his award increase by £22 a week. Because of the long gap (about 7 months) between having his entitlement removed and it being reinstated, Mo had already had to leave the Motability scheme as there was a 7-week window in which you have to either hand back, or buy the leased car (this was extended to 26 weeks in April 2017). Following our advice around the Motability Transfer package, Mo was able to buy the car outright, rather than losing it. Now Mo is sorting out his road tax liability, which had been affected by the loss and reinstatement of his benefit.

