



Department
for Work &
Pensions

Minister for Disabled People,
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Rt Hon Stephen Timms MP
Chair, Work and Pensions Committee

9~ March 2020

Doon Stephen,

Thank you for your letter of 25 February. I am happy to provide you with the clarification you seek on my written statement made on 11 February. You asked about the change in approach we are taking for the PIP administrative exercise following the MH and RJ decisions of the Upper Tribunal.

In your first question, you asked about whether the change in approach will affect the number of staff dedicated to reviewing PIP claims. I can confirm that the change in approach does not change the overall number of staff reviewing and deciding PIP claims. It does though mean that we are able to use staff resources more efficiently and effectively. For instance, by focussing the administrative exercise on those more likely to benefit, we can redirect staff to other PIP reviews, for example reviewing new PIP claims. This means that we can continue to deliver our service in the best interests of PIP claimants more generally.

You asked how we intend to contact claimants affected by the MH and RJ decisions. We continue to write to all those that we review to inform them about our decision and what they can do if they disagree with it. My statement of 11 February also noted that we will now write to those claimants whom we think are most unlikely to benefit. These letters will explain how we are implementing the Upper Tribunal decisions, who is likely to be affected, and that claimants can ask us for a review if they think they are affected.

We want to ensure the letter is clear and straightforward as we want to reduce the risk of distress to claimants receiving it. We have consulted with stakeholder organisations and tested the proposed letter with customers to ensure this. We also plan to conduct a test exercise soon where we will send

the letter to a sample of claimants to monitor the responses we get from them. We want to assure ourselves that this approach works and claimants who might benefit are asking for a review. Please find the latest draft of the letter attached for your consideration.

You asked about our approach to claimants that are now deceased or terminally ill. I can confirm that we are still prioritising and reviewing all such cases. While we had a dedicated resource for deceased claimants in place at the beginning of the exercise, we have since disbanded it as we have reviewed most of these cases. We are now prioritising new cases as we learn about them.

You expressed concern that the new approach to reviewing cases would place responsibility on the majority of claimants to ask for a review. I can assure you that we are still reviewing a wide group of claimants, including everyone who we have previously assessed as having overwhelming psychological distress. If we had taken this approach from the beginning of the exercise, our analysis shows that we would have captured almost everyone who has benefitted from the exercise so far. To make sure we are capturing everyone we will be writing out to everyone including those unlikely to benefit, giving them the opportunity to ask for a review.

Finally, we are continuously monitoring the outcomes of the exercise, including the impact of the new approach. My officials review weekly progress reports and I am personally updated every month on progress.

I hope you find my response helpful. Please let me know if you have any follow up questions.

Kind regards,



Justin Tomlinson MP

Minister for Disabled People, Health & Work

If you call or write to us, please use this reference:
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Personal Independence Payment Changes in PIP law

Xx xxx 2020

Dear

There have been some changes in Personal Independence Payment (PIP) law that affect how the Department for Work and Pensions decides PIP claims.

The main health conditions we have for you on our system indicate your PIP claim(s) are not affected by these changes.

The changes are to do with:

- how overwhelming psychological distress is considered when assessing someone's ability to plan and follow a journey. Overwhelming psychological distress is distress related to a mental health condition, intellectual or cognitive impairment. It may result in a person being unable to complete a journey
- how we decide whether someone can carry out an activity safely and if they need supervision. We now consider the seriousness of any harm that might happen, as well as the likelihood of it happening

Who is likely to be affected

The people affected by these changes will most likely have a cognitive, intellectual, or development impairment, or a mental health condition.

Or a condition affecting the brain and nervous system with symptoms such as blackouts, fits or faints with loss of consciousness.

If you think your claim(s) could be affected by these changes in PIP law, please phone or write to us.

We have many different ways we can communicate with you. If you would like braille, British Sign Language, a hearing loop, email, translations, large print, audio or something else please tell us using the phone number at the top of this letter.

If you think your PIP claim(s) could be affected by these changes, please phone or write to us using the details on the front page of this letter. If we need more information from you, we will contact you to request this.

If you need some help to think about whether you might be affected, you can also talk to your carer, family and friends or your support worker. Local support organisations can also provide independent help and support. You can find their details online, at your local library or in the telephone directory.

There is more information about these changes on www.gov.uk/dwp/pip-changes

Yours sincerely

Office manager

Example

Equality and diversity

We treat people fairly, regardless of their disability, ethnicity, gender, sexual orientation, transgender status, marital or civil partnership status, age, religion or beliefs.

Call charges

Calls to 0800 numbers are free from personal mobiles and landlines.

Why DWP needs personal information and how we treat it

We treat personal information carefully. We may use it for any of our purposes. To learn more about information rights and how we use information, please see our DWP Personal Information Charter at

www.gov.uk/dwp/personal-information-charter



Work and Pensions Committee

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Justin Tomlinson MP
Minister for Disabled people, health and work
Department for Work and Pensions

25 February 2020

Dear Justin

Thank you for meeting me on 11 February. I would be grateful for some clarification on the written statement on PIP made that day. The written statement said:

Thanks to our continuous monitoring of [PIP administrative] exercise, we know which claimants are most likely to benefit. This now allows us to focus on those cases and to make backdated payments to eligible claimants more quickly. We will write to all other claimants in scope of the exercise, explaining the Upper Tribunal decisions and how they can get in touch with us if they think they may benefit and want to ask us to review their case.

I would appreciate some additional detail on how the Department has assured itself this will work in practice. Please could you tell me:

1. Does this change affect the number of staff dedicated to reviewing PIP claims? If so, how?
2. How does the Department intend to contact claimants, and please could the Committee see sample copies of any intended communications?

The Department previously had a dedicated unit for reviewing cases where the claimant is now deceased (so that payments can be made to their next of kin) and prioritised reviews of claimants with terminal illness.

3. Are those resources/priorities and still in place? If not, how is the Department going to ensure all of those claimants/next of kin receive a review?

The new method seems to place responsibility on the majority of claimants to contact the Department and ask for a review if they think they might be owed money. The Committee has previously highlighted a large-scale loss of trust in PIP assessments amongst claimants. We have also heard evidence that they can be particularly distressing for people with mental health conditions, who are amongst those most likely to be affected by this review.

4. What analysis has the Department undertaken to assure itself that claimants will not miss out due to this change in approach?
5. How will the Department be monitoring the impact of this change as the review progresses?

A handwritten signature in black ink, reading "Stephen Timms". The signature is written in a cursive style with a horizontal line above the name.

Rt Hon Stephen Timms MP
Chair, Work and Pensions Committee