



Department  
for Work &  
Pensions

Ministerial  
Correspondence  
Caxton House  
Tothill Street  
LONDON  
SW1H 9DA

0207 340 4000

[www.gov.uk](http://www.gov.uk)

[ministers@dwp.gov.uk](mailto:ministers@dwp.gov.uk)

Rt Hon Frank Field MP

Our ref: MC2019/34815

21 OCT 2019

*Dear Frank,*

Thank you for your email of 24 September on behalf of Mr John Brace of 134 Boundary Road, Prenton about Personal Independence Payment (PIP).

Everyone who was in receipt of Disability Living Allowance (DLA) on 8 April 2013 and was under the age of 65 will be invited to claim PIP, even if they are receiving an indefinite award. PIP is a new benefit so everyone within scope will be required to be reassessed for entitlement to it to ensure that their decision reflects the new entitlement rules. Each PIP claim will be looked at individually, considering the impact of the disability and or health condition on daily living and mobility, rather than solely basing the decision on the disability and or health condition itself.

The PIP assessment was designed with extensive input from disabled people and the organisations that represent them. The Department for Work and Pensions (DWP) consulted closely with an advisory group of independent experts in health, social care and disability throughout the design of the criteria to ensure that they are clear and focused on those who need it most. The DWP has also made a wide range of changes as a result of its commitment to continuous improvement, to make the assessment clearer, fairer and more effective.

Audio recording of face-to-face assessments is not currently part of the contractual specification for PIP assessments. Individuals may use their own audio recording equipment to record their face-to-face assessment, subject to reasonable conditions set by the DWP.

Individuals must inform the assessment provider in advance that they wish to audio record their assessment. This is to allow them to ensure

that the health professional carrying out the assessment is willing to be recorded. If they are unwilling to be audio recorded, an alternative appointment should be made with a health professional who is willing to be recorded.

If the health professional notices that an individual is covertly recording their consultation, the restrictions relating to the recording of assessments should be explained. If the health professional is content to be recorded, the claimant is content to sign the agreement form and their equipment meets the specified requirements, the assessment can continue. If this is not the case, the claimant should be asked to stop recording. If the claimant refuses to do so, the assessment should be terminated and the case returned to the DWP.

Claimants who choose to have their assessment audio recorded must sign a form in which they agree that they will provide a copy of the audio recording and not use it for unlawful purposes.

Claimants can have a named third party as an official appointee to act on their behalf. However, exceptionally, they can also have an appointee where they have only a physical disability, for example, if they have had a stroke which has resulted in a significant impact on their functional ability. A Departmental official on behalf of the Secretary of State will authorise an appointee to become fully responsible for acting on the individual's behalf in any dealings with DWP or its contracted service providers.

Should a claimant wish to obtain a copy of the form they have signed, data protection provision gives them a right of access to their personal data which the DWP may hold. They can obtain this information through a right of access request, which can be made verbally or in writing to the DWP.

Generally, assessments are carried out at an assessment centre, however, where an individual states that they are unable to attend an assessment centre or where travel would require high levels of support or cause significant distress to the individual, for example, where the individual has a severe physical disability or severe mental health condition, the health professional should, at a minimum, consider whether a home assessment is needed. Individuals can also request a home assessment; they will however be required to provide medical evidence in support of this request.

The PIP assessment is not a medical assessment requiring the health professional to diagnose a condition or its severity and recommend

treatment options. Instead, the focus is on ensuring health professionals are experts in disability analysis, considering the effects of health conditions and impairments on the individual's daily life. Therefore, assessments are carried out by experienced health professionals from a range of different backgrounds. This includes doctors, nurses and professionals such as physiotherapists and occupational therapists, who we believe have better skills for this type of assessment.

During the assessment, the health professional should explore all the PIP activity areas for daily living and mobility, focusing on the activities most likely to be affected by the individual's condition. However, throughout the assessment process the DWP expects people to be treated with dignity and respect and adherence to professional standards from its assessment providers. The DWP regularly updates its guidance for its assessment providers regarding all aspects of the assessment, including the health professionals conduct during face to face assessments.

Complaints solely about the service provided by assessment providers should be directed to them through their own complaint process, which signposts complainants to the Independent Case Examiner (ICE), if they remain dissatisfied with the assessment provider's final response. This procedure gives claimants, who raise concerns about third party provision, the same access to the complaint escalation route as those who raise concerns about services provided by that DWP's businesses. However, should the complaint contain concerns about the service provided by both the DWP and an assessment provider, it should be raised with the DWP.

The contractual documents in relation to the assessment providers were published following the award of the contracts; however, the published versions do not contain any variations that have been agreed since they were awarded.

The contract with Capita for Central England and Wales assessments can be found at:

<http://data.gov.uk/data/contracts-finder-archive/contract/740844/>.

The contract with Capita for Northern Ireland assessments is available at:

<http://data.gov.uk/data/contracts-finder-archive/contract/762330/>.

Independent Assessment Services (IAS) has two separate contracts with DWP to deliver PIP assessments.

The contract with IAS for PIP assessments in Northern England and Scotland is available at: <http://data.gov.uk/data/contracts-finder-archive/contract/695721/>.

And the contract with IAS for PIP assessments in London, East of England and Southern England is available at: <http://data.gov.uk/data/contracts-finder-archive/contract/695729/>.

The DWP has set its assessment providers challenging targets and monitor performance of its assessment providers closely. The contracts are robustly managed to obtain optimal performance. Should the assessment provider fail to meet the performance criteria, contractual remedies are available to the DWP.

I hope Mr Brace will find this reply helpful.

Kind regards,



**Justin Tomlinson MP**

Minister for Disabled People, Health and Work