

Impacts of Mental Health Difficulties on Personal Independence Payment Claims

Introduction

In the final quarter (January, February, March) of the 2020/21 fiscal year, Citizens Advice Teignbridge advised 680 clients on 1,583 issues related to benefits and tax credits. Of those 1,583 issues, 37% (or 585) were related to Personal Independence Payment (PIP) and Employment Support Allowance (ESA). 33.8% of all PIP issues recorded by Citizens Advice were focused on eligibility. Another 15.9% of issues were related to challenging a PIP decision (either with or without an appeal). Based on evidence forms collected by Citizens Advice Teignbridge, clients' mental health is affecting claims for PIP in that claims are being denied to clients dealing with mental health issues.

Background

Evidence forms collected by Citizens Advice Teignbridge suggest that there are issues with the Department for Work and Pensions (DWP) recognising mental illness as a sufficient disability to collect PIP. Several clients have had to take their claims to tribunal. The added stress of having to take claims to tribunal has negatively impacted our clients who are already dealing with mental health issues. According to our evidence forms and case notes, even in circumstances where our clients have won at tribunal, the DWP is still refusing to award PIP to those facing mental health issues by refusing the second claim after the first claim period expires.

Research

Mind published an article¹ about the difficulties people with mental health problems face when trying to access PIP. According to this article, the High Court ruled in 2017 that discrimination against people with mental health problems existed in the PIP claims process. Later, the article highlights that after Government was mandated to review hundreds of thousands of cases, only 0.5% of claims resulted in a higher PIP award.

Based on evidence forms collected by Citizens Advice, this discrimination against mental health difficulties is ongoing despite success in courts and tribunals. In the three months between February and April 2021, eight evidence forms were submitted regarding access to PIP for people with mental health difficulties. One such case is highlighted below as a case study.

¹ Mind UK, *Thousands of people with mental health problems could be missing out on PIP – despite court ruling against DWP*, 2020 < <https://www.mind.org.uk/news-campaigns/news/thousands-of-people-with-mental-health-problems-could-be-missing-out-on-pip/>>

Potential Issues

	Issue	Impact on Client
1	Lack of focus on mental health difficulties in PIP form questionnaire.	Confusion and uncertainty in how to respond to the questionnaire while accurately depicting the impacts of the illness on the client's daily living. This can add additional unnecessary stress to the claims process.
2	Lack of understanding of PIP assessors of mental health issues.	This can add stress to our clients in the claims process. It can make clients feel as though their difficulties aren't real, serious enough, or it's "all in their head."
3	Lack of understanding of how mental illness affects daily living.	Because clients are <i>physically</i> capable of looking after themselves, their needs may be deemed insufficient to claim PIP. However, there is a lack of understanding that although they can physically do something, their mental illness can often prevent them from doing it. This adds more unnecessary stress to our clients already facing mental health difficulties and can leave our clients feeling hopeless and despondent. This additional stress and negative experience can exacerbate already difficult mental health issues.
4	Switching from DLA to PIP too early.	Clients who are being switched from DLA to PIP at 16 years old are still children, many of whom still live at home with adult carers. Switching individuals from DLA to PIP before adulthood often results in lower (or none at all) benefits awards.
5	Coronavirus: decreased accessibility to services and longer wait times for mental health professionals (?)	Longer wait times for mental health professionals means our clients are going longer without access to treatment. This could also (?) have an impact on our clients obtaining necessary evidence to support their PIP claims and add additional stress.

Whilst some clients may face only one of the above-mentioned issues at a time, many clients will face several, if not all, of the issues together. Additional stressors when faced by

people with mental health difficulties can exacerbate those difficulties (cite). This can lead to even worse outcomes for our clients.

Areas for Improvement

What can be done differently? Adding a section specifically related to mental health difficulties. The questions on the PIP claim forms are designed for people with physical disabilities and not designed for people with mental health difficulties.

	Solution	Impact on Client
1	Add a section focused on mental health to the PIP questionnaire.	Increased clarity on how to report needs to the DWP.
2	Train PIP assessors on working with people with mental health difficulties.	Increased accessibility of PIP for people with mental health difficulties
3	Obtain and apply knowledge of the impacts of mental illness on daily living and mobility to the claims process.	Increased approval of PIP claims for people with mental health difficulties.
4	Increase age of switch from DLA to PIP from 16 years old to 21 years old.	Clients will not need to navigate the benefits system until they reach adulthood, and this will ensure that individuals are receiving the appropriate benefits.
5	Government should increase funding to mental health services.	Reduced wait times, improved access to services, better support for PIP claims.

Case Study

Background

Citizens Advice began working with a client with severe mental health issues on a PIP appeal. The client X had been receiving the Personal Independence Payment (PIP) since 2016. X was receiving enhanced Daily Living and standard Mobility. After a review had taken place (for which a telephone assessment took place which had to be rescheduled several times), X's allowance was due to cease in early 2021. X's GP intervened and the client was given approximately six weeks to submit a Mandatory Reconsideration.

X's mental health problems manifest in a lack of motivation to perform personal care tasks. X, because of their mental health problems, are rarely able to get dressed or wash themselves and most of X's day is spent in bed. The client also has a physical health issue. The client's mental health problems are so severe that they had difficulties engaging with Citizens Advice via telephone for assistance.

Based on the CAB adviser's research, the client should have scored 17 points for Daily Living and 10 points for Mobility. However, after the telephone assessment noted above, only 2 points for Daily Living were awarded.

A letter was issued to the client several days before the Mandatory Reconsideration was due refusing their PIP. The adviser phoned the DWP on behalf of the client to find out what the issues were. The adviser was informed that the DWP used X's ESA to inform their decision without waiting for a letter from the GP or the Mandatory Reconsideration.

After the best efforts of the adviser and X's GP, the client's PIP was again refused at the Mandatory Reconsideration level. The client was awarded only 4 points. In response, the adviser submitted an appeal to the tribunal and wrote a letter of complaint to the DWP.

Impact

This issue is causing the client unnecessary additional anxiety and the loss to their income is approximately £180 per week.

Issues

The DWP fails to recognise the significant impact of mental health difficulties on a person's Daily Living and Mobility. The DWP is also not sensitive to how mental health difficulties can impact a client's access to support systems, and how different means of communication may need to be prioritised over others for the purpose of easing mental health difficulties (e.g., communication via email or text message instead of telephone). The DWP has also ignored the support of the client's GP.

Statistics

