

How to

Appeal a PIP decision



Introduction

If you made a claim for PIP and you didn't get the award that you think you were entitled to, don't give up. This guide and accompanying tool will help you challenge the decision by asking the DWP to look at their decision again – to see if it was correct. This is called a 'mandatory reconsideration.' If they don't change the decision, this guide shows you how to appeal the decision and win.

An appeal is when a judge and two experts who do not work for the DWP will look at your claim to see if the right decision was made. Appeals take much longer, but they are much more likely to be successful. This guide will help you through the process.

If your illness, condition, or disability has got worse since the date of your application and you were refused benefit altogether, you could make a new claim. If you were given some benefit but not as much as you think you should get now, because something has changed, you need to ask for your benefit to be reassessed.

Unfortunately, in lots of places it is hard to get advice or representation to help with your appeal. We explain where you might be able to get advice on [page 8](#). Most people have to do most or all of the work themselves or with the help of their family and friends. We have made this guide easy to use to help you, and we have created a tool to help you write a really good letter that sets out your case.

This guide will take you step-by-step through the whole process. We will show you what to do at each stage, how to stop it from getting too stressful, and how to give yourself the best chance of getting a good result. We know from our research that 90% of people who use this guide and our mandatory reconsideration letter tool get the decision about their PIP claim changed – either by asking for a mandatory reconsideration or through an appeal. It is worth the effort!

This guide looks long, but don't be put off – you will only need to read a few pages at each stage. We have colour-coded the sections, so you know where you are and what you have to do next.

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What countries does this guide cover?

The information in this guide applies to people who have applied for Personal Independence Payment in England, Wales, and Scotland. It will also be helpful for PIP claimants in Northern Ireland where the rules are the same, but the names of the relevant government departments and forms are different. Please bear in mind that if you are in Northern Ireland, it is the Department for Communities (DfC) rather than the Department for Work and Pensions (DWP), the Northern Ireland Courts and Tribunal Service (NICTS) rather than His Majesty's Courts and Tribunal Service (HMCTS), and the form NOA1(SS) rather than SSCS1.

Things to understand

Whether or not you are entitled to PIP is based on how your illness, and treatment, condition, or disability affects you and what help you need with very specific things. When you are thinking about your claim and whether or not you want to appeal, you have to look at what the criteria actually are (as set out in the law) – not what would be fair, or what they were under Disability Living Allowance.

PIP awards are worked out using a points system. For example, if you need help from another person to wash your hair, you get 2 points, if you need help to get into the shower or bath you get 3 points, etc. You only score one set of points from each activity (for example, washing), so you should get whichever gives you the most points.

You need 8 points to get the standard rate of the daily living component, or 12 points for the enhanced rate. Similarly, you need 8 points for the standard rate of the mobility component and 12 points for the enhanced rate.

If the only way you can do something is to do it **unsafely**, badly, **slowly**, or **only occasionally/not repeatedly**, the correct descriptor is the one that says you cannot do it. So, for example, if you do cook alone but you can't do it safely because you can't see what you are chopping or where the pan of boiling water is, you meet the descriptor that says you need supervision to stay safe or help to cook. Or, if you can walk 100 metres but it takes you more than twice as long as it would take a non-disabled person, or you could only do it once a day, you meet the descriptor that says you cannot do it.



Similarly, if you can do a task but doing it causes you **pain, tiredness, breathlessness, nausea** or **makes your condition worse**, the correct descriptor is the one that says you cannot do it. So, for example, if you can walk 20 metres using walking sticks but doing so hurts you, makes you so tired you cannot manage other things like cooking a meal, or makes your condition worse for the next few hours, you meet the descriptor that says you cannot do it.

If your condition is worse on some days than others, you will meet the requirements of a particular descriptor if that is how your condition is for **more than 50% of the time**. For example, if you could sometimes manage a simple budgeting decision by yourself, but on most days would find that impossible, you meet the descriptor that says you need that help. Or if you need physical help to undress or dress every other day, you meet that descriptor. You would also meet it if you had a good 2 weeks, but then couldn't undress without help for the next two weeks. If you don't meet the requirements for one descriptor for 50% of the time, but you do meet the requirements for two descriptors for the same activity and that adds up to more than 50% of the time, you get the points for the descriptor that you meet for most of the time.

If you haven't checked what rate you should be getting yet, use our [tool](#). It will help you work out if the DWP has given you the right decision. And if they haven't, the tool helps you to write a really good letter asking for a mandatory reconsideration.

The screenshot shows the 'PIP Mandatory Reconsideration Request Letter Tool' interface. At the top, there's a navigation bar with 'advice now', 'Categories', 'Browse', 'A-Z', 'Search', and a menu icon. Below the header, the title 'PIP Mandatory Reconsideration Request Letter Tool' is displayed. The main content area contains several sections of text: a welcome message, instructions on how to use the tool (including account creation and saving progress), and a section titled 'Check what rate you are entitled to'. This section explains that users need to know which activities and descriptors they meet. Below this, there are instructions on how to select descriptors for each activity. The interface then lists 12 activities, each with a dropdown arrow. 'Activity 3: Managing therapy or monitoring a health condition' is expanded, showing five radio button options for different levels of supervision needed. At the bottom, there are 'Previous' and 'NEXT' buttons, and 'REGISTER & SAVE' and 'CONTINUE' buttons.

What is your situation?

What is your situation?



I didn't get anything

Some people in this situation feel like they should just give up, others feel furious. The DWP often don't apply the criteria correctly. Challenging the decision takes a long time, but everybody should get what the law says they are entitled to. Remember you have nothing to lose and everything to gain.

I had to reclaim, and they gave me less than before



You may still have a good case for a higher amount. Be sure that you understand

how you qualify for PIP. Use our [Mandatory Reconsideration Request tool](#) to check what award you think you should have got. If it's not the same as you were awarded, use the tool to request a Mandatory Reconsideration. If they don't change their decision, you should appeal.

What is your situation?

Lots of people in your situation find they get a lower award or no award at all when they move to PIP. The PIP system is

less generous (and some would say less fair) than DLA. There is no equivalent rate of PIP to the lowest rate care component of DLA, and the rules for the mobility component are very different. But you may still have a good case for a higher amount – many people in your situation get a higher award after they appeal.

Be sure that you understand how you qualify for PIP. Use our [Mandatory Reconsideration Request tool](#) to check what award you think you should have got. If it's not the same as you were awarded, use the tool to request a Mandatory Reconsideration. If they don't change their decision you should appeal.

I had to move over to PIP from DLA and they gave me less than they did before



They've given me less than I think I should get

Some people in this situation feel like they should just be happy they got something. But everybody should get what the law says they are entitled to, and the DWP often don't apply the criteria correctly.

Use our [Mandatory Reconsideration Request Tool](#) to check what award you think you should have got. If it's not the same as you were awarded, use the tool to help you write a letter to request a Mandatory Reconsideration. If the DWP doesn't change the decision, use this guide to get started on your appeal as soon as you can and then get help from adviser, if you can. If an adviser says you don't have a strong case, you can always withdraw your appeal.

We talk about how you might find an adviser next.



How to find an adviser

How to find an adviser

It is now much harder to find advice and help with your benefits than it used to be. You should expect that you will have to do most of the work yourself (or with help from your friends or carers – don't worry, this guide will show you what to do, and how to do it). But if you can get a bit of advice to help you work out what rate you should be getting, it will be really helpful.

If you find someone who offers to help you ask for a mandatory reconsideration, complete your appeal form, write a 'submission' for you (this is a letter to the appeal panel that explains why you are entitled), or even come with you on the day, take it!

Many advice services now offer appointments via telephone, email, or videocall as well as, or instead of, face-to-face.

Use [Advice Local](#) to find the best options near you. Enter your postcode and select 'welfare benefits' from the drop-down menu and search. This will tell you about any Citizens Advice, law centres, or independent advice agencies in your county. (Beware – it misses out ones in your area but in another county or borough. If you live near a county or borough border, definitely check you there isn't a closer option by following the advice below).

If that doesn't bring up a service that you can get to, check with [Citizens Advice](#) if there is a Bureau that helps with benefits problems near you. Many now offer advice over the telephone.

Check if your local council has a welfare rights service. If you did not find their details in Advice Local search, phone the council and ask for 'welfare rights,' check their website, or ask in your local library. If you rent your home from a housing association, they may have a service that can help you with your benefits.

Check if there is a [law centre](#) near you.

See if [Disability Law Service](#) can help you.

In some places there are services that you can access through your GP, social worker, or community centre. There is no harm in asking – so call your GP, and your social worker, or community centre if you have one, and ask if there is a service for you.

Some charities provide advice services for particular groups – for example, the [Royal British Legion](#) support people who have served in the armed forces and their families and even represent people at appeal.

Check if there is a charity that provides benefits advice to people with your illness or disability. If they provide information on their website about appealing or claiming PIP it may also be very useful as it will usually show how people with similar symptoms to yours have proved their entitlement. (If they do not have a guide to appealing – ask them to link to this one).

If you have nowhere else to turn, try your MP's caseworker. These are not usually expert benefits advisers, but they will often be familiar with the problem and might well be able to help you. (You could point them towards this guide).

If they say they are too busy....

If the organisation you contact says they are too busy, ask them to keep your name on a waiting list, or to tell you how long before they might be taking on new clients.

Ask if they know any other organisations you should contact for help if they cannot give you an appointment themselves.

Remember that you are likely to have to wait a long time for the appeal hearing (6–12 months, depending on where you are in the country) so you do have a bit of time to find an organisation which might be able to help you prepare for the appeal hearing.

**How to find
an adviser**

The process

The process



Step 1

You get a letter telling you the result of your claim or review for PIP. You have been told that you are not entitled to anything, or you think you have been given the wrong amount.

You have **one month** from the date on the letter to ask for a 'mandatory reconsideration.' This is where they look at the decision again. (If one month has already passed you can still ask for a reconsideration, see [If you have missed the deadline on page 13.](#))

Step 2

Ask the DWP to look again at their decision. This is called a Mandatory Reconsideration. Use our [tool](#) to write a really good letter to the DWP that sets out your case.

The DWP will look at your claim form again, the assessment report, and any other evidence they have, to see if they will change the decision.

Step 3

The DWP will send you two copies of their reconsideration decision. You will need a copy if you wish to appeal. If their decision has been changed and you are happy with it, you can stop here. But if it has not, do not be put off. You have **one month** to ask for an appeal. (If one month has already passed you can still ask for an appeal, see [What if you have missed the deadline on page 13.](#))

Step 4

Ask for an appeal. You can do this online or using the appeal form and posting it. You can copy and paste wording from the letter generated by our tool to help you make your case. See [page 14–15](#) for our advice.





Step 5

The PIP office will send both you and His Majesty's Courts and Tribunal Service (HMCTS) an explanation of why they gave you the award that they did. Do not be put off by the size of it.

Step 6

You need to prepare for your appeal and, if you can, send in more information about your difficulties. See [page 16–20](#) for more help.

Step 7

You will be told the date of the hearing. If you have any further evidence about your condition or how it affects you that you have not yet sent, send it as soon as possible. And always have a copy with you on the day.

Step 8

Your appeal will be heard by an independent panel, called a Social Security and Child Support Tribunal. They will make a new decision. See [page 21–24](#) for details of what will happen and advice about what to do on the day.

If you are successful (and most people are), you will usually receive your extra money in 4–6 weeks. You will receive a backdated payment to when you became eligible for the higher rate, usually the date you first claimed.

How to ask the DWP to look at their decision again

You need to ask the DWP to look at their decision again (called a 'mandatory reconsideration') within one month of the date on the letter they sent you about your PIP claim. If one month has already passed you should still ask them, see [page 13](#).

We have created a [tool](#) to help you write a really good letter asking them to look again at your claim.

Technically you can ask for a mandatory reconsideration over the phone, but it is definitely better to do it in writing. Only ask for a mandatory reconsideration over the phone if you are about to miss the one-month deadline. If you do this, follow up your request in writing using our tool.

If you have any more evidence that you think will help (for example, a letter from your doctor, social worker, support worker, or carer, who could be a friend or family member) send that too. If you do not, it is rarely worth waiting to get some as few decisions are changed at this stage.

You do not have to discuss your claim with the DWP before you ask for a mandatory reconsideration and there is no reason to. Remember any advice they give you about whether it is worth asking for a mandatory reconsideration or appeal may not be in your best interests. We suggest you get independent advice or follow the information in this guide.

Do not be put off!

People are often told by the DWP that they need to provide more medical evidence to have a chance of getting the decision changed. This is not true. DWP staff may not change the decision at the reconsideration stage without new medical evidence, but appeal tribunals often do.

Recent DWP figures show:

- only 1% of appeals were won thanks to new evidence
- over half of all appeals were won with the same or similar evidence, and,
- the rest of the appeals were won thanks to people speaking at their appeal about how their condition affects them. This shows how important it is to ask for an 'oral hearing' – a hearing over the phone, video or face-to-face.

How to ask the DWP to look at their decision again

What next?

Unfortunately, there are no time limits to how long a mandatory reconsideration should take. But if you have not heard back after 6 weeks, you should ring them and find out what is happening. Keep a note of phone call – date, time and who you spoke to in case you need to call again. If you have not heard after two months, you could make an official complaint for the unreasonable delay.

If they change their minds, congratulations! You will receive a backdated payment to when you became eligible for the higher rate, usually the date you first claimed, or the date of the review.

If they do not change their decision or change it slightly but still do not give you the amount you think you are entitled to, remember that you can and should appeal.

Do not be downhearted if they do not change their minds – they often don't, even where it is clear that they are wrong. Most decisions are not changed at this stage but are changed after you appeal.

Try to appeal to the Tribunal within one month of the DWP decision letter.

If you have missed the deadline

If you have missed the deadline to ask for a mandatory reconsideration, you can still ask but they do not have to agree to carry one out unless you give good reasons. Explain that the delay was unavoidable or a result of your disability (for example, if you were unable to deal with it until now because you need help to deal with your post). If they refuse to deal with your mandatory reconsideration, they should still send you a decision letter, which you can use to appeal.

Similarly, if you miss the deadline to appeal, you can ask for an appeal anyway. You will need to explain your reasons for missing the deadline. A judge will then decide whether to allow the appeal even if it is late. The DWP then has one month to object to your reasons for missing the deadline. If they do not object, your appeal continues. If they do object, a judge decides whether to allow your appeal even though it is late.

Your appeal will usually be accepted if less than 13 months have passed since you were sent the decision, as long as you give reasons for the delay. There are times when you can even appeal after 13 months if the delay was unavoidable. If you are in this situation, try to get advice if you can.

How to ask the DWP to look at their decision again

How to ask for an appeal

There are two ways to ask for an appeal.

1. You can ask for an appeal online, or,
2. You can use a form that you can fill in, print, and post.

You can find both at [Submit your appeal on GOV.UK](#)

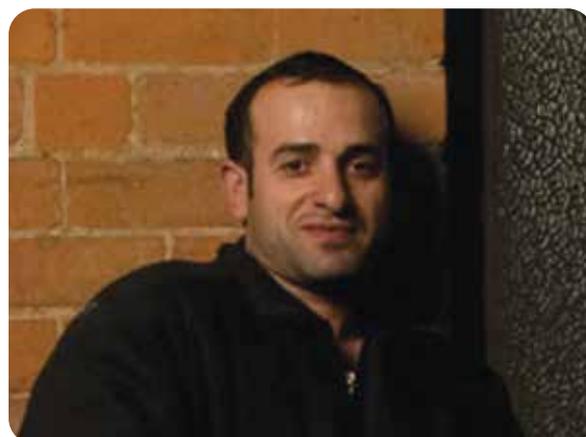
Both are easy-to-use and understand. If you use the online version, a record of what you have said is sent to your email address. If you use the paper form, try to keep a copy, or take a photo of each page with your phone. When you post the form, ask the Post Office for proof of postage in case the form gets lost.

No matter which you use, there are three things that you should definitely be aware of.

- 1 You need to explain what you disagree with and why. If you used our [tool](#) to produce a letter, and if your argument is still the same, you can just write 'please see my mandatory reconsideration request' and send another copy. (You probably have a copy in your email, or it will be saved in your Advicenow account).

If you have not used our tool, look at your decision notice and the list of activities and descriptors on [page 32](#). Add each activity you do not think you have scored the right number of points for, and for each explain all the difficulties that you have with that activity and what help you need (remember it doesn't matter that you don't get any help).

- 2 If your appeal is not within the time limit, you should appeal anyway but explain why the delay was unavoidable or a result of your disability (for example, if you were unable to deal with it until now because you need help to deal with your post, or you have been particularly unwell).
- 3 Choose to attend the hearing. You will be asked whether you want to attend a hearing or whether you want the case to be decided on the papers alone. Almost everybody wants to choose the paper hearing because it seems less scary. However, you are *much* more likely to win if you have a chance to speak to them. Do not worry, it will not be nearly as frightening as you might think. Since the beginning of Covid many hearings are happening via video or phone call – so you may not have to actually 'go' anywhere. If you do attend a hearing in person, you can get extra help if you need it – for example, an interpreter, hearing loop or an accessible tribunal room.



Help to appeal online

If you want to apply online but need support to do so, and you can't find an adviser, [We Are Group](#) can help.

They help with access to a device, or data, or provide guidance and reassurance on how to use the online service.

If you would like their help

- phone the helpline on **03300 16 00 51**, (Monday – Friday 9am-5pm) or
- text FORM to **60777** and someone will call you back, or
- email them at support@wearegroup.com

When you ask for an appeal online, you are asked if you would like to be able to save the appeal and continue later. To do this, you need to set up an account. If you say yes and provide your email address, you will be sent an email enabling you to register for the Manage Your Appeal service. This service lets you keep track of how your appeal is progressing, and you can use it to upload evidence (including audio and video evidence if you want to). It will send you texts or emails to let you know that the DWP have responded to your appeal, to confirm evidence has been received, and when your hearing date has been scheduled. See [How to prepare for the hearing](#) for other ways to sign up.

What next?

HMCTS will send a copy of your appeal to the DWP and ask them to explain how they came to their decision. The DWP must do this within 28 days, although they can ask for an extension. You will receive a copy of their response. It is often around 150 pages, or sometimes even longer. Do not be put off by the size of it. Most of it is just your application form and copies of the letters you already have, the assessment report and any evidence the DWP has gathered from other places or that you sent in. But keep it safe. You will need it to prepare for your hearing.

You should start preparing now. The next section explains everything you need to do.

If the DWP call you

The DWP have been ringing some people at this stage, or before the hearing, and offering them an award in return for dropping their appeal. Sometimes the DWP say that you might not win at an appeal or put pressure on you to accept their offer. Advicenow and other charities took DWP to court about this practice because it is not fair. Now, if they make you an offer of a better award after you have asked for an appeal, they are supposed to explain that you can accept the higher award and then appeal again (without having to ask for another reconsideration). In most cases, this would be the best thing for people to do. If you get a phone call and they do not explain about your right to appeal the new award, please [tell us about it](#).

How to ask for an appeal

How to prepare for the hearing

There are a lot of things for you to do over the next few months. So, it is important to start preparing as soon as you can. Some things can take a long time.

If you have not already tried to get help and advice, do so now – take a look at [How to find an adviser](#) on [page 8](#)). Some advisers may be able to help do some of this preparation for you. If you are lucky enough to find someone who can help with the preparation, make sure you are clear which things they are going to do for you, and which you need to do yourself.

How to prepare for the hearing

The guidance below assumes you are preparing for a face-to-face hearing. Nowadays, lots of hearings take place by phone or by video call. Some people prefer this option. All of the advice, except about actually travelling to the hearing applies equally to hearings by video or phone.

When will the hearing be?

Usually, you will not get told the date of the hearing until 3–4 weeks before (you should be given at least 14 days' notice unless you agreed to be given less on the form). However, it is useful to know how long you have to prepare for your appeal. Some people have to wait up to 12 months.

Manage Your Appeal

It is a good idea to sign up to the Manage your appeal service. This service enables you to keep track of how your appeal is progressing, and you can use it to upload evidence (including audio and video evidence if you want to). It will send you texts or emails to let you know that the DWP have responded to your appeal, to confirm evidence has been received, and when your hearing date has been scheduled.

If you appealed online and gave them your email address, you will have received an email with a link to help you sign up. If you did not, you can sign up by calling **0300 123 1142** Monday to Friday, 8am to 5pm or by emailing contactsscs@justice.gov.uk. If you ask by email, you will need to include your National Insurance number, date of birth and postal address.

Your PIP benefit appeal

Victoria Bolton
Appeal reference: 1629715010355263
Your session will expire and you will be signed out after 20 minutes of inactivity

Status Provide Evidence Hearing Audio/Video Evidence
Requests

Status of your appeal

Appeal DWP response Hearing Closed

Latest update

DWP has responded to your Personal Independence Payment (PIP) appeal. They should have sent you a copy of their response in the post, unless their response is late and a judge has directed that the appeal can proceed without one. Read their response and send your comments to the tribunal, if you have any. A tribunal panel made up of a judge, doctor and disability expert will hold a hearing for your appeal. You have told us you do not want to attend so you will receive the decision in the post, after the hearing has taken place. Unfortunately we cannot say how long this will be but it could be several months.



Do you need help with your appeal?

If you cannot get any professional help to prepare for the hearing, you might want to ask somebody else to help you. It might stop it from feeling too stressful. It might be particularly useful if you are not very good with paperwork or deadlines.

If you do think it might be useful, think about who you could ask – do you have a family member, friend, or someone who helps you who is good with paperwork and organising things?

The papers from the DWP

Look at the big pack of paperwork that you were sent by the DWP explaining why they made the decision they did. The Tribunal may call this ‘the papers’. Many people get very confused by the references to law at the beginning. Do not let them put you off. If you do not have time to become an expert on all the legal ins and outs of PIP decisions, ignore this part. The Tribunal should know what law applies.

The most important part is the report from the medical assessment. Read through it and look for anything you don’t agree with.

- Did the assessor ask you the right questions and correctly record your answers?
- Do they have all of your conditions listed?
- Have they misunderstood something you said you used to do as something you are able to do now?
- Are there things in there that did not happen or don’t reflect your conversation at all?
- If your health condition or disability is better or worse on different days, did the assessor understand that?

Make a note of all the things that are wrong. If you can, say why they are wrong. You can include this in your statement to the tribunal. This is very useful as the wrong decision you have been given is probably based on this report.

How to
prepare for
the hearing

Do not be shocked if the assessment report is full of inaccuracies. This seems to happen horribly frequently. We have heard of completely incorrect diagnoses being recorded, easily verifiable physical conditions being ignored or incorrectly recorded, and records of whole conversations that never occurred. Many people find that the assessment ignored or minimised their mental health conditions. If you find this has happened to you, you are right to be angry about it – it is terrible – but do not take it personally. It happens to a lot of people. Do not allow it to upset you too much. Tribunal panels are used to hearing that assessment reports have lots of mistakes in them. It is usually easy to get them set aside in favour of other evidence.

If you are angry about it and have the energy for two things, put in a complaint to the organisation who did the assessment. For most claimants, that is either [Capita](#) or [Independent Assessment Services](#) (run by ATOS). You can then show a copy of your complaint to the tribunal. If you only have the energy for one thing though, focus on your appeal as that is the only thing that will change your award. You can still make a complaint after your appeal hearing.

Getting evidence

For most people, the thing that is most helpful is written evidence from their GP or other medical professional.

The most useful evidence will explain how your illness or disability affects you, and the help you need (paying particular attention to the descriptors that you meet). Make sure the professional you are asking for evidence understands that.

Look at [page 32–36](#). This is a guide for your doctor, social worker, or anybody else writing evidence for you. Mark the particular activities and descriptors you believe you meet on this page. When you ask anybody for evidence to support your appeal, show them this page. It will help them to write evidence that will be really helpful to you.

The best evidence will come from people who know you well and who understand your situation. This could be your GP, or social worker or community psychiatric nurse, a paid carer or support worker, a personal assistant, your occupational therapist, somebody who works at a day centre you go to, or somebody else.

Read your evidence before you send it to the tribunal. If there is something in there that you don't agree with, you don't have to provide it unless the tribunal specifically request to see it.

You are appealing the decision the DWP made on a particular date (at the top of the letter). You need to prove how your illness, condition or disability was at that time, not how it is now. Write the date of the decision you are appealing in the little green box on [page 32](#), before you ask anybody for evidence. Then show them [pages 32–36](#).

It is important not to be offended if the evidence embarrasses you. For example, if it says that sometimes you appear not to have washed or eaten properly. They are just trying to ensure you get all the help you are entitled to.

Paying for medical evidence

GP's and other medical professionals are allowed to charge for evidence and many do.

If your doctor suggests that they will charge you, tell them it does not need to be terribly long and that it could be hand-written if this is quicker. Reassure them that it will only take the time of an appointment. Show them [How to write useful evidence for a PIP appeal](#) on [page 32](#) – so that they are sure of what you need from them.

If they insist on charging you, instead ask them for the last two years of your medical records. They will give you this for free and it may contain some useful evidence.

Evidence from your support worker, personal assistant, carer, or anybody that helps you

If there is somebody who helps you a lot (this might be somebody you pay, or who helps you at college or work, or it might be your partner, a family member, or a friend), they may be able to write some very useful evidence too. Ask them to write a letter to the tribunal panel explaining what help they give you and how often. Make sure they sign and date their letter. Show them the section for doctors and other professionals on [page 32–36](#) – it will help them to remember everything.

It can be very useful for this person to come to the hearing with you – so that the panel can ask them questions. They may be asked to wait outside until their evidence is needed – so you may need to be prepared to go in alone at first.

Diary

If you can, keep a diary of the help that you need each day. It will help the tribunal panel to get a proper understanding of your situation. It is particularly helpful if your illness or disability is not the same every day. Keep a diary for a month if you can (but a shorter time will also be helpful). It can be very brief. For example – 'Monday – Joints and back very painful today. Needed help to fasten my bra, and put socks and shoes on, as I could not bend down. Marie had to help me downstairs'. Include everything that is connected to the activities PIP is based on that you have difficulties with.

If you get help from somebody and find this sort of thing hard, you could ask them to keep a diary of the help they have given you instead (as an alternative to the letter – see above).

Is there any other evidence that you have?

There may be useful evidence you already have or can easily get. Maybe you have letters from doctors or support services already that support your case.

Write a statement

If you (or someone who is helping you) are good with writing, you should think about writing a statement for the tribunal. These can be very useful as they set out all your points, which means that you don't have to remember everything to say on the day. They also give the panel time to think about what you have said and why you should be getting more before they meet you.

For more advice on how to write a statement and what to put in it, see [How to write a statement](#) on [page 37](#). In the same section, you can also read Spencer's statement and see what he put in his.

How to prepare for the hearing



What to do with the evidence

Read all the evidence through – does it support your case? If it does not, you don't have to send it to the panel (but if they ask if you had any evidence that you didn't send them, you have to tell the truth). If you do not think the evidence is useful it may be worth going back to the person who wrote it and discussing it with them. Is there anything they can add or change?

If you have useful evidence, upload a photo of it using the Manage your appeal service or photocopy it and send it to HMCTS before your hearing. Send it as soon as you can and **always** take paper copies with you on the day. Sending the evidence in advance is useful because it increases the chance of the DWP changing the decision in your favour before your appeal reaches a hearing. It also gives the tribunal time to consider if your evidence helps your appeal. Sometimes, this could even mean that you do not have to have a hearing.

Paperwork can get lost so on the day, ask the clerk if the panel has your evidence. If not, the clerk will give the panel your copies of your evidence before your hearing starts. If you only remember about your evidence when the hearing has started, you can still ask the tribunal to look at it. The panel may need to pause the hearing quickly to decide if they can accept it.

How will you attend the hearing?

If it is a video hearing, check you have what you need for it to go smoothly. HMCTS have made a [helpful video](#). It may be that your hearing is a phone call hearing. For more help with preparing for this, take a look at our guide called [Court and tribunal hearings by video or phone call](#).

If your hearing is in person, the letter you receive about the hearing will usually give you details of public transport links and parking. At some venues, you can book an accessible parking spot if you phone them in advance. If you need a taxi, ask them to book one for you. This will usually be easier than arranging one yourself and they will pay if you need one because of your disability.

Work out how you will get there and leave yourself plenty of time. You will not want the stress of worrying about being late.

How can you afford to go to a face-to-face hearing?

You should be able to claim travel expenses for the day of the hearing if you use public transport or travel by car. If you have to take time off work, you may also be able to claim some expenses for loss of earnings. And if you have had to pay a carer or childminder you can claim expenses up to the National Minimum Wage for the time you have been away. You can also claim for a meal if you are away for more than five hours although it is very unlikely to take nearly that long. Before you go to your hearing, check what the current rules on expenses are on [GOV.UK](#).

The clerk will help you fill in a claim form when you go to the hearing. Make sure you take receipts (and if you have lost earnings, a letter from your employer confirming this).

Contact the tribunal before the hearing if you need help.

How to
prepare for
the hearing

The hearing

It is likely that the hearing will take place using the method you asked for when you submitted your appeal. The options are by phone, by video call or face-to-face. Sometimes the tribunal decides on one you did not ask for. If you think you should have a different type of hearing instead, do not be shy to ask for this.

For example, if you would find it too difficult to attend a face-to-face hearing because you cannot leave home, they should agree to a video or phone hearing instead if that is the only way you can participate.

Face-to-face hearings

If you have a face-to-face hearing, you will usually be shown into a waiting room when you arrive at the tribunal centre. You might have to wait here for a little while. There may be other people waiting too. Remember, they are likely to be in a very similar situation to you.

While you are here, the clerk will explain what will happen and will take any evidence you have brought with you. When the panel are ready for you, you will be called into the room.

The room the hearing is in will look like a rather boring office and everybody is wearing normal clothes. When you go in, there will be a big table in front of you. You (and anyone who goes with you) will sit at one side of the table and the panel will sit on the other side.

The panel members are independent and nothing to do with DWP. The person that sits in the middle of the panel is the judge. They are legally qualified and should know a lot about benefits. One of the other panel members is a doctor, the other is someone who knows a lot about disability and may have a disability themselves. The panel should introduce themselves and explain what will happen, in a way that is clear and easy to follow. It is not like a courtroom you see in TV dramas!

At the end of the hearing, you may be asked to go to the waiting room while the panel discuss your case. This can take up to half an hour but usually takes between 10-15 minutes. You will then be asked back into the room and told the decision. They will give you a written outline of their decision as well.

Sometimes the panel will not be able to make a decision quickly. If this happens, they will post it to you instead. It should arrive within a week.

If your hearing is online or by phone, it is most likely that you won't get the decision until it is posted or emailed to you several days later.

The hearing

Remember the panel do not work for the DWP. They are here to see that you get the benefit if you are entitled to it.

Usually, the three members of the panel will be nice and easy to talk to and will just want to get a full picture of your illness or disability and the help you need. Try to answer their questions fully.

If it feels like they are asking you the same question repeatedly, they probably are and are trying to check that your answers are consistent. So, make sure you are consistent, do not vary your answer just to move on.

The DWP have a right to send somebody to your appeal to explain why they made their decision. They are also allowed to ask questions. Do not worry about this though. If they do send someone, it will not be the person that made the original decision about your claim.

Remember it is YOUR appeal. If you get upset or need the loo you can ask for a short break. If you need some water, just ask.

In the unlikely event that the panel are considering reducing your existing award (for example because you appealed the decision not to give you the enhanced rate of daily living and the panel feel that you may not be entitled to any daily living award at all), the judge will give you warning and ask if you want a few minutes to consider your options. This is rare. But if it does happen to you ask for the hearing to be stopped and explain that you wish to withdraw the appeal. If you do this, the Tribunal is very unlikely to take away the benefit you get at the moment.

Your hearing might be postponed

Hearings can be postponed for reasons outside of your control. This happens in some areas more than others. If this happens on the day of the hearing it is called an 'adjournment.' You should get a phone call earlier in the day to let you know.

What to do if the hearing is scheduled for a date or time you cannot attend

Email or call the tribunal centre and ask for another date as soon as you can. Do not put it off or just do nothing about it – they are usually extremely helpful. You may have to explain why you cannot go and you should have a very good reason, like a hospital appointment, or someone you need to be there to help you cannot make that date and time.

If you leave it until the last minute or do not give a good reason, they may not change the day and the appeal might happen whether you are there or not. Do not delay. If they refuse to change the date, you should do everything you can to move your other appointment.



How to stay calm

Staying calm is not easy, particularly in very stressful situations, like waiting for your appeal hearing.

Many people find that the best way of reducing stress immediately is to concentrate on their breathing. Take several long, deep breaths. If you can, breathe in through your nose. Try to take the air into your stomach (you should feel your stomach rising). And then slowly breathe out through your mouth. It might help to close your eyes and picture nothing, others like to imagine a scene they find calming.

Some people also find it useful to clench and then relax their fists, arms, and jaw; and to frown and then relax, or raise their eyebrows and then relax them.

If you are getting stressed because of the number of things you have to remember – write a list (or get someone to write a list for you). As soon as it is all down on paper, you only need to remember to look at it.

Christina's story

When I received the letter telling me when my hearing would be, I became extremely anxious and thought that I should prepare myself for the worst. I couldn't even begin to imagine that the panel at the hearing would be any more helpful than the DWP or the assessment people.

In the weeks leading up to my hearing I had a final chance to submit any more evidence I had to support my claim. I didn't feel that I could go through anymore, but then I remembered my little mantra that "courage is not not being scared, but that something is more important than fear".

I went through my box file to find evidence that would support my claim. It included letters from previous employers detailing my poor performance in various jobs, debt letters, and warning letters from the police that supported what I had said about the symptoms of my disabilities. I sent them everything I could find that would help.

A few days before my hearing a support worker helped me write a statement using the Advicenow guide to take with me to the tribunal. It went through each of the descriptors I met in detail.

When I got there, I could not believe how helpful and friendly the tribunal staff were. An officer came and asked me if I had brought anything more with me that I would like to give to the tribunal. He took my statement and went away to photocopy it for the panel and brought it back to me. He reassured me that they would not take long.

When they called me in the judge asked me if I was feeling okay and if I wanted a drink of water. They asked me a few questions. Then they thanked me for the evidence and statement and told me that it made it easy for them to make their decision.

They said that I was entitled to the enhanced rate for daily living and standard rate for mobility, and that it was to be backdated 18 months to when I first applied. I couldn't believe how easy it had been and I was so happy I could hardly believe it.

Christina, 41

On the day of the hearing

Whether you have a video hearing or face-to-face hearing these tips will help you get the right award and stop it from becoming too stressful.

- If you think it might help, ask a friend or family member to be with you for emotional support. They might also be able to help by reminding you of things you have forgotten. If you do ask a friend, show them the box called For friends and relatives on [page 27](#).
 - Make sure you log on or arrive at the tribunal centre in plenty of time – at least 20 minutes before the hearing is due to start.
 - If your hearing is by phone, make sure you will be able to hear it ring when the tribunal call. They may call you up to an hour before to check you are OK to take part.
 - Do not dress up or make a big effort with your appearance. It is important that the panel see you as you are on a normal day. Otherwise, they might get the impression that you do not need help, even if you do.
 - The panel may be running late and so you might have to wait. If you have made any notes of what you want to say, use this time to go over them.
 - Try to keep calm.
 - Many people find they get very emotional at the hearing. It does not matter if you get upset. It will not harm your chances. Remember – you can ask for a break whenever you need one.
- 
- Be aware that it is possible that you will be observed from the moment you are visible – on the video call or around the building where the tribunal is taking place. For example, if you have said you have trouble getting in and out of chairs, they will watch you as you sit down, or how you move around. If you are having a good day, and your illness or disability is normally worse, make sure you tell them.
 - If you had asked for any help with communication or translation and it is not available, insist on having the hearing another day.
 - If you do not understand a question, ask them to repeat it or put it another way. If you still do not understand, tell them that. Do not agree to anything you don't understand.
 - If they say something that is not right, make it clear that it is not true. For example, if they say, “You don't have much trouble with walking 50 metres, do you?” make it clear if you do have trouble with walking that distance.

On the
day of the
hearing

- They usually ask whether your condition has changed since the decision. Remember that you need to prove that the DWP made the wrong decision *at the time*, so it is unhelpful to dwell too much on how your condition has got worse. It is better to emphasise where your difficulties have remained broadly the same.
- Do not worry about using the ‘right’ language or ‘buzz words.’ It is much better to use your own words. If you think they have not understood something you have said, say it again in a different way.
- They will often ask if you had any problems this morning. If somebody has helped you (perhaps by physically helping you to get up and dressed, or by encouraging you to get yourself ready and keeping you calm) – be sure to tell them. Tell them if you needed help to read or understand the instructions to log onto the video hearing or how to get to the tribunal centre.
- Do not make light of your illness, condition, or disability. Be as frank about your condition as you can be and explain the help you really need rather than how you manage.
- Try to make sure you do not exaggerate the problems that you have either. If you do this, the panel might not believe you when you are not exaggerating.
- Try to answer every question as broadly as you can. If you just give short answers, the panel will not be able to get a better understanding of your situation. For example, if they ask if you need help to get washed in the morning, do not just say yes or no. Spell out exactly what bits of your body you needed help to wash and why, and if you need help with anything else in the morning.

Remember to include the help you give yourself – maybe you have a seat in the shower or use a long-handled sponge. If you do not need help because you don’t usually have a wash in the morning, explain why you don’t.

- If you find you have not said everything you want to say because they haven’t asked the right question – tell them anyway. A clever tactic is to make notes about what you want to tell them (for example, take a list of everything you think you should have been given points for and why you meet those descriptors) and tick them off as you say them. Make sure that they are all ticked off before you leave. If you have taken somebody with you for moral support – this is a very useful thing for them to do.
- If your illness or disability goes up and down and you need different amounts of help on different days, you will need to make this clear. It is best if you can say roughly how often you need help with each thing, rather than saying ‘sometimes’. For example, ‘My health is bad for three weeks out of every four. For those weeks, my joints are very painful, and I cannot dress or undress myself at all’. If you have kept a diary of your needs (see [page 19](#)) you should be able to use that to work out how often you need help with different tasks.



On the day of the hearing

If it is a video or phone hearing

There are a few things it is good to be aware of.

You must not record the hearing – but if you would like it recorded and to have a copy you can request that on the Manage your appeal service. Sometimes the judge will remind you of that at the beginning.

The judge will also usually ask who is in the room with you. This is just so that they know who else is there. You are allowed to have a family member or friend present.

Do not eat or drink anything (except water, or if it is to meet a medical need) or smoke or vape during the hearing.

Make sure you are somewhere quiet, and you are as comfortable as you can be.

For video hearings it is important that the panel can see your face well on their screen. Try and sit somewhere in your home where there is good lighting or a window in front of you.

What to have with you on the day

- The appeal papers you were sent by the DWP
- Copies of any evidence – whether you have already sent it in or not

You can take a friend or relative to the appeal with you. If you have asked somebody to come with you to give you support, show them the information in the next box. It explains what they can do to help.

For friends or relatives

If someone has asked you to go with them to the hearing to give them support, there are several things that you could do that would be very useful.

- Before the hearing, sit down with your friend and write a list of all the ways in which they meet the descriptors that they are basing their appeal on. Have it with you on the day and tick them off as they are said. If at the end of the hearing, there are still things that have not been said – you can remind them.
- Try not to answer questions on your friend's behalf. If you realise that your friend has left bits out when answering a question – try to remind them, rather than say it for them. However, if they are finding it difficult or becoming very emotional you can answer the question yourself (although it is best to ask the Judge if it is OK first, just to be polite).
- If they get upset or stressed, you can try to calm them down. If this does not work, ask them if they want a short break.
- Read the sections of this guide about the hearing and what to do on the day. This will help you to know what will happen so that you can help your friend.

On the day of the hearing

After the hearing

The tribunal panel will tell you and the DWP their decision and you will get an official notice of the decision. You may not find out for a few days, especially if your hearing was by video or phone.

If you were successful, the DWP will work out how much they owe you. You will start receiving the new amount every month, and a sum covering the amount they should have been paying you all along. You will usually receive your money in about 4–6 weeks.

If you were not successful, you will be sent a leaflet to explain your options. Sometimes you might be able to appeal to the Upper Tribunal. This is like a higher court. However, this can only be done if the panel did not follow the law, by mistake. It is very complicated, and very few people can do this without an experienced adviser. If you want to look into this possibility, you need to move quickly – you will need to ask for a copy of the tribunal’s statement of reasons within one month. See the section called [How to find an adviser](#) for more help.



The DWP also has the right to appeal to the Upper Tribunal if they think the tribunal panel did something wrong. This does not happen often though. If it does happen, they will write and tell you.

What does it mean?

Adviser – This is a benefits expert who can give you advice about your claim. They may also be able to help you prepare for the hearing or even represent you. Even if you have a representative, it is likely that you will need to do most of the talking in the hearing because it's about giving evidence about your own difficulties. However, it can help to have someone who understands the processes and the law on your side.

Appeal – This means the process of asking a panel of a judge and two experts who do not work for the DWP to look at your claim and see if the right decision was made. If they think the wrong decision was made, they will change it.

Carer – This is a person who helps you often, like every day or every week. It might be somebody you pay, or might be your partner, a family member, or a friend or neighbour. The help they give you might be physical help (for example to get in the bath or up the stairs), they might help you by getting your shopping or helping you prepare a meal, or they might help you by encouraging and prompting you to do things.

Clerk to the Tribunal – This is the person who organises the hearing and deals with the paperwork, including your expenses.

Department for Work and Pension (DWP) – This is the government department that deals with most benefits, including Personal Independence Payment. Sometimes they will send somebody called a 'Presenting Officer' to represent them at the hearing. But try not to worry, they have not had anything to do with your PIP decision so far and they are not there to accuse you of doing anything wrong.

HM Courts and Tribunal Service (HMCTS) – This is the government department that organises the panel and the hearing.

Hearing – This is when your appeal is looked at by the Tribunal. You can have a hearing in person when you go and speak to the Tribunal face-to-face, or you can have a hearing via video or phone call. These three types of hearing are sometimes called an 'oral hearing.' Or you can have a written hearing (also called a 'paper hearing') when the tribunal just look at the papers again on their own. We strongly advise you to go to a hearing in person or have a video hearing if you can. You have a *much* better chance of success if you do.

(continued)

What does
it mean?

Mandatory Reconsideration – This means the DWP will look at their decision again. You must ask for a mandatory reconsideration before you can appeal a decision.

Manage your appeal – A new service from HMCTS that enables people to manage their appeal online, keeping track of progress, submitting further evidence (including video and audio), and a statement. See [page 16](#) for details of how to use it.

Preliminary view/decision – Occasionally, the tribunal might decide that they agree with your appeal (partly or fully) based on the evidence, and you might not have to go through with the whole oral hearing. On other occasions, the DWP might turn up and say they have changed their minds. But this is not very common so it's always worth preparing properly.

Representative – This is an expert in benefits who might help you prepare for the hearing and will attend your face-to-face or video hearing to help you put your case.

Social Security and Child Support Tribunal – This is the name for the panel of three experts who do not work for the DWP who will hear your appeal to see if the DWP made the right decision.

Supersession – This means having your claim looked at again because your illness or disability has worsened since the date of the decision.

SSCS1 – This is the form you can use to ask for an appeal. You can also use the online system. See [page 14–15](#) for advice on how to ask for an appeal.

Tribunal Judge – This is the person that sits in the middle of the panel. They are legally qualified. Their job is to apply the right laws to your personal situation.

Upper Tribunal – This is like a higher court. If you were not successful in your appeal, you might be able to appeal to the Upper Tribunal, but you can only do this if the panel made a mistake with the law. See [page 28](#).

Video hearing – Appeal hearings are now often held over video. To understand more about how this works, watch HMCTS' [helpful video](#). If you are concerned that you will not be able to access or manage a video hearing properly, or if it will make you more anxious, you can ask for a face-to-face hearing.

Useful contacts

Find the appeal form or ask for an appeal online

You can find both the online system for asking for an appeal and the latest form to use if you wish to do it by hand/post at www.gov.uk/appeal-benefit-decision/submit-appeal

Speak to the DWP

PIP Enquiry Line

Telephone: **0800 121 4433**
Textphone: **0800 121 4493**
Free to call – Monday to Friday,
9am–5pm

More information about appeals

GOV.UK

Benefit appeals come under the section known as the Social Security and Child Support Tribunal. You can find details about how to appeal, how to claim expenses, appeal venues and how to get to them, as well as other information about the appeal process.

<https://www.gov.uk/appeal-benefit-decision>



Find an adviser

See [page 8](#) for help to find an adviser or representative.

Find further information and support

Citizens Advice

Citizens Advice have some helpful information about PIP, how claims are assessed, and how to appeal.

www.citizensadvice.org.uk

Useful contacts

Show this page to the people you are asking to write evidence for you

Remember to circle the descriptors you meet below

How to write useful evidence for PIP appeals

This page is written for medical staff, social workers, and other professionals who might be able to tell the tribunal what they need to know. It explains how to write helpful evidence for this kind of benefit appeal.

Evidence from doctors and other professionals helps the tribunal to come to the right decision more than anything else. Your evidence does not need to be long or typed.

Whether your patient/client is entitled to PIP is decided by the difficulties they experience and the help they need with very specific tasks. This includes help they need but do not necessarily get, or help they give themselves like taking a rest, doing things less frequently, or using an appliance. Your patient/client has marked which descriptors they meet below. Please confirm whatever you can in your evidence. For example, if they cannot walk even into your consulting room without discomfort, or if they are slow and it takes them twice as long as somebody else, please say that.

If you cannot confirm the descriptor your patient has circled but can confirm another in that section, please include that. If you cannot confirm any from that section, please just leave it out as your patient may have evidence from someone else who knows more about their problems with this. If you do not understand why your patient meets the descriptor they have circled, please ask them.

If your patient could do some of these things but not as often as required, or it would take them twice as long as anybody without their condition, it causes breathlessness, pain, or fatigue, it counts as being unable to do it. If they could do it some days, but not more than 50% of the time, it counts as being unable to do it. For example, if they can stand and walk for 50 metres, but they can only do it a few times in a day, it may hurt them, they might sometimes fall, or it takes them twice as long as someone else, the law sees this as not being able to walk for 50 metres.

**This appeal is about a decision that was made on
[patient to fill in]. Your evidence needs to be about how their illness,
condition, or disability affected them at that time.**

It would also be helpful if your evidence confirmed any diagnosis and any treatment that they receive.

Daily living activities and descriptors

Activity 1. Preparing food

- | | |
|---|---------|
| a. Can prepare and cook a simple meal unaided. | Score 0 |
| b. Needs to use an aid or appliance to be able to either prepare or cook a simple meal. | Score 2 |
| c. Cannot cook a simple meal using a conventional cooker but is able to do so using a microwave. | Score 2 |
| d. Needs reminding or encouraging to be able to either prepare or cook a simple meal. | Score 2 |
| e. Needs supervision to help stay safe or physical help to either prepare or cook a simple meal – this includes chopping, stirring, moving full pans, telling when it is cooked, etc. | Score 4 |
| f. Cannot prepare and cook food – this includes chopping, stirring, moving full pans, telling when it is cooked, etc. | Score 8 |

Activity 2. Taking nutrition

- | | |
|--|----------|
| a. Can take nutrition unaided. | Score 0 |
| b. Needs to use an aid or appliance, or supervision to help them stay safe, or physical help to be able to cut up food to be able to eat or drink. | Score 2 |
| c. Needs a therapeutic source to be able to eat or drink. | Score 2 |
| d. Needs reminding or encouraging to eat or drink. | Score 4 |
| e. Needs physical help to be able to manage a therapeutic source to take nutrition. | Score 6 |
| f. Cannot get food and drink to their mouth and needs another person to do so. | Score 10 |

Activity 3. Managing therapy or monitoring a health condition

- | | |
|---|---------|
| a. Can manage medication or therapy and monitor their health condition without help. | Score 0 |
| b. Needs to use an aid or appliance to be able to manage their medication; or needs supervision to help them stay safe, or reminding or encouraging, or physical help to manage their medication or monitor a health condition. | Score 1 |
| c. Needs supervision to help them stay safe, or reminding or encouraging, or physical help to be able to manage therapy that takes no more than 3.5 hours a week. | Score 2 |
| d. Needs supervision to help them stay safe, or reminding or encouraging, or physical help to be able to manage therapy that takes more than 3.5 but no more than 7 hours a week. | Score 4 |

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- | | |
|--|---------|
| e. Needs supervision to help them stay safe, or reminding or encouraging, or physical help to be able to manage therapy that takes more than 7 but no more than 14 hours a week. | Score 6 |
| f. Needs supervision to help them stay safe, or reminding or encouraging, or physical help to be able to manage therapy that takes more than 14 hours a week. | Score 8 |

Activity 4. Washing and bathing

- | | |
|--|---------|
| a. Can wash and bathe unaided. | Score 0 |
| b. Needs to use an aid or appliance to be able to wash or bathe. | Score 2 |
| c. Needs supervision, reminding, encouraging, or reassuring to be able to wash or bathe. | Score 2 |
| d. Needs physical help to be able to wash either their hair or body below the waist. | Score 2 |
| e. Needs physical help to be able to get in or out of a bath or shower. | Score 3 |
| f. Needs physical help to be able to wash their body between the shoulders and waist. | Score 4 |
| g. Cannot wash and bathe at all and needs another person to wash their entire body. | Score 8 |

Activity 5. Managing toilet needs or incontinence

- | | |
|--|---------|
| a. Can manage toilet needs or incontinence unaided. | Score 0 |
| b. Needs to use an aid or appliance to be able to manage toilet needs or incontinence. | Score 2 |
| c. Needs supervision to help them stay safe or reminding or encouraging to be able to manage toilet needs. | Score 2 |
| d. Needs physical help to be able to manage toilet needs. | Score 4 |
| e. Needs physical help to be able to manage incontinence of either bladder or bowel. | Score 6 |
| f. Need physical help to be able to manage incontinence of both bladder and bowel. | Score 8 |

Activity 6. Dressing and undressing

- | | |
|---|---------|
| a. Can dress and undress unaided. | Score 0 |
| b. Needs to use an aid or appliance to be able to dress or undress. | Score 2 |
| c. Needs reminding or encouraging to be able to dress, undress or not undress inappropriately, or needs reminding or encouraging, or physical help to be able to choose appropriate clothing. | Score 2 |
| d. Needs physical help to be able to dress or undress their lower body. | Score 2 |
| e. Needs physical help to be able to dress or undress their upper body. | Score 4 |

f. Cannot dress or undress at all Score 8

Activity 7. Communicating verbally

a. Can express and understand verbal information unaided. Score 0

b. Needs to use an aid or appliance to be able to speak or hear. Score 2

c. Needs help from someone trained or experienced in helping them to be able to express or understand complex verbal information. Score 4

d. Needs help from someone trained or experienced in helping them to be able to express or understand basic verbal information. Score 8

e. Cannot express or understand verbal information at all even with help from someone trained or experienced in helping them. Score 12

Activity 8. Reading and understanding signs, symbols, and words

a. Can read and understand basic and complex written information either unaided or using glasses or contact lenses. Score 0

b. Needs to use an aid or appliance, other than glasses or contact lenses, to be able to read or understand either basic or complex written information. Score 2

c. Needs reminding, encouraging, or reassuring to be able to read or understand complex written information. Score 2

d. Needs reminding, encouraging, or reassuring to be able to read or understand basic written information. Score 4

e. Cannot read or understand signs, symbols, or words at all. Score 8

Activity 9. Engaging with other people face to face.

a. Can engage with other people without help from an aid or appliance or a person. Score 0

b. Needs reminding, encouraging, or reassuring to be able to engage with other people. Score 2

c. Needs help from someone trained or experienced in helping them to be able to engage with other people. Score 4

d. Cannot engage with other people because it either makes them feel so anxious or distressed that they cannot function, or because it causes them to behave dangerously, and either they or another person might get hurt. Score 8

Activity 10. Making budgeting decisions.

a. Can manage complex budgeting decisions without help from an aid or appliance or a person. Score 0

b. Needs reminding, encouraging, or reassuring, or physical help to be able to make complex budgeting decisions. Score 2

How to write useful evidence for PIP appeals

- | | |
|---|---------|
| c. Needs reminding, encouraging, or reassuring, or physical help to be able to make simple budgeting decisions. | Score 4 |
| d. Cannot make any budgeting decisions at all. | Score 6 |

Mobility activities and descriptors

Activity 1. Planning and following journeys.

- | | |
|---|----------|
| a. Can plan and follow the route of a journey without help from an aid or appliance or a person. | Score 0 |
| b. Needs reminding, encouraging, or reassuring to be able to undertake any journey to avoid it making them feel so anxious or distressed that they cannot function. | Score 4 |
| c. Cannot plan the route of a journey | Score 8 |
| d. Cannot follow the route of an unfamiliar journey without another person, assistance dog, or orientation aid. | Score 10 |
| e. Cannot undertake any journey because it would make them feel so anxious or distressed that they cannot function. | Score 10 |
| f. Cannot follow the route of a familiar journey without another person, an assistance dog, or an orientation aid | Score 12 |

Activity 2. Moving around.

- | | |
|---|----------|
| a. Can walk more than 200 metres, either aided or unaided. | Score 0 |
| b. Can walk more than 50 metres but no more than 200 metres, either aided or unaided. | Score 4 |
| c. Can walk unaided more than 20 metres but no more than 50 metres. | Score 8 |
| d. Can walk using an aid or appliance more than 20 metres but no more than 50 metres. | Score 10 |
| e. Can walk more than 1 metre but no more than 20 metres, either aided or unaided. | Score 12 |
| f. Cannot, either aided or unaided, (i) stand; or (ii) move more than 1 metre. | Score 12 |

How to write useful evidence for PIP appeals

We have simplified the wording of the descriptors to make this page easier to use. If you prefer, you can find the exact wording of the legislative tests on pipinfo.net.

How to write a statement for PIP

On the left, there is information to help you write your statement to the tribunal. It tells you all the things you should try to put in your statement and how to begin.

On the right is the statement Spencer sent to the panel looking at his appeal. We have included it to show you what sorts of details about your condition you should include in your statement.

Spencer's Statement

- Explain why you are writing. → I am writing to explain my reason for appealing the decision to refuse me an award of PIP.
- Tell them what rate you think you should be entitled to. If you don't know, just say 'I believe I am entitled to more'. → I am appealing the decision as I believe that I am entitled to the enhanced rate of the care component and the enhanced rate of the mobility component.
- Explain the main symptoms or difficulties you have because of your illness or disability. → I have severe epilepsy and depression. I get little or no warning of seizures and have frequently been hurt when they occur. After a seizure, I feel terrible and 'foggy' for about four days afterwards.
- Remember to explain how they affect you. → Because of my depression and because of the lethargy caused by seizures, I often can't face getting up, so I stay in bed – sometimes all day, because I know I won't get hurt if I have a seizure there.
- If you feel better on some days than on others, explain what help you need on both. If you can, say how frequently you have better days and bad days. → I have 3–6 seizures a month on average. Immediately after a seizure I feel very disorientated and confused, and I can be aggressive. I also feel very lethargic, and I can't think straight for about 4 days afterwards. I feel depressed every day.

(continued)

How to write a statement for PIP

- Explain what descriptors you meet and why you should get those points. Try to be as clear as you can about how your difficulties meet the descriptors.

I need supervision to cook a simple meal. I have hurt myself in the past while trying to cook. On various occasions I have dropped a pan of boiling water on my foot, cut myself, and left the gas on due to my fogginess. If I had a seizure while cooking alone it could be even more dangerous. I don't cook alone.

- Remember to say everything – even things that you find embarrassing. It will be a lot easier to write it down than to say it in the hearing. Going into a lot of detail may seem unnecessary, but it will help the panel understand your condition.

Due to the fogginess and due to my depression, I need prompting to eat anything most days. I rarely eat more than once a day when my brother pops in to help me. On days when he doesn't come, I will just eat biscuits or toast.

I need supervision and prompting to take my medication. Left alone, I sometimes don't take it because I hate the side effects, but that makes the seizures worse.

I need supervision to have a bath in case I have a seizure while in it. I have hit my head against the toilet when having a seizure in the bathroom and I had to have stitches. I also need prompting to have a bath because of my depression, lethargy, and fogginess.

When I have had a seizure, I need supervision and prompting to cope with my toilet needs. I often wet myself and I need help to even realise sometimes and to get cleaned up and into clean clothes afterwards.

I cannot go out anywhere at all without help from another person because of the seizures. I need supervision to help me stay safe and to help me after a seizure because I am so disorientated and confused, I couldn't find my home again, or ensure I was even safe. I do not even go to the corner shop on my own. Even thinking about it makes me very anxious.

(continued)

- Tell them if you have ever been hurt (or might have been hurt), because of your illness or disability.

Three years ago, I fell down the stairs during a seizure and broke my collarbone. I had to have stitches in my head another time and have burnt myself or been left with more minor injuries countless times.

- You also need to tell them if you have hurt somebody else because of your illness condition.

I can be aggressive while I am disorientated or confused immediately after a seizure. I once punched a woman who came to try to help me.

- You should also say if you have ever hurt yourself on purpose.

- Is there anything you don't do because you don't have the help you need?

Some days I don't wash or eat at all because I don't have any help.

- If there is any other evidence that backs up what you are saying, refer to it.

The letter from my social worker, Steve Scott, confirms this.

- If not getting the help you need causes other problems, it is very useful to say so. They won't make the connection for themselves.

Being dirty makes me feel depressed and worthless.

- If you disagree with anything in the papers from the DWP, you need to tell them what was wrong and why this isn't right. Did the doctor ask you the right questions and listen to your answers?

The report from the DWP doctor said I could cook, and wash and do pretty much everything without help, but that isn't true. He didn't ask me many questions and clearly didn't understand that I get no warning of my seizures or how out of it I am when they happen. So, I can't cook unless someone is here to help in case I have a seizure. I have been hurt too many times and I'm afraid I might leave the gas on again and blow the place up. I can't have a bath in case I hit my head or drown. Without prompting or supervision I don't eat properly or take my medication, which makes my condition worse. I need someone with me to help me if I have a seizure as I'm disorientated and confused, and I can hurt myself or other people.

When you have finished writing the statement, read it back through more than once. Does it say everything you want it to say?

How to write a statement for PIP

The information in this guide applies to the UK.

The law is complicated. We recommend you try to get advice from the sources we have suggested.

The cases we refer to are not always real but show a typical situation. We have included them to help you think about how to deal with your own situation.

advicenow.org.uk
Making sense of the law and your rights

If you would like this guide in another format please email guides@lawforlife.org.uk

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