

## **Written evidence from the Royal National Institute of Blind People (RNIB) BPI0014**

### **About RNIB**

In the UK there are 350,000 registered blind or partially sighted people. The Royal National Institute of Blind People (RNIB) is the UK's leading sight loss charity and the largest community of blind and partially sighted people. RNIB has significant expertise in the provision of benefits advice and assistance to blind and partially sighted people. The following answers contain direct quotes from our service-users in response to the issues in question.

### **Adequacy of benefits**

#### **Are additional components of benefits, such as Personal Independence Payments, sufficient to cover the costs they are intended to cover?**

People with sight loss face additional, unavoidable costs like taxi journeys, assistive technology and support in the home. Five years ago, these extra costs averaged between £50 and £135 a week. It is estimated that the everyday living costs of a pensioner with a severe sight impairment is 73 per cent higher than for someone of the same age without sight loss [1].

Disability benefits are available to people with sight loss to help with the extra costs associated with disability. However, RNIB's research in 2015 found that 28 per cent of blind and partially sighted people said that the disability benefits they received were rarely or never enough to meet the extra costs incurred as a result of their sight loss [2].

There is growing evidence that this has been compounded by the cost of living crisis. Some 50 per cent of blind and partially sighted people we spoke to recently reported using their disability benefits to cover bills. One person with sight loss, for instance, told RNIB:

“Now I have, like most sight impaired people, a lot of assistive technology and one of mine is breaking down now. I'm absolutely lost without this technology. I can't do what I want to do without it, but can I afford to get it replaced? No, I can't because the PIP that

I would have used to get it replaced is now being used to pay my bills.”

Families with a child with a vision impairment also face additional costs to meet their child’s needs. Whilst most families are accessing related benefits, in a recent Guide Dogs’ survey only a fifth said these benefits are sufficient to cover the extra costs incurred [3].

It is concerning that the rates of all benefits are not based on any objective rationale or assessment of need. RNIB believes the Government must look beyond short-term measures and address the eroded social security system which does not meet people’s needs. To achieve this, the benefit system needs an objective marker to determine what adequate levels of benefits would look like. This should be based on the need of the individual claimant and reflect that for a disabled claimant needs would be greater.

It is also worrying that disability benefits have not increased in line with how the extra costs of sight loss have changed. Although benefits are normally increased annually according to an index of inflation, the initial amounts to which that increase are applied have not been assessed for adequacy. More research is needed to assess the adequacy of disability benefits and, based on this, the Government must rebase benefits according to the actual extra costs associated with sight loss so people can afford an adequate standard of living and manage the extra costs that come with sight loss.

### **Are working-age benefit levels appropriately set to encourage people who are able to work into work?**

In a survey carried out by RNIB in 2021 in response to the UK Government’s Health and Disability Green Paper, half of blind and partially sighted respondents said they worry about their benefits being affected if they ask for employment support.

“I would like a paid job but am worried about it not working out and then having to re-apply for benefits and maybe not qualifying for them again or not getting the same as before.”

“Paid employment is extremely volatile for disabled people and they shouldn’t be left worse off as a result of future redundancy or periods of unemployment.”

Once the Work Capability Assessment is scrapped, it is welcome that people with sight loss will be able to try work without fear of losing benefits as long as lessons are taken from what has gone wrong in the past. Until this is enacted, however, which we understand will be some years away, we recommend allowing longer grace periods for those attempting work, enabling them to return to the same entitlement if the work is not suitable or successful for them.

### **What principles should inform the design and delivery of the working-age benefits system (e.g. fairness, transparency, inclusivity)?**

RNIB considers the DWP should employ and promote a generally better-informed and more compassionate approach to the assessment process, applied to real-life circumstances. At present this is far more likely to happen at appeal and not before, and the decisions are being changed in the claimants' favour in the vast majority of cases for blind and partially sighted people.

Any assessment process for benefits and support needs to respect and listen to individuals, giving proper weight to their own evidence, including evidence from family, friends and carers.

RNIB considers decision-making needs to lean more towards the appeal model, i.e. independent, inquisitive, applied to reality, and taking all evidence into account.

We also recommend the DWP adopts Social Security Scotland's default position to believe claimants and their medical evidence unless they are proven otherwise.

### **Designing of benefit policy**

#### **What is the role of i) the benefit cap; ii) repayments; iii) sanctions on the adequacy of benefits?**

We know from research that people with sight loss are less likely to be in employment, work fewer hours on average and are more likely to be low paid. As such, it appears likely that blind and partially sighted people of working age are more likely to be reliant on Universal Credit than in employment and will therefore be overrepresented in the social security system.

People with sight loss are twice as likely to be providing carer support to someone in the same household, when compared to the UK average (17

per cent compared to 9 per cent) [4]. The benefit cap unfairly penalises many people who cannot look for work due to childcare or caring responsibilities.

A substantial number of Universal Credit claimants receive deductions due to legacy benefit overpayments, many of which relate to historic overpayments. The Government should suspend deductions for benefits that have been overpaid or overpayments accrued through changes in tax credit awards for the duration of the cost-of-living crisis. As well as protecting those on Universal Credit and legacy benefits from reduced incomes, this will also help to protect claimants when they are migrating from legacy benefits to Universal Credit, as often when claimants are migrated across tax credits, their tax credits may accrue an overpayment.

Many tax credit overpayments arise due to official error and through no fault of the claimant. The system treats those with tax credit overpayments who have left the benefit system differently to those who have transferred to Universal Credit. Claimants who leave tax credits receive a 'Notice to Pay' informing them of the debt position – the overpayments that remain outstanding from their tax credits award - prompting them to contact HM Revenue and Customs (HMRC) to arrange repayment. If the individual does not contact HMRC on receipt of this notice, they receive regular correspondence reminding them of the need to pay. They are also given the opportunity to discuss a repayment plan with HMRC or a debt collection agency acting on HMRC's behalf if they are experiencing problems paying or want to discuss how the overpayment had occurred.

In contrast, if an individual transfers to Universal Credit, then the historic overpayment is automatically recovered by way of deductions from their ongoing award. There is little option to reduce this type of recovery unless the claimant can show they are experiencing severe hardship, which can often be a high threshold to pass.

Blind and partially sighted people are therefore disproportionately disadvantaged by any method of recovery of tax credit overpayments that target those in receipt of Universal Credit.

RNIB is also concerned by proposals in the Health and Disability White Paper to increase sanctions and the impact this could have on blind and partially sighted claimants.

The threat and imposition of sanctions causes significant hardship to many and is not acceptable where someone has a severe and limiting health condition. The White Paper outlines that conditionality will be assessed and implemented by work coaches at the jobcentre, who will, according to the paper, in future develop solid and functional relationships with the more vulnerable claimants to find out the “person’s aspirations, experience, qualifications and capacity”.

It is a real concern that so many key decisions, including whether sanctions should be imposed on a claimant for non-compliance, will sit with job coaches - even if they do have recourse to Disability Employment Advisers for advice.

The imposition of incorrect and unfair sanctions is of major concern, given that the vast majority of sanctions currently given to claimants are reversed on challenge due to being incorrect and inappropriate. There is the potential for a great deal of hardship and stress for claimants with sight loss.

## **Accessibility and Administration**

### **What aspects associated with the administration of benefits impact the adequacy of experience for claimants?**

Blind and partially sighted people often report issues with the assessment process for disability benefits and its timelines, and that assessors lack specialist knowledge of sight loss issues.

RNIB’s customers regularly report negativity about receiving the outcome of their benefit decision, noting that it has caused them stress and anxiety. They feel that their condition and its effects have not been taken seriously. This is supported by the appeal success rate for blind and partially sighted claimants supported by RNIB’s legal rights and welfare benefit sight loss services, which is some 97 per cent.

Many clients have a strong sense of injustice when they receive an inaccurate assessment or the wrong decision which feeds into their disillusionment with the whole process.

In a survey carried out by RNIB in 2021 in response to the UK Government’s Health and Disability Green Paper, 51 per cent of blind and partially sighted respondents said they did not feel the assessor was knowledgeable about sight loss, the issues they face, and the support

they need to overcome barriers when they were medically assessed for a benefit.

Responding to our survey, people with sight loss shared:

“In my interview, he wanted me to touch my toes and do more physical activities - which didn't make sense as I'm visually impaired not physically impaired. Yes, I can touch my toes, but that doesn't mean I can use a bus on my own. When I was called in to see him initially, he called my name and walked off, so I didn't know where to go. When I figured out where the door was, because he'd already walked away, the door suddenly shut directly on my face.”

“She wafted a pen in front of my eyes and got me to read an eye chart even though she had a letter from my consultant saying I was Severely Sight Impaired.”

It is therefore welcome that the DWP will begin testing matching a person's primary health condition to a specialist benefit assessor as announced in recent the Health and Disability White Paper. Improving the understanding of benefit assessors of specific conditions is a welcome step forward and could lead to improved decision making.

Our 2021 survey in response to the UK Government's Health and Disability Green Paper found that 69 per cent of respondents felt the questions in Personal Independence Payment, Disability Living Allowance, Employment and Support Allowance or Universal Credit questionnaires did not relate properly to people with sight loss.

Responding to the survey, blind and partially sighted people told RNIB:

“When I fill out benefit forms, they typically seem to focus more on those with physical disabilities and you have to be really confident and experienced to be able to work in your sight loss. For example, 'can you pick up a pint of milk' or 'can you pick up a penny if you drop it'? That without experience of saying, no, because I don't know if that bottle is milk or orange juice, or if I drop a penny I won't see where it went - the forms need to be changed or thought more about for those with sensory impairments and/or mental health conditions/neuro diverse conditions etc. As these people are currently, without the knowledge and experience of filling in these forms, very

disadvantaged. So assessors don't get to hear the 'real' or 'full' story of the claimant.”

“I feel that questions are very much geared towards people in wheelchairs and that not enough time is given to the difficulties surrounding sight loss or mental health. Also, I don't think that it is understood that people's abilities can and do fluctuate depending on fluctuations in their sight, i.e eye strain, weather conditions, available light, etc.”

“Sight loss is a very personal thing and each of us have different eye conditions and levels of sight. I don't believe that this is taken into account.”

In our response to the Health and Disability Green Paper we also raised concern about informal observations carried out by the assessor, and that these are often conducted without giving the claimant the opportunity for redress.

RNIB strongly maintains that unless an assessor is ophthalmologically qualified, they should not be assessing a claimant for sight loss.

“I lost points... because I was able to go into my handbag and take out my passport and other documents to show her. I had put the items in my bag, my passport had a brightly coloured cover and there was nothing else in my bag. The assessor stated that as I had been able to take forms out without any difficulty my eyesight wasn't that bad. Throughout [the] interview I just felt as though she was trying to catch me out. It was a horrible experience.”

## **What changes should be made to the administration of working-age benefits?**

Inaccessible communications have been a longstanding and serious concern for blind and partially sighted people applying for or receiving benefits from the DWP.

Back in 2012, following the implementation of the migration process from Incapacity Benefit to Employment and Support Allowance, RNIB received a number of complaints about the accessibility of DWP information.

Over several years RNIB then corresponded with the DWP as regards apparently systemic failures to make information accessible to claimants, such as the recording of communication preferences and the use of email as a reasonable adjustment.

While it became the Department's policy to provide email to blind and partially sighted customers who requested it as a reasonable adjustment, this has not always been understood by customer-facing staff.

One individual with sight loss shared their experience with RNIB:

“The PIP application process is dreadful. There is no provision for completing it online and the form can usually only be submitted in handwriting. After considerable effort and escalation, I was allowed to submit it by email, but frontline staff were not aware of the email option. They will only offer to send documents in braille/ large print/ audio even though email is an option within the accessibility team. I did not manage to receive my assessment report in an accessible format.”

The DWP must ensure that all its staff have a strong understanding of the reasonable adjustments available and the legal duty on the Department to make reasonable adjustments. RNIB recommends the DWP deliver more training for frontline staff on reasonable adjustments and this training to be co-created and delivered by disabled people. The DWP must also ensure that their computer systems allow, so far as possible, for the automatic production of documents in alternative formats minimising the need for manual interventions which are prone to error.

## References

[1] Hill, Horsley, Hirsch, Padley, 2017. Sight Loss and minimum Income standards – the additional costs of severity and age. Social Policy at Loughborough University and Thomas Pocklington Trust. Available from <https://www.pocklington-trust.org.uk/sector-resources/research-archive/sight-loss-and-minimum-income/>

[2] Slade, Edwards, 2015. My Voice 2015. RNIB. Available from <http://www.rnib.org.uk/myvoice>

[3] Guide Dogs, 2023. Out of Pocket. How the cost of living crisis is impacting families with a vision impaired child. Available from <https://gd-prod.azureedge.net/-/media/project/guidedogs/guidedogsdotorg/files/how-you-can-help/campaigning/b103-guide-dogs---out-of-pocket-report.pdf>

[4] Understanding Society 2020, Findings from the UK Household Longitudinal Study. Available from [https://www.understandingsociety.ac.uk/sites/default/files/downloads/insights/insights\\_2020\\_final.pdf](https://www.understandingsociety.ac.uk/sites/default/files/downloads/insights/insights_2020_final.pdf)

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