

Written evidence from Anonymous (HAB0009)

I went to the Tribunal when I was moved from DLA to PIP 4 years ago. Not only was the decision overturned in my favour, but the level of award increased. An excellent result, but it was very stressful for both me and my wife, worsening my mental health and one which we believe was unnecessary.

I had been in receipt of DLA for several years prior to the switch to PIP due to both mental and physical health problems. Neither had shown any improvement, and were very unlikely to improve. My face-to-face assessment was a horrible experience, due entirely to the assessor. When I read the decision turning down my appeal, I did not recognise the evidence from the DWP, as they had managed to misrepresent my whole situation.

It was only then I asked my local CAB for help and it was them who got my appeal to the Tribunal stage.

In addition, the Carer's Allowance my wife had been receiving was not renewed automatically and she had to reapply. When she asked why such was the case, she was told something along the lines of "we didn't know if you would want to claim it again"!

Fast forward to 2020 and I was dreading the award's end date in November, and the possibility of having to go through the whole process again. I received a letter in September 2020, advising that due to coronavirus, my expiry date had been put back to November 2021. I was greatly relieved, but knocked back by a letter which arrived a few days before Christmas, sending me a new Award Review form to be returned by 14/01/21. The extra stress that it created, ruined my Christmas & New Year. Why, if I had only recently had my award extended for one year, should I get the application form then, and need to send it back in such a hurry within 2 working weeks? They obviously do not take the individual health problems of their "clients" into consideration as mental health problems multiply when faced with situations like this. I, for one, cannot cope and need even more support from my wife than usual.

As requested, I sent my completed form in and heard nothing for 3 months, when I was told I would also be having a telephone consultation on 18/05/21, a period of 4 months from the hurried return date for the form. This assessment was a better experience than my first, but led to the same result. Interestingly, from that conversation it was decided that my mobility was far better than I had truthfully stated. Apparently, I could stand straight up and walk far further than the 50 metres I had claimed. All of this from a telephone call! What an extraordinary medical breakthrough that is. I contacted the CAB at this stage rather than wait as I had done previously.

Needless to say, the same result again. Whilst the CAB were putting into place the steps for another Tribunal, I noticed that one of the DWP's claims in their reasons for turning me down didn't quite make sense. Amongst the claims made in the "How I made my decision" section was "the information provided by the letter from your consultant". There was no

reference as to which consultant it may have been; spinal stenosis, anaemia, diabetes, arthritis, sleep apnoea, chronic depression etc? I am in regular contact with my GP and he agreed the only medical opinion the DWP could have asked for, in the first instance at least, would have been from himself. They had not contacted him at all. This information was included in the application provided to go to Tribunal.

About two weeks after the appeal to go to Tribunal was submitted, I had a phone call from a DWP lady who spent 20-30 minutes going through my previous submission and agreed that the points for the various descriptors were wrong. She finished by apologising and saying that if I was happy to agree, my award would be reinstated immediately and any arrears repaid. It would have been nice to have pushed for increased mobility, which I really should have received in the first place, but we were both so delighted with the result we immediately said yes, as neither of us could face any further upset. We have had another great result, AND without the extra stress of having to appear at the Tribunal.

To finish, a couple of points.

As the DWP decision in 2017 was overturned, I assumed this would be the starting point used by the DWP when looking at my reapplication. Added to that, the fact I have Sleep Apnoea and Anaemia, I foolishly thought there would be no problems this time. You have seen how wrong I was. I have since been told that the DWP ignore the judgements of the Tribunal when considering subsequent applications, so I would go into the reapplication 100% fit! How can this be right?

Why can't Carer's be reinstated at the same time as PIP? Just when you think it's all over, you get another DWP form to fill in, for a guaranteed benefit, and a much delayed reimbursement of missed allowances.

The expiry date, so therefore when you can "relax" until, changing by one year and then rushed backwards so quickly afterwards was appalling. Should this be allowed?

I am sure I could add more, especially my thoughts about the descriptors which I think really don't deal with normal life in any way. **Yes, I can read.** No great surprise there, but my ability to understand and remember what I have read has diminished drastically. This is not important apparently, because I can read and the fact my mental abilities are diminishing doesn't count.

I **only** go out with my wife. We repeated this time and time again. Yet still the decision was, "you go out with your wife". Where was the important word "only"? ██████ drives us everywhere we need to go, otherwise I am housebound. The fact I don't have to make any travel decisions was taken as, I have not said I cannot make them, then obviously I can do so.

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