

People have their sole income stopped every day without basic due process or an assessment of the impact it will have. The Right 2 Work; Right 2 Welfare group is campaigning for a human rights checklist for social security decision makers including PIP decision makers – The ‘People’s Proposal’ has widespread support from all political parties except the DUP, all Trade Unions, a majority of Councils and many advice and community groups. But Leo O’Reilly, The Permanent Secretary of the Department for Communities and the man with the power to make this simple change refuses to implement The Peoples Proposal. This is a human rights issue – Leo is responsible and we need to hold him accountable. **Below we explain how you can do this to help yourself and join us to help everyone**

How you can challenge the unfair and punitive PIP assessment

The Department for Communities is putting 125,000 people with disabilities through a PIP assessment as part of the wider welfare reform agenda to cut money from social security. This test, carried out by Capita, a private, profit driven company, is causing extreme anxiety, distress and worse to vulnerable people every day. People with disabilities are being denied their basic right to financial support while Capita stands to make over £59million from this contract. This system was created in Westminster, passed through Stormont and is being rolled out by Leo O’Reilly and his staff.

What’s more, it’s rigged to fail! It excludes:

1. Your story
2. Your medical evidence
3. The essential criteria you meet – ‘descriptors’

A good decision needs all 3 things to be with the decision maker – remember Assessors you have to meet or who are sent to your home are NOT decision makers – they work for the private company!

Make sure Leo O’Reilly gets -

1. Your personal testimony about how your condition affects your life – not forms filled in with Yes/No answers
2. Medical evidence like your full file from your GP – not forms filled in by your doctor.
3. The criteria you meet – these are called descriptors and if you don’t meet them you don’t get PIP.

What can you do?

Here’s what YOU can do to insist that PIP assessors make a decision based on all relevant information:

1. Remember that the assessors are NOT decision makers. They report to decision makers.
2. Guarantee that all of your information reaches a decision maker – the best way to do this is by sending it all email to Leo O’Reilly, head of the Department for Communities - leo.oreilly@communities-ni.gov.uk. It is better to make this a formal complaint about how you are being treated as a disabled person. Remember PIP is an unnecessarily harmful process and you should not be subjected to it.
2. If you can, write out your own ‘story’ of how your disability affects you on a day to day basis, and submit that as evidence. Explain where the decision maker can get the medical evidence to back up your story
4. Get your medical file yourself from your GP and submit it as evidence for the assessment. Be aware that the GP can charge £10 for an electronic file and up to £50 for a paper copy. It also can take up to 40 days to get it so put your request in asap – ask for your file under the terms of the data protection act and get a receipt – get this receipt to Leo O’Reilly to show what evidence you are willing to provide.
5. Circle each ‘descriptor’ (we can provide these) which you meet – mark clearly the descriptor which you feel meets your circumstances and the ‘points’ you need awarded.
6. Bring somebody with you to the assessment and get them to record the assessment on a mobile phone – you may need this later to defend yourself against false allegations by assessors which are common.
7. If you get refused PIP after an assessment, make a formal complaint to Leo O Reilly demanding a Mandatory Reconsideration – this is a formality which has to be gone through before you can appeal formally. This request usually has to be in within a month of the refusal decision but if it’s later than that still submit it – remember a complaint has to be investigated within 15 days.
8. If you still get knocked back at Mandatory Reconsideration stage make another formal complaint to Leo O ‘Reilly and demand a formal Appeal. Over a third of cases win on appeal. In England almost 7 in every 10 cases win on appeal. But this will also exhaust the department complaints process and allow you to take legal action including judicial review. DFC do not want to be taken to court and will try to solve your case before court.
9. Remember Leo O Reilly is the person at the top of the Department for Communities – the Department is responsible for all aspects of your claim – deal with Leo directly in writing for and ask him to provide the information you provide to any other relevant staff who matter- Copy him in on all emails you send about your claim – keep a paper trail

Who are we?

The Right 2 Work group has been campaigning for human rights protections to be introduced into social security decision making, including into the PIP assessment process.

Our proposal is called **The People's Proposal**. It would make sure that all of the steps set out are followed.



Support our Campaign

Fill in a survey form – simply paste this link into your web browser <http://bit.ly/2FUUDF3O>
Share your own experience of the PIP assessment
Help us gather evidence from other people affected
Share this information with family, friends, neighbours and work colleagues.

To get info on how to do this email sean@pprproject.org or tel 028 90 313315
To find out more about our campaign check out our web page www.pprproject.org/right-to-work or follow us on twitter @PPR_Org or Facebook www.facebook.com/pprproject

Some facts that show how unfair and punitive the PIP assessment is:

More than a third of the 21,000 people with disabilities assessed for PIP up to July 2017 were denied the right to financial support.

Mandatory reconsideration (MR), a new, internal stage in the appeals process, **is designed to 'choke off' appeals by claimants who were denied PIP**. Only 18% (new claims) and 23% (reassessed claims) were successful at the MR consideration stage, **BUT when people went on to appeal over a third were successful**.

Claimants are **twice as likely to be successful at an appeal hearing if they have a representative** with them.

39% of PIP claimants have a mental health condition, yet the Department for Communities **doesn't carry out any impact assessment** before denying vulnerable people the right to financial support.

The Royal College GPs has criticised fact that vulnerable claimants are expected to gather medical evidence "**as a general principle (this) carries risk and would be contrary to other similar processes such as housing requests or bus passes on medical grounds**"

Up to **56% of all assessment reports compiled by Capita** were rated as 'unacceptable' by the Department for Work and Pensions, whose target figure is 3% .

Routine audio recording of all face to face PIP assessments has been recommended by both a Westminster parliamentary committee and by an independent review of PIP carried out for DWP. **The Department for Communities has refused and suggested that claimants buy 2 dictaphone cassette recorders!**



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