



# PIP: INDEFINITE AWARDS

## A BRIEFING FROM CPAG'S EARLY WARNING SYSTEM

May 2022

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The Early Warning System collects evidence from advice workers about issues in the benefits system.

This month, we have heard a lot about assessments for personal independence payment (PIP). Many reports were about re-assessments for existing PIP claimants.

We wanted to take this opportunity to talk about who *shouldn't* get re-assessed – that is, claimants who should be given an **indefinite** award of PIP.

### The law

An award of PIP **must** be indefinite, or 'ongoing', if a fixed-term award would be inappropriate in the circumstances.<sup>1</sup>

The DWP's Advice for Decision Makers states that a fixed-term award will be inappropriate:

- if somebody's abilities are unlikely to change in the long-term, or
- if somebody has 'high levels of functional impairment which are only likely to increase.'<sup>2</sup>

The decision-maker has a **legal duty** to follow this guidance.<sup>3</sup>

### In practice

Unfortunately, there seems to be poor awareness and application of the rules. We regularly hear about cases in which claimants are given inappropriate fixed-term PIP awards.

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<sup>1</sup> [Section 88\(2\) of the Welfare Reform Act 2012](#)

<sup>2</sup> [ADM Chapter 2: Assessment for PIP, at P2062](#)

<sup>3</sup> [Section 88\(3\) of the Welfare Reform Act 2012](#)

*A 61-year-old HGV driver was left physically disabled after an industrial accident. She was given a PIP award that included the enhanced rate of both components, recognising her high levels of functional impairment. Despite the fact that her difficulties were only likely to increase, the award was for a fixed term of four years. She is now having to go through the assessment process again.*

*A woman with spinal arthritis moved from Disability Living Allowance (DLA) to PIP in her fifties. She had had an indefinite DLA award, but was only given a two-year award of PIP, despite having had her condition for years and knowing that her abilities and needs were very unlikely to change.*

*A woman with a twenty-year history of borderline affective disorder and psychosis had to move from DLA to PIP in 2016. She provided the DWP with evidence that her functional difficulties were likely to remain the same. Nonetheless, she was regularly re-assessed, leading to significant distress. She was eventually given an indefinite award of PIP in early 2021 (enhanced daily living, standard mobility). However, in November 2021, she was re-assessed after an unexplained ‘internal review’ and lost her indefinite award. She is now a psychiatric inpatient.*

## The costs

PIP is a benefit for people living with long-term conditions, so we might expect a large proportion of claimants to receive indefinite awards under the rules above. Yet in the quarter ending January 2022, over 80 per cent of new awards were for a fixed period of two years or less. Only 10 per cent of awards were indefinite.

When claimants are re-assessed more often than they need to be, it leads to significant, unnecessary costs for government and avoidable stress and upset for claimants.

## Recommendations

- Use internal DWP communications to increase awareness of the rules among PIP decision-makers
- Update the guidance for external assessment providers, including [paragraph 1.9.2 of PIP assessment guide part 1: the assessment process](#) which does not currently mention the possibility of an indefinite award
- Review cases where fixed-term awards have been challenged and revised to indefinite awards, so procedures and guidance can be changed to improve future decision-making

## About CPAG

Child Poverty Action Group works on behalf of the more than one in four children in the UK growing up in poverty. It doesn't have to be like this. We use our understanding of what causes poverty and the impact it has on children's lives to campaign for policies that will prevent and solve poverty – for good. We provide training, advice and information to make sure hard-up families get the financial support they need. We also carry out high profile legal work to establish and protect families' rights.

## About the Early Warning System

Our Early Warning System helps us get a better understanding of how changes to the social security system are affecting the lives of children and families. We gather information from advisers about the experience of children and families. This intelligence informs much of our policy, research and campaigning work, and also feeds into the advice we give frontline advisers.