



Department
for Work &
Pensions

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28 SEP 2018

Sir Mark Hendrick MP

Your ref:

Our ref: POS(5)10007/262

20 SEP 2018

Dear Sir Mark,

Thank you for your email of 21 August to the Secretary of State on behalf of your constituents about Motability and appealing decisions made on claims for Personal Independence Payment (PIP). I am replying as the Minister for Disabled People, Health and Work.

Whilst I understand your concerns about Motability requesting the return of their vehicles from your constituents following an unsuccessful claim for the mobility component of PIP, it is a long-standing principle that benefits are not paid pending an appeal, because a negative decision means that there is no entitlement to benefit. However, in order to support disabled people who are not awarded a mobility allowance following PIP reassessment, the Government continues to pay Disability Living Allowance (DLA) for four weeks after the decision on PIP is made.

When PIP was first introduced, the Government worked with Motability to design an extensive £175 million Transitional Support package to support Motability customers who have not been awarded the enhanced mobility component on reassessment from DLA to PIP. This is paid for by the Motability charity at no cost to the taxpayer.

Following extensive discussions with Motability and relevant government departments, Motability have agreed to extend the Transitional Support package. As part of this, Motability has agreed to increase the amount of time that claimants have to return their vehicles to eight weeks after DLA payments end. This means that claimants can retain their car for nearly

three months after a decision on PIP is made, and should give ample time to allow for MRs to be carried out.

Claimants now have the option to choose between accepting the eight-week extension and a lump sum of £2,000 for those who joined before 2013, or £1,000 for those joining during 2013; or, instead of receiving a large lump sum, claimants may opt to extend their lease for 26 weeks (six months) after the DLA payments end and receive a smaller payment: £500 for those who joined before 2013, or £250 for those who joined during 2013. Those who choose the latter option cannot claim the £1,000/£2,000 support money as well – the choice is between the larger lump sum and the extended lease.

In addition, claimants also have the option to buy their old Scheme vehicle, and can obtain help to adapt any new, non-scheme vehicle. This package has already helped many claimants to meet their mobility needs.

Claimants who win on appeal can normally reapply for, or remain on, the Motability Scheme immediately, providing that they repay the Support money or the value of the extended lease. If a decision is overturned, the Department pays the backdated PIP payments to the claimant, so they would be able to use this to repay Motability.

I appreciate your concerns about the length of time that the Transitional Support package covers but I must inform you that Motability is an independent charity. Therefore, while the Department works closely with the charity, it is not directly involved in determining scheme policy or operational issues. Any further questions on this topic should be directed to Motability. You can contact them at the following address: Director of Motability, Motability, Warwick House, Roydon Road, Harlow, Essex, CM19 5PX.

Finally, I cannot comment on the time taken to schedule appeal hearings because that is a matter for Her Majesty's Courts and Tribunal Service, which is part of the Ministry of Justice. However, I can assure you that we are working closely with the Tribunal Service to reduce the length of time that it takes to clear an appeal by for example, exploring ways to increase its capacity to enable it to hold more hearings. Furthermore, we are working with the Tribunal Service on its digital reform initiatives, which will also improve waiting times. We are confident the improvements we are making to the Work Capability Assessment and the Personal Independence Payment assessment will ensure that we increase the number of decisions that are right first time and improve

communications to claimants. This will lead to a reduction in both the number of appeals and the successful appeal rate.

I hope you find this useful. Please do not hesitate in contacting me if you feel that I can be of further assistance.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Sarah Newton', with a long horizontal flourish extending to the right.

Sarah Newton MP
Minister for Disabled People, Health and Work