Sheffield Autism Partnership Network

Building & better Sheffield for Autistic People

# Getting the benefits you deserve: Advice for Autistic people and their support systems



### **Before starting your application**

#### Find out what you can get

- The <u>entitledto</u> or <u>FightBack4Justice</u> websites have calculators to help you find out what benefits you may be eligible for, and how much you might be awarded.
- It's quite in-depth, but Citizen's Advice Sheffield have a <u>YouTube video</u> which explains how to use this it.

#### Research and prepare for the process

- DWP have a series of <u>easy-read guides</u> on the PIP application process. Whilst these are useful for understanding how it will work, the other guides mentioned in this document are probably more useful for actually going through it!
- The Disability Rights Handbook provides in-depth information and guidance on the benefits system and social care services. It costs £43 for the <u>physical book</u>, or £41 for the <u>PDF version</u> which is updated every 2 months until the next edition is released.

#### Start to gather evidence

- It can take a while to get through the red tape and bureaucracy of getting your medical records, and DWP timescales can be really tight!
- <u>FightBack4Justice</u> recommends gathering around 3 years' worth of your medical records.
- That being said, anything over this amount is unlikely to be read by the assessors, so make sure you prioritise any important diagnostic or treatment information if it's older than that.
- <u>This article</u> from Benefits and Work provides some good advice for gathering medical evidence.
- Another way to evidence your condition is through keeping a diary, which can either be used as supporting evidence or to help you with filling out the 'Tell us about...' sections of the form.
- Benefits and Work offer diary templates with their memberships. <u>Membership</u> is £19.95 a year for an individual, or £97 a year for a professional membership - this package allows everyone in an organisation to access the resources and gives the organisation license to reproduce their guides in physical format or use them for training purposes.
- There are also example diary entries for a person with depression and anxiety and MS in the Disability Rights <u>PIP guide</u>, which might help with getting started and knowing what to include.

## The application

#### How to start

- It's recommended that you call the DWP to start your claim on 08009172222, and someone else can make this phone call for you. You'll need some information handy which is listed on the <u>Citizen's Advice website</u>.
- If you can't do a phone call then you can write to them at Personal Independence Payment New Claims Post Handling Site B, Wolverhampton, WV99 1AH and explain why you can't complete the first part of the claim over the phone. They'll send you the questions they would have asked over the phone in a form called a PIP1.
- Your claim will be dated from the time you made the first phone call, or from the date where you returned the PIP1 form - this does mean that your claim will be dated later if you have to do it by post.
- The PIP1 form, whether completed yourself or done over the phone, is your initial application. Some people get caught out by not realising that what they say on the phone is being assessed, so make sure you have everything you need and are prepared to explain thoroughly. Even something as innocuous as saying 'fine, thank you' if the person on the other end of the phone asks how you are can result in a lower score than you deserve.

#### Guides and support

- The Citizen's Advice <u>PIP guide</u> goes into quite a lot of detail on what to include when filling out the forms, and explains in detail what each individual question is asking for. It also has advice on answering honestly and being fair to yourself in your answers.
- Disability Rights also have a <u>PIP guide</u> which provides more of a view of what assessors are looking for and a glossary of terms, which can be useful for figuring out what buzzwords to use. It does also give some things to consider when answering each question - the blank white boxes can be really overwhelming, so these questions are helpful for getting started and making sure you haven't missed anything!
- FightBackForJustice have a free advice line which is open Monday-Friday on 01616727444, and you can also email info@fightback4justice.co.uk. Their <u>VIP platform</u> gives access to a range of resources including video guides, and the higher tier also includes example submission forms and a document review service. Level 1 is £4.99 a month and level 2 is £11.99 a month. Both tiers also allow you to access a priority phone line and email address.

### The application

#### What to include

- Approach the question from what your worst days/symptoms look like, how often they occur and if there are any things that make it more or less likely to be a good day. This is where a diary can be really useful!
- Remember that 'aids' doesn't just mean physical or mobility aids, like walking sticks or grab rails, but also includes things like reminder alarms or apps, ear defenders, stim toys etc. - any tool that is used to make sure you can safely and comfortably complete a necessary task.
- It's also important to note exactly how an aid helps, as well as any help you might need to use it

   for example, if you have earplugs to help you navigate loud places but
   forget to put them in until you're already overwhelmed, and so you need
   to be reminded by someone else.
- If you're including pictures of your aids or adjustments, make sure you have some ID in the picture. There have been reports of people being told that their pictures 'could be from Google', which can interrupt or delay the process, as well as just being stressful!
- Similarly, questions like 'can you travel from a to b by yourself?' or 'can you cook a meal for one?' are not just asking about whether you can physically do it - you might need someone to help you understand the bus timetable or plan your route due to place blindness, or be unable to prepare food due to sensory difficulties.
- If you're finding it hard to understand how to interpret the questions in a way that's relevant to you, <u>Citizen's Advice Sheffield</u> can help. You can call them, email them, use their live webchat or visit them at one of their community access points.
- Getting statements from your family, friends, colleagues etc. helps to back up and give context for your information, as well as sometimes even adding more detail that you hadn't thought of.
- Try not to put a positive spin on it DWP will use whatever they can to reject applications, and so it's important to be totally honest, even if it might feel uncomfortable or embarrassing. It's worth reminding anyone providing a supporting statement of this, as well.

# The appeal process

#### Be prepared

- Almost all applications will be rejected at the first stage, and <u>The Big Issue</u> recently reported that 90% of first stage appeals (known formally as mandatory reconsiderations) are also rejected.
- It's really important to make sure you have a good support network around you - friends, family, carers, voluntary organisations etc. - as this can be an incredibly dehumanising and traumatic experience.
- Try and remember that a rejection is not an indication that you are not disabled or are not entitled to support, it just means the DWP have found enough to nitpick that they can justify a rejection.

#### Mandatory reconsiderations

- You can ask for a mandatory reconsideration if you didn't get PIP, you got a lower award than you believe you're eligible for, or if the length of your award seems too short.
- <u>Citizen's Advice</u> have advice on their website about how to contact DWP to ask for a reconsideration.
- Benefits and Work members get guides to appeals included in their membership.
- The Disability Rights <u>PIP guide</u> also has a section on how to build a case for mandatory reconsideration, including what to look out for in the evidence they've provided and how to counter anything that's incorrect.

#### Tribunal

- Approximately 80% of tribunal appeals will result in the decision being overturned and benefits being awarded (including those that the DWP overturn before it reaches the court), so it's really worth sticking it out even if your mandatory reconsideration has been rejected!
- Try to send any new evidence for consideration before the tribunal, rather than turning up with lots of stuff on the day.
- Citizen's Advice have lots of information about <u>how to apply</u> for a tribunal appeal and <u>what to</u> <u>expect</u> from your hearing.
- <u>FightBack4Justice</u> can offer advocacy and representation at court, and their VIP service also includes partially completed, interactive appeal letters.