

DWP Consultation questions

(You do not need to answer all the questions asked by the Department of Work and Pensions – your views on any points will be helpful - FCSS)

- **Q1 – What are your views on the latest draft Daily Living activities?**

These include three new activities: *Communicating*, *Engaging socially* and *Making financial decisions*. We would welcome your views on the activities. Are the changes and the new activities an improvement? Do you think we need to make any further changes?

- **Q2 – What are your views on the weightings and entitlement thresholds for the Daily Living activities?**

How well do you think the entitlement thresholds work to distinguish between differing levels of ability in each activity? How well do you think they work to prioritise individuals on the basis of their overall need? Do you think we need to make any changes to weightings or thresholds?

- **Q3 – What are your views on the latest draft Mobility activities?**

We set out revised proposals for the activities relating to entitlement to the Mobility component (activities 10-11). Are the changes an improvement? Do you think we need to make any further changes?

- **Q4 – What are your views on the weightings and entitlement thresholds for the Mobility activities?**

How well do you think the entitlement thresholds work to distinguish between differing levels of ability in each activity? How well do you think they work to prioritise individuals on the basis of their overall need? Do you think we need to make any changes to weightings or thresholds?

- **Q5 – What are your views on how the regulations work regarding benefit entitlement?**

Draft Regulations 1 to 4 set out how the assessment will work to prioritise individuals and determine entitlement to the benefit. How well do you think the draft regulations achieve the intent of the assessment set out in the explanatory note? Do we need to make any changes?

- **Q6 – What are your views on how we are dealing with fluctuating conditions?**

- Scoring descriptors will apply to individuals where their impairment(s) affects their ability to complete an activity on more than 50 per cent of days in a 12 month period.

- If one descriptor in an activity applies on more than 50 per cent of the days in the period – i.e. the activity cannot be completed in the way described on more than 50 per cent of days – then that descriptor should be chosen.
- If more than one descriptor in an activity applies on more than 50 per cent of the days in the period, then the descriptor chosen should be the one which applies for the greatest proportion of the time.
- Where one single descriptor in an activity is not satisfied on more than 50 per cent of days, but a number of different descriptors in that activity together are satisfied on more than 50 per cent of days – for example, descriptor ‘B’ is satisfied on 40 per cent of days and descriptor ‘C’ on 30 per cent of different days – the descriptor satisfied for the highest proportion of the time should be selected.

What are your views on this approach and how this is set out in the regulations?

- **Q7 – What are your views on the definitions of ‘safely’, ‘timely’, ‘repeatedly’ and ‘in a timely’ manner?**

In the assessment an individual must be able to complete an activity descriptor reliably, repeatedly, safely and in a timely manner. Otherwise they should be considered unable to complete the activity described at that level. What are your views on these terms? Some organisations have suggested that these terms should be included within the regulations. Do you agree? If so, do you have views on how we should do so – for example, as a general provision or referring to them in the detail of activity descriptors

- **Q8 – What are your views on the definitions in the regulations?**

The draft regulations contain a number of definitions in Regulation 1 (Interpretation) and Schedule 1. Do we need to make changes to any of these?

- **Q9 – Do you have any other comments on the draft regulations?**

Regulations 5 to 10 of the draft regulations relate to elements of the assessment process for Personal Independence Payment, around the requirement to provide information and attend face-to-face consultations, the consequences of failing to meet these requirements and when individuals might have good reason for not meeting these. Do you have any comments on these regulations?