

**46.** The award length is part of the Tribunal's outcome decision and can only be changed if the Tribunal's decision is successfully appealed to an UT.

**47.** Tribunals won't provide review dates as this isn't part of their decision. However, apply the same principals to Tribunal decisions for review dates as we do to our own without altering the length of award.

**48.** On receipt of a Tribunal award you must look at the case details. Any decision to put a review date on the case is a Secretary of State (S of S) function, see: PIP Award Reviews. The date you input depends on the facts of the case and individual circumstances.

**49.** You must consider:

- the prognosis; taking into account AP advice
- any further evidence regarding the expected length of current needs
- how long the award has to run

<b>Award period to run from date of Tribunal</b>	<b>Suggested action</b>
Under 2 years	don't add a review date
2 – 3 years	add a review date only if the evidence on the case clearly shows one is needed
4 – 5 years	add a review date: normally one year before the end of the award unless individual circumstances suggest otherwise
6 -10 years	you should add a review date: this will normally be one year prior to end of award
Over 10 years or on going period	you must add a review date: this will normally be 10 years from the date the assessment, or where there was a paper based review, 10 years from the date this was completed

**50.** The above is general guidance only and individual cases will have individual solutions dependent on the fact of the case. However, three fundamental principles apply:

- if a review date is set, it must be at least one year before the award is due to expire.
- we shouldn't put a review date of less than 2 years from the date of the tribunal unless we know something definite will happen.
- no award can continue for more than 10 years without a review being considered.

## **Type of PIP Award**

**12.** When making award decisions, CM/APs will put cases into one of three groups.

**Fixed period award no review date** - where there is a reasonable expectation to see a significant improvement in needs arising from the claimant's health condition or disability, to the extent they no longer require PIP. These cases won't have an AR.

**Fixed period award with review date** - where it's likely the claimant's level of restriction in daily living and mobility activities may change at a later stage. That is the claimant may have some improvement or deterioration that could result in a change in the rate of PIP entitlement. The CM decides the review point and then sets the end date of the award for 12 months after the review date.

**On-going award** - where the claimant's restrictions on daily living and/or mobility are unlikely to change significantly, these cases will have an AR at least every 10 years.

**13.** The resulting AR is designed to ensure the correct level of entitlement is in place.

**14.** PIPCS will start Award Review action on the review date.

**15.** PIPCS will check if an Advance Claim or Change of Circumstances (CofC) AR is on-going. If so, the AR is no longer required.

**16.** PIPCS also checks to see if PIP is in payment:

- if PIP isn't in payment, for example, imprisonment, long-term hospitalisation, suspected fraud etc., PIPCS will defer the AR until payment is reinstated
- if payment of PIP isn't reinstated before the award end date, the AR isn't required and no further action will be taken
- if payment is reinstated before the end of Award Notification (PIP.506) is issued, PIPCS will prompt an AR.