

Right to Work Right to Welfare



Human Rights Monitoring Guide

The Human Rights Monitor Guide

The Right to Work; Right to Welfare campaign, supported by Participation and the Practice of Rights have developed this guide and templates contained within it to challenge poor social security decisions by making a human rights complaint and monitoring the human rights violations by the Department for Communities and the private companies which act on their behalf. Check out our campaigns and get in touch if you want to get involved. Feel free to use this information in any way you see fit. Please note this is not for everyone and is not without risks. But if you contacted us, it is likely your social security is at risk already.

Contained within this guide you will find;

1. The PIP descriptors – these are the criteria you must meet before you can be awarded PIP - circle the descriptors and points that apply to you and include in your complaint
2. The ESA descriptors – these are the criteria you must meet before you can be awarded ESA – circle the descriptors and points that apply to you and include in your complaint
3. A template complaint – fill in the blanks with your story – including what you have been put through so far and what you want to happen next
4. A template letter for your GP to get your full medical file – this will be crucial. Your GP is not obliged to send it and the assessors will deliberately exclude it from assessments – fill it in and send to your GP as soon as possible. When you get your full file back send it on as part of your complaint. Don't wait.
5. Questions that you/someone who accompanies you can ask during the assessment to monitor the protection of your human rights.
6. A Human Rights monitoring statement on which you can record your daily interactions with the Department for Communities/CAPITA and send to us on a weekly basis to be included in regular human rights monitoring updates to the Permanent Secretary of the DfC, Tracy Meharg.

A human rights complaint can be made at any time when you think you are at risk of having your money stopped – before, during or after assessments or appeals. You do not have to wait on anything. If you do not like the way you are being treated complain right away to the person at the top – Tracy Meharg tracy.meharg@communities-ni.gov.uk & permsecsupport@communities-ni.gov.uk. Tracy is the Permanent Secretary of the Department for Communities and ultimately responsible for the protection of your right to social security.

In many cases the Department should not be intruding in your life unnecessarily and you will have provided more than enough evidence and testimony of how you meet the criteria for social security many times in the past to many people. Do not accept unnecessary, harmful and degrading actions by the Department for Communities, the Social Security Agency or the private companies hired by them.

You cannot legally be punished for complaining. If you are punished for complaining it is a serious offence.

There are a few stages to effectively complaining.

1. **Complain**
2. **Monitor**

3. Complaint resolved/not resolved - Prepare next steps – contact us

For a good decision to be made the Department's Decision Maker (who you will never meet) will need to see

- **Your Story**
- **Your Medical Evidence**
- **The 'Descriptors' you meet (points you are entitled to)**

Story: Use the template attached to tell your story in your own words. Fill in the boxes and tick the things that are relevant to you.

Medical evidence: Your medical evidence will be necessary but you should not be caused financial hardship to get it. Include what you can get for free. Use the template to tell the department exactly where your medical evidence is and how to get it and how much it costs. Note - the private companies and the department will not go looking for medical evidence. In many cases they will actively exclude crucial medical evidence. The language in the template asks them to consider your full and up to date medical file and all information held by medical professionals you deem to be relevant.

If you want to make absolutely sure the medical evidence gets to the decision maker then get your file yourself. Ask for your full and up to date medical file from our GP using the language in the attached 'data protection request'. Don't wait until you get it to complain as it can take 40 days. Ask for it and get a receipt from your GP which shows you have requested it. Include the receipt, or your full file, in your complaint.

Descriptors: (attached) are the essential criteria you must meet. They are the only acceptable answers in the PIP (disability) and ESA (sickness) tests. If you don't meet the descriptors, you don't get the social security. Print off and tick the ones that apply to you or write them down in your story. Send the complaint (email is best but you can also post or hand deliver to Tracy Meharg's office in Belfast City Centre) with your **Story**, the **Descriptors** you meet and your **Medical Evidence** to **Tracy Meharg**. Bypass the private companies and others who deliberately keep information from reaching the Departmental Decision Maker. But include the forms and letters they have sent you to ensure no one accuses you of failing to respond or ignoring them.

Copy in by email these authorities who have responsibility for protecting your rights to social security and health. They may respond. They may take action. They may not. Monitor what happens.

- The President of the Appeals Service - officeofthepresident.appealtribunals@communities-ni.gsi.gov.uk
- The NI Human Rights Commission - info@nihrc.org
- The NI Public Service Ombudsman - nipso@nipso.org.uk
- The Nursing and Midwifery Council - fitness.to.practise@nmc-uk.org & newreferrals@nmc-uk.org
- The Health and Social Care Board - ftp@hcpc-uk.org

What to expect once you send your complaint

Because of the poor quality of decision making and the clear breaches of basic human rights principles like the right due process and the minimum essential level of benefits, you may get a decision overturned at once. You may also be completely ignored. Or anything in between may happen. Don't get dragged into useless, stressful processes such as filling in more forms and meetings/phone calls with people who don't have any decision making power. Remember your

complaint is about a breach of your rights. You have sent through the information required and the criteria you meet to most senior person responsible, Tracy Meharg. She must respond, or direct staff to respond to you in writing within 15 working days. Tracy Meharg must resolve your complaint or allow you to take further action.

After you send your letter monitor the response. Audio record meetings if possible. Gather up any letters you receive. Take notes on who talks to you, their name and what they want. Explain that you have already provided all necessary information. Explain that you are now monitoring the Governments response to a human rights complaint which you expect in 15 working days. Explain that you will correspond directly with Tracy Meharg. If you are unsure about any conversation or process do not take part. End it and explain you want to get advice before continuing.

Once you get the response to your complaint from the Department for Communities – a letter explaining how the department dealt with your complaint and what their decision is – then it's time to consider if you are happy or not. If not you can email Tracy Meharg again explaining that your complaint is not resolved and why – do not respond to anyone but Tracy Meharg. Send Tracy all of the new evidence you have gathered and ask her when she will resolve your complaint.

If after two complaints (stage 1 and 2) this does not work it is time to consider other actions. Public pressure is best – if you can tweet or make face book posts regarding your case do so. If you are confident to talk to the media do so.

Let us know how it goes and get in touch if you need more info or a human rights monitor to accompany you at assessments.

Limited Capability for Work Descriptors

Descriptors and scores for each physical activity

Mobilising unaided by another person with or without a walking stick, manual wheelchair or other aid if such aid is normally, or could reasonably be worn or used.	
Descriptor	Points
<p>(a) Cannot unaided by another person either:</p> <ul style="list-style-type: none"> (i) mobilise more than 50 metres on level ground without stopping in order to avoid significant discomfort or exhaustion; or (ii) repeatedly mobilise 50 metres within a reasonable timescale because of significant discomfort or exhaustion. 	15
(b) Cannot unaided by another person mount or descend two steps even with the support of a handrail.	9
<p>(c) Cannot unaided by another person either:</p> <ul style="list-style-type: none"> (i) mobilise more than 100 metres on level ground without stopping in order to avoid significant discomfort or exhaustion; or (ii) repeatedly mobilise 100 metres within a reasonable timescale because of significant discomfort or exhaustion. 	9
<p>(d) Cannot unaided by another person either:</p> <ul style="list-style-type: none"> (i) mobilise more than 200 metres on level ground without stopping in order to avoid significant discomfort or exhaustion; or (ii) repeatedly mobilise 200 metres within a reasonable timescale because of significant discomfort or exhaustion. 	6
(e) None of the above applies	0

2. Standing and sitting.

Descriptor	Points
(a) Cannot move between one seated position and another seated position located next to one another without receiving physical assistance from another person.	15
(b) Cannot, for the majority of the time, remain at a work station either: (i) standing unassisted by another person (even if free to move around); or (ii) sitting (even in an adjustable chair) or (iii) a combination of (i) and (ii). for more than 30 minutes, before needing to move away in order to avoid significant discomfort or exhaustion.	9
(c) Cannot, for the majority of the time, remain at a work station, either: (i) standing unassisted by another person (even if free to move around); or (ii) sitting (even in an adjustable chair); or (iii) a combination of (i) and (ii); for more than an hour, before needing to move away in order to avoid significant discomfort or exhaustion.	6
(d) None of the above apply	0

3. Reaching.

Descriptor	Points
(a) Cannot raise either arm as if to put something in the top pocket of a coat or jacket.	15
(b) Cannot raise either arm to top of head as if to put on a hat.	9
(c) Cannot raise either arm above head height as if to reach for something.	6
(d) None of the above apply.	0

4. Picking up and moving or transferring by the use of the upper body and arms.

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Descriptor	Points
(a) Cannot pick up and move a 0.5 litre carton full of liquid.	15
(b) Cannot pick up and move a one litre carton full of liquid.	9
(c) Cannot transfer a light but bulky object such as an empty cardboard box.	6
(d) None of the above apply.	0

5. Manual dexterity.

Descriptor	Points
(a) Cannot press a button (such as a telephone keypad) with either hand or cannot turn the pages of a book with either hand.	15
(b) Cannot pick up a £1 coin or equivalent with either hand.	15
(c) Cannot use a pen or pencil to make a meaningful mark with either hand.	9
(d) Cannot single-handedly use a suitable keyboard or mouse.	9
(e) None of the above applies.	0

6. Making self understood through speaking, writing, typing, or other means which are normally or could reasonably be, used, unaided by another person.

Descriptor	Points
(a) Cannot convey a simple message, such as the presence of a hazard.	15
(b) Has significant difficulty conveying a simple message to strangers.	15
(c) Has some difficulty conveying a simple message to strangers.	6
(d) None of the above apply.	0

7. Understanding communication by

(i) verbal means (such as hearing or lip reading) alone,

(ii) nonverbal means (such as reading 16 point print or Braille) alone, or

(iii) a combination of (i) and (ii),

using any aid that is normally, or could reasonably be used, unaided by another

person.	
Descriptor	Points
(a) Cannot understand a simple message, such as the location of a fire escape, due to sensory impairment.	15
(b) Has significant difficulty understanding a simple message from a stranger due to sensory impairment.	15
(c) Has some difficulty understanding a simple message from a stranger due to sensory impairment.	6
(d) None of the above applies.	0
8. Navigation and maintaining safety, using a guide dog or other aid if either or both are normally, or could reasonably be, used.	
Descriptor	Points
(a) Unable to navigate around familiar surroundings, without being accompanied by another person, due to sensory impairment.	15
(b) Cannot safely complete a potentially hazardous task such as crossing the road, without being accompanied by another person, due to sensory impairment.	15
(c) Unable to navigate around unfamiliar surroundings, without being accompanied by another person, due to sensory impairment.	9
(d) None of the above apply.	0
9. Absence or loss of control whilst conscious leading to extensive evacuation of the bowel and/or bladder, other than enuresis (bed-wetting), despite the wearing or use of any aids or adaptations which are normally, or could reasonably be, worn or used.	
Descriptor	Points
(a) At least once a month experiences: (i) loss of control leading to extensive evacuation of the bowel and/or voiding of the bladder; or (ii) substantial leakage of the contents of a collecting device sufficient to require cleaning and a change in clothing.	15

(b) The majority of the time is at risk of loss of control leading to extensive evacuation of the bowel and/or voiding of the bladder, sufficient to require cleaning and a change in clothing, if not able to reach a toilet quickly.	6
(c) None of the above applies.	0
10. Consciousness during waking moments.	
Descriptor	Points
(a) At least once a week, has an involuntary episode of lost or altered consciousness resulting in significantly disrupted awareness or concentration.	15
(b) At least once a month, has an involuntary episode of lost or altered consciousness resulting in significantly disrupted awareness or concentration.	6
(c) None of the above apply.	0

Descriptors and scores for each mental, cognitive and intellectual function assessment

11. Learning tasks.	
Descriptor	Points
(a) Cannot learn how to complete a simple task, such as setting an alarm clock.	15
(b) Cannot learn anything beyond a simple task, such as setting an alarm clock.	9
(c) Cannot learn anything beyond a moderately complex task, such as the steps involved in operating a washing machine to clean clothes.	6
(d) None of the above apply.	0
12. Awareness of everyday hazards (such as boiling water or sharp objects).	
Descriptor	Points
(a) Reduced awareness of everyday hazards leads to a significant risk of: (i) injury to self or others; or (ii) damage to property or possessions	15

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such that the claimant requires supervision for the majority of the time to maintain safety.	
(b) Reduced awareness of everyday hazards leads to a significant risk of: (i) injury to self or others; or (ii) damage to property or possessions such that the claimant frequently requires supervision to maintain safety.	9
(c) Reduced awareness of everyday hazards leads to a significant risk of: (i) injury to self or others; or (ii) damage to property or possessions such that the claimant occasionally requires supervision to maintain safety.	6
(d) None of the above apply.	0
13. Initiating and completing personal action (which means planning, organisation, problem solving, prioritising or switching tasks).	
Descriptor	Points
(a) Cannot, due to impaired mental function, reliably initiate or complete at least 2 sequential personal actions.	15
(b) Cannot, due to impaired mental function, reliably initiate or complete at least 2 sequential personal actions for the majority of the time.	9
(c) Frequently cannot, due to impaired mental function, reliably initiate or complete at least 2 sequential personal actions.	6
(d) None of the above applies	0
14. Coping with change.	
Descriptor	Points
(a) Cannot cope with any change to the extent that day to day life cannot be managed.	15
(b) Cannot cope with minor planned change (such as a pre-arranged change to the routine time scheduled for a lunch break), to the extent that overall day to day life is made significantly more difficult.	9

(c) Cannot cope with minor unplanned change (such as the timing of an appointment on the day it is due to occur), to the extent that overall, day to day life is made significantly more difficult.	6
(d) None of the above apply.	0
15. Getting about.	
Descriptor	Points
(a) Cannot get to any place outside the claimant's home with which the claimant is familiar.	15
(b) Is unable to get to a specified place with which the claimant is familiar, without being accompanied by another person.	9
(c) Is unable to get to a specified place with which the claimant is unfamiliar without being accompanied by another person.	6
(d) None of the above apply.	0
16. Coping with social engagement due to cognitive impairment or mental disorder.	
Descriptor	Points
(a) Engagement in social contact is always precluded due to difficulty relating to others or significant distress experienced by the claimant.	15
(b) Engagement in social contact with someone unfamiliar to the claimant is always precluded due to difficulty relating to others or significant distress experienced by the claimant.	9
(c) Engagement in social contact with someone unfamiliar to the claimant is not possible for the majority of the time due to difficulty relating to others or significant distress experienced by the claimant.	6
(d) None of the above applies	0
17. Appropriateness of behaviour with other people, due to cognitive impairment or mental disorder.	
Descriptor	Points
(a) Has, on a daily basis, uncontrollable episodes of aggressive or disinhibited behaviour that would be unreasonable in any workplace.	15

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(b) Frequently has uncontrollable episodes of aggressive or disinhibited behaviour that would be unreasonable in any workplace.	15
(c) Occasionally has uncontrollable episodes of aggressive or disinhibited behaviour that would be unreasonable in any workplace.	9
(d) None of the above apply.	0

Limited Capability for Work-Related Activity Descriptors

Descriptors for each activity

1. Mobilising unaided by another person with or without a walking stick, manual wheelchair or other aid if such aid is normally, or could reasonably be worn or used.

Cannot either:

(a) mobilise more than 50 metres on level ground without stopping in order to avoid significant discomfort or exhaustion; or

(b) repeatedly mobilise 50 metres within a reasonable timescale because of significant discomfort or exhaustion.

2. Transferring from one seated position to another.

Cannot move between one seated position and another seated position located next to one another without receiving physical assistance from another person.

3. Reaching.

Cannot raise either arm as if to put something in the top pocket of a coat or jacket.

4. Picking up and moving or transferring by the use of the upper body and arms (excluding standing, sitting, bending or kneeling and all other activities specified in this Schedule).

Cannot pick up and move a 0.5 litre carton full of liquid.

5. Manual dexterity.

Cannot press a button (such as a telephone keypad) with either hand or cannot turn the pages of a book with either hand.

6. Making self understood through speaking, writing, typing, or other means normally, or could reasonably be, used, unaided by another person.

Cannot convey a simple message, such as the presence of a hazard.

7. Understanding communication by

- (i) verbal means (such as hearing or lip reading) alone,
- ii) non-verbal means (such as reading 16 point print or Braille) alone, or
- iii) any combination of (i) and (ii), using any aid that is normally, or could reasonably be, used, unaided by another person.

Cannot understand a simple message, such as the location of a fire escape, due to sensory impairment.

8. Absence or loss of control whilst conscious leading to extensive evacuation of the bowel and/or voiding of the bladder, other than enuresis (bed-wetting), despite the wearing or use of any aids or adaptations which are normally, or could reasonably be, worn or used.

At least once a week experiences:

- (a) loss of control leading to extensive evacuation of the bowel and/or voiding of the bladder; or
- (b) substantial leakage of the contents of a collecting device sufficient to require the individual to clean themselves and change clothing.

9. Learning tasks.

Cannot learn how to complete a simple task, such as setting an alarm clock, due to cognitive impairment or mental disorder.

10. Awareness of hazard.

Reduced awareness of everyday hazards, due to cognitive impairment or mental disorder, leads to a significant risk of:

- (a) injury to self or others; or
- (b) damage to property or possessions such that the claimant requires supervision for the majority of the time to maintain safety.

11. Initiating and completing personal action (which means planning, organisation, problem solving, prioritising or switching tasks).

Cannot, due to impaired mental function, reliably initiate or complete at least 2 sequential personal actions.

12. Coping with change.

Cannot cope with any change, due to cognitive impairment or mental disorder, to the extent that day to day life cannot be managed.

13. Coping with social engagement, due to cognitive impairment or mental disorder.

Engagement in social contact is always precluded due to difficulty relating to others or significant distress experienced by the claimant.

14. Appropriateness of behaviour with other people, due to cognitive impairment or mental disorder.

Has, on a daily basis, uncontrollable episodes of aggressive or disinhibited behaviour that would be unreasonable in any workplace.

15. Conveying food or drink to the mouth.

- (a) Cannot convey food or drink to the claimant's own mouth without receiving physical assistance from someone else;
- (b) Cannot convey food or drink to the claimant's own mouth without repeatedly stopping or, experiencing breathlessness or severe discomfort;
- (c) Cannot convey food or drink to the claimant's own mouth without receiving regular prompting given by someone else in the claimant's physical presence; or
- (d) Owing to a severe disorder of mood or behaviour, fails to convey food or drink to the claimant's own mouth without receiving:
 - (i) physical assistance from someone else; or
 - (ii) regular prompting given by someone else in the claimant's presence.

16. Chewing or swallowing food or drink.

- (a) Cannot chew or swallow food or drink;
- (b) Cannot chew or swallow food or drink without repeatedly stopping, experiencing breathlessness or severe discomfort;
- (c) Cannot chew or swallow food or drink without repeatedly receiving regular prompting given by someone else in the claimant's presence; or
- (d) Owing to a severe disorder of mood or behaviour, fails to:
 - (i) chew or swallow food or drink; or
 - (ii) chew or swallow food or drink without regular prompting given by someone else in the claimant's presence.

Personal Independence Payment (PIP) – table of activities, descriptors and points

Daily Living Activities

Activity	Descriptors	Points
1. Preparing food	a. Can prepare and cook a simple meal unaided.	0
	b. Needs to use an aid or appliance to be able to either prepare or cook a simple meal.	2
	c. Cannot cook a simple meal using a conventional cooker but is able to do so using a microwave.	2
	d. Needs prompting to be able to either prepare or cook a simple meal.	2
	e. Needs supervision or assistance to either prepare or cook a simple meal.	4
	f. Cannot prepare and cook food.	8

Space for notes

Activity	Descriptors	Points
2. Taking nutrition	a. Can take nutrition unaided.	0
	b. Needs – (i) to use an aid or appliance to be able to take nutrition; or (ii) supervision to be able to take nutrition; or (iii) assistance to be able to cut up food.	2
	c. Needs a therapeutic source to be able to take nutrition.	2
	d. Needs prompting to be able to take nutrition.	4
	e. Needs assistance to be able to manage a therapeutic source to take nutrition.	6
	f. Cannot convey food and drink to their mouth and needs another person to do so.	10

Space for notes

Activity	Descriptors	Points
3. Managing therapy or monitoring a health condition	a. Either – (i) does not receive medication or therapy or need to monitor a health condition; or (ii) can manage medication or therapy or monitor a health condition unaided.	0
	b. Needs either – (i) to use an aid or appliance to be able to manage medication; or (ii) supervision, prompting or assistance to be able to manage medication or monitor a health condition.	1
	c. Needs supervision, prompting or assistance to be able to manage therapy that takes no more than 3.5 hours a week.	2
	d. Needs supervision, prompting or assistance to be able to manage therapy that takes more than 3.5 but no more than 7 hours a week.	4
	e. Needs supervision, prompting or assistance to be able to manage therapy that takes more than 7 but no more than 14 hours a week.	6
	f. Needs supervision, prompting or assistance to be able to manage therapy that takes more than 14 hours a week.	8

Space for notes

Activity	Descriptors	Points
4. Washing and bathing	a. Can wash and bathe unaided.	0
	b. Needs to use an aid or appliance to be able to wash or bathe.	2
	c. Needs supervision or prompting to be able to wash or bathe.	2
	d. Needs assistance to be able to wash either their hair or body below the waist.	2
	e. Needs assistance to be able to get in or out of a bath or shower.	3
	f. Needs assistance to be able to wash their body between the shoulders and waist.	4
	g. Cannot wash and bathe at all and needs another person to wash their entire body.	8

Space for notes

Activity	Descriptors	Points
5. Managing toilet needs or incontinence	a. Can manage toilet needs or incontinence unaided.	0
	b. Needs to use an aid or appliance to be able to manage toilet needs or incontinence.	2
	c. Needs supervision or prompting to be able to manage toilet needs.	2
	d. Needs assistance to be able to manage toilet needs.	4
	e. Needs assistance to be able to manage incontinence of either bladder or bowel.	6
	f. Needs assistance to be able to manage incontinence of both bladder and bowel.	8

Space for notes

Activity	Descriptors	Points
6. Dressing and undressing	a. Can dress and undress unaided.	0
	b. Needs to use an aid or appliance to be able to dress or undress.	2
	c. Needs either - (i) prompting to be able to dress, undress or determine appropriate circumstances for remaining clothed; or (ii) prompting or assistance to be able to select appropriate clothing.	2
	d. Needs assistance to be able to dress or undress their lower body.	2
	e. Needs assistance to be able to dress or undress their upper body.	4
	f. Cannot dress or undress at all.	8

Space for notes

Activity	Descriptors	Points
7. Communicating verbally	a. Can express and understand verbal information unaided.	0
	b. Needs to use an aid or appliance to be able to speak or hear.	2
	c. Needs communication support to be able to express or understand complex verbal information.	4
	d. Needs communication support to be able to express or understand basic verbal information.	8
	e. Cannot express or understand verbal information at all even with communication support.	12

Space for notes

Activity	Descriptors	Points
8. Reading and understanding signs, symbols and words	a. Can read and understand basic and complex written information either unaided or using spectacles or contact lenses.	0
	b. Needs to use an aid or appliance, other than spectacles or contact lenses, to be able to read or understand either basic or complex written information.	2
	c. Needs prompting to be able to read or understand complex written information.	2
	d. Needs prompting to be able to read or understand basic written information.	4
	e. Cannot read or understand signs, symbols or words at all.	8

Space for notes

Activity	Descriptors	Points
9. Engaging with other people face to face	a. Can engage with other people unaided.	0
	b. Needs prompting to be able to engage with other people.	2
	c. Needs social support to be able to engage with other people.	4
	d. Cannot engage with other people due to such engagement causing either – (i) overwhelming psychological distress to the claimant; or (ii) the claimant to exhibit behaviour which would result in a substantial risk of harm to the claimant or another person.	8

Space for notes

Activity	Descriptors	Points
10. Making budgeting decisions	a. Can manage complex budgeting decisions unaided.	0
	b. Needs prompting or assistance to be able to make complex budgeting decisions.	2
	c. Needs prompting or assistance to be able to make simple budgeting decisions.	4
	d. Cannot make any budgeting decisions at all.	6

Space for notes

Mobility Activities

Activity	Descriptors	Points
1. Planning and following journeys	a. Can plan and follow the route of a journey unaided.	0
	b. Needs prompting to be able to undertake any journey to avoid overwhelming psychological distress to the claimant.	4
	c. Cannot plan the route of a journey.	8
	d. Cannot follow the route of an unfamiliar journey without another person, assistance dog or orientation aid.	10
	e. Cannot undertake any journey because it would cause overwhelming psychological distress to the claimant.	10
	f. Cannot follow the route of a familiar journey without another person, an assistance dog or an orientation aid.	12

Space for notes

Activity	Descriptors	Points
2. Moving around	a. Can stand and then move more than 200 metres, either aided or unaided.	0
	b. Can stand and then move more than 50 metres but no more than 200 metres, either aided or unaided	4
	c. Can stand and then move unaided more than 20 metres but no more than 50 metres.	8
	d. Can stand and then move using an aid or appliance more than 20 metres but no more than 50 metres.	10
	e. Can stand and then move more than 1 metre but no more than 20 metres, either aided or unaided.	12
	f. Cannot, either aided or unaided, – (i) stand; or (ii) move more than 1 metre.	12

Space for notes



RIGHT TO WORK : RIGHT TO WELFARE



Accountability: Equality: Participation.

Name:

Address:

Tracy Meharg
Permanent Secretary
Department for Communities
Lighthouse Building
1 Cromac Place
Gasworks Business Park
Belfast
BT7 2JB

DATE:

Dear MS Meharg,

- ☐ I am at risk of being financially sanctioned by your department
- ☐ I have been financially sanctioned by your department

As a result my income has/may be reduced from £_____ to £_____

I am/will be *(tick as appropriate)*

- ☐ Forced to borrow money
- ☐ Forced to apply for a 'discretionary payment'
- ☐ Forced to miss meals
- ☐ Unable to pay rent or mortgage
- ☐ Unable to heat my home
- ☐ Unable to save £10 a month for emergencies
- ☐ Unable to attend family social occasions (birthdays/weddings etc)

Please treat this correspondence as a formal complaint regarding the decision making process which governs my social security income. The process ignores international human rights principles regarding rights to due process and the minimum essential level of benefits. Please also process this



letter and all of the associated documentation provided and requested as part of the ongoing assessment of my entitlement to receive a social security income commensurate with my needs.

I continue to be willing to provide your department with all of the information required to make the right decision regarding my income, however, the processes afforded to me to date are restricting my ability to communicate effectively with departmental decision makers.

As such, I am now writing to you as the ultimate authority and decision maker governing the social security system and the most senior duty bearer responsible for the protection of my rights in this jurisdiction. I trust that you will immediately make the information contained herein available to all decision makers or other relevant staff or agencies responsible for the assessment and award of the social security income I am entitled to. I ask that you do not delay the process of providing this information to relevant staff and agencies as you carry out the investigation into my complaint.

Contained within this letter and the attached documentation are; *(tick as appropriate)*

- ☐ A full and accurate statement of my circumstances including any ailments, disabilities, and other circumstances and the daily impact these personal circumstances have on my life. I have also explained my experiences of trying to navigate the social security system including my treatment by staff and agencies responsible for the assessment and award of my social security income.
- ☐ Forms I have been asked to complete which do not allow me to accurately communicate my circumstances to departmental decision makers.
- ☐ A list of all evidence I wish to be considered by departmental decision makers.
- ☐ All of the evidence I can provide at this time without suffering additional unaffordable costs.
- ☐ A list of the criteria I meet including 'descriptors', 'good causes' etc. relevant to my circumstances.
- ☐ A request that departmental decision makers consider my full and up to date medical file including a description of my current mental and physical health, a list of medication and treatments and their impacts my daily life. I hereby grant permission for my full and up to date medical file, including all details of my current mental and physical health, a list of medication and treatments I receive and the impacts my daily life, to be released to the department by my GP under the terms of the data protection act. I understand that costs of between £10 and £50 may follow from my GP and ask that you confirm if the Department can cover the costs to guarantee a fair decision making process based upon the primacy of medical evidence.



RIGHT TO WORK : RIGHT TO WELFARE



Accountability: Equality: Participation.

My circumstances

Below I explain my personal and family circumstances including the cost of living / ailments / disabilities / other circumstances and their impact upon my daily life



RIGHT TO WORK : RIGHT TO WELFARE



Accountability: Equality: Participation.

My experience of trying to access a social security income

Below I describe the processes I have gone through, allegations which have been made against me and ways in which I have tried to defend myself.



RIGHT TO WORK : RIGHT TO WELFARE



Accountability: Equality: Participation.

The impact your decision to reduce my income has/will have on me

Below I describe what impact a reduction in income has or will have on me / my family, including what I will be unable to afford and provide



Please note that I have copied in all of the relevant agencies and authorities I am aware of who are responsible for aspects of this complaint and the protection of my right to social security. If I have not included any who are relevant please forward this information immediately.

I am now monitoring the realisation of my rights and wish to engage your department in correspondence only to maintain an accurate record in case future litigation and/or appeals processes are required. I will maintain my own a written and audio record of all future engagements with officials and private companies during this process. Please confirm in advance if any member of your staff or private companies involved do not wish to be recorded and explain the reasons why.

Please process this letter as a request for any and all funds available to me, including mitigation funds and discretionary payments.

If I can be of any further assistance, or if departmental decision makers require any additional information, please do not hesitate to request it in writing.

I look forward to your response as I continue to secure my right to social security.

Signed,

BCC – *(tick as appropriate)*

- ☐ CAPITA
- ☐ ATOS
- ☐ NI Ombudsman
- ☐ Commissioner for Older People NI
- ☐ NI Commissioner for Children and Young People
- ☐ NI Human Rights Commission
- ☐ The Nursing and Midwifery Council
- ☐ The Health Care Professions Council
- ☐ Office of the President of the Appeals Service
- ☐ GP _____
- ☐ Councillor _____
- ☐ MLA _____
- ☐ MP _____



Signed _____



HUMAN RIGHTS MONITOR Q

Department for Communities
Personal Independence Payment
Atos and Capita
Medical Assessment

Atos and Capita Health Care Assessor Name:

.....

Before Assessment	During Assessment	After Assessment
1. Do you have a full and up to date medical file? 2. Do you have a list of PIP descriptors 'X' has provided in support? 3. Do you have 'X's personal testimony? 4. What are your medical qualifications? 5. Who is the healthcare regulator you are responsible to? 6. What safeguarding, suicide prevention training, have you undertaken? 7. What elements of the testimony provided to date are in dispute or unclear?	Human Rights Monitors may ask permission to query repetition of questions which have already been answered and offer additional evidence/context.	1. What additional evidence is required to meet the requirements for PIP? 2. Please print off and provide a copy of the notes you have taken today
Additional notes:		

HUMAN RIGHT MONITORING STATEMENT



This is my written testimony for the attention of Ms Tracy Meharg, Permanent Secretary of the Department for Communities; Mr Les Allamby, Chief Commissioner for Human Rights; and Ms Marie Anderson, Public Service Ombudsman. It relates to my treatment this week during processes administered by the Department for Communities and the private companies acting on their behalf.

Please process this statement as part of my ongoing formal complaint and the ongoing monitoring of my human rights.

Signed: _____ Week commencing: _____

<u>Response received</u> <i>(Include name, job titled & organisation e.g. DfC/Capita)</i>	<u>Details of response and evidence</u> <i>(include if you have gathered evidence such as audio recorded a visit or call or kept emails, letters or text messages)</i>	<u>Impact of the Response on me and my family</u> <i>Include how this response has impacted you physically, mentally, emotionally and financially.</i>
1.		
2.		
3.		

4.		
5.		
6.		