

# Extending Personal Independence Payment awards for administrative reasons

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## Introduction

1. This memo provides guidance on the Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) (Amendment) Regulations (Northern Ireland) 2026.

2. The regulations introduce a new ground to supersede a Personal Independence Payment award so as to extend its length. The new power comes into operation on 2.6.26. It can be used from that date.

### **The new ground of supersession**

3. The new ground of supersession provides that the length of a fixed-term award of Personal Independence Payment may be extended where the Department considers that this is necessary to safeguard the efficient administration of Personal Independence Payment<sup>1</sup>.

*1 UC, PIP, JSA & ESA (D&A) Regs (NI) 16, reg 22A*

### **Safeguarding the efficient administration of Personal Independence Payment**

4. The efficient administration of Personal Independence Payment will be threatened where circumstances prevent the Department from reviewing fixed-term awards before they expire in a safe, effective and timely way. Such circumstances may include

#### **4.1 national emergencies, such as**

**4.1.1 war or**

**4.1.2 health crises or**

#### **4.2 more specific administrative difficulties, such as**

**4.2.1 system outage or**

**4.2.2 serious resource limitations or**

**4.2.3 serious backlogs.**

**Note:** This list is not exhaustive.

## **The supersession**

5. When a decision is superseded, the original decision can only be altered in a way that follows from the ground of supersession<sup>1</sup>. This means that a supersession under the new power:

**5.1** should extend the length of the award by a period that will allow the threat to the efficient administration of Personal Independence Payment to be eased **and**

**5.2** cannot alter the amount of the award.

*1 R(IB) 2/04, paragraph 10(4)*

## **The effective date of the supersession**

6. The date from which an extension under the new power takes effect is not specified in the regulations. Accordingly, it will take effect from

**6.1** the date on which the decision to extend is made **or**

**6.2** the date of any application for an extension by the claimant<sup>1</sup>.

*1 SS (NI) Order 98, art 10(5)*

## **Applications for supersession**

7. The new power is not restricted to decisions on the decision maker's initiative. In principle, it is open to a claimant to request a supersession under it. There is no time limit for an application on this ground. However, the burden of proof is on the claimant. The decision maker should only supersede under the new power if they are satisfied that the available evidence suggests that an

extension to the claimant's award is required to safeguard the efficient administration of Personal Independence Payment.

8. If an application discloses no reason to extend the length of an award under the new power but suggests that an extension may be appropriate on another ground (see paras 9 - 10 below), the decision maker should also consider that other ground.

### **Other powers to extend**

9. The length of an award of Personal Independence Payment can also be extended by a supersession on the basis of

**9.1** a change of circumstances<sup>1</sup> **or**

**9.2** a new Health Care Professional report<sup>2</sup> **or**

**9.3** previously unrecognised facts that existed when the original award was made and would have warranted a longer award<sup>3</sup>.

1 UC, PIP, JSA & ESA (D&A) Regs (NI) 16, reg 23(1)(a) & R(IB) 2/04, para 152(d);

2 UC, PIP, JSA & ESA (D&A) Regs (NI) 16, reg 26(1)(a); 3 reg 24(a)

10. The new power to extend the length of an award to safeguard the efficient administration of Personal Independence Payment has not replaced or changed these options. It is an addition to them.

### **Notification, mandatory reconsideration and appeal**

11. A decision to extend or not extend the period of an award under the new power

**11.1** must be notified to the claimant or appointee in the usual way **and**

**11.2** may be disputed by way of an application for mandatory reconsideration **and**

**11.3** may be appealed after mandatory reconsideration has been completed.

12. On appeal

**12.1** The tribunal must deal with the case as if it is standing in the shoes of the decision maker on the date the decision under appeal was made<sup>1</sup>. It must reconsider for itself whether it is necessary to extend the period of the appellant's award to safeguard the efficient administration of Personal Independence Payment (and if it is, what the appropriate period of extension is). The response to an appeal should, therefore, set out the decision maker's views on these matters.

**12.2** The tribunal cannot use the new power to change the amount of the award.

**12.3** The tribunal can consider whether, at the date of the decision under appeal, an alternative ground to supersede the period or the amount of the award was satisfied.

*1 R(IB) 2/04, paras 19-35; R(IS) 17/04, para 26 and (1) TR (2)  
GD v Secretary of State for Work and Pensions (PIP, ESA) [2025] UKUT 332 (AAC), paras 55 & 121.e.ii*

## **Annotations**

The number of this memo should be annotated against the following ADM paragraphs:

A4014

A4530 (Main Heading)

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Chapter A4**

**June 2026**