



Disability Living Allowance

Disability Living Allowance, or DLA, is perhaps the most important of the disability benefits for the under 65's. It depends essentially on the effects of your disability and on the help you need as a consequence, not on other features of your life such as whether you are able to work. At the same time it acts as a passport to many other benefits.

DLA has two components – the care component, which is paid at three different levels, and the mobility component, which is paid at two different levels. Although these two components are assessed separately DLA is a single benefit and you only have to make one claim. You can be awarded one or both of the components according to your needs.

DLA:

is not means tested, is tax-free and is paid on top of almost all benefits
It does not depend on your income, savings or National Insurance contributions

It does not matter whether you are in work, off sick, unemployed or self-employed, nor it you are living alone or as part of a family

It does not depend on how much you spend on disability expenses and you can spend the cash on anything you like

It is available to children as well as adults

It can be for hearing or visual impairment, mental health problems or learning disabilities as well as for physical disabilities

It is available whether or not you actually have someone helping you

For current rates for DLA, please contact us at Richmond AID or call the free phone DWP Benefits Enquiry Line on 0800 88 22 00. You can find more information on the web here

<http://www.direct.gov.uk/en/DisabledPeople/index.htm>. They are increased each April.

How do you qualify?

You have to satisfy the Government's "disability tests", which are summarised below.

You have to have been disabled for three months and to show that your disability is likely to continue for at least six months

You have to put in your claim before your 65th birthday

You must satisfy the residence conditions and not be subject to immigration control (these rules are complicated and if you think they might apply to you, do seek advice)

If you are terminally ill you can claim DLA without having to wait 3 months and the application will be fast-tracked and should be paid within 8 days. You will be awarded the higher rate of care component. The mobility component is not paid automatically and will depend on how your illness affects you. You will need to send a special form with your claim called DS1500 which your doctor will provide and which will confirm your condition.

The care component

This is for those who need help with personal care because of their disability. It can also be given to those whose disability affects their ability to communicate – for example if they need to use sign language because they are deaf.

It is available at three rates:

Lower Rate: this is for those needing help for around an hour a day. For example, if you need help getting up and going to bed, or help with cooking a main meal.

Middle Rate: this is for those needing frequent help (at least three or four times during the day or night).

Higher Rate: this is for those needing frequent help during both day and night, or if you are terminally ill.

You may also qualify if you need someone to watch over you to prevent serious danger to you or to someone else, for example if you have frequent falls or seizures or have behavioural problems.

You can claim for children under 16, in which case you will need to show that the child needs significantly more care and attention than would a

child of the same age without the disability. You can claim this component of DLA for your child from birth, and it will be paid after three months if there are significant extra care needs at home.

The mobility component

This is for those who need help because of difficulties with walking due to their disability. It is paid at two rates.

Lower Rate: this is for those who need supervision from another person when out of doors – for example, if you are visually impaired or have a learning difficulty

Higher rate: this is for those who are unable, or virtually unable, to walk, taking into account the maximum distance and speed you can walk before severe discomfort.

You can claim the higher rate for a child from the age of three, or the lower rate from the age of five.

Each component may be awarded for a specific period but can be renewed up to any age. If your needs increase you can claim for a higher rate, but only up to the age of 65. You cannot claim either component of DLA for the first time if you are aged 65 or over. However, you can then claim **Attendance Allowance** for personal care. This is identical to the two higher rates of the DLA care component. There is no equivalent to the mobility component or the lower rate of DLA care component for first time claimants of 65 or over.

Going into hospital

DLA payments stop after four weeks in hospital and you should notify the DLA Unit at the Department of Work and Pensions if you are spending time as an inpatient in hospital. Some hospitals will notify them automatically, but this does not always happen and if it comes to light later you could be asked to pay back all the money that was overpaid. On discharge if you contact the Department of Work and Pensions it will be re-started. For children, DLA continues for twelve weeks. It should also be noted that losing DLA means losing the other benefits that depend on it.

Residential care

Your claim may be affected if you are placed in accommodation that is “provided” – for example, in a local authority care home or a residential school for the visually impaired. The rules are complicated so you will need to seek further advice if you think this might apply to you.

Passport to other benefits

Getting DLA means you automatically meet the disability requirements for many other benefits as follows, though each may have other conditions as well.

Any rate, either component:

- Disability Premium for means tested benefits, such as Income Support
- Disabled Child Premium
- Warm Front Grants
- 60% off cost of Council’s Leisure Card

Any rate, care component:

- No deduction from Housing Benefit/Council Tax Benefits for non-dependants

Middle or higher Care component:

- Carer’s Allowance
- Severe Disability Premium
- Discounted for Council Tax if coupled with severe mental impairment

Either rate Mobility or middle/higher Care component:

- Disabled Persons Railcard

Higher Care component:

- Independent Living Funds grants
- Enhanced Disability Premium

Higher Mobility component:

- Blue Badge *
- Disabled Persons Freedom Pass *
- Taxicard *
- Motability
- Road Tax exemption

*Discretionary awards possible without DLA

Do you need help to make your claim?

If you live in LB Richmond upon Thames, our Benefits Advisers will be able to help you. For an appointment phone: 020 8831 6070 or 6080

For further information about other help phone: 020 8831 6070

For an application form please phone the Department of Work and Pensions Benefit Enquiry Line: 0800 88 22 00. You will be given 6 weeks in which to return your completed form.

If you need any further information you can contact Richmond AID on:

Advice Line: 020 8831 6070

E-mail: advice@richmondaid.org.uk

Website: www.richmondaid.org.uk

Address: Disability Action & Advice Centre, 4 Waldegrave Road,
Teddington, TW11 8HT