

# Accessing Disability Living Allowance

## What is Disability Living Allowance?

Disability Living Allowance (DLA) is a tax-free cash benefit, given by the Department of Work & Pensions, for children who need help with mobility or care costs because they have a disability. You should think about claiming it if your child needs a lot more care than a child of the same age would normally need.

You may not consider your child to be disabled or to have a disability, but if your child has a health condition or illness that means that they need the sort of help described below, they may be eligible for Disability Living Allowance.

Not all children with a heart condition are eligible for DLA. The DWP make decisions on children's eligibility by reviewing how their heart condition affects their life, and parents have to prove that their child's care or mobility needs are different to other children the same age, as well as how their condition affects them on a daily basis. All children with heart conditions are unique, and as such not all children face the same circumstances.

Note: If your child is 16 or over he or she will need to claim Personal Independence Payment, not DLA.

If you would like support in making a claim [contact us](#).

The claim process can sometimes be upsetting. You will need to concentrate on your child's disabilities and difficulties. Try to complete the claim form when you are in a good frame of mind – be kind to yourself.

## Rates of Disability Living Allowance

DLA for care is at three rates, depending on how much care your child needs. Unless sadly your son or daughter is terminally ill, the age from which your child can qualify is three months

At April 2017 the care rates are:

Lowest care - £22.00

Middle care - £55.65

Highest care - £83.10

DLA for mobility is paid at two rates, depending on the mobility problems your child has. The lower rate can be paid from age five, and the higher rate from age three.

At April 2017 the mobility rates are:

Lower mobility - £22.00

Higher mobility: £58.00

## What you need to know before you claim

If you think you may be able to get DLA on behalf of your child then you should certainly apply. Disability Living Allowance is a tax-free sum paid directly to you, and with a number of other benefits that can be paid alongside it.

BUT to qualify for DLA your child must need considerably more care than a child of his or her age by day and/or night, and/or have severe difficulty walking.

If your child has a heart condition, but you cannot show that he or she needs more care than another child of the same age, or is unable to walk, he or she will not qualify.

The facts that your child is awaiting another heart operation, and has spent weeks in and out of hospital, don't count. The hours you have spent worrying about your child, or arranging babysitting for your other children don't count. ONLY your child's care and/or mobility needs count towards DLA.

Children with heart conditions often have other health problems, which leave them with a number of disabilities. You do not need a formal diagnosis to be able to base your claim on these disabilities as well.

### Care Component

To get the care component your child's disability must be severe enough for them to need any of the following:

- help with things such as washing, dressing, eating, getting to and using the toilet, communicating their needs or developing their social skills and learning, including learning through play.
- watching over to avoid putting themselves or others in substantial danger. This could mean watching over them when taking medicines or having treatment, to make sure they stay safe when doing day-to-day things or if they have problems with their behaviour.
- someone with them when they are on dialysis.

A child can normally only get the care component if they need much more help with attention or watching over than other children of the same age.

There are three rates of the care component, depending on how your child's disability affects them:

- the lowest rate, if they need help or watching over for some of the day or, if they are 16 or over, they are unable to prepare a cooked main meal.
- the middle rate, if they need help or watching over frequently throughout the day, or during the night, or someone with them while on dialysis.
- the highest rate, if they need help or watching over frequently throughout the day and during the night.

Your child could be entitled if they require as little as 1 hour of help a day.

## Mobility Component

To get the mobility component of DLA, your child must be at least 3 years old (5 in the case of the lower rate) and their disability means they have any of the following walking difficulties:

- they are unable or virtually unable to walk (taking account of distance, speed, manner of walking or discomfort), or they have no feet or legs.
- they are assessed to be both 100% disabled because of loss of eyesight and not less than 80% disabled because of deafness and they need someone with them when they are out of doors.
- they are severely mentally impaired with severe behavioural problems and qualify for the highest rate of the care component.
- the effort of walking could threaten their life or seriously affect their health.
- they need guidance and/or watching over from another person when walking out of doors in unfamiliar places.

There are no hard and fast rules about how far your child can or cannot walk – distance alone is not the key feature.

There are two rates of the mobility component depending on how your child's disability affects them:

- from age 5 – the lower rate, if they need much more guidance or supervision out of doors than other children of the same age.
- from age 3 – the higher rate, if they have any of the other, more severe, walking difficulties detailed above.

The rules may look complicated but don't let that put you off making a claim!

## How to make a DLA claim

Claims can be completed online through the [Directgov website](#) or the claim form can be printed off to be completed and submitted later (but that may delay when DLA can be paid from). You can also phone to request a form on 03457 123456, or Northern Ireland 0800 220 674.

Alternatively you can contact the Benefits Enquiry Line for a claim form: 0800 88 22 00 (8.30 am to 6.30 pm, Monday to Friday and 9.00 am to 1.00 pm on Saturday) or textphone 0800 24 33 55.

To assist you in making your application ECHO, in partnership with other heart charities, has produced the following [guidance on DLA](#) which provides detailed information which might assist your application.

Always put lots of details about how the child's condition affects them and you, and how much extra help/watching over is needed as a result. Too much information/detail is better, in this instance, than not enough. You may find it helpful to keep a diary to record exactly how much help has to be given and why.

If you do not have experience of completing these forms it is important to get help and advice, from ECHO, or other charities such as Contact a Family.

It is a common experience to have a DLA claim rejected – in this instance there are two further stages known as reconsideration and appeal. Before you submit your child's claim for reconsideration be sure to take advice on where your claim could be strengthened.

DLA can act as a passport to other benefits, but these all have their own rules as well:

- Carer's Allowance
- Motability scheme which can provide a vehicle or wheelchair
- Council tax reduction
- Housing benefit
- Cold weather payment
- Blue Badge Scheme for parking

You can find out about these benefits at [www.cafamily.org.uk](http://www.cafamily.org.uk).

## Carer's Allowance

Carer's Allowance (CA) is available to people over the age of 16 who are not in full-time education and are caring for at least 35 hours a week for someone who is entitled to the middle or highest rate care component of DLA. Entitlement is not affected by capital or savings. In addition to these rules the carer cannot be earning more than £95 a week (but check this amount as it goes up every now and again) after the deduction of certain allowable expenses such as:

- some National Insurance (NI) contributions.
- Income Tax.
- half of any money you pay towards personal or occupational pension schemes.
- other expenses you have to pay because they are a necessary part of your job.

After taking off these amounts, you are allowed up to half the rest of the money you earn to help meet the cost of paying someone else (but not a close relative) to look after a child or children, or the person you look after, while you are at work.

You may be able to get an additional amount for your partner or someone living with you who looks after your dependent children.

Please note that receipt of CA can affect other benefits.

Further details on CA, including how to claim, can be found on the [Directgov website](https://www.direct.gov.uk). The Benefits Enquiry Line can also offer advice on eligibility to Carer's Allowance – see above for details.

## Further information

The [Directgov website](https://www.direct.gov.uk) provides a wide range of information for disabled people and carers in addition to benefits advice.

[Contact a Family](#) (0808 808 3555) offers confidential, independent advice about any aspect of caring for a child with additional needs. They also have a [fact sheet](#) on Benefits, Tax Credit, and other financial help.

[Carers UK](#) provide information and advice on carers' rights and benefits. They have a dedicated Freephone helpline for carers on 0808 808 7777.

The information above is only intended as a very general guide. It does not cover every circumstance and it is possible that some of the information is oversimplified, or may become inaccurate over time, for example because of a change to the law.

The below guide to assist parents in making a claim for DLA has been produced by Hazel Greig-Midlane, and in partnership with ECHO and other charitable organisations in the children's heart community.