

WHAT IS DLA?

This fact sheet has been written by parent carers for parent carers.



Tips for claiming Disability Living Allowance

Disability Living Allowance or **DLA** is a benefit you can claim for your child if they are aged between 3 months and 15 years and have an illness or disability. You don't have to wait for a diagnosis to make a claim, but to be successful you must show that your child needs substantially more care, attention or supervision than other children of the same age who don't have a disability or health condition. Your child must have had the condition for at least three months and be expected to have it for at least another six. There are also special rules for children with terminal conditions.

DLA is paid monthly and it isn't taxed or means tested. It is payable in two parts: the care component and the mobility component. You can claim either or both and there are rules about what you can claim.

How is DLA awarded?

The care component

You can claim this if your child needs significantly more care, attention or supervision. This help might be practical hands-on help, prompting, encouraging or being more watchful to guard against accidents or a deterioration in their health. There are three rates at which it can be paid:

The lower rate: if your child needs some help during the day. This should amount to about an hour's extra help and may be split into a couple of chunks across the day.

The middle rate: if your child needs more help during the day or at night. This might be frequent attention throughout the day, if your child has speech and language needs for example, or almost constant supervision if your child has behavioural difficulties or health issues. Or if your child needs help for a significant part of the night but doesn't need help during the day.

The high rate: if your child needs substantially more help day and night than a child of the same age without a disability.

The mobility component

You can claim this part of the benefit if your child needs extra help with getting around. There are two rates for this:

The lower rate (payable from age 5): if your child needs someone around to keep them safe or someone to help them find their way around. To get this you will need to show how much more help your child needs than other children of the same age. Most children awarded the lower rate mobility component are likely to have a significant learning or co-ordination difficulty, a communication disorder or some sensory impairment.

The higher rate (payable from age 3): if your child's ability to get around is severely restricted by their disability. It is payable to children who are unable to walk independently. Children meeting this rule are likely to have a severe physical or sensory impairment, a life-threatening neurological, cardiac or respiratory disorder. You may also be able to claim the higher rate if your child has a severe impairment of cognitive and social functioning, for example severe autism and learning disability (see Contact's guide for claiming). You will need to show that your child's behaviour is so unpredictable, disruptive and extreme that they regularly require someone to physically intervene to prevent





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self-injury, injury to others or damage to property. It is very hard to claim. You will need supporting evidence. Also, to claim on these grounds, your child will already need to be getting the high rate of the care component.

If your child is coming up to three years old and already receives the care component of DLA at the higher rate, you should be contacted and asked if you wish to make a claim for the mobility component.

How to get DLA forms

Call the Department for Work and Pensions on **0800 121 4600** and ask them to send you a copy. They will stamp the form with the date you phoned to ask for it. As long as you send it back within six weeks and it's successful, the claim can start from the date stamped on the form.

You can also download a claim pack by visiting **www.gov.uk** or apply online but be aware that any award will only be considered from the date the completed claim pack is returned.

How to make a strong DLA claim

For both the care and mobility parts of DLA, you have to show that your child's needs for care or supervision are 'substantially in excess' of the needs of other children the same age, who do not have an illness or disability. You will need to send supporting evidence from professionals working with your child, because whatever you say needs to be backed up.

Read our companion fact sheet *Tips for Claiming DLA*, for more detailed advice about making a strong claim. You should keep a photocopy of all the papers so that you have a record of what you have written. Keep the copies in a safe place; you will need to refer to them if you want a decision looked at again, when the claim is reviewed or if the original gets lost in the post. Consider returning your claim by special delivery. Doing this is expensive but you get a receipt, the claim can be tracked and the DWP has to sign to say they've received it.

What to do if you think the decision is wrong

If your child's claim for DLA is turned down, or you don't get the result you expected, don't give up. Over 50 per cent of decisions are overturned when you ask another decision maker to look at the claim again and over 70 per cent of appeals are successful.

You can challenge a non-award, the length of an award or argue that you feel your child should be entitled to a higher rate of either the care or mobility component.

First, you should request that another decision maker looks again at your claim. This is called a 'reconsideration request'. Once your claim has been reconsidered, you will receive two copies of a '**Mandatory Reconsideration Notice**' that explains the outcome. If you are still unhappy with the award, you now have one month to appeal. You will need your Mandatory Reconsideration Notice to do this.

Appeals are made directly to an independent Tribunal. You will need to fill in an **SSCS1 notice of appeal**. You can download this from www.gov.uk website.

Make sure you stick to timescales for reconsiderations and appeals.





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Extra benefits if you get DLA

If your child gets the high rate of the mobility component of DLA, you may not have to pay Road Tax on the vehicle used by your disabled child. They will also be entitled to a Blue Badge. You may also be able to use the mobility part of your child's DLA to lease or buy a car or a wheelchair, under the Motability Scheme. If your child gets any rate of the care component of DLA, and you are on a low income, you may be entitled to extra disabled child tax credits or the disabled child addition under Universal Credit.

If your child gets at least the middle rate of the care component and you are earning less than £123 per week, you may be able to claim Carers Allowance.

Ask about

- **Blue Badge** – if your child gets the higher rate mobility component of DLA, or they are severely sight-impaired they will be entitled to a 'Blue Badge', which allows the holder to park in disabled bays and disregard some parking restrictions. To find out more contact: **01243 777653**, email: **blue.badges@westsussex.gov.uk** or go to: **www.westsussex.gov.uk**. You can also apply for an on-street disabled parking bay outside your home through the above website.
- **Citizen's Advice Bureau** – can help with benefits claims, including DLA. There are offices across the county. Tel: **0344 477 1171** or go to: **www.advicewestsussex.org.uk**.
- **Motability** – if you get the Higher Rate mobility component of DLA, you may be able to use this to lease a car or scooter via the Motability scheme. Call: **0300 456 4566** or visit: **www.motability.co.uk**.
- **Social care** – your child's social worker may be able to help you to fill out the DLA form. Call the MASH, tel: **01403 229 900**, email: **MASH@westsussex.gov.uk**. If you don't have a social worker, your health visitor (via your GP surgery) may also be able to help you.
- **West Sussex County Council's Benefit Advisor** – information and support on benefits for families of disabled children. Tel: **0330 222 2569 / 07850 240874** or email: **robert.hayes@westsussex.gov.uk**.

Further information and useful links

- **Making Sense of it All** – Reaching Families' handbook for parent carers of children and young people with SEND in West Sussex provide essential information on money matters, including claiming DLA, as well as leisure activities, social care, health, employment and much more. Go to: **www.reachingfamilies.org.uk**.
- **Fact Sheets** – for further information see the Amaze/Reaching Families' fact sheet *Tips for Claiming DLA*. It can be downloaded from our website: **www.reachingfamilies.org.uk/factsheets.htm**.
- **Cerebra** – produces a guide to DLA, which you can download from their website: **www.cerebra.org.uk**, by searching for 'DLA'. Although it has been written for children with neurological conditions such as autism, much of the advice will also help parent carers of children with other conditions to understand the DLA form and to fill it out.
- **Contact** – has in-depth guidance on claiming DLA and separate information on how to claim the higher rate mobility component for children with learning difficulties and autistic spectrum disorders. Both guides can be found on their website: **https://contact.org.uk**, or request a copy via their helpline: **0808 808 3555**.
- **Disability Living Allowance (DLA)** – go to: **www.gov.uk/disability-living-allowance-children** for an overview or call the DLA Benefits helpline on: **0800 121 4600**.
- **Personal Independence Payment (PIP)** – if your child is almost 16, you will need to claim PIP instead. The following fact sheets: *What is PIP?*; *Tips for Claiming Pip*; *PIP Face-to-Face Assessments*; and *Reconsiderations and Appeals* can be downloaded from our website: **www.reachingfamilies.org.uk/factsheets.htm**.
- **West Sussex Local Offer** – go to **https://westsussex.local-offer.org**.

