WELFARE BENEFITS

Induction Learning Pack

Part Three

Attendance Allowance;
Disability Living Allowance;
Carer’s Allowance
Objectives for Part Three

After completing Part Three, you should have a good understanding of:

- Attendance Allowance
- Disability Living Allowance
- Carer’s Allowance

You should also understand the inter-relationships between them.
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Advice for users of this pack

This is the third part of a three-part pack. The other parts are:

Part 1 Overview of the system and helping people with benefits questions

Part 2 The Main Benefits for people who are 60+

I&A staff and volunteers with different levels of experience should find the pack useful in different ways.

If you are a new volunteer without related experience elsewhere, this pack will give you a really good introduction to the benefits system and equip you to assist clients with benefits questions and problems.

If you are experienced, you may well find this pack helps you to reinforce your understanding of some welfare benefits topics as well as your skills as an I&A Worker.

How is the pack meant to be used?

The pack is meant to be used like a workbook - you work your way through it, read about each topic and do the exercises. It’s your pack to use and keep.

The exercises can be broadly divided into two types:

- The cat symbol indicates that you will need to find something out about your Age Concern - in this case curiosity does not kill the cat!

- The pencil symbol indicates a written exercise. The answers are at the back of the pack.

- Both symbols together means find something out - and make a note of it in the pack!
The pack is divided into sections. We suggest you take each section at a time. The time you spend on each section will probably vary between about 30 minutes and an hour and a half, but you should work at your own pace – and don’t worry if it takes longer than this!

Your Information and Advice Manager or other designated person will be able to guide you through and help you with any queries. You will need to put some of the things you learn into practice, so you will need to work out together how this can best be done.

You will also need to have the following additional reference materials to hand:

- Factsheets 34

And you may want to have a look at:

- Disability Rights Handbook
- Your Rights Book
- Disability Alliance Guide: Claiming Attendance Allowance

Complete the feedback sheet at the end of part two, and discuss it with the I&A Manager.

**So in summary……**

- Find somewhere quiet and comfortable to sit for an hour or so.
- Read through the pack, seek out any documents you are directed to look at, complete the exercises and check the answers.
- Complete the feedback sheet and discuss with the I&A Manager.
Introduction

Attendance Allowance (AA)
Attendance Allowance is a benefit payable to people age 65 and over who are sick or disabled and need help with personal care such as washing, dressing and preparation of food – or who need watching over or supervision in order to be safe.

Disability Living Allowance (DLA)
Disability Living Allowance is a similar benefit for people under 65. In addition to money for personal care and supervision there is an element payable for people with restricted mobility. DLA must be claimed under age 65 but once awarded can remain in payment for life. It is not possible in those circumstances to claim AA as well.

Carer’s Allowance (CA)
This is an income replacement benefit (formerly known as Invalid Care Allowance), payable to people who are on a low income and looking after sick or disabled people.

Impact of AA and DLA
Neither Attendance Allowance nor Disability Living Allowance is taken into account as income when assessing means-tested benefits, so if someone can claim either successfully, the additional money can make a really positive impact on their quality of life.

There are also other features of these benefits that make them very important for older people, and which you will find out about in this part of the pack.
## SECTION 1

### AA and DLA - amounts of Benefit

<table>
<thead>
<tr>
<th>Attendance Allowance</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Higher rate</strong></td>
<td>£62.25</td>
</tr>
<tr>
<td>Client needs care or supervision day AND night</td>
<td></td>
</tr>
<tr>
<td><strong>Lower rate</strong></td>
<td>£41.65</td>
</tr>
<tr>
<td>Client needs care or supervision day OR night</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Disability Living Allowance</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Care Component</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Higher Rate</strong></td>
<td>£62.25</td>
</tr>
<tr>
<td>Client requires frequent attention and/or supervision day and night</td>
<td></td>
</tr>
<tr>
<td><strong>Middle Rate</strong></td>
<td>£41.65</td>
</tr>
<tr>
<td>Client requires frequent attention and/or supervision day or night</td>
<td></td>
</tr>
<tr>
<td><strong>Lowest Rate</strong></td>
<td>£16.50</td>
</tr>
<tr>
<td>Client requires attention for significant portions of day or is unable to cook a main meal even if they have all the ingredients</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Mobility Component</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Higher Rate</strong></td>
<td>£43.45</td>
</tr>
<tr>
<td>Unable or virtually unable to walk or exertion may cause danger to health OR severe mental impairment and behavioural problems</td>
<td></td>
</tr>
<tr>
<td><strong>Lower Rate</strong></td>
<td>£16.50</td>
</tr>
<tr>
<td>Can walk but needs supervision out of doors in unfamiliar places</td>
<td></td>
</tr>
</tbody>
</table>

For an explanation of the above terms read *Factsheet 34*
SECTION 2

AA and DLA – eligibility rules

The eligibility rules for Attendance Allowance

- Must be aged 65 or over.
- Must satisfy the day and/or night conditions (see table above).
- Must have satisfied the day and/or night conditions for at least 6 months. This condition is waived for anyone who is terminally ill (see Special Rules).
- Must normally live in the UK and have lived here for at least 26 out of the last 52 weeks and not be subject to immigration control.

The eligibility rules for Disability Living Allowance

- Must be aged under 65.
- Must satisfy the care or mobility conditions (see table above).
- Must have satisfied the care or mobility conditions for at least 3 months and expect to continue to satisfy them for at least a further 6 months.
- Must live in the UK and have lived here for at least 26 out of the last 52 weeks.

Special rules for terminally ill people

Both AA and DLA have special rules for people who are terminally ill. Claims should be made accompanied by a DS1500 (usually done by the doctor or hospital to say that the claimant is terminally ill and expected to die within 6 months). A claim under the Special Rules means that the claimant will not have to wait for 3 or 6 months to be awarded AA or DLA. The DLA award will automatically be the highest rate of care and the AA award will be at the higher rate.
SECTION 3

Key points about AA and DLA

- Not taxable.
- Not means tested and paid ON TOP OF other benefits.
- Award of AA or DLA may mean that a person could become entitled to Pension Credit, Housing Benefit and Council Tax Benefit.
- Award of AA or DLA may increase the amounts of Pension Credit, Housing Benefit and Council Tax Benefit payable.
- An award of middle or higher rate care component on DLA or an award of Attendance Allowance is a passport to Carers Allowance if the claimant has someone looking after them for 35 hours a week.
- It is not necessary to actually have a carer in place. Benefit is paid to the person in need of care and it is up to them how they spend it.
- Award of AA or DLA care component (at any rate) means that no non-dependent deductions to housing costs or Housing Benefit or Council Tax Benefit will be made.
- The benefits can be claimed by people with both a physical or mental illness or disability.
- The claim form is long (even the new shorter version is 20 pages) and can be off-putting.
- The decision to award benefit is made on the basis of answers to the questions on the form. This means that the form must be completed very carefully with full information about how the person’s illness or disability affects them and their needs for care or help with mobility.
• An award of the higher mobility rate on DLA is a passport to free road tax and to the Motability scheme (if desired).

Obtain a AA or DLA claim form. Your colleagues may have copies of completed forms or you can download them from www.dwp.gov.uk

Claims and Payment
Claim forms can be obtained from the DWP or the website as above. Attendance Allowance (AA) and Disability Living Allowance (DLA) cannot be backdated but if the pack is obtained for the DWP, or from their website, benefit can be paid from the date the form was issued, provided that it is sent back within 6 weeks. Claimants or advisers can also telephone the Helpline on 0800 88 22 00 to obtain a form and the form will be date stamped on the day of the call, allowing six weeks in which to submit the form.

Benefit may be awarded indefinitely or for a set period. It can be paid by order book – usually together with another benefit or pension if in receipt - or directly into a bank account.

Reviews and appeals
Decisions about AA and DLA can be reviewed or appealed. This includes situations where a lower rate of benefit is awarded than is thought to be correct. Requests to appeal a decision must be made within one month of the decision – or if you’ve asked for a review within one month of the decision about the review. Late applications can be accepted in some circumstances. Appeals are more likely to succeed where the client is represented at the tribunal, so people should be referred to an agency that can provide this if possible.
Common issues and problems

Filling in the form

The most common issue with both AA and DLA is difficulties in completing the claim forms. Having had a look at one you will probably appreciate this. Advisers estimate it can take around 2 hours to fill them in properly. If the client has already got the form they should be advised to look through it, and, if they are able to, keep a diary over the next couple of weeks in order that they have some idea about what problems they have, for example how long it takes them to get out of bed and get dressed. They can then complete the form with the adviser more easily.

The forms are lengthy and time consuming and furthermore they require the individual to concentrate on the most negative aspects of their illness or disability. Many people cope with illness or disability by developing a positive attitude and thinking about what they are able to do – so having to confront their limitations can be unwelcome. A common finding is that when completing claims on their own people will be unrealistically optimistic about what they can achieve without help. People will often say “I can manage” when, in fact, they have enormous problems undertaking some activities. Some illnesses mean that people have good days and bad days. An adviser’s role can be crucial in helping a person to be realistic about their needs. They should ask how long activities take and what difficulties need to be overcome, and whether things are different from day to day.

The award of these benefits is dependent on what care a person “reasonably requires” not what they actually receive.

Read the Disability Alliance Guide to Claiming Attendance Allowance for advice about how to help people complete the forms.

This might be a good time to observe a claim form being filled in. You could ask the I&A manager if you could accompany another adviser on a home visit.
SECTION 4

Carer’s Allowance

This benefit (formerly known as Invalid Care Allowance) is payable to carers looking after sick or disabled people.

The eligibility rules

- The carer must be looking after someone who gets either Attendance Allowance or the middle or higher care component of Disability Living Allowance.
- They must care for the person at least 35 hours a week and not earn more than £84.00 a week from paid work.

Carer’s Allowance cannot be paid as well as Retirement Pension or other earnings replacement benefits including contributory JSA or Incapacity benefit.

A person with a low income may be able to get extra amounts (carers addition/premium) added onto their Pension Credit, Housing Benefit, Council Tax Benefit and Income Support if they are entitled to Carer’s Allowance.

If a disabled person receives a severe disability addition/premium as part of their Pension Credit or other means tested benefit, you should always seek advice from your supervisor before suggesting that a carer claims Carer’s Allowance for them.

The disabled person’s benefit could be reduced if someone receives Carer’s Allowance for looking after them.

Claims and Payment

Claims from people over 60 are made on form DS 700 which can be obtained from the local DWP office, the helpline on 0800 88 22 00 or from www.dwp.gov.uk. Claims can be backdated for up to 3 months.
Exercise

Using the information above and Factsheet 34 answer the following:

1. What happens to AA if someone goes into an NHS hospital or Local Authority care home?

2. What supporting evidence e.g. medical evidence has to be submitted with a claim?

3. Will a medical examination ever be needed?

4. How could the award of AA affect Neela who gets Pension Credit?

5. Sevda looks after her mother, who gets Pension Credit with an additional amount for Severe Disability. She thinks she can claim Carer’s Allowance. What should you advise?
Albert Brown is 64 and suffers from dementia. During the day his wife or another relative stays with him all the time because he is very forgetful and sometimes wanders off when out of doors or turns on the gas without lighting it. He normally sleeps through the night.

What benefit should he apply for and what rate do you think he is likely to be awarded?

Ellen Johnson is 62 and cannot walk very far owing to severe osteo-arthritis in her hips and hands. Although she can manage to care for herself she finds cooking very difficult because she cannot do tasks such as cutting, lifting and pouring.

What can Ellen apply for and what rate of benefit do you think she is likely to receive?

Sarah Bloom is 68 and had a severe stroke six months ago which left her unable to walk and needing a lot of help, for example with washing, dressing and eating.

What can Sarah claim and what do you think she is likely to get?

(Thanks to Your Rights for the last three examples)

The answers are on page 15
Answers
EXERCISE

1 What happens to AA if someone goes into an NHS hospital or Local Authority care home?

AA will stop after 28 days.

2 What supporting evidence e.g. medical evidence has to be submitted with a claim?

None as such but a supporting statement has to be produced by “someone who knows you” and can describe how the illness or disability affects the claimant. It is sometimes useful to send a statement/letter from a health professional, such as a Community Psychiatric nurse or a physiotherapist with the form.

3 Will a medical examination ever be needed?

Yes, the DWP will sometimes ask for a Doctor (Examining Medical Practitioner) to perform an examination or write to the client’s GP for further information, but it is not a general requirement.

4 How can the award of AA affect Neela who gets Pension Credit?

If AA is awarded and Neela lives alone with no-one getting Carer’s Allowance for her, she will get the severe disability addition of £45.50 a week.

5 Sevda looks after her mother, who gets Pension Credit with an additional amount for Severe Disability. She thinks she can claim Carer’s Allowance. What should you advise?

Sevda may be able to claim Carer’s Allowance, but if it is paid to her, her mother will lose the additional amount in her Pension Credit for severe disability.
6 Albert Brown is 64 and suffers from dementia. During the day his wife or another relative stays with him all the time because he is very forgetful and sometimes wanders off when out of doors or turns on the gas without lighting it. He normally sleeps through the night.

What benefit should he apply for and which rate do you think he is likely to be awarded?

Albert can apply for DLA but the claim should be made as soon as possible as he cannot get any help with mobility after the age of 65 unless he claims now. He is likely to get the middle level of the care component because he needs supervision during the day and the lower level of the mobility component because he needs guidance and supervision when outdoors in unfamiliar places.

7 Ellen Johnson is 62 and cannot walk very far owing to severe osteo-arthritis in her hips and hands. Although she can manage to care for herself she finds cooking very difficult because she cannot do tasks such as cutting, lifting and pouring.

What can Ellen apply for and what rate of benefit do you think she is likely to receive?

Ellen can apply for DLA. She ought to get the higher level of the mobility component but she will need to show that she is “virtually unable to walk” and the lowest level of the care component as she is probably unable to cook a main meal.

8 Sarah Bloom is 68 and had a severe stroke six months ago which left her unable to walk and needing a lot of help, for example with washing, dressing and eating.

What can Sarah claim and what do you think she is likely to get?

Sarah can’t get any help with her mobility needs as she is too old to claim DLA. She should claim AA for her personal care needs. The higher rate would be awarded if she needs care or supervision night and day.
Welfare Benefits Induction Learning Pack

Feedback sheet

Part 3
Please complete the following statements in whatever way you feel is most appropriate for you.

Working through the pack made me feel…

I liked…

I was surprised by…

I’ll use…
Feedback sheet (continued)

Now I can…

I didn’t like…

I want to know more about…

I should like some more training about…

I’d also like to say…