



S O C I A L
S E C U R I T Y
A G E N C Y

A Guide To...



An agency within

DSD

Department for
Social Development
www.nidirect.gov.uk

May 2011
AA5DCS

Important information about this leaflet

This leaflet is only a guide and does not cover every circumstance. We have done our best to make sure the leaflet is correct as of May 2010. Some of the information may be oversimplified or may become inaccurate over time, for example because of changes to the law.

Call us from Monday to Friday

Telephone 0800 220 674 Textphone 0800 243 787

Contents

What is Attendance Allowance?.....	4
Can I get Attendance Allowance?	5
What do 'help with personal care' and 'supervise' mean?.....	6
When can I claim Attendance Allowance?.....	8
Do I or my family need to live in Northern Ireland?	9
Can I get Attendance Allowance if I am in a care home or hospital when I claim?	11
How is Attendance Allowance worked out?	12
What if I am terminally ill?	14
How do I claim Attendance Allowance or find out more?	15
What other help is available?	18
Carer's Credits.....	20
Working Tax Credit (disability and severe disability element)	20
Call charges	22
Textphones.....	23
Other formats	23

Visit us on the web at:

www.nidirect.gov.uk

What is Attendance Allowance?

Attendance Allowance is money to help with extra costs you may have because you are disabled. You may get it if you are aged 65 or older and you have a disability severe enough that you need someone to help look after you.

You may not regard yourself as disabled, but if you have a health condition or illness that means you need help you may be able to get Attendance Allowance.

You can get Attendance Allowance even if no-one is helping you to look after yourself.

If you are under 65, you may be able to get Disability Living Allowance instead of Attendance Allowance.

You can find out more about Attendance Allowance and Disability Living Allowance by visiting the Nidirect website or contacting us. See our details below or on page 15.

Call us from Monday to Friday

Telephone 0800 220 674 Textphone 0800 243 787

Can I get Attendance Allowance?

You may get Attendance Allowance if you are 65 years or over when you make your claim and:

- you are not entitled to Disability Living Allowance and
- your disability means that you need help with your personal care or someone to supervise you for your own or someone else's safety (see page 6).

Your disability may be physical (including a sensory disability, such as blindness) or mental (including learning difficulties) or both of these.

Normally, you must have had these care or supervision needs for at least six months. However, if you are terminally ill, there are special rules for claiming the benefit - see page 14.

You don't usually need to have paid any National Insurance contributions and you can usually get Attendance Allowance whether or not you are in work. But, if you or a member of your family live or work in another European Economic Area Country or Switzerland, different conditions may apply (see page 9).

We don't usually take your income into account or take Attendance Allowance off any other benefits or tax credits, and it is tax-free.

Visit us on the web at:

www.nidirect.gov.uk

What do 'help with personal care' and 'supervise' mean?

'Help with personal care' means day-to-day help with things like:

- washing (or getting into or out of a bath or shower)
- dressing
- eating
- going to or using the toilet
- telling people what you need, or
- making yourself understood (for example, if you have learning difficulties).

'Supervise' means you need someone to watch over you to avoid substantial danger to yourself or other people. This could mean someone watching over you:

- when you take medicines or have treatment
- to keep you away from danger you may not know is there
- to avoid danger you could face because you can't control the way you behave, or
- to stop you hurting yourself or other people.

Call us from Monday to Friday

Telephone 0800 220 674 Textphone 0800 243 787

You may need help with personal care or supervision because you:

- find it hard to move your arms or legs smoothly or have no control over them
- get breathless easily or are in pain, or
- have behaviour difficulties, mental-health problems, or you get confused.

Visit us on the web at:

www.nidirect.gov.uk

When can I claim Attendance Allowance?

You can normally only get Attendance Allowance when you have had these needs for personal care or supervision for six months, unless you are terminally ill and claiming for it under the special rules - see page 14.

You should claim straight away, we'll deal with your claim as soon as possible.

Call us from Monday to Friday

Telephone 0800 220 674 Textphone 0800 243 787

Do I or my family need to live in Northern Ireland?

To get Attendance Allowance, you need to meet certain conditions about:

- living in Northern Ireland
- how long you have been here, and
- your immigration status, if you are not a British citizen.

If you live in Northern Ireland and need more information, please contact us (our contact details are on page 15) or go to www.nidirect.gov.uk.

Under European Union law, different conditions may apply if, for example, you or a member of your family have moved from the UK to another European Economic Area country (see the note on the next page) or Switzerland, or have come from one of those countries to the UK. Whether or not you can get benefit and the type of benefit available may depend on where you (or your family members) work or live.

Visit us on the web at:

www.nidirect.gov.uk

For further information visit
www.nidirect.gov.uk or write to:

Disability and Carers Service
Castle Court
Royal Avenue
Belfast
BT1 1HR

Note: The European Economic Area is made up of the 27 member states of the European Union (Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Republic of Ireland, Romania, Slovakia, Slovenia, Spain, Sweden and the UK), plus Iceland, Liechtenstein and Norway.

Call us from Monday to Friday

Telephone 0800 220 674 Textphone 0800 243 787

Can I get Attendance Allowance if I am in a care home or hospital when I claim?

We won't usually pay you Attendance Allowance if, when you claim, you are in a care home – this means a place that provides accommodation and nursing or personal care. But we may pay you Attendance Allowance if you are meeting all the costs of your accommodation, board or personal care without help from a Health and Social Care Trust or a government department.

If you are in hospital when you claim, we won't usually pay you Attendance Allowance until you leave. However, we may pay it if you are a private patient and you are paying for your accommodation and treatment without help from a Health and Social Care Trust or a government department. We may pay you Attendance Allowance if you are terminally ill and claiming under the special rules (see page 14) and you are in a hospice.

Visit us on the web at:

www.nidirect.gov.uk

How is Attendance Allowance worked out?

There are two rates of Attendance Allowance:

- lower rate, and
- higher rate.

The rate you get is based on how much help you need.

For details of the amounts of Attendance Allowance, please visit the nidirect website or contact us – see our details below or on page 15.

Lower rate

You may get the lower rate of Attendance Allowance if you need:

- help with personal care frequently throughout the day
- help with personal care during the night
- someone to supervise you continually throughout the day to avoid substantial danger (see page 6)
- someone to watch over you at night to avoid substantial danger, or
- someone with you when you are on dialysis.

Call us from Monday to Friday

Telephone 0800 220 674 Textphone 0800 243 787

Higher rate

You may get the higher rate of Attendance Allowance if you:

- meet both a day **and** a night condition for the lower rate (see previous page). In short, you need help with personal care or someone to supervise you throughout the day, **and** also help with personal care or someone to watch over you during the night.

You may also be able to get this rate if you are terminally ill and claiming under the special rules (see the next section).

Visit us on the web at:

www.nidirect.gov.uk

What if I am terminally ill?

We have special rules for people who are terminally ill (this means people who have a progressive disease and are not expected to live more than another six months). You can get the higher rate of Attendance Allowance straight away.

You can claim Attendance Allowance on behalf of a person who is terminally ill. They don't have to know and you don't have to get their permission to claim.

To claim under these special rules you will need to fill in the relevant sections of the Attendance Allowance claim form and get a separate completed form DS1500 from your doctor, specialist or consultant, to send with it.

We will deal with your claim as fast as we can.

Call us from Monday to Friday

Telephone 0800 220 674 Textphone 0800 243 787

How do I claim Attendance Allowance or find out more?

To claim Attendance Allowance you need to fill in a claim form. Or you can claim online.

There are a number of ways you can contact us.

By phone

Benefit Enquiry Line

To get a claim form, and help with filling it in, you can call the Benefit Enquiry Line on:

- 0800 226 674 (phone), or
- 0800 243 787 (if you use a textphone).

If English is not your first language, you can use your own interpreter or one that we provide.

If you ask for a claim pack, we will treat the date of your phone call as the date of your claim, as long as you send your form back within six weeks.

When you ring us, we can only give you advice. This advice is not our decision about your claim.

Visit us on the web at:

www.nidirect.gov.uk

By post, using the tear-off slip

You can also fill in and send us the tear-off slip from this leaflet to ask us for a claim form.

We will send you a claim form and notes to help you fill it in. We will treat the date we issue your form as the date of your claim, as long as you send it back within six weeks.

Online

For information for disabled people and carers covering:

- financial support
- general advice
- rights

and much more, go to

www.nidirect.gov.uk

Through this website, you can also:

- claim Attendance Allowance online, or
- print out a blank claim form to fill in by hand and post it to us.

Call us from Monday to Friday

Telephone 0800 220 674 Textphone 0800 243 787

If you send us a claim form by post, we will treat the date we receive your form as the date of your claim.

In writing

You can find our address at the top of any letter we send you.

You can also write to:

Disability and Carers Service
Castle Court
Royal Avenue
Belfast
BT1 1HR

Visit us on the web at:

www.nidirect.gov.uk

What other help is available?

If you get Attendance Allowance, you may get extra money as part of your:

- Housing Benefit
- Pension Credit.

For more information, visit www.nidirect.gov.uk. Visit www.nidirect.gov.uk/benefits-advisers to find out or get an estimate of what benefits, pensions or credits you may be entitled to.

Carer's Allowance

If someone looks after you for at least 35 hours a week, they may be able to get Carer's Allowance.

They don't have to live with you, and you don't need to have a formal care agreement with them.

If your carer does get paid Carer's Allowance and you have been getting extra money for severe disability with Housing Benefit or Pension Credit, this extra money will stop.

If you think this will affect you, please contact the Disability and Carers Service for advice (see page 19 for details)

Call us from Monday to Friday

Telephone 0800 220 674 Textphone 0800 243 787

So that they don't lose benefit, your carer should claim within three months of us giving you a decision about your Attendance Allowance.

Your carer can get a claim form or leaflet by calling the following:

The Benefit Enquiry Line on:

- 0800 220 674 (phone), or
- 0800 243 787 (textphone).

Disability and Carers Service on:

- 9090 6186 (phone), or
- 0800 243 787 (textphone).

They can also write to:

Disability and Carers Service
Castle Court
Royal Avenue
Belfast
BT1 1HR

Visit us on the web at:

www.nidirect.gov.uk

Carer's Credits

From 6 April 2010, carers will be able to build up qualifying years through new weekly credits for the basic State Pension and additional State Pension. They're called Carer's Credits.

If you are caring for one person or more for a total of 20 hours or more a week, and you are not entitled to Carer's Allowance, you can apply for Carer's Credits. This will protect your future entitlement to the basic elements of the State Pension and bereavement benefits.

The credits may also help you build up some additional pension, often called State Second Pension. When you claim your basic State Pension, we'll also pay you any additional pension you are entitled to.

Working Tax Credit (disability and severe disability element)

If you can claim Working Tax Credit, and you (or your partner if you have one) also get the higher rate of Attendance Allowance, you may be able to get the severe disability element of Working Tax Credit. You may also be able to get the disability element of

Call us from Monday to Friday

Telephone 0800 220 674 Textphone 0800 243 787

Working Tax Credit, if you (or your partner if you have one) are working 16 or more hours a week, have a disability that puts you at a disadvantage in getting a job, and you get Attendance Allowance at either rate.

We will treat you as a couple if you live with your husband, wife or civil partner, or if you live with someone as if they were your husband, wife or civil partner. We call this other person your partner.

A civil partner is someone who has entered into a formal arrangement (known as a 'civil partnership') with a same-sex partner so they have similar legal status to a married couple.

To find out more, call the Tax Credits Helpline on:

- 0845 300 3900 (phone), or
- 0845 300 3909 (textphone).

Lines are open 8am until 8pm every day except Christmas Day, Boxing Day, New Year's Day and Easter Sunday.

You can also visit the HM Revenue & Customs website, www.hmrc.gov.uk/taxcredits

Visit us on the web at:

www.nidirect.gov.uk

Call charges

Charges were correct as of the date on the back of this leaflet.

Calls to **0800** numbers are free from BT landlines but you may have to pay if you use another phone company, a mobile phone, or if you are calling from abroad.

Calls to **0845** numbers from BT landlines should cost no more than 6p a minute with a 10p call set up charge. You may have to pay more if you use another phone company or a mobile phone, or if you call from abroad.

Calls from mobile phones can cost up to 40p a minute, so check the cost of calls with your service provider.

Call us from Monday to Friday

Telephone **0800 220 674** Textphone **0800 243 787**

Textphones – if you have speech or hearing difficulties

Our textphone numbers are for people who cannot speak or hear clearly. If you don't have a textphone, you could check if your local library or citizens advice bureau has one.

Textphones do not receive text messages from mobile phones.

You can also call using RNID Typetalk.

Other formats

If you would like this leaflet in other formats, phone 0800 220 674.

If you can't speak or hear clearly, there is a textphone service available on 0800 243 787

Visit us on the web at:

www.nidirect.gov.uk

Claim Form Request

Please send me a claim form for Disability Living Allowance for someone aged 16 or over.

If your child is under 16 please read the information on page 5.

Please use ink and write in BLOCK LETTERS.

Tick a box below to choose a claim form in standard print, large print or braille.

Standard print

Large print

Braille

Name:

Address:

Postcode:

The quickest way to get a claim pack is by calling us. Our telephone number is on page 16.

To send us your details;

1. Tear off this page
2. Moisten as indicated
3. Fold in half to stick
4. Send to us by post

A postage stamp **MUST** be affixed.
The Social Security Agency will not
accept mail with incorrect or no
postage paid.

Please
affix
stamp
here

**Social Security Agency
Disability and Carers Service
Castle Court
Royal Avenue
Belfast
BT1 1HR**
