



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

A Guide To...

Disability Living Allowance



An agency within

DSD

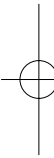
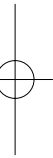
Department for
Social Development
www.nidirect.gov.uk

May 2011
DLAA5DCS



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 that the information in this 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 22 06 74** Textphone **0800 24 37 87**

Contents

What is Disability Living Allowance?	4
What if my child is disabled?	5
Can I get Disability Living Allowance?	5
What do 'help with personal care' and 'supervise' mean?.....	6
When can I claim Disability Living Allowance?	7
Do I or my family need to live in Northern Ireland?....	8
How is Disability Living Allowance worked out?	9
Care part of the allowance	10
- What if I am terminally ill?	11
Mobility part of the allowance	12
- Motability scheme	14
Can I get Disability Living Allowance if I am in a care home or hospital when I claim?	14
Can I work or receive training while getting Disability Living Allowance?	15
How do I claim Disability Living Allowance or find out more?	16
What other help is available?	18
Carer's Allowance.....	19
Carer's Credits	20
Working Tax Credit (disability and severe disability element)	21
Call charges	22
Textphones	23
Other formats	23

Visit us on the web at:

www.nidirect.gov.uk

What is Disability Living Allowance?

Disability Living Allowance is money to help with extra costs you may have because you are disabled. You may get it if you are under 65 and have a disability severe enough that:

- you need someone to help look after you, or
- you have walking difficulties.

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

You can get Disability Living Allowance even if no-one is helping you to look after yourself or to get around.

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

You can find out more about Disability Living Allowance and Attendance Allowance by visiting the nidirect website or by contacting us. See our details on page 16.

Call us from Monday to Friday

Telephone 0800 22 06 74 Textphone 0800 24 37 87

What if my child is disabled?

Disabled children under 16 may be able to get Disability Living Allowance.

See our contact details below to ask for a leaflet about Disability Living Allowance for children.

Can I get Disability Living Allowance?

You may get Disability Living Allowance if you are under 65 years when you make your claim and your disability means that one or both of the following apply to you:

- You need help with your personal care or someone to supervise you for your own or someone else's safety (see the next section).
- You cannot walk, or you find walking very hard, or you need help to get around.

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 or walking difficulties (or both) for at least three months. And they must also be likely to continue for at least another six months. However, if you are

Visit us on the web at:

www.nidirect.gov.uk

terminally ill, there are special rules for claiming the benefit – see page 11.

You don't usually need to have paid any National Insurance contributions and you can usually get Disability Living 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 8).

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

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 with you to avoid substantial danger to yourself or other people.

Call us from Monday to Friday

Telephone 0800 22 06 74 Textphone 0800 24 37 87

You may also need someone to watch over you at night.

You could need someone to supervise you:

- when you take medicines or have treatment
- to keep you away from danger that 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.

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.

When can I claim Disability Living Allowance?

You can normally only get Disability Living Allowance when you have had these care or supervision needs or walking difficulties (or both) for at least three months and they must be likely to continue for at least another six months. However, if you are terminally ill, there are special rules for claiming the benefit – see page 11.

You should claim straight away and we will deal with your claim as soon as possible.

Visit us on the web at:

www.nidirect.gov.uk

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

To get Disability Living 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 16) 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. For further information visit www.nidirect.gov.uk or write to:

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

Call us from Monday to Friday

Telephone 0800 22 06 74 Textphone 0800 24 37 87

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.

How is Disability Living Allowance worked out?

There are two parts to Disability Living Allowance:

- the care part, and
- the mobility part.

You can get money for just one part, or for both. How much you get is based on how much extra help you need. For details of the amounts of Disability Living Allowance please visit the nidirect website or contact us. See our details below or on page 16.

In official forms and letters, you may sometimes see 'component' being used instead of 'part', but they mean the same.

Visit us on the web at:

www.nidirect.gov.uk

Care part of the allowance

There are three care rates.

Lowest rate

You may get the lowest care rate of Disability Living Allowance if:

- you need help with personal care for some of the day, or
- your disability means you cannot prepare a cooked main meal for yourself.

Middle rate

You may get the middle care rate of Disability Living 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 22 06 74 Textphone 0800 24 37 87

Highest rate

You may get the highest care rate of Disability Living Allowance if you meet both a day **and** a night condition for the middle rate (see page 10). In short, you need both 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 claim under the special rules (see the next section).

You may be getting Constant Attendance Allowance paid with Industrial Injuries Disablement Benefit or a War Disablement Pension. If you are, it affects the care part of Disability Living Allowance. If your Constant Attendance Allowance is more than the care part of Disability Living Allowance, we will pay it instead. If it is less, we will reduce your Disability Living Allowance by the amount of your Constant Attendance Allowance.

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 who are not expected to live for more than another six months). You can get the highest care rate

Visit us on the web at:

www.nidirect.gov.uk

of Disability Living Allowance whatever your care needs are. And you can get the care part and (if you meet the conditions) the mobility part, without waiting three months.

You can claim Disability Living 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 Disability Living Allowance claim form and get a completed form DS1500 from your doctor, specialist or consultant to send with it.

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

Mobility part of the allowance

There are two mobility rates.

Lower rate

You may get the lower mobility rate of Disability Living Allowance if you can walk, but need guidance or supervision most of the time from another person to help you get around outdoors in places you don't know. This is to stop you putting yourself or other people in danger, perhaps because you:

Call us from Monday to Friday

Telephone **0800 22 06 74** Textphone **0800 24 37 87**

- have problems with the way you behave
- are blind or deaf
- have problems talking to others, or
- need someone to keep an eye on you.

Higher rate

You may get the higher mobility rate of Disability Living Allowance if due to a physical disability, even when you use an aid (like a stick or a false leg), you:

- cannot walk at all
- can only walk a short way without severe discomfort, or
- could become very ill if you try to walk.

You may also be able to get the higher rate if you:

- have been assessed as 100% disabled because you are blind and at least 80% disabled because you are deaf and need someone with you when you go outdoors
- have had both legs amputated at or above the ankle
- were born without legs or feet, or
- get the highest care rate of Disability Living Allowance and are severely mentally impaired (that is, you have severe learning difficulties) and have severe behavioural problems.

Visit us on the web at:

www.nidirect.gov.uk

War Pensioners' Mobility Supplement is more than the higher-rate mobility part of Disability Living Allowance. If you are getting War Pensioners' Mobility Supplement, we won't pay you Disability Living Allowance for mobility.

Motability scheme

If you get the higher mobility rate of Disability Living Allowance, you may get help to buy or rent a car, powered wheelchair or a scooter from the Motability scheme.

You can find out about the scheme online at www.motability.co.uk or by phoning:

- 0845 456 4566, or
- 0845 675 0009 (textphone).

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

We'll pay the mobility part of Disability Living Allowance if you are in a care home (a place that provides accommodation together with nursing or personal care) when you claim. We won't usually pay

Call us from Monday to Friday

Telephone 0800 22 06 74 Textphone 0800 24 37 87

the care part of Disability Living Allowance if you are staying in a care home when you claim. But we may pay the care part if you are paying all the costs of the accommodation, board and personal care without help from a Health and Social Care Trust or government department.

If you are in hospital when you claim, we won't usually pay the care or mobility part of Disability Living Allowance until you leave hospital. But we may pay you the care and mobility parts if you are a private patient and you are paying for the accommodation and treatment without help from a Health and Social Care Trust or government department.

We may pay Disability Living Allowance if you are terminally ill and claiming under the special rules (see page 11) and you are in a hospice.

If you are in hospital at the time of your claim, please let us know when you leave.

Can I work or receive training while I am getting Disability Living Allowance?

We can pay Disability Living Allowance whether or not you are in work or training, as long as you have the sort of care or mobility needs we tell you about in this leaflet.

Visit us on the web at:

www.nidirect.gov.uk

How do I claim Disability Living Allowance or find out more?

To claim Disability Living Allowance you need to fill in a claim form or 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 22 06 74, or
- 0800 24 37 87 (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 the form back within six weeks.

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

Call us from Monday to Friday

Telephone **0800 22 06 74** Textphone **0800 24 37 87**

By post, using the tear-off slip

You can also fill in the tear-off slip from this leaflet and send it to us to ask 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 the form as the date of your claim, as long as you send the form 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 Disability Living Allowance online, or
- print out a blank claim form to fill in by hand and post it to us.

Visit us on the web at:

www.nidirect.gov.uk

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

What other help is available?

If you get Disability Living Allowance you may get extra money as part of your:

- Income Support, income-related Employment and Support Allowance or income-based Jobseeker's Allowance (for more information, ask your local Jobs & Benefits office/ Social Security office or visit www.nidirect.gov.uk), or
- Housing Benefit

You can also find out more about Housing Benefit by visiting www.nidirect.gov.uk.

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

Call us from Monday to Friday

Telephone **0800 22 06 74** Textphone **0800 24 37 87**

Carer's Allowance

If someone looks after you for at least 35 hours a week and you get the middle or highest care rate of Disability Living Allowance, they may be able to get Carer's Allowance. They do not have to live with you, and you don't need to have a formal care agreement with them.

If we start to pay Carer's Allowance to your carer, and you have been getting extra money for severe disability with an income-related benefit or Pension Credit, this extra money will have to stop. This is to avoid benefit covering the same need twice. If you think this will affect you, please contact the Disability and Carers Service for advice (see below for details).

To find out more, ask us for a leaflet about Carer's Allowance.

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

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

- Benefit Enquiry Line on 0800 22 06 74 or 0800 22 37 87 (if they use a textphone), or
- Disability and Carers Service on 9090 9186 or 0800 24 37 87 (if they use a textphone).

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

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

To find out more about Carer's Credits, please visit the [nidirect](#) website or contact the Disability and Carers Service (our contact details are on page 19).

Call us from Monday to Friday

Telephone 0800 22 06 74 Textphone 0800 24 37 87

Working Tax Credit (disability and severe disability element)

You can claim Working Tax Credit, with the disability element, 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
- get Disability Living Allowance at any rate.

If you (or your partner if you have one) get the highest rate of the care part of Disability Living Allowance, you may be able to get the severe disability element of Working Tax Credit.

You must make a joint claim as a couple if you are:

- married
- in a civil partnership (a formal arrangement with a same-sex partner, that has a similar legal status to being married)
- living with your partner like you're married or in a civil partnership.

In a joint claim, you'll need to complete personal details for both you and your partner on the claim form.

Visit us on the web at:

www.nidirect.gov.uk

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

- 0845 300 3900 (phone), or

- 0845 300 3909 (textphone).

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

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

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 are calling 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 22 06 74 Textphone 0800 24 37 87

Textphones

The textphone numbers we provide are for people who find it hard to speak or hear clearly. If you do not have a textphone, some libraries or citizens advice bureaux may have one. Textphones do not receive text messages from mobile phones.

You can also call using Type Talk

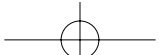
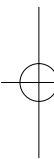
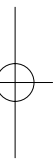
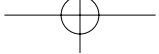
Other formats

This leaflet is available in large print, braille and on audio cassette. Call 0800 22 06 74 to find out more.

If you find it difficult to hear or to speak clearly, there is a textphone service available on 0800 24 37 87.

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**