# Disability Living Allowance (DLA) and Carer's Allowance



# **Disability Living Allowance (DLA) for children**

Disability Living Allowance (DLA) for children may help with the extra costs of looking after a child who:

- is under 16
- has difficulties walking or needs much more looking after than a child of the same age who does not have a disability

They will need to meet all the eligibility requirements.

The DLA rate is between £23.20 and £148.85 a week and depends on the level of help the child needs.

# **DLA rates for children**

Disability Living Allowance (DLA) for children is a tax-free benefit made up of 2 components (parts). The child might qualify for one or both components.

Care component	Weekly rate
Lowest	£23.20
Middle	£58.70
Highest	£87.65

Mobility component	Weekly rate	
Lower	£23.20	
Higher	£61.20	

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## How DLA for children is paid

DLA is usually paid every 4 weeks on a Tuesday.

If your payment date is on a bank holiday, you will usually be paid before the bank holiday. After that you'll continue to get paid as normal.

All benefits, pensions and allowances are <u>paid into your bank, building society or credit</u> union account.

## Extra help

You might qualify for <u>Carer's Allowance</u> if you spend at least 35 hours a week caring for a child who gets the middle or highest care rate of DLA.

# **Eligibility**

Usually, to qualify for Disability Living Allowance (DLA) for children the child must:

- be under 16
- need extra looking after or have walking difficulties
- be in Great Britain, a European Economic Area (EEA) country or Switzerland when you claim - there are some exceptions, such as family members of the Armed Forces
- have lived in Great Britain for 2 of the last 3 years, if over 3 years old
- be habitually resident in the UK, Ireland, Isle of Man or the Channel Islands
- not be subject to immigration control

The process is different in Northern Ireland.

There are some exceptions to these conditions if the child is <u>living or coming from</u> an EEA country or Switzerland.

You can claim DLA for children if you're in or out of work.

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#### Children under 3

A child under 6 months must have lived in Great Britain for at least 13 weeks.

A child aged between 6 months and 3 years must have lived in Great Britain for at least 26 of the last 156 weeks.

The rules on residence do not normally apply if a child is terminally ill.

## The child's disability or health condition

The child's disability or health condition must mean at least one of the following apply:

- they need much more looking after than a child of the same age who does not have a disability
- they have difficulty getting about

They must have had these difficulties for at least 3 months and expect them to last for at least 6 months.

If they're terminally ill (that is, not expected to live more than 6 months), they do not need to have had these difficulties for 3 months.

# Care component

The rate the child gets depends on the level of looking after they need, for example:

- lowest rate help for some of the day
- middle rate frequent help or constant supervision during the day, supervision at night or someone to help while they're on dialysis
- highest rate help or supervision throughout both day and night, or they're terminally ill

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## **Mobility component**

The rate the child gets depends on the level of help they need getting about, for example:

- lowest rate they can walk but need help and or supervision when outdoors
- highest rate they cannot walk, can only walk a short distance without severe discomfort, could become very ill if they try to walk or they're blind or severely sight impaired

## Change of circumstances

Contact the <u>Disability Service Centre</u> as soon as the child's circumstances change. This can affect how much they get, for example if their disability gets worse or they go abroad for medical treatment.

Their DLA will not usually be affected if they go:

- into a local authority care home for less than 28 days
- into a hospital
- abroad for less than 13 weeks
- abroad for less than 26 weeks to get medical treatment for a condition which began before they left

# How to claim

Use the <u>DLA claim form</u> (<u>www.gov.uk/government/publications/disability-living-allowance-for-children-claim-form</u>) to apply for Disability Living Allowance (DLA) for children under 16.

The form tells you where to send your application.

You can order a printed form by telephoning the Disability Living Allowance helpline.

The process is different in Northern Ireland.

#### **Disability Living Allowance helpline**

Telephone: 0800 121 4600 Text phone: 0800 121 4523

NGT text relay (if you cannot hear or speak on the phone): 18001 then 0800 121 4600

Monday to Friday, 8am to 7.30pm

Find out about call charges

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#### **Alternative formats**

Call the Disability Living Allowance helpline to ask for alternative formats, such as braille, large print or audio CD.

## What you need to know

DLA can only be claimed for children under 16 - anyone over 16 must apply for <u>Personal</u> Independence Payment (PIP).

You can claim DLA for a child as long as you look after them as if you're their parent. 'Parent' includes step-parents, guardians, grandparents, foster-parents, and even older brothers or sisters.

DLA cannot be backdated. The date of your claim will usually be the date the form is received or the date you call the enquiry line (if you return the claim pack within 6 weeks).

It usually takes 40 working days to deal with a DLA claim.

#### **Terminal illness**

There are special rules if the child is not expected to live more than 6 months, so they can get DLA more quickly. You must:

- complete a <u>DLA claim form</u>
- ask a doctor or other healthcare professional for form DS1500 they'll either fill it in and give the form to you or send it directly to DWP

# If you disagree with a decision

You can <u>challenge a decision</u> about your claim. This is called asking for mandatory reconsideration.

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## When your child turns 16

Your child will need to apply for Personal Independence Payment (PIP) when they turn 16.

## When they apply for PIP

Your child will get a letter inviting them to apply for PIP. The letter will be sent:

- shortly after their 16th birthday
- when they leave hospital, if they were in hospital on their 16th birthday
- about 20 weeks before their DLA award ends, if they were awarded DLA under the rules for people who are terminally ill

Your child's DLA payments will stop unless they apply for PIP by the date given in the letter.

If they apply by the date given in the letter, they'll continue to receive DLA until their claim is assessed.

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# Carer's Allowance

#### How it works

You could get £66.15 a week if you care for someone at least 35 hours a week and they get <u>certain benefits</u>.

You do not have to be related to, or live with, the person you care for.

You do not get paid extra if you care for more than one person.

Carer's Allowance can affect the other benefits that you and the person you care for get.

You have to pay tax on it if your income is over the Personal Allowance.

This guide is also available in Welsh (Cymraeg).

## How you're paid

You can choose to be paid weekly in advance or every 4 weeks. It will be paid <u>into an account</u>, for example your bank account.

# What else you can get

For each week you get Carer's Allowance you'll automatically get <u>National Insurance</u> <u>credits</u>.

You may also be able to apply for:

- support from your local council
- a Council Tax Reduction
- Universal Credit if you're on a low income or out of work
- Income Support if you're on a low income
- <u>Income-based Employment and Support Allowance if</u> you cannot work because of a medical condition or disability
- Pension Credit if you're over working age

If you live in Scotland and get Carer's Allowance, you may also get <u>Carer's Allowance</u> Supplement.

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## Get help and advice

You can get more help and advice from:

- Carers UK
- Carers Trust

# **Eligibility**

## The person you care for

The person you care for must already get one of these benefits:

- Personal Independence Payment daily living component
- Disability Living Allowance the middle or highest care rate
- Attendance Allowance
- Constant Attendance Allowance at or above the normal maximum rate with an Industrial Injuries Disablement Benefit
- Constant Attendance Allowance at the basic (full day) rate with a War Disablement Pension
- Armed Forces Independence Payment

# Your eligibility

All of the following must apply:

- you're 16 or over
- you spend at least 35 hours a week caring for someone
- you've been in England, Scotland or Wales for at least 2 of the last 3 years (this
  does not apply if you're a refugee or have humanitarian protection status)
- you normally live in England, Scotland or Wales, or you live abroad as a member of the armed forces (you might still be eligible if you're moving to or already living in an <u>EEA country or Switzerland</u>)
- you're not in full-time education
- you're not studying for 21 hours a week or more
- you're not subject to immigration control
- your earnings are £123 or less a week after tax, national insurance and expenses

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## **Calculating your earnings**

Your earnings are any income from employment and self-employment after tax, national insurance and expenses.

Expenses can include:

- 50% of your pension contributions
- equipment you need to do your job, for example specialist clothing
- travel costs between different workplaces that are not paid for by your employer, for example fuel or train fares
- business costs if you're self-employed, for example a computer you only use for work

If you pay a carer to look after the disabled person or your children while you work, you can treat care costs that are less than or equal to 50% of your earnings as an expense. The carer must not be your spouse, partner, parent, child or sibling.

## **Example**

You earn £100 a week (after tax, national insurance and other expenses) and spend £60 a week on care while you work. You can treat £50 of this as an expense.

Payments that do not count as earnings include:

- money received from pensions
- contributions towards your living or accommodation costs from someone you live with (they cannot be a tenant or boarder)
- the first £20 a week and 50% of the rest of any income you make from someone boarding in your home
- a loan or advance payment from your employer

## If you're not eligible

You might be eligible for <u>Carer's Credit</u> if you're not eligible for Carer's Allowance.

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## **Effect on other benefits**

Carer's Allowance can affect the other benefits that both you and the person you care for get.

## Effect on the benefits of the person you care for

When you claim Carer's Allowance, the person you care for will stop getting:

- a severe disability premium paid with their benefits
- an extra amount for severe disability paid with Pension Credit, if they get one

They might also stop getting reduced Council Tax. Contact their <u>local council</u> to find out if this affects them.

## Effect on your benefits

When you claim Carer's Allowance your other benefits may be reduced, but your total benefit payments will usually either go up or stay the same.

Carer's Allowance does not count towards the benefit cap.

If you get Working Tax Credit or Child Tax Credit, you must <u>contact HM Revenue and Customs (HMRC)</u> to tell them about your Carer's Allowance claim.

Use a benefits calculator to work out how your other benefits will be affected.

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## Make a claim

Before you apply make sure you have your:

- National Insurance number (if you have a partner you'll need theirs too)
- bank or building society details (unless you get your State Pension)
- · employment details and latest pay slip if you're working
- P45 if you've recently finished work
- · course details if you're studying
- details of any expenses, for example pension contributions or the cost of caring for your children or the disabled person while you're at work

You also need details of the person you care for. You need their:

- date of birth and address
- National Insurance number if they're 16 or over
- Disability Living Allowance reference if they're under 16
- You can backdate your claim by up to 3 months.

# **Apply now**

# Other ways to apply

If you cannot apply online, you can <u>apply by post</u>. The address to send your application to is at the end of the form.

# If you disagree with a decision

You can <u>challenge a decision</u> about your claim. This is called asking for mandatory reconsideration.

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## Report a change in circumstances

You must <u>report any change in your circumstances</u> if you're claiming or have applied for Carer's Allowance.

This includes if you get a job, temporarily stop providing care for someone or stop being a carer altogether.

If you do not report changes straight away or give wrong or incomplete information, you could be paid the wrong amount and have to pay it back. You could also have your Carer's Allowance stopped, get a fine or be taken to court.

You must tell the Department for Work and Pensions if the person you're caring for dies.

#### If you temporarily stop providing care for someone

You can still get Carer's Allowance if you temporarily stop providing care for someone.

This means any period when you spend less than 35 hours a week caring for the other person. For example, you could get Carer's Allowance for up to:

- 12 weeks if either of you go into respite care or hospital
- 4 weeks if either of you go on holiday

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Would you like to know what's happening in Solihull for children and families? Then join our Parent's Network for regular information at <a href="https://www.solihull.gov.uk/parentsnetwork">www.solihull.gov.uk/parentsnetwork</a>

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