What is Attendance Allowance (AA) and Disability Living Allowance (DLA)?
Both are tax free benefits if you have a long term illness or disability which means you need help with personal care or supervision to keep you safe and well. You do not actually have to be getting any help. It is the help that you need rather than the help you actually get. DLA also includes a part that is paid if you have problems walking. Neither AA nor DLA depend on your income or savings and will not reduce your other benefits; in fact it may increase them.

You cannot get both AA and DLA at the same time. AA can only be claimed if you are aged 65 or over. DLA must be claimed up before your 65th birthday. However if you are awarded DLA it can continue to be paid after you turn 65.

Who can claim AA or DLA?
You can claim if you have a physical disability (including sight, hearing or communication difficulties) or a learning difficulties or a mental health problem -even if the cause of the problem has not yet been diagnosed.

How do I qualify?
Qualifying for AA or DLA care component is based on whether you need help from another person to do every day things like washing and dressing, enjoying pastimes, staying safe, or if you need help at night. If doing daily activities like getting up or washing causes you pain, takes you a long time, puts you or somebody else in danger, or if you simply don't do it, then that counts as needing help. These benefits are awarded at different rates. What rate you get depends on what you need help with and how often.

DLA also has a mobility component that deals with your ability to walk and go places. You may be entitled to the high rate of this if you cannot walk or are virtually unable to. For example, if you struggle with even very short journeys
such as walking around a supermarket. The lower rate of the mobility payment is for people who cannot go to places they don't know without help from somebody else.

To claim AA, you must have had these care or supervision needs for at least 6 months unless you are terminally ill.

To claim DLA, you must have had the care, or supervision, or mobility problems for the past three months. Also, your disability must be likely to last for at least the next 6 months unless you are terminally ill.

You are classed as ‘terminally ill’ if you have a progressive disease and can be expected to die within six months as a result of that disease. The DWP usually deals with such claims within 10 days. They are referred to as claims under the ‘special rules’

How much is AA and DLA?

Attendance Allowance
There are two rates of AA.

- The higher rate of £73.60 is paid if you need help or supervision during the day as well as the night or you are classed as terminally ill and are claiming under the ‘special rules’.
- The lower rate of £49.30 is paid, if you need help with personal care or supervision during the day or help with personal care or someone to watch over you during the night only, or someone with you when you are on dialysis.

For example, Joan is 74 years old and has Alzheimer's Disease. She is forgetful and disorientated and needs watching over day and night to make sure she is safe. She gets the highest rate of AA.

Disability Living Allowance
There are two parts or components in DLA – one for care and the other for mobility.

Care component – there are three rates

- The higher rate of 73.60 is paid if you need help or supervision during the day as well as the night or you are classed as terminally ill and are claiming under the ‘special rules’. This is the same amount and qualifying conditions as higher rate AA.
- The middle rate of £49.30 is paid, if you need help with personal care or supervision during the day or help with personal care or someone to watch over you during the night only, or someone with you when you
are on dialysis. This is the same amount and qualifying conditions as lower rate AA.

- The lower rate of £19.55 is paid if you need help with personal care for ‘significant portion of the day’.

This means for at least an hour on most days, for example, help with washing and getting dressed in the morning. This help may be given all at once or be spread out through the day. You could also qualify for the lower rate if you cannot prepare a cooked main meal if you have all the ingredients. This is known as the cooking test.

Mobility component – there are two rates

- The higher rate of £51.40 is paid if:-
  - because of a physical disability, you are unable or virtually unable to walk without severe discomfort, or at risk of endangering your life or causing deterioration in your health by making the effort to walk even when wearing or using an aid or equipment you normally use or
  - you have no feet or legs or
  - you are assessed to be both 100 per cent disabled because of loss of eyesight and not less than 80 per cent disabled because of deafness and you need someone with you when you are out of doors or
  - you are severely mentally impaired with severe behavioural problems and qualify for the highest rate of DLA care component or
  - you are ‘severely sight impaired’. This means you must be certified as severely sight impaired by a consultant ophthalmologist. You must have a best corrected visual acuity of less than 3/60, or have a best corrected visual acuity of 3/60 or more, but less than 6/60, a complete loss of peripheral visual field and a central visual field of no more than 10 degrees in total. This was introduced from 11 April 2011.

- The lower rate of £19.55 is paid if you can walk but you need guidance or supervision most of the time from another person when walking out of doors in unfamiliar places

For example, Peter is 34 and has learning difficulties. He needs help with personal care during the day and has to have someone with him when he is outdoors. Peter gets middle rate care component and low rate mobility component of DLA.

**Awards of AA and DLA**

If you get either of these two benefits it could be for an indefinite period or for a fixed period. Fixed periods tend to be for 3 years.

If you away from home perhaps in hospital or residential care then this may affect payment of AA - for more information see Factsheet 7.

[www.newcastle.gov.uk/welfarerights](http://www.newcastle.gov.uk/welfarerights)  

October 2011
How do I claim?
You can either phone the Benefit Enquiry Line for either a AA claim form or a DLA claim form on freephone 0800 882 200 or claim on-line at: www.dwp.gov.uk/eservice.
The form is long and can take time to fill out. It is usually best to get help to do this. You can get help from an organisation such as the Welfare Rights Service - details can be found on factsheet 11.

What happens if AA or DLA is refused?
If you are refused AA or DLA or only awarded a lower rate you can ask for the decision to be looked at again. If it is still refused and you disagree with the decision you can appeal to an independent tribunal. Over 50% of people are successful when they ask for the decision to be looked at again. Don’t be put off if you are turned down at first, ask for advice to help you challenge the decision. See Factsheet 9 for details.

What happens if my condition changes?
If you think your care or supervision needs have changed since the award of AA or DLA was made you can ask for the award to be looked at again. If your condition has worsened then you may qualify for a higher rate. It is best to seek advice on this. If you are over 65 and you think your mobility is worse and you are already get DLA mobility component it is not possible to move up from the lower mobility rate to the higher mobility. You should seek advice on whether it may be possible to argue that you satisfied the qualifying conditions for the higher rate on a decision made before your 65th birthday. The same applies if you did not receive an award of the mobility component when you claimed DLA.
If your condition improves after your 65th birthday and your mobility needs are less, it is not possible to drop down to the lower mobility rate. The component will be lost all together. It may be possible to challenge such a decision.

Challenging a decision
If you think a decision about your AA or DLA claim or award is wrong, you may be able to challenge that decision.
For further information see Factsheet 9.