

Benefits and successful DLA claims for children and young people



in West Sussex
North South East



Sessions funded by
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Aim of today

To be able to explain:

- The benefits available for children and young people
- What is Disability Living Allowance (DLA)
- Ways of making a successful claim
- Where to go for more help



What is DLA?

- It is administered by the Department for Work and Pensions (DWP)
- Disability Living Allowance (DLA) is a non means-tested benefit
- Helps meet the extra costs for children and young people **under 16** who have a disability or long-term condition
- Can also top-up means-tested benefits, and “passport” to other benefits
- Provides protection from the Benefit Cap
- The needs must be greater than those of a child of the same age without a disability
- The applicant must have had the needs for the last 3 months and expect them for the next 6 months

Myth busting - True or false?

My child needs a diagnosis before I can claim DLA



I can't claim DLA for my child because my earnings are too high or I'm working



Myth busting – True or false?

There is no point in claiming DLA, as the money will be deducted from my other benefits



DLA care component can be paid from age 3 months



Myth busting – True or false?

Although my child has no physical problems with walking, I may still be able to claim higher mobility rate as their behaviour is difficult to deal with



Parent Guide:

<https://contact.org.uk/wp-content/uploads/2021/03/DLA-for-children-with-autism-and-learning-difficulties.pdf>

Mr and Mrs P's story

- Mrs P has underlying health problems, is unable to work but not entitled to a disability benefit. Mr P does seasonal low-paid work. They are affected by the Benefit Cap during the times he is out of work which has affected their ability to budget and led to rent arrears. The family is under a lot of pressure due to their finances.
- One of the children has behavioural difficulties needing extra attention during the day but no formal diagnosis has been made. A claim for Disability Living Allowance was unsuccessful. With the help of an advice agency, they appeal the decision and gather more evidence to support their claim.
- The appeal hearing was successful which resulted in an increased income for the family and protection from the Benefit Cap.

DLA Care & Mobility

What are they?

Care and mobility rates

Care rates	What it means	Amount	Mobility rates	What it means	Amount
Low	Help for a small part of the day	£26.90	Low	Children aged 5 or over who can walk but who need someone to supervise or guide them on unfamiliar routes	£26.90
Middle	Help frequently in the day OR night	£68.10	-	-	-
High	Help frequently BOTH day and night	£101.75	High	<p>Children aged 3 or over AND:</p> <ul style="list-style-type: none"> • they can't walk • they have severe discomfort when they walk outside • walking would put them in danger or would mean their health would get worse • they have no legs or feet • they're blind or severely sight impaired • they're both deaf and blind • they're entitled to HR care/severe behavioural difficulties 	£71.00

Care component

Care rates	What it means	DURING THE DAY	DURING THE NIGHT
Low	Help for a small part of the day	About an hour's extra care	N/A
Middle	Help frequently in the day OR night	Care needed several times OR "Continual" supervision	Repeated (at least twice) or prolonged (20 mins or more) care OR Repeated or prolonged "watching over"
High	Help frequently BOTH day and night		

Care → help with bodily functions

Including...breathing, dressing and undressing, eating and drinking, using the toilet/managing incontinence, getting into or out of bed, hearing, seeing, sitting, walking, communicating, and help with medication, treatment or therapy.

Supervision → a need for someone to be around to prevent accident or injury

Watching over → supervision at night

And....

Their needs must also be greater than those of a child of the same age without a disability.

Mobility – lower rate component

- Aged 5 or over and can walk but they need someone to **supervise** or **guide** them on unfamiliar routes
- Their needs must also be greater than those of a child of the same age without a disability.

Mobility – higher rate component

Aged 3 or above and cannot walk, cannot walk far, or walking could make them ill; severely sight impaired; severe behavioural difficulties

➤ they may get the **higher rate**.

DLA – The form!

The form is available online here:

<https://www.gov.uk/government/publications/disability-living-allowance-for-children-claim-form>

Or you can call:

0800 121 4600

DLA – The Form!

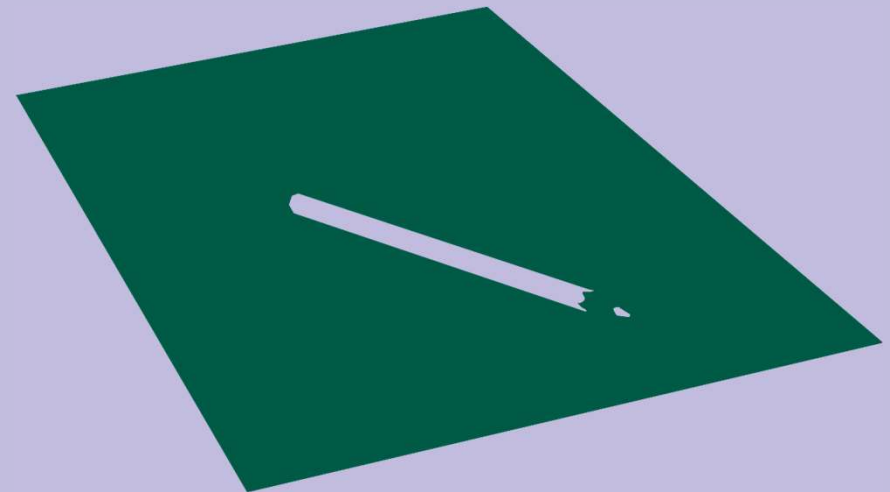
- The form is long but there is support if you need it!
- It's an important part of the process and helps DWP assess your child's needs.
- Each question relates to the DLA criteria we've covered today
- A diary is useful!
- Take your time!

DLA – form filling tips!

- Remember you are looking at if the child's needs are substantially greater than the average child of the same age – comparison with the child's sibling is sometimes helpful.
- Think about the help you provide directly before and after providing care
- No specific mental health questions but if your child has mental health issues, explain how that affects them
- Pages 16-19 – says this applies to children who are 3 and over but complete it anyway if you think it applies

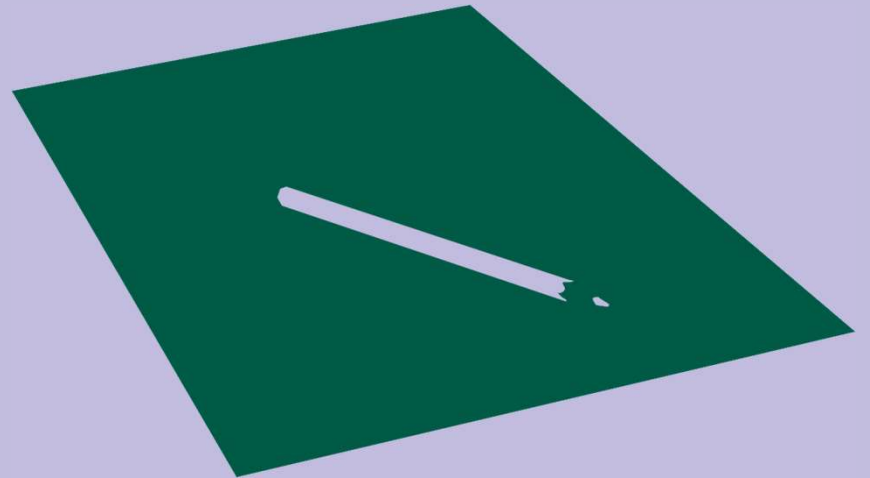
Filling in the form

- Try to use examples and anecdotes to describe your child's needs wherever possible. Don't just rely on the tick boxes.
- If you feel the pages don't have enough space to capture the complexity of your child's needs – there are extra boxes at pages **19 and 34** where you can give more information. You can also attach extra pages of information if you feel this is necessary.



Filling in the form

- Please remember that a decision on your child's claim will be made by someone who has never seen your child and who may have little or no knowledge about your child's condition.
- It is important that you make clear all the extra care and support that your child needs – don't assume that the decision maker will already have this understanding.



Do's and don'ts of form filling

✓ Do explain the situation in detail:

- “My child needs help getting dressed every morning. He cannot put his arms through the sleeves of his t-shirt without my help. Every night my child needs help to take off his t-shirt and to put on his pyjamas.”
- “My child needs help going to the toilet 5 times a day. She needs help removing her underwear and I have to clean and wash her after every visit to the toilet.”

✗ Do not be brief and not describe the situation:

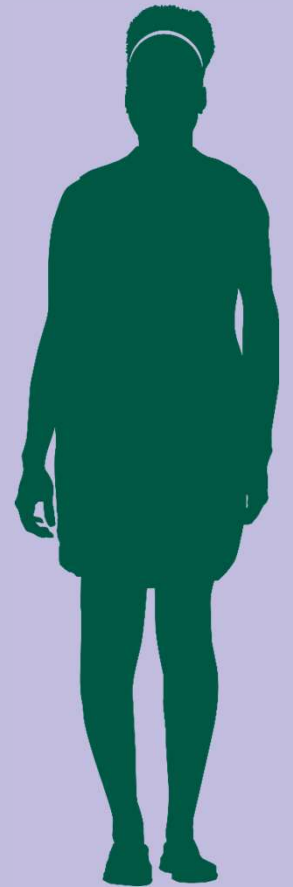
- “Cannot dress himself.”
- “I help my child go to the toilet 5 times a day.”

Ways of strengthening your claim

- **EHCP**
- **Autism/ADHD assessment**
- **Educational Psychologist assessment**
- **Speech and language assessments**
- **GP letter (cost)/consultant letters**
- **NHS records**
- **Parent diary** - write down everything your child needs during a day in as much detail as possible. Think about how your child:
 - Eats, sleeps, dresses, uses the bathroom, moves about, concentrates at school, gets on with teachers and therapists, takes medication, interacts with you, siblings, family, friends and strangers
- **Statement from someone who knows your child** (e.g. grandparent who looks after them)

What next? The decision

- It can take up to 3 months (or longer) for a decision.
- Decision will be sent as a letter setting out the outcome if awarded - the rate and length of time
- Right to challenge it and how
- Ask for a copy of all of the evidence used



Renewals

- If your child gets an award for a fixed period, you will need to reapply when it ends
- DWP should write to you about 20 weeks before the fixed period ends – you get 4 weeks to return the form
- The process is the same as a new application
- Ask for a copy of your previous application and the evidence, but also get new evidence if your child's condition has changed



Why do things sometimes go wrong?

- Not enough evidence sent in
- Not given enough detail of needs
- Poor quality decision making by the DWP
- Not aware of requirements



Can Molly claim DLA?

- Molly is 7 years old. She is unilaterally deaf and often misses out on things the teacher has said at school. She gets upset at not being able to communicate with her friends. She needs support at school and at home for both social and learning needs.
- When Molly is out and about she needs her mother to hold on to her hand the whole time as she has run on to the road a few times because she hasn't heard a car or bicycle coming.

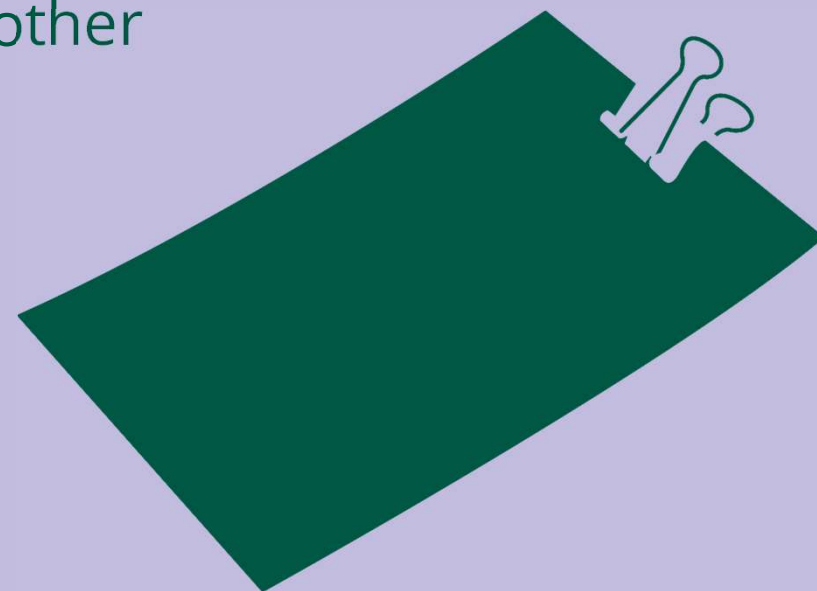
Do you think Molly's mother might be able to make a claim for DLA?

Are other benefits available?

- Yes! Both children and young people with disabilities or long-term health conditions, and/or their parents/carers may be eligible for benefits
- For children under 16 it is **Disability Living Allowance (DLA)** and young people over 16 it is **Personal Independence Payment (PIP)**
- Some young people over 16 who are too unwell to work may be able to get **Employment and Support Allowance** or **Universal Credit** but seek advice
- As a carer, you may be able to receive carer's benefits such as carers allowance, and/or means-tested benefits, if your income is low
- **Reductions in Council Tax** may apply, as well as additional benefits such as help with travel and health costs

As a parent/carer what benefits might I be eligible for?

- If your child/young person is in receipt of DLA/PIP it can positively impact on benefits you might receive
- This is known as **Passported Benefits** – where being in receipt of one benefit, may entitle award of another
- Passported benefits linked to a child having DLA/PIP include **Carers Allowance, Disabled Child Element (of UC), a Blue Badge and Motability Scheme.**



Carers Allowance and Carers Elements

- Criteria: you have to care for your child up to 35 hours per week and not earn more than £139 per week
- The child has to be on DLA at middle or highest rate or be in receipt of Daily Living PIP (either rate)
- Carers Allowance = £76.75 per week
- It might be deducted from your means-tested benefits, but you'll get an extra element or premium so you will be better-off
- You can only receive one payment of Carers Allowance regardless of how many people you care for
- If you earn too much to receive Carers Allowance, you can still get a Carer's Element if you are eligible for UC

Disabled Child Element

- If your child is disabled or has a long-term health condition, you might be eligible for the **disabled child element** as part of your Universal Credit.
- The rate of disabled child element you get will depend on the rate of DLA or PIP you're getting for them.
- You'll get the higher rate (£456.89 a month) if your child is:
 - getting the DLA higher rate care component
 - getting the PIP enhanced daily living component, or
 - registered blind

Disabled Child Element

- You'll get the lower rate (£146.31 a month) if your child is getting any other rates of DLA or PIP.
- The disabled child element is in addition to any child element you are receiving for them
- You can get the disabled child element even if you are not receiving a child element because of the 2-child limit



What help can Citizens Advice give?

- Information from our public site with resources containing further information: www.advicewestsussex.org.uk/advice/send-information-and-support/
- Our benefit checker: <https://www.advicewestsussex.org.uk/i-need-help/benefits/>
- Help to do a benefit check with a client over the phone or face to face

What help can Citizens Advice give?

- Advisers can explain the criteria for each benefit, how to claim it and support with completing a claim
- If a benefit is not awarded, explain your options
- Advice and help preparing a Mandatory Reconsideration or Appeal
- Budgeting help, energy costs checks, debt assessments and referrals to debt specialists

Other sources of help

- **Citizens Advice in West Sussex:**

- Further information for parent carers of children and young people with SEND: www.advicewestsussex.org.uk/advice/send-information-and-support/
- Benefit checker: <https://www.advicewestsussex.org.uk/i-need-help/benefits/>

- **EHCP support:**

- IPSEA www.ipsea.org.uk/
- Local SENDIAS westsussexsendias.org/

- **West Sussex Parent Carer Forum:**

- <https://www.wspcf.org.uk/>

Other sources of help

- **Reaching Families:**
 - <https://www.reachingfamilies.org.uk/>
- **Carer's Support:**
 - <https://www.carerssupport.org.uk/>
- **Blue Badge:**
 - <https://www.westsussex.gov.uk/roads-and-travel/parking/the-blue-badge-scheme/apply-for-or-renew-a-blue-badge/>
- **Disabled bus pass, companion pass and railcard:**
 - https://www.westsussex.gov.uk/media/10454/encts_disabled_application_form.pdf
- **Motability Scheme:**
 - www.motability.co.uk/

Thank you. Any questions?



www.advicewestsussex.org.uk

Citizens Advice in West Sussex (North, South, East)
Registered Charity Number: 1116660

