

How can I support a family to claim benefits?

- There is a page on the DLA claim form for a professional to complete which you can use to explain the extra needs the child has. You should emphasise extra support that the child needs, even if all of the help needed is not currently provided.
- If the family are appealing, a detailed letter explaining the child's extra needs can be very helpful, even if you have already provided a statement. You will often be in a better position to explain the effects on the family's daily life than a GP or consultant.
- If DLA is awarded, the family will be entitled to an extra amount in their child tax credit. They should be supported to notify the tax credits office by phoning 0845 300 3900 (textphone 0845 300 3909), and to check that the amount of child tax credit goes up within a month of the notification.
- If a child is awarded DLA care component at the middle or highest rate then a parent or other adult looking after them may be able to claim carer's allowance. Phone 0845 608 4321 (textphone 0845 604 5312) or claim at www.direct.gov.uk.
- A parent with a low income who can't manage 'signing on' for jobseeker's allowance due to the amount of care that their child needs can make a claim for income support whilst waiting for a child's DLA claim to be decided by calling 0800 055 6688 (textphone 0800 023 4888).
- Families who are struggling financially may also qualify for other financial support. See CPAG's factsheet *Benefits for disabled children and their families – a checklist* for more details. Available from www.cpag.org.uk/scotland.

CPAG give free advice to any professionals who are helping families with benefits. Phone 0141 552 0552 on Monday to Friday, 10am -12 noon; or email advice@cpagscotland.org.uk any time.

Quick guide to benefits for children with additional needs

Who should be referred for benefits advice?

- Children with additional needs (compared to other children their age) can claim disability living allowance (DLA).
- There is **no** need for the child to have a specific diagnosis to claim DLA. The important thing is the level of extra needs.
- The inside pages of this leaflet give basic information about the DLA entitlement conditions.
- The family can start a claim by phoning the DWP Benefit Enquiry Line on 0800 882200 (textphone 0800 243355). They can also start a claim online at www.direct.gov.uk.
- Claims must be completed within 6 weeks of starting them or the family may lose money.
- It is important that an expert helps the family to complete the claim form, as it can be hard to explain the extra needs of the child effectively.
- DLA claims are often refused. The family should be encouraged to get advice about whether they should appeal against the decision refusing them DLA. Appeals normally have to be made within a month of the date of the decision.
- Any family whose immigration status is doubtful should **always** be referred for specialist advice.
- Families without a child with additional needs may also be missing out on their correct benefit entitlements. If they are struggling financially consider referring them for advice.



www.cpag.org.uk/scotland This is a reference guide only, and does not give

the full entitlement conditions for benefits. If in doubt, refer a family for further advice.

What additional needs might mean that children qualify for disability living allowance?

DLA is divided into two components – care and mobility. No medical conditions is ‘not serious enough’ to qualify for help through DLA, as long as there are extra needs that last for the required amount of time. The child must have had the level of needs for at least three months, and they must be expected to last for six months at the date of claim.

The Care Component

There are three rates of the care component – highest, middle and lowest. Terminally ill children qualify for the highest rate automatically, and some children who receive regular dialysis automatically get the middle rate, if they are not helped with it by medical staff. **They still need to claim DLA.**

For other children, the care component can be awarded for either ‘attention’ or ‘supervision’. The highest rate is for children who need extra help through the day **and** at night. The middle rate is for children needing extra help through the day **or** at night. The lowest rate is for extra attention for a significant portion of the day, which could be around an hour (depending on the type of help needed).

Supervision must be to avoid ‘substantial danger’. Examples include:

- epileptic seizures
- asthma attacks
- allergic reactions
- medication levels
- very impulsive behaviour
- safety if a child is awake during the night

Other needs for extra supervision can also be taken into account.

The meaning of the word ‘attention’ is not well understood. It means physical help, as well as verbal prompting, motivation and encouragement. This must be ‘in connection with bodily functions’. Bodily functions include functions of the brain, seeing and hearing, and eating and drinking so this

includes assistance with almost every aspects of a child’s life. The following list gives some examples of things that are counted as attention:

- Help taking medication or with physical therapy
- Extra help with speaking, reading and writing at school
- Extra help to dress or undress, including choosing clothes
- Interpreting for someone with a hearing impairment
- Extra help feeding a baby due to poor muscle tone
- Cutting up food and meeting specific dietary requirements
- Extra help in the bathroom due to balance problems

The help needed must be greater than that which a child of the same age needs, or similar to the help required by younger children.

The test is **not** that the child actually gets help, it is that the help is ‘**reasonably required**’, to help them lead the most normal life possible

The Mobility Component

From the age of three, extra DLA can be claimed due to mobility problems, whether or not the child already receives the DLA care component.

There are only two rates of the mobility component. The higher rate is payable from three years old, if the child meets one of these conditions:

- unable or virtually unable to walk due a ‘physical disablement’
- ‘physical disablement includes chromosomal abnormalities such as Down’s Syndrome, and autistic spectrum disorders, if they mean that a child is unable to get to a given place due to behavioural problems beyond their conscious control
- if the exertion of walking would cause serious risk to health
- ‘severe visual impairment’ (more severe than to be certified as blind)
- both blind and deaf
- some children with a severe mental impairment, behavioural problems and care needs day and night may also qualify for the mobility component

The lower rate of the mobility component is payable from the age of five, if a child requires extra guidance or supervision when outside in unfamiliar

areas. This must be greater than the help needed by other children the same age in places they don't know.