

Introduction

Disability Living Allowance (DLA) is tax free and is not means tested. It is for people who need help looking after themselves and for those who find it difficult to walk or get around.

Criteria

DLA is divided into two components, the care component and the mobility component. For both components, the Applicant must satisfy the residence and presence tests. This means the Applicant must have been present in the UK for the past 26 out of 52 weeks. They must not be subject to immigration control.

For both components there is an upper age limit of 65. If the Applicant is over 65, they should claim Attendance Allowance instead. If the Applicant claimed DLA before their 65th birthday, it can be paid indefinitely.

When the Applicant claims DLA, they must demonstrate that they have qualified for DLA throughout the three months prior to their Application and that they are likely to satisfy the criteria for six months after their application.

DLA is usually paid once every 4 weeks into the Applicant's bank, building society or Post Office account.

DLA Care Component

In order to qualify for the care component, the Applicant must need care, supervision or someone to watch over them because of their disabilities.

There is no lower age limit for the care component.

Amount

The care component is paid at three rates:

1. Higher rate

- To qualify for the highest rate, the Applicant must require frequent attention in connection with their bodily functions and/or continual supervision to avoid substantial danger to themselves or others throughout the day and during the night;
- The Applicant will receive £77.45 per week.

2. Middle Rate

- To qualify for middle rate, the Applicant must require frequent attention in connection with their bodily functions or supervision to avoid substantial danger to themselves or others throughout the day or night;

- The Applicant will receive £51.85 per week.

3. Lower Rate

- To qualify for the lower rate, the Applicant must require attention from another person for a significant proportion of the day or alternatively they cannot prepare a main cooked meal for themselves;
- The Applicant will receive £20.55 per week.

DLA Mobility Component

The mobility component is paid to Applicants who have difficulty walking. It is paid at two rates.

Amount

1. Higher Rate

- If the Applicant qualifies for the higher rate they will receive £54.05 per week;
- The Applicant must be aged 3 or over;
- To qualify for the higher rate, the Applicant's physical condition as a whole must be such that:
 - The Applicant is unable to walk; or
 - The Applicant is virtually unable to walk (the assessor will look at physical factors which restrict walking outdoors, such as distance, speed, time and manner); or
 - The exertion required to walk would constitute a danger to the Applicant's life or would be likely to lead to a serious deterioration in their health; or
 - The Applicant has no feet or legs; or
 - The Applicant is both deaf and blind; or
 - The Applicant is entitled to the highest rate care component and is severely mentally impaired with extremely disruptive and dangerous behavioural problems.

In relation to the walking test:

- It is the distance that the Applicant can walk outside until they have to stop because of the pain that is relevant, not the actual distance walked;

- If the Applicant can walk outside for more than 50 metres before the first stop, they will be unlikely to qualify for the higher rate.

2. Lower Rate

- If the Applicant qualifies for the lower rate they will receive £20.55 per week;
- The Applicant must be at least 5 years old to qualify;
- The Applicant's mobility problems must be due to a physical or mental disability;
- The lower rate is paid to Applicants who can walk outside but cannot generally do so unless accompanied by someone to guide or supervise them.

Future Changes

From April 2013 a new Personal Independence Payment (PIP) is intended to replace DLA for disabled people aged between 16 and 64. This is a non-means tested, tax free payment that Applicants can spend as they choose.

The Department for Work and Pensions will contact Applicants at that time to let them know when their DLA will stop as well as when and how to make a new claim for PIP. There is, however, no automatic right to PIP and entitlement will be based on the Applicant's personal circumstances and the impact any condition or disability has on their ability to live independently.

Other Benefits

The Motability Scheme

Motability is a voluntary organisation which helps people who receive DLA higher rate mobility component gain access to a car through either a hire scheme or hire purchase scheme. The Applicant must be receiving DLA mobility component for one year before they will qualify for the scheme.

Road Tax

The Applicant can apply for an exemption from Road Tax if they receive DLA higher rate mobility component. The vehicle will be exempt if it is used solely by or for the purpose of the disabled person.

Blue Badge Scheme

The Applicant can also apply for a Blue Badge which will allow the Applicant to park their car in most places without charge or time limit.

Effect on other Benefits

DLA is not means tested. It is paid on top of any earnings or other income the Applicant may have. DLA is completely ignored when the Applicant is assessed for Income Support or Pension Credit. DLA may increase the amount of other benefits the Applicant is entitled to. The care component may be taken into account in non-social security means tests such as charging for Local Authority care. The mobility component has specific protection against means tested.

Further Information

To claim:

Jobcentre Plus - 0800 055 6688
www.jobcentreplus.gov.uk

The Benefits Enquiry Line - 0800 88 22 00
www.direct.gov.uk

For help:

Citizens Advice Bureau - www.citizensadvice.org.uk
www.adviceguide.org.uk

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