

Derbyshire Welfare Rights Service

Disability Living Allowance - Under 16 Tips on completing the form

Disability Living Allowance (DLA) is a tax-free benefit and can be claimed for children under 16 who require a certain amount of personal care or have specific difficulties walking outside. The problems must be caused by either physical or mental disablement.

Please read this leaflet alongside our 'Disability Living Allowance for Under-16s' leaflet.

It does not matter how much money you have as DLA is not means-tested. You do not need to have paid any national insurance contributions.

If a child receives DLA it may increase the amount of some benefits received by the parent or carer. This can apply to:

- Income Support (if this is still received for the child)
- Jobseeker's Allowance (if this is still received for the child)
- Child Tax Credit
- Housing Benefit
- Universal Credit
- Council Tax Reduction

To give you the best chance of a successful claim, answer all the questions on the claim form as fully as you can. A number of them only require simple factual information. Others ask you to describe the difficulties you have and may be somewhat confusing.

Seek advice if you are not sure what to put. These notes follow the form dated July 2018, which is the most recent edition.

Terminal Illness

If your child has a terminal illness you should read the notes which come with the claim pack, headed 'Special rules', and tick the box on page 2 of the claim form. The special rules apply when someone may not have longer than 6 months to live because of their illness. If you have a DS1500 form from your doctor you do not need to answer all the questions on the form about personal care.

You will be entitled to the mobility component straight away as well, if you qualify for it, but you will need to complete the section about mobility needs.

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Pages 1 to 6

Factual information about your child including questions about hospital stays, residential college placements, if they have seen anyone apart from their GP (e.g. a specialist) in the last twelve months, plus information about their GP, the child's school or nursery: you can give the name of a teacher who knows your child well.

Page 7

This part allows another person who knows your child well to confirm their medical condition and level of need. It will help your claim if it is completed in a helpful way by someone involved with their care or treatment. However, if it isn't easy to get this section completed then send the form off anyway as it is not worth delaying your claim.

Page 8

Tick, sign and date to give consent for the people you have named to be contacted for information.

Pages 10-12

Try to list all your child's health problems and give as much detail as requested. Include a repeat prescription list if you have one and make sure it covers all current medication.

Don't forget to mention any medical equipment your child may use.

Pages 12-14

This section is the one that deals with the higher rate of the mobility component. It is asking questions about your child's physical ability to walk. They ask how far the child can walk before having to stop. There is no specific distance in the rules but you should bear in mind that you are unlikely to qualify if the child can usually walk more than about 50 yards. However, if s/he can do this, but walks very slowly or in a particularly difficult fashion you may qualify. Seek advice.

Pages 15-16

The questions on page 17 deal with the lower rate of the mobility component. They look at the difficulties a child may have when mobilising about out of doors, particularly in unfamiliar places. You should give an explanation of the difficulties your child would have if going anywhere unfamiliar. It is the 'supervision and guidance' the child needs that counts: and remember this is supervision and guidance over and above what you would expect to provide to a child of a similar age who does not have the disability/disabilities.

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Pages 17 to 32

These pages cover the care needs of the child, including information about their development. It is divided between day and night. This is because the middle rate of the care component is paid if the child needs sufficient care either during the day or during the night, while the higher rate is paid if sufficient care is needed both day and night. Therefore, they look at day and night separately. Night time is from when the household closes down for the night until it gets up, rather than the time the child is in bed. Sometimes this distinction can be a difficult one to make.

You should in bear in mind that the DWP will be considering any help that your child needs rather than the help actually provided. Therefore, on these pages you should record all the activities that are covered which your child finds difficult because of their disability.

It is important that you provide some explanation of the problems as well as completing all the relevant boxes. The more help needed the higher rate of DLA you will get. You should not assume that they will understand the help needed unless you have recorded it on the form.

If you need to supervise your child to prevent injury or accidents this will only count if you need someone around nearly all the time and the supervision is necessary due to their disability, not just because they are a young child.

For both personal care and supervision, only needs arising from disability will count. The care and supervision which you would normally expect to provide to a child of the same age is ignored.

Pages 32 to 34

These ask about your details as the person completing the form, and if you are getting or waiting to hear about Income Support or Tax Credits.

If you are waiting for a Universal Credit claim – the DLA form does not yet contain any reference to this new benefit. Use the 'Extra Information' section at page 36 to say you are waiting for a UC claim.

Remember that if a child gets DLA, it does not count as income for benefits, and may mean an increase in benefits payable for the child.

Page 35

Complete so that any benefit award can be put into payment.

Page 36

You can add extra information about your child's claim: anything you have not found space for in the small boxes on other pages should go in here.

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Page 37

Make sure you sign and date the form – the claim won't be valid if you don't.

After completing the form

If you have received your form from the Disability and Carers Service, return it to them as soon as possible as it is not possible to backdate a claim for DLA.

If you have received your form via Derbyshire Welfare Rights Service: when you have completed your form and signed the authorisation letter, please return it to our office in the prepaid envelope provided. When we get it, a Welfare Rights Officer will check through your form. If it seems there is enough information on it for your claim to be successful it will be posted (by recorded delivery) to the appropriate office of the Department for Works and Pensions (DWP). If, after checking your form, the Welfare Rights Officer thinks more information is needed they will contact you.

Even though we make these checks the DWP may telephone you to clarify details of your claim. If you are not confident about dealing with them over the phone then you should ask them to put whatever questions they want to put to you in writing. You may have to be a little firm but you are perfectly within your rights to do this.

If your claim is refused you should discuss this with us as we may be able to help you challenge the decision. We help people with hundreds of successful challenges every year.

If your child is about to become 16 – you may be requested to change the claim from DLA to Personal Independence Payment (PIP). You will receive a letter inviting you to claim – it is important to respond to this letter or you will lose benefit.

For advice and information about PIP and who needs to claim it, contact our Benefits Helpline.

Additional information can be found on our website, visit www.derbyshire.gov.uk/welfarebenefits

To keep up-to-date with benefit changes in Derbyshire go to
www.derbyshire.gov.uk/benefitnews

Benefits Helpline – 01629 531535 or email
welfarebenefits@derbyshire.gov.uk

Monday, Tuesday, Thursday, Friday

11.00am – 4.00pm