



Disability Living Allowance for
Children under 16 with visual impairment

Rates of Benefit

<u>Care Component</u>	
Higher	£64.50
Middle	£43.15
Lowest	£17.10

<u>Mobility Component</u>	
Higher	£45.00
Lower	£17.10

How To Claim

To obtain a claim form you can telephone 0800 882200.

DLA provides help with the extra costs of bringing up a disabled child. It is paid on top of almost any other income you may have, and also gives you access to other kinds of help.

There are two parts to DLA:

a **care component** – for children needing a lot of extra personal care, supervision or watching over because of their disability. This is paid at 3 different rates. It can be paid from the age of 3 months.

Disability living allowance may well be paid if your child needs extra attention than a child of the same age would normally need because he/she is blind or partially sighted.

The extra attention would be with the bodily function of seeing. This could be, for example, with describing TV pictures; with reading; with getting dressed properly; assistance when out of doors in being guided; assistance with hobbies. There may be many other examples each day when this type of attention would be needed and may well mean that your child would be entitled to the care component of disability living allowance.

a **mobility component** – for children aged 3 or over who cannot walk or have walking difficulties or who need extra guidance or supervision walking outdoors. It can also be paid to children getting the higher rate care component who are severely mentally impaired with extremely disruptive behaviour. It is paid at two different rates. The lower rate mobility component has an extra disability test for children under 16. This can only be paid for children aged 5 or over.

The lower rate of the mobility component is for people who can walk but who need someone with them to guide or supervise them most of the time when they are in unfamiliar areas. It is particularly aimed at people with visual impairments or learning disabilities, but others can also qualify.

For example a visually-impaired child may need such guidance or supervision.

Children under age 16 must also show that they need '*substantially more*' guidance or supervision than a child of the same age would require, or that a child of the same age would not require such guidance or supervision. Although most young children would need guidance or supervision in unfamiliar places, what matters is the nature and extent of your child's needs compared with another child of the same age. For example if a child has a lack of awareness of danger from traffic and other outdoor hazards, or could not give their name and address if they got lost, or would become disorientated or distressed, all these might suggest a need for guidance or supervision beyond that normally required.

Amount of disability living allowance – there are different levels of disability living allowance. The care component has three different levels. The lowest level is paid if your child needs a significant amount of extra help during the day. The middle rate is paid if your child needs frequent attention or continuous supervision with the bodily function of seeing throughout the day or night. The highest rate is paid if your child needs this help during both the day and the night.

If your child is already receiving disability living allowance, it would be possible to consider whether he/she should receive a higher rate of disability living allowance than they currently receive. You should be careful and take advice before deciding to ask for a new decision because the matter would be considered afresh and it would be possible to lose benefit as well as to increase the amount of benefit payable.

OTHER BENEFITS

Carers Allowance – If your child gets the middle or higher rate of DLA care component, you may get carers allowance (CA) for looking after her or him. CA is not means tested but if you are working, you must not earn more than £87 a week net.

Low Income Benefits – a child under 16 is dependent on you and cannot claim any benefits in their own right. If you as a family are entitled to income support, the fact that your child becomes entitled to DLA could increase the amount of benefit you are paid. If you are not in receipt of income support because your income is too high, you may become entitled to income support following an award of disability living allowance to your child. A carer premium would be added to your income support applicable amount if your child receives middle or highest rate care component of DLA.

Tax Credits – you receive a disabled child element or severely disabled child element (when highest care component awarded) if your child receives DLA.

Child Care Costs – working tax credit can include a tax credit of £175 for one child or £300 for two or more children.

You should ask for your benefits to be checked by an adviser if your child receives DLA. There could be an effect on all the benefits above and on any other means tested benefit, such as housing benefit or council tax benefit.

If you need adaptations in the home, you could request help from your Social Services or a disabled facilities grant from your local housing authority.

You can also have included in your income support assessment, interest on a loan used to adapt your home for the special needs of your disabled child. You should seek advice either from the local DSS office or from an independent adviser before you take out such a loan.

When your child reaches the age of 16 - he or she may well be able to claim incapacity benefit or income support if their disability means that they are unfit for work. You should seek advice about this in advance of your child reaching age 16 to check the options at that time.

Refused DLA care component? - if your child is refused the care component, or awarded only the lower rate, seek advice and ask for a revision or appeal. Even if you are not successful, you will get written reasons for that decision. These reasons may give you a clear picture of why the current claim failed. The reasons may also give you some idea of the type of changes which might lead to entitlement in the future. If s/he does not qualify now, s/he may well qualify at a later stage in childhood. The borderline between entitlement and non-entitlement and between the different rates, is always difficult to assess, so, if s/he has not been awarded the care component, it is sensible to seek expert advice, make regular claims, and if the claim is again unsuccessful, appeal.

APPEALS

If you are turned down it is always worth asking advice about an appeal. If you get a lower rate than you expected you should seek advice as you can lose what you already have. You have one month to appeal from the date of the letter telling you the decision.

Coventry Law Centre will advise you about appealing and may represent you at the hearing. The Law Centre offers free legal advice and representation.

You can contact the Law Centre for an appeal appointment on 024 7622 3053.

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