

Disability Living Allowance for a child under 16



Disability Living Allowance (DLA) is a benefit for children with disabilities. In order to qualify, claimants need to show that their child's disability means that they need care and/or have difficulties getting around.

Who can claim?

Your child must be under the age of 16 years old when you claim.

In order to qualify for either the care or the mobility component, you must be able to demonstrate that your child's disability or health condition meets at least one of the following requirements:

- they need more looking after than a child of the same age who doesn't have a disability.
- they have difficulty getting about.
- they must have encountered this for at least three months and expect it to last for at least six months. If they're terminally ill.

You must generally:

- need extra looking after or have difficulty walking
- be habitually resident in Northern Ireland
- be in Northern Ireland when you make the claim
- have been in Northern Ireland, Great Britain, the Isle of Man, Jersey or Guernsey for at least two out of the last three years (the period is 13 weeks for babies under six months old and does not apply at all for people paid under special rules)
- not be under immigration control

There are some exceptions to these conditions if the child is living or coming from another EEA country or Switzerland.

Will an award of DLA affect any other benefits?

No, it will not affect other benefits however it may mean you qualify for more Income Support, Housing Benefit or Work & Child Tax Credit. When calculating entitlement to these benefits Disability Living Allowance is normally ignored as income.

What if I have savings?

DLA entitlement is not affected by savings.

How long can I claim DLA for?

Some children are immediately awarded DLA until they reach the age of 16. In most cases, it is given for two or three years and then parents/carers need to re-apply if they feel their child still needs extra help (remember to keep a copy of your completed form to help the next time). It is worth persisting, and if necessary, appealing.

How do I apply?

A claim for DLA is made by sending for a 'Claim Pack' and completing an application form. There is one form plus guidance notes: Disability Living Allowance (DLA) child claim form and guidance notes – DLA 1A.

You can request a form by ringing the Disability Living Allowance Helpline - 0800 121 4600 (Mon - Fri 8am - 7.30pm).

Contact details for the Disability and Carers Service which administers Disability Living Allowance, Attendance Allowance, Carer's Allowance and Carer's Credit are below:-

Phone: 0800 587 0912
Text number: 02890 311 092
(for deaf and hard of hearing users only)

There is also a useful online service which you can use for information
www.nidirect.gov.uk/articles/disability-living-allowance-children

How you present your case is very important. The person who assesses your application is unlikely to have detailed knowledge of autism. It is important to give them as much relevant information as possible, including examples from your own experiences.

Always keep a photocopy of your claim if you can. It is a good idea to discuss completion of the form with an independent advice service prior to submitting your claim.

If a previous application for DLA has been submitted, it is worthwhile asking for a copy of this from DCS (Disability Carers Service) (and retaining a copy of any new form completed). This is helpful when completing a renewal / review as you can identify what information has stayed the same and also if there has been any changes, improvements or additional issues that needs to be highlighted.

How is DLA awarded?

DLA has two parts – the care component and the mobility component. You can claim either or both components depending on your needs.

DLA care is awarded at three rates – a higher rate, a middle rate and a lower rate. DLA mobility is awarded at two rates – higher rate and lower rate.

How much will I get?

(2023/2024 weekly rates)

Care component	Weekly rate
Lowest	£26.90
Middle	£68.10
Highest	£101.75

Mobility component	Weekly rate
Lower	£26.90
Higher	£71.00

These rates will normally change in April each year.

Carers' Allowance

If your child gets the middle or highest rate of DLA, then you may be entitled to Carers' Allowance. This is available for those who spend more than 35 hours per week caring for one person. Carers' Allowance is not available for those who earn more than £120 per week (after certain deductions).

What conditions does my child need to meet to qualify for the Care Component?

The Care Component

This can be paid once a child is three months old.

It must be demonstrated that the child's needs are "substantially in excess of the normal requirements of persons of the same age".

You need to show that your child has care needs as a result of a disability but also that these needs are more than a healthy child of a similar age would have. Care needs can be defined as "**attention**" or "**supervision**".

Attention is about needing help from someone else to do personal things that your child cannot do for him or herself.

Supervision is about needing someone else around to ensure that the risk of substantial danger is reduced. For example, caring for a child with autism can be extremely demanding. You may be needed at any time of day or night to help with washing, bathing or going to the toilet. Many children with autism have no sense of danger and need continual supervision to avoid injury to themselves or others.

Daytime conditions (Do not need to fulfill ALL of these conditions)

Your child must need frequent attention with bodily functions, such as getting up, washing, going to the toilet, dressing or eating for a significant portion of the day (about 40 minutes to an hour a day). This help may be needed for a single period or on a number of occasions during the day.

Your child must need continual supervision throughout the day to avoid substantial danger to her/himself or others.

This could include a lack of awareness of danger, such as limited understanding of the dangers of fire, gas or electricity. It can also include autistic meltdowns and epileptic fits. You will need to show the potential for danger is substantial and that supervision is needed continually.

Night-time conditions

Prolonged or repeated attention at night in connection with bodily functions. A 'prolonged period' is defined as at least 20 minutes. 'Repeated' is defined as more than once.

Prolonged periods of supervision, or supervision at frequent intervals, to prevent substantial danger to her/himself or others. Frequent intervals are defined as at least three times a night, though not necessarily at night.

A child may still qualify for the DLA care component even if they have a level of independence and ability to look after some of their own needs. However, this independence may only be achievable because there is a specific support network in place.

This support is still continual supervision and it should not be assumed that a person would not qualify in these circumstances.

Higher Rate Care

This will be awarded if the child requires attention/supervision both day and night, or they're terminally ill.

Middle Rate Care

This will be awarded if the child requires frequent attention, help or constant supervision during the day, supervision at night.

Lower Rate Care

This will be awarded if the child requires attention/supervision at certain times of the day. It is important to remember that your child will only be awarded DLA if you can show that his or her needs are much greater than other children of the same age and that those needs require substantially more supervision or attention.

Mobility Component

You can claim mobility needs from your child is aged three. The rate the child gets depends on the level of help they need getting about, for example:

- **Highest rate** - they can't walk, can only walk a short distance without severe discomfort, could become very ill if they try to walk or they're blind, severely sight impaired
- **Lowest rate** - from age five if your child can walk but they need help and or supervision when outdoors

It is quite common for children with autism to qualify for low rate mobility because the criteria relates to the sort of extra help that a lot of children with autism need. The criteria is set out in Social Security Law and is very specific. The Department for Work and Pensions and the appeal tribunals can only award the benefit if the child fits the criteria.

Do I qualify for Mobility Component of DLA?

You can claim the mobility component of DLA as soon as your child is three if they have walking difficulties outdoors. Many children with autism will need help and guidance when they are travelling on foot, especially along unfamiliar routes. Their progress may be severely hampered by obsessional behaviour, such as a need to touch car door handles, pick up stones or by an irrational fear of, for example, animals or crowds. They may suddenly become unable to move or they may walk off in the wrong direction or rush into the road.

My child can walk – how does this affect entitlement to the Mobility Component?

Many people with autism can walk, but still receive DLA mobility component because they cannot make good progress outdoors, unless helped by another person.

What happens when my child turns 16?

Until a child turns 16, the DLA care component will be paid to the parent or carer. When a child reaches 16 and they can manage their own affairs they are entitled to apply in their own right for PIP (Personal Independence Payment). Otherwise it can continue in the name of the parent/carers or any other named person.

If you feel the situation has not changed enough for this to happen, you should write and ask for a review.

Refused or low award – How do I appeal?

When the benefits office sends you a letter about the decision and if you disagree with it, you must usually ask Disability and Carers Service to explain it. This is formally known as a 'Mandatory Reconsideration' before you can appeal. This will enable them to explain or reconsider the decision.

If you're still unhappy with a reconsideration decision you can in most cases, appeal against the decision.

Appeal a benefits decision

Before you make an appeal, you must first ask the office that made the decision to formally reconsider it. This is known as a 'Mandatory Reconsideration'.

Following this, you will receive a copy of the Mandatory Reconsideration Notice. This letter or notification will confirm the office that has made the decision has looked at it again.

If you still wish to appeal against the decision following your Mandatory Reconsideration Notice, you must send your appeal to the Appeals Service. Information on how to appeal is normally included in the decision letter.

Timelines

There are time limits for Social Security Appeals, you have one month:-

- After getting a decision to ask for it to be explained, this is the 'Mandatory Reconsideration'
- Your appeal must be received by the Appeals Service within one month from the date of the Mandatory Reconsideration Notice
- A late appeal may be accepted if you have special circumstances that prevented you appealing in time, but not if more than 13 months have passed
- If your appeal is late, you must explain why. There is space on the form to do this

Information on how to appeal is normally included in a decision letter.

In most cases, it involves filling in the appeal form of the leaflet: 'If you think our decision is wrong' and posting it to the benefits office dealing with your claim.

Useful contacts

Autism NI

Knockbracken Healthcare Park
Donard Saintfield Road
Belfast BT8 8BH
Tel: 028 9040 1729 (Opt 1)
E-Mail: info@autismni.org
Web: www.autismni.org

Advice NI

(For details of your nearest)
1 Rushfield Avenue
Belfast, BT7 3FP
Tel: 028 9064 5919
Fax: 028 9049 2313
Freephone: 0800 988 2377
E-mail: info@adviceni.net
Web: www.adviceni.net

Carers Northern Ireland

58 Howard Street
Belfast, BT1 6PJ
Tel: 028 9043 9843
E-mail: info@carersni.org
Web: www.carersni.org
Carers Line: 0808 808 7777
(Wed & Thurs 10am – 12pm and 2pm – 4pm)

Employers For Childcare

Blaris Industrial Estate
11 Alton Road
Lisburn
BT27 5QB
Tel: 0800 028 3008
Web: www.employersforchildcare.org

Websites

www.adviceguide.org.uk

www.cerebra.org.uk (Parent Support)

www.cafamily.org.uk (Publications)

www.carersni.org

www.familyfund.org.uk

www.patient.co.uk/

www.nidirect.gov.uk/articles/disability-living-allowance-children



Autism NI is Northern Ireland's main autism charity and works to provide life-changing services for over 35,000 autistic people currently living in Northern Ireland.

Our work wouldn't be possible without the generosity of our supporters. Your donation can help us continue to provide invaluable autism services, and build an inclusive society where autistic people can reach their full potential.

To make a donation, please visit www.autismni.org or call us on **028 9040 1729**.

Autism NI

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