

## Top tips for increasing an award of DLA

Disability Living Allowance (DLA) is not 'means tested' or taxed. It is intended to help people who have an illness or disabilities and there are two components:

- Care component – which looks at whether personal care tasks are difficult for you
- Mobility component – which looks at whether mobility outside your home is difficult

Once you have reached State Pension age, you cannot increase any **mobility** award or claim mobility for the first time.

*If your date of birth is 9<sup>th</sup> April 1948 or after, asking DWP to look at your DLA award will trigger a claim for PIP instead. There is the possibility of losing any award you currently get – please get advice if this your situation.*

*If you use your mobility award for a Motability car, we urge you to be cautious regarding asking DWP to look at your DLA award again, as there is the possibility of losing any mobility award you currently get – please get advice if this your situation.*

You will need to convey in the form how, **if** you had someone to help you with personal care tasks, it might make it easier for you / cause you less pain / enable you to do it more quickly or prevent you from getting out of breath and needing to rest.

**But remember** – even if you say it would help to have someone, you do not have to have someone. The money that DLA awards you is to give you the **option** to get someone to help you if you wish. If you decide not to, then you can use the money for something else – it's not just help with personal care that can make life easier!

DLA Care Component is paid at three rates – lower rate if you have difficulties with preparing a main meal, middle rate if you have difficulties during either the day **or** the night, higher rate if you have difficulties during both the day **and** the night. The forms ask if you "need help to...", this doesn't mean you have to be receiving help but that you are having to do things in a different way compared to prior to any illness or disability and the strategies you use/the pain you endure etc. to enable you to manage a task.

**Important:** If you have care and support from Oxfordshire Social Services, then any DLA Care Component award you get may have an effect on your contribution towards your care. You will need to tell the County Council if you start to get DLA or if your award changes.

- If you have difficulties doing non-personal activities like shopping, cleaning and gardening you may actually have difficulties with personal tasks too – think of the range of movements needed and relate them to personal tasks.
- Supervision – needing **continual supervision** (nearly all of the time, not just for certain tasks) because you have a medical condition that rapidly changes is another way of qualifying for DLA
- . You may qualify if you are at risk of injury/accidents because of confusion/memory loss or if you have fits or seizures that are not well controlled by medication, or you may have suddenly lost your sight and be finding it difficult to adjust.
- It may be useful to keep a diary of the tasks and difficulties experienced for a day or two before filling in the forms. Try to think about what it would be like if you had someone to help you (see the end of this tips sheet for an example of a care diary)

- If you are filling in the form for a relative/friend but they are able to sign it themselves then it would normally be done in the first person (“I”). If you have an Appointeeship or Power of Attorney (POA) for them then it can be in the third person (“they”) and signed by the Appointee or POA. An exception to this is if the person is terminally ill, when anyone can apply and sign on their behalf.
- If you are filling in your own form – take your time
- Order the form by calling 0800 731 0122 (you will usually have to press option 3 “calling about Disability Living Allowance”).

**Below is a list of personal care tasks that should be the focus of your claim**

You need to show that you need help or encouragement at frequent intervals during the day (frequent or prolonged at night) with the following activities, or show that you need continual supervision to prevent substantial danger to yourself or others. Think about whether you are in pain or breathless during any of the following activities, if so, describe which part of your body is in pain and whether you have to stop to rest/catch your breath – how many times/for how long? Does someone need to encourage or remind you to do things? Also think about any special techniques or tricks that you use to help you overcome any difficulties.

**Always use the extra space to describe more about your difficulties, don’t just tick the boxes, and don’t worry about repeating yourself.**

- **Getting in/out of bed.** Do you need to sit on the side of the bed first, lift legs in/out with you hands, steady yourself on furniture, and have someone help you into a comfortable position? Are your joints particularly stiff in the mornings? What if you get up at night? Do you get up thinking it is morning when it is not? Does your condition make you restless, do you need help to fetch bedcovers from the floor at night? Do you need to be encouraged to get up in the morning?
- **Toileting.** Is your only toilet upstairs, is it easy to get out of your chair or do you have to push yourself up a few times before you are standing up and ready to go up the stairs etc., can you get on/off the seat without help from someone or something (rails/sink edge), does this hurt your arms/shoulders/back? Do you need to get up more than once a night? Do you need reminding or encouragement to go to the toilet? Can you undress and dress yourself when you go to the toilet?
- **Washing/bathing/showering.** Can you get in/out of the bath, do you have a strip wash instead, can you reach to wash your feet/ cut toenails, do you struggle to wash your hair – do you go to the hairdresser instead? Can you reach to wash your back? Can you grip the toothbrush to brush your teeth/razor to shave? Do you need reminding or encouraging to bathe, and wash yourself or brush your teeth properly?
- **Dressing/undressing.** Do you struggle to get things over your head/feet; do you opt not to wear things that need you to do this? Are buttons/laces/buckles tricky? Does it take longer than 10 minutes to dress; do you rest and then carry on? Do you have to sit on the bed to get dressed? Do you get dizzy when bending down to pull on socks/shoes/trousers, can you reach (without pain) to get items over your feet/head? Perhaps you need encouragement to get dressed or help to choose the right clothing according to the weather? Do you need help to get clothes on in the right order, or to find clothes that are clean or match?
- **Getting in/out of a chair.** Is it difficult to pull yourself out of a chair, drop down into a chair, do you get ‘stuck’ if you sit for too long and need someone to pull you up? Does the action of pushing yourself up hurt your hands/arms/shoulders/back? Do you need reminding or encouraging to get up and move around regularly?

- **Stairs.** Do you experience pain when climbing stairs; do you go up one step at a time, come down on your bottom, rest part way up or when you get to the top, need someone behind you to reassure you about falling? Do you forget where the stairs are at night? Have you ever fallen or stumbled on the stairs?
- **Mealtimes.** Is it difficult gripping a knife and fork in order to cut food such as meat, do you make meals without pieces of food that need excessive force to cut? Is it difficult to clear up spills from the floor that you may slip on? Can you see if you have spilt food on your clothing? Do you need reminding to eat and drink regularly or help to identify food that is in date? Would it cause danger to you if you attempted to use the cooker unsupervised?
- **Tablets/medicines.** Do you find it difficult to remember all your medication, to open packets or split tablets in order to have half? Do you need someone to remind you or encourage you to take your medication and keep your condition stable? Would you take the incorrect dosage if unsupervised? Do you need help with dropped or split medication?
- **Seeing/hearing.** Is it tricky to see labels on food, markings on the cooker, read letters, and see how full a cup is or where food is on a plate, or to write? Is it difficult to hear people on the telephone or at the door? Does someone take messages for you? The RNIB has a very good checklist to consider when completing a form for people with sight difficulties. Call 0303 123 9999 for a copy.
- **Communicating.** Do you need someone to interpret, sign or write for you, do you need someone to work out the meaning of official letters with you? Do you forget the words that you want to use and find it hard to communicate effectively with others? Do you find it hard to understand and hold onto the meaning of what someone is telling you?
- Do you find yourself getting aggressive with other people or agitated and anxious unless you have someone you trust with you?
- **Hobbies and social or religious activities.** If you were able to get help, what activities would you like to take part in and what help would you need? These can be at home or in the community. Do you need help to find the right CD in order to listen to music or someone to read the paper to you or explain what is happening in a TV programme? Do you need help to get changed at the swimming pool? Do you need help to get up steps at your place of worship or to get in/out of chairs at a social club? Do you need help to recognise friends and acquaintances, or recognise who is talking in a group?
- **Night time** (once the household has gone to bed). Do you wake up in pain often at night or for prolonged periods of time? Do you have cramp at night that keeps you awake/makes you uncomfortable? Does someone have to get up to help you at night? Do you need to change your clothing or bedding at night – does it take more than 20 minutes each time? Can you find your way back to bed from the bathroom, do you end up wandering?
- Do you get anxious or scared; do you worry a lot and find that this stops you from doing things? Do you need to be reassured regularly?

When thinking about all these things, imagine how it would be if you had someone helping you, maybe someone to lean on when dressing would help you balance your weight and make your joints less painful. If someone is already helping you describe what they do and why it makes it easier/less painful for you.

### Useful phrasing:

Due to ... (illness) I find it difficult to... (personal care activity) without... (description of help/description of pain caused/description of 'trick' used to do it/number of rests needed/time taken to rest/ length of time for whole activity etc.).

My... (person who helps) helps me to... (activity) because my... (illness) makes this too... (description of breathlessness/pain/length of time taken etc.).

### **What to do if your claim is turned down:**

If you feel that the DWP may not have made the right decision, you will have to start by asking the DWP to look at their decision again ("mandatory reconsideration") or to reapply. If the DWP 're-consider' your claim and turn you down again, you can apply directly to an appeal tribunal if you wish.

**Mandatory Reconsideration:** Call the number on your decision letter **within 1 month** of the date on your decision letter. The DWP office that dealt with your claim will get a different decision maker to look at your claim. You can submit more information at this point if you feel you may have missed something out. You will need to explain why you think the benefit should be paid or a higher rate given.

**Appeal:** You will need to complete the form SSCS1 within 1 month of the date on your mandatory reconsideration notice letter. An independent tribunal will look at your claim. It is helpful to submit further information to support your claim such as; a letter from your doctor or social worker or your care diary, and you will need to explain why you think the benefit should be paid or a higher rate given.

**Reapply:** It is possible to re-apply straight away if you decide not to appeal, but you may feel that you need some time to think about the difficulties you have and perhaps keep a care diary for a couple of weeks.

### **Further information: Not sure what to do next?**

The **Helpline at Age UK Oxfordshire on 0345 450 1276 between 10am and 4pm** can offer advice on all aspects of DLA; please contact us for further assistance.

For more general information about DLA please see our Fact sheet 87: "PIP and DLA" - ring us for a copy or download it from: [www.ageuk.org.uk](http://www.ageuk.org.uk)

#### Example of a care diary for one day – arthritis (hands and knee) and mild memory loss

4am – wake up cold - struggle out of bed to fetch duvet from floor. Had to lift my legs using my hands to get back into bed.

7.30 – Got up - used bedside table to push up to standing, nearly fell. Bathroom - used sink to push up to standing from toilet. Noticed my wrist aches when I do this.

7.50 – Dressing - took 40 minutes. Sat down to put on trousers, struggled to reach to put on socks. Gave up and stayed just in slippers. Struggled with buttons on my blouse.

8.30 – Breakfast. Struggled to grip kettle – dropped it in the sink when filling it, tried again. Sat down without getting a spoon – used table to push up to standing (wrist ache again).

11.30 – Suzy rang to check I'd had some breakfast today. Reminded me to take my tablets – fiddly dosset box lid wouldn't open, took 3 tries to get it open.

12.30 – Took two tries to get out of my chair to go and make lunch. Cup slipped in my hand and spilt juice on my trousers. Took 15 minutes to change.

4pm – Cup of tea – struggled to grip kettle again. Nearly knocked over cup when half full.

10pm – Suzy rang again to encourage me to go to bed and not sleep in the chair. Struggled to grip banister. Shuffled up stairs on my bottom as it felt safer (wrist and shoulder ached by the time I got to the top) rested twice on the way.