

ATTENDANCE ALLOWANCE

Durham
County Council



Many older people find that they are no longer as fit and well as they used to be, without thinking of themselves as disabled. You may have ill health or a physical or mental health problem that means you cannot manage like you used to, or find it difficult living alone.

Attendance Allowance (AA) is a tax-free benefit for people aged 65 and over who need help with personal care or watching over to keep safe. You must have had your current needs for 6 months in order to qualify. It is not means-tested and it could also increase your entitlement to Pension Credit and Housing and Council Tax Benefit.

You can get Attendance Allowance even if you live alone and no one looks after you. You don't need to be registered disabled. It is also entirely up to you how you spend any money you are awarded.

Attendance Allowance is paid at two rates:

Lower rate £55.65 per week

This is awarded if you need help with personal care or supervision during day **or** you need for help with personal care or supervision during the night.

Higher rate £83.10 per week

This is awarded if you need help with personal care or supervision during the day **and** the night.

The help you need usually has to be required regularly throughout the day, not just morning or evening. The help at night usually has to be needed for 20 minutes or more or it must be a repeated need. Supervision means someone is checking on you throughout the day, and for the night it means someone has to be awake to check on you.

To get AA you do not have to show that you actually get (or want) the help; just that it is reasonable for you to have it. For example if a task causes you pain or breathlessness, makes your condition worse or you need to rest afterwards, help is reasonably required. Prompting or reminding to do things can also count as help. For example, if you need someone to motivate you to get up or remind you to have a wash.

Remember, it is not your medical condition itself that will entitle you to AA, but how it affects your day to day life and ability to care for yourself effectively.



Welfare Rights Service
Revenues and Benefits
Durham County Council

www.durham.gov.uk/welfare-rights
welfare.rights@durham.gov.uk

Getting a claim pack

To get an application pack is to make a freephone call to the Benefits Enquiry Line on 0800 88 22 00 and ask them to send you an Attendance Allowance claim pack.

A claim pack will be sent out and will be date stamped. If you return the form within six weeks the date of claim is taken as the date the claim form was requested.

You can also download the claim pack from http://www.dwp.gov.uk/advisers/claimforms/aa1a_print.pdf, but bear in mind that if you do this the form will not be date stamped, so your date of claim will be the date the completed form is received by the DWP office.

Filling in the claim pack

Questions 1 to 11

These are personal details about yourself and your residence in the UK. You may prefer not to provide a telephone number. This is your choice, but you may wish to give reasons, for example if you get anxious or confused when telephoned and asked questions by people you do not know.

Question 12—Special Rules

This question applies to people who have been given a terminal diagnosis for their illness and where death can reasonably be expected within 6 months.

In such a case a medical professional will provide a form DS1500 and your application will be fast-tracked with an automatic entitlement to higher rate AA.

Question 13

Only complete this if the person who is claiming cannot sign the form themselves for one of the reasons specified. If they know you are writing and they sign the form, you do not need to complete this section.

Question 14

List here all of your illnesses and disabilities in the boxes provided.

Questions 15, 16 and 17

These are about health professionals involved with your care. These people may be contacted by the decision maker whilst considering your claim.

Question 18

This needs to be signed to give the people involved in your care permission to provide extra information if requested.

Question 19

This asks about any medical reports you may already have from health professionals involved with you. If you do have these, it is a good idea to send a copy of them with your claim form. This can add weight to the statements you make in your form and may give you a faster decision on your claim.



Questions 20 to 25

If you have had any surgery, or medical tests, or have had aids or adaptations in your home, give details here. It is important to explain if any of the adaptations have helped, or if they are not particularly useful for you.

Questions 26 to 39

These are the questions that address difficulties you have during the daytime. Answer each question in turn giving as much detail as you can, even if you find it embarrassing.

Remember that the person making the decision on your claim does not know you, so you must give as much information as you can, including what causes the problem, what the problem is, and how you manage to cope. There may be some repetition but it is worth adding notes to every question to give plenty of detail about the problems you have.

Also bear in mind that help with housework and domestic tasks does not count as personal care for Attendance Allowance.

Questions 40 to 43

These deal with your needs during the night, after you have gone to bed. If you usually go to bed and sleep right through until morning you will not need to answer these questions.

Question 44

This gives extra space to write if you ran out earlier answering any of the questions. Use it if you have more to add.

Questions 45 and 46

These asks for details of stays in hospital.

Question 47

If you are receiving Constant Attendance Allowance you must tick the appropriate box. This will affect your entitlement.

Question 48

You need to provide your bank or building society details here.

Question 49

This is space for an optional statement from someone who knows you. If you cannot get this filled in, don't worry: just send the form in with this section blank. It is important not to delay returning your form as you may lose some backdated money.

Question 50

Provide an extra information you wish to add here.

Question 51—Declaration

This is for your signature. If you do not sign here the form will be returned to you. This will delay processing your claim, so do remember to add your signature to this box, to date it, and to print your name underneath.

If you are sending any medical reports or prescription lists, note them in the box in the 'what to do now' section below the declaration.



Question 52

List any documents you are enclosing with the claim form here.

The decision

If you are unhappy with the decision on your claim you can ask for it to be reconsidered. You can request a reconsideration over the phone or in writing within 1 month of the date on the decision letter. If you request it over the phone it might be a good idea to follow this up in writing, sending in any evidence you think might support your claim.

Once the decision maker has completed the reconsideration you will receive a new decision. You should receive two copies of the new decision notification in the post and also a letter explaining that if you are still unhappy with it you can appeal. An appeal form (SSCS1) should be included with the decision. You have one month from the date on the decision in which to use this form to appeal against it.

If you are a resident of County Durham the Welfare Rights Service can give you advice on how to appeal, and we might be able to represent you at an appeal hearing.

If you would like advice about appealing a decision please contact us by any of the methods given below. ■



Need more advice? CONTACT WELFARE RIGHTS:

By telephone:

Advice Line
03000 268 968
9 am – 12 noon

By email:

welfare.rights@durham.gov.uk

By post:

Welfare Rights • Durham County Council • Revenues and Benefits • PO Box 254
Stanley • County Durham • DH8 1GG

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