



advice and support for older age

**Independent
Age**

Factsheet

Disability benefits: Attendance Allowance

Attendance Allowance is a non means-tested benefit for people who have long term physical or mental health problems. This factsheet explains who can apply for Attendance Allowance and how to do it.

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Independent Age provides advice to help people claim benefits, access social care and stay independent at home. Our local volunteers provide friendship visits and calls for lonely older people. To find out how Independent Age can help you, call us FREE on **0800 319 6789** or visit **independentage.org**



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1. What is Attendance Allowance?

Attendance Allowance is a disability benefit for people aged 65 or over, who have a long term illness or disability and need frequent help with personal care or need regular supervision.

Help with personal care means that you need assistance with daily living tasks, such as:

- getting dressed or undressed
- washing
- getting in or out of the bath
- eating
- taking medication
- going to the toilet
- getting in or out of bed

You may need regular supervision because you could cause harm to yourself or others around you. For example, this could be the case if you forget to take your medication or turn off appliances, you get confused or wander, or you have fits, seizures or falls.

2. Who can claim Attendance Allowance?

To claim Attendance Allowance, you must:

- be aged 65 or over
- have needed help with personal care or regular supervision from someone else for six months before you claim. It doesn't matter whether or not you actually receive this help or supervision. If you have a terminal illness, you can claim straight away (see chapter 7).

Good to know

If you are nearly 65, you should claim Personal Independence Payment (PIP) and not wait to claim Attendance Allowance. PIP looks at your mobility needs as well as your care needs, so you may find you're eligible for more money with PIP than you would be with Attendance Allowance. You must start claiming PIP before the age of 65, but you can continue to receive it beyond the age of 65. See our factsheet **Disability benefits: Personal Independence Payment and Disability Living Allowance** (independentage.org).

3. How much is Attendance Allowance worth?

Attendance Allowance is paid at two different weekly rates. How much you receive depends on the level of care you need:

- Lower rate – £55.10 per week if you need care or supervision during the day, or need prolonged or repeated attention or watching over during the night
- Higher rate – £82.30 per week if you need care or supervision during the day **and** night

This benefit isn't means-tested, which means it can be claimed regardless of your income and savings. It is tax-free and is not based on National Insurance contributions. Attendance Allowance is paid by the Department for Work and Pensions (DWP).

If you claim Attendance Allowance, you can spend the money on whatever you need; it does not have to be spent on your care needs. You do not need to have care workers, relatives or neighbours visiting you – you can claim even if you live by yourself and receive no outside help.

4. Examples of who can claim Attendance Allowance

Mrs Beasley's story

Mrs Beasley, 72, lives alone and had a heart attack several years ago. She has become increasingly forgetful and has started to forget when she needs to take her heart medication. Sometimes she misses a tablet, other times she takes too many tablets.

She needs to be reminded to eat and drink and often gets confused. She also forgets to turn off appliances. Her daughter has to remind her of any hospital appointments she has to attend.

David's story

David, 93, is frail and neglects himself. He needs prompting to eat, drink, wash or change his clothes. He has stopped using his bed and sleeps in his clothes sitting in his armchair. His ankles are swollen and he has sores breaking out on his legs.

Joan and Carol's story

Joan and Carol are sisters living together. They are both in their 80s and each receive Pension Credit. Joan has arthritis and needs help with daily tasks including getting dressed and getting into and out of bed. Over the last couple of years, Carol has become forgetful and may be developing dementia. She needs to be supervised because she sometimes wanders off or forgets to turn off appliances. Joan and Carol can both claim Attendance Allowance because they both need help with personal care. As they get Attendance Allowance, their Pension Credit is also increased, through the Severe Disability Addition. They also each claim Carers Allowance, as they are looking after each other for over 35 hours a week. This also

increases the amount of Pension Credit they get, through the Carer Addition.

5. How to claim Attendance Allowance

You can claim Attendance Allowance by filling in form AA1A from the Department for Work and Pensions (see chapter 6 for advice on filling this in).

You can get a claim form by phoning 0345 605 6055 (text phone 0345 604 5312), or you can download a form from the government website (gov.uk/attendance-allowance).

Attendance Allowance cannot be backdated, but if you order a form over the phone your claim will start from the date of your call, rather than from the date you return the completed form. You have six weeks from the date stamped on the form to complete and return it.

Getting help to claim

If you are filling in the form yourself and want some assistance or advice, your local Age UK (0800 169 2081, ageuk.org.uk) may be able to help you complete it.

If you cannot manage your own affairs or you are confused, someone else – a relative, carer or friend – can make a claim on your behalf. There is a section on the claim form to fill in if you are claiming this benefit on behalf of someone else.

6. Filling in the form for Attendance Allowance

Your claim form is usually the only information the Disability Benefits Centre has about you in order to reach a decision about whether you qualify for Attendance Allowance. This means it's important to give as much detail about your difficulties as possible, to provide a clear picture of the problems you have. Try to provide additional information describing your difficulties in the white box at the end of each question that applies to you.

If you have difficulties with any of the following activities you may be able to claim Attendance Allowance. These should be described in detail on the claim form:

- getting dressed or undressed
- getting in or out of the bath
- washing, shaving or brushing your teeth
- going to or using the toilet
- dealing with incontinence
- taking medication or receiving medical treatment
- walking around your home, standing or using stairs
- sitting down or getting out of a chair
- getting in or out of bed, or turning over in bed

OR

- you are unsteady on your feet
- you have falls
- you cannot see or hear very well
- you get confused or suffer from anxiety
- you are prone to seizures or dizzy spells
- you find it difficult to control your behaviour
- you forget to take your medication or take too much
- you cannot be left alone
- you forget to turn off appliances, lock doors etc.

If you have a visual or hearing impairment, it could also cover needing help to read post, answer the telephone or communicate with others.

Tips for filling in your form

- Keep in mind that a medical diagnosis alone will not entitle you to Attendance Allowance. If you have a medical condition or diagnosis, you should give its medical name (if you know it), but most importantly you should explain how this affects your day-to-day life and what personal tasks you have difficulties with.

Good to know

Don't assume that the decision-maker knows about your condition or understands its symptoms and how it affects you. You know your situation best.

- You should answer as many questions as you can. Give lots of description and detail about your personal care needs, even if you think it may seem trivial or embarrassing. It will make a lot of difference to your claim.
- Don't mention the help you need with household tasks, such as cleaning the house, shopping or gardening. These tasks will not be considered and may distract from your personal care needs, which do need to be considered.
- Include the time it takes you to do specific activities and how much help you need with them, even if there is no one to help you.
- Ask an advice service (such as your local Age UK) to help you fill in the application form. Some people find that as they have lived so long with their health problem, it's easy for them to overlook or underestimate their difficulties. It can be useful to have someone else's view.
- It may be helpful to keep a diary of what problems you have and the help you need over the course of a week. You might find you forget about difficulties with tasks you don't do every day.

- Remember that the decision-maker is interested in what you can't do, not what you can do. If you struggle to do things, find them painful or it takes you a long time, you should emphasise this on the form.
- Do explain what happens when you don't receive the care you need, especially if this has left you at risk or struggling to manage in the past.
- Some days you may be able to do more for yourself than other days, but it is important not to fill in the form as if it was one of your best days. Complete the form with details of the help you need on an average day (i.e. most of the time)
- Give examples of your difficulties, such as when you have fallen or hurt yourself. It can be useful to include supporting letters from your GP or your consultant.

It is important to provide your GP's contact details and permission to contact them, or it may delay your claim.

- If there are things you avoid doing because they are difficult for you – for example, you avoid wearing shoes with laces because you cannot bend down to do them up – put this on the form.

7. How long until I start receiving Attendance Allowance?

Usually your form is all that is required; occasionally, you may need a face-to-face assessment or your GP might be asked for more details.

You should be notified in writing of the result of your claim within two months. If you've been awarded Attendance Allowance, you'll be told the rate that you are eligible for.

If you have a terminal illness

There are special rules to speed up applications for people with progressive diseases whose life expectancy is not expected to be more than six months. These claims should be dealt with within 15 days without the need for a medical examination. You can claim immediately – you don't need to have been ill for six months before applying.

Your doctor or consultant should complete a DS1500 form, which provides information about your condition to be able to process your application under the special rules. You will also need to fill in some parts of the Attendance Allowance claim form and tick the box that says you are claiming under the special rules. You will automatically be awarded the higher rate of Attendance Allowance from your date of claim.

If you are caring for someone who is terminally ill but doesn't know how seriously ill they are, you can claim on their behalf, but make sure you tell them that a claim for Attendance Allowance has been made. This is because the DWP may need to contact them to verify their details; the decision will be sent to them; and payments will be made directly to them.

There will be no indication on their award letter of their prognosis.

8. If you're turned down for Attendance Allowance

Many claims fail on first application but succeed on reconsideration or appeal, so don't give up. If your claim is refused, the reason for this should be explained in the decision letter. If you disagree with the decision or want a fuller explanation, follow the points below. It's a good idea to get advice first; ask Independent Age (0800 319 6789, independentage.org) or your local Age UK (0800 169 6565, ageuk.org.uk)

If you'd like more information about why you were turned down, contact the Department for Work and Pensions (DWP) and ask for an explanation of the decision. Their contact details should be on the decision letter.

1. You can ask the DWP to send you the explanation in writing. They should do this within 14 days.
2. If you're not satisfied with the explanation, ask for the decision to be reconsidered. To do this, write to the DWP and ask for a 'mandatory reconsideration'. You'll need to do this within one month of receiving the original decision letter, or within one month and 14 days if you asked for a written explanation. You should:
 - Explain why you think the decision is wrong, for example, that you've underestimated your disabilities and the care you need
 - Include any evidence you have to support what you are saying, such as a supporting statement from your doctor

You could ask for a copy of the evidence they used to make the decision, and ask them not to take any further action until you have received all the evidence, read through it, and sent in your comments.

3. Your case will be considered again, usually by a different person.
4. You'll be informed of the outcome of the reconsideration in writing with a 'mandatory reconsideration notice'.

Appealing a decision

You can only appeal once you've received a mandatory reconsideration notice. You have one month from the date on it to make an appeal.

To appeal:

- Get a SSCS1 form from HM Courts and Tribunals Service (0300 123 1142, Gov.uk). When filling in the form, you might want to get help from an advice organisation, such as your local Age UK (0800 169 6565, ageuk.org.uk).
- Return the completed form with a copy of the mandatory reconsideration notice within one month. You should get an acknowledgement letter when it's been received.

You may be sent an enquiry form asking about your needs for the appeal hearing, which must be returned within 14 days or your appeal may be cancelled.

You'll then be told the date of your appeal hearing. The hearing will decide your appeal and it is best if you attend. You can also arrange for a representative to attend with you.

If your appeal or request for a mandatory reconsideration is successful, the DWP will backdate your award to the date of the original claim.

9. How Attendance Allowance affects your other benefits

Attendance Allowance won't reduce income you receive from other benefits. In many cases, being awarded Attendance Allowance can mean you are entitled to a higher rate of benefits such as Pension Credit, Housing Benefit or Council Tax Support, or that you become eligible to receive these benefits. This is because receiving Attendance Allowance can increase your 'appropriate minimum guarantee' – the minimum amount of money the government says you need to live on each week.

If you're awarded Attendance Allowance and you're already receiving Pension Guarantee Credit, Housing Benefit or Council Tax Support, you should inform the Pension Service (0345 6060 265, gov.uk/contact-pension-service) and your Local Authority housing and Council Tax benefit office straight away.

To do....

If you're awarded Attendance Allowance and do not already claim Pension Credit, Housing Benefit or Council Tax Support, you should check whether you are now eligible for these benefits. Contact Independent Age (0800 319 6789, independentage.org)

Benefits for carers

If you have a friend or family member caring for you and you're awarded Attendance Allowance, then your carer may be entitled to claim Carer's Allowance. But it's important to note that if your carer claims Carer's Allowance, it can affect both their benefits and yours, so it's a good idea to get advice before they make a claim. For further information about Carer's Allowance, read our free factsheet **Carers: What support is available?** (0800 319 6789, independentage.org). To obtain a claim form (DS700), contact the Carer's Allowance Unit on 0345 608 4321.

10. If your situation changes

If you currently receive the lower rate of Attendance Allowance but your care needs have increased, you may be entitled to the higher rate. To qualify for this, you need to show that you have care or supervision needs during the day and need prolonged or repeated attention or watching over during the night.

You should contact the Disability Benefits Centre dealing with your benefit and ask for your claim to be looked at again. You will be asked to complete a form giving details of how your needs have changed.

You need to show you have had additional care needs for at least six months before you apply for the higher rate of Attendance Allowance (although you can apply for the increase before the six months are up).

If you apply for your Attendance Allowance to be looked at again, the decision-maker may look at your whole award and could decide to keep your existing rate, or stop your award completely. For this reason you may wish to ask for advice before doing this. You can contact Independent Age (0800 319 6789, independentage.org) or your local Age UK (0800 169 6565, ageuk.org.uk).

11. If you go into hospital

Attendance Allowance stops after 28 days if you're admitted to an NHS hospital. It will restart when you return home. You need to let the Disability Benefits Centre know the date you go into hospital and then tell them the date you're discharged.

If you don't tell them, you may be overpaid and have to pay back the money you owe. If someone receives Carer's Allowance for looking after you, their benefits will also be affected, so they should let the relevant offices know.

If you go back into hospital after being at home for less than 28 days, the two (or more) hospital stays are added together and your Attendance Allowance will stop after a combined total of 28 days. You will still be paid for the days spent at home in between the hospital stays.

If you weren't already receiving Attendance Allowance before going into hospital, you can claim while you're in hospital. If you qualify, you won't receive a payment until you return home.

12. If you go into a care home

If you go into a care home, your Attendance Allowance may continue or stop, depending on who pays your fees:

Situation	Will I be paid Attendance Allowance?
If you receive help towards your fees from your local council	Your Attendance Allowance will stop after 28 days
If you pay your own fees	Your Attendance Allowance will continue
If the NHS pays your fees (NHS Continuing Healthcare)	Your Attendance Allowance will stop after 28 days
If you have entered into a deferred payments arrangement with your council (where they cover the costs of your care while your property is being sold and claim back the costs later)	Your Attendance Allowance will continue

13. If you go abroad

It's sometimes possible to continue to receive Attendance Allowance when you go abroad, but this is a complicated area and you should get advice from the Attendance Allowance helpline (0345 605 6055).

Generally speaking, you can keep claiming Attendance Allowance if you're going abroad for up to 13 weeks.

If you go abroad for medical treatment, you can continue to receive Attendance Allowance for up to 26 weeks. You should talk to the Department for Work and Pensions (DWP) in advance to discuss your situation.

Moving abroad

You may be able to continue receiving Attendance Allowance if you move to another country in the European Economic Area (EEA) or Switzerland. You will need to contact the DWP to check whether you qualify.

If you move to a non-EEA country, your Attendance Allowance will stop.

For more information about benefits abroad, see our factsheet **Moving to and returning from abroad: benefits and services** (0800 319 6789, independentage.org).

14. Useful contacts

Attendance Allowance helpline Telephone: 0345 605 6055
Textphone: 0345 604 5312

Or you can write to:

Attendance Allowance Service Centre, Warbreck House,
Warbreck Hill, Blackpool, Lancashire, FY2 0YE

For more information about Attendance Allowance or to
download an application form, visit gov.uk/attendance-allowance.

This factsheet has been put together by Independent Age's expert advisers. It is not a full explanation of the law and is aimed at people aged over 60.

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