

# Attendance Allowance

April 2018

Factsheet 4

**Attendance Allowance (AA) is a benefit for severely disabled people age 65 years or above, who need help to look after themselves.**

AA is a tax-free benefit administered by the Department for Work & Pensions (DWP) and is paid in addition to most other benefits. It does not matter how much other income or savings you have and it does not depend on your N.I. contributions.

You can claim AA online by going to [www.gov.uk](http://www.gov.uk). If you want help to complete the form you can phone Attendance Allowance on 0800 731 0122, however it is important to read this factsheet first so that you know what information to give. It helps to keep a diary of your needs as often people underestimate the help they need and the time it takes to do things for themselves. It is vital to give as much detail as you can so that your claim has a better chance of success.

This factsheet is designed to help you fill in the AA1A claim form dated July 2017. We suggest that you read this alongside the form, as it explains the information that you need to provide.

At the end we advise you what to do if your claim fails.

## How much Attendance Allowance do you get?

- Lower rate £57.30
- Higher rate £85.60

You will get the lower rate if you need help during the day **or** the night. The higher rate is paid if you need help both during the day **and** during the night.

You have to show that you have frequent care needs throughout the day or the night or that you need continual supervision because you are a danger to yourself or to others, this could be because you are not aware of common dangers or you self harm or have suicidal tendencies.

## Filling in the Form

The first part of the form deals with factual information about you. This includes questions about your presence in the UK. In order to claim AA you usually need to have been living in the UK for at least 2 out of the last 3 years. You also have to be habitually resident in the UK.

Question 14 asks about your illness and disabilities and what treatment and medication that you are receiving. Write down **everything** that is wrong with you, not just the main problem. Give as much information as you can, particularly the medical name for your condition if you know it. It is also important to list the medication you take, what strength or quantity it is, and how many

### Welfare Rights Team

Revenues & Benefits  
Brighton & Hove City Council  
1st Floor Bartholomew House  
Bartholomew Square  
Brighton  
BN1 1JE

Advice Line: 01273 291116  
(Monday 10am -1pm)

Email: [welfarerights@brighton-hove.gov.uk](mailto:welfarerights@brighton-hove.gov.uk)

times a day you take it. The Decision Maker who decides your claim can learn a lot about your condition from these facts.

Questions 15 -17 ask you to give details of the health professionals involved in your care. There is an expectation that you are receiving extra help because you are severely ill. It is important that anyone you put down on the form such as your GP, consultant or nurse is aware of what help you need at home in case they are approached for supporting evidence.

Question 18 asks you for your consent to request information from the professionals involved in your care. It is important not to assume that the DWP will contact them, it is much better that you approach your own GP or specialist for help and explain how much help you now need to look after or supervise yourself.

## Special rules

At the end of question 18 there is a box that mentions special rules. These only apply to terminally ill people; this is defined as someone whose death could be reasonably expected in the next six months. The notes that are sent with the claim pack about the Special Rules are very clear.

If someone is claiming AA because they are terminally ill, they don't have to fill in the part about what care they need. Just go straight to question 45. They should get a form called a **DS1500** from the doctor instead which confirms the terminal illness. They will automatically qualify for AA without having a waiting period.

Question 19 deals with reports from doctors and other health professionals. If you have any reports from someone like a social worker or occupational therapist which confirms your care needs you can send these in with the form. Often these reports identify ways of sustaining independence. However, it is important that you highlight the needs that you still have even though you may have been given aids and adaptations to help.

## Questions 26-39 deal with care needs during the day

This is the most important part of the form: where you have the opportunity to say just how your condition affects you.

Therefore:

- ❑ Remember that the person who reads the form has not met you, so try to give a clear and detailed word-picture.
- ❑ It is very important to try and write something in every large white box that applies to you.
- ❑ Don't assume that the Decision-Maker knows about your condition or its symptoms.
- ❑ Give lots of description and detail, even about things that you think are embarrassing or that seem too trivial.
- ❑ You can always add additional pages if there is insufficient space.

## Help that you need during the day

You need to help the Decision-Maker to understand how things are for you on average.

In our experience, thinking about what you **can't do** without serious problems on the **bad days** will help you to give a more balanced picture. If you focus on what you can do on a good day, you will tend to understate your problems.

Obviously, you stand much more chance of your claim succeeding if you can show that you need help on most or all days of the week.

You may not need help with all of the activities but remember: if you are claiming AA because you need help with your bodily functions, you will have to show that you need help with at least three or four of the activities, on most days of the week, throughout the whole of the day.

Make sure you give lots of information and *detail* about the help you need, even if it is repetitive or embarrassing.

Try and give an idea of what might happen if you didn't have that help, and include examples of past events if you can.

## **Independence**

Sometimes people need help or supervision, even though they don't always get it. Many people, who live alone receive Attendance Allowance, so don't be put off claiming.

You may be very independent and manage to carry on doing things when others would have asked for help.

It is quite reasonable to describe how painful and slow something is, and to say that although there is a need for help you prefer to maintain your independence and therefore do not ask for help. You qualify for this benefit if you have a **need** for help – there is no requirement that you accept the help.

Make sure you describe your needs fairly: do yourself justice. Describing your needs in detail is helpful to the Decision-Maker. It may feel like exaggeration to you - you aren't used to thinking about yourself like this - but it is the only way that others can appreciate your problems.

Indicate how long it takes you to do things, such as getting dressed or having a bath. You might have worked out a way of doing these things yourself, but they might still take you a long time or be a painful struggle that leaves you feeling very tired. Make sure you write this down.

On the form you should stress that you **need** the help, even if you don't actually receive any. Explain that if you had a carer, they would always have to help you do things that you currently struggle to do yourself.

For example, someone might help you have a bath twice a week. This does not mean you only need help to bathe twice a week. If you cannot have a bath on your own, it is reasonable to say you need help with this activity seven days a week.

## **Keeping safe during the day**

You need to make it clear what you think might happen if you didn't have someone keeping an eye on you. Describe any past incidents that could have had serious consequences if you hadn't had help.

Sometimes nothing bad has happened because the person keeping an eye on you does such a good job! Put down on the form what you fear *might* happen if you were left alone for long periods.

If you have fits or falls, describe what happens as vividly as you can, and how you cope afterwards. Say how your carer or friend has helped you in the past after a fit or a fall.

## **Questions 40-43 deal with help that you need during the night**

If you can show you need help during the night, perhaps two or three times, for at least 10 minutes or so each time, then you might be able to get Attendance Allowance for night-time care.

Always describe in detail what happens to you during the night and how you have to be helped.

For instance, needing to be helped to the toilet might involve being helped out of bed, helped to the toilet, your carer waiting outside the toilet while you use it, and then helping you back into bed

and making sure you are comfortable. This can take quite a few minutes each time, so make sure the Decision-Maker knows as much about your case as you do!

If you need help with medication during the night, describe what might happen if you did not get it. For instance, someone with bad asthma who did not get help with the correct inhaler during the night might develop an acute asthma attack.

### **Keeping safe during the night**

To get Attendance Allowance for needing 'supervision' during the night, you have to show that someone is awake for quite a bit of the night "for the purpose of watching over you". For instance, if you are inclined to wander off during the night, your carer might have to stay awake to stop you falling down the stairs or going out of the house.

It is quite difficult to qualify under this part, so make sure the Decision-Maker knows exactly how much danger you might be in if you were not supervised during the night.

Remember that you have to have needed help for six months before you can be paid, and the DWP have to be satisfied that you will need this help for at least the next 6 months.

### **Question 49 - Supporting statement**

Someone who knows you can put their views about how your illness or disability affects you.

In most cases, your GP is the person who is most familiar with your medical history and it is best to approach them if possible. Ask them to give as much detail as they can about the help or supervision that you need. If they want to write a letter as well to support your case, that can be very helpful.

It is important that they are aware of your circumstances and don't inadvertently write something unhelpful.

Most GPs are used to filling in their part of the claim form and should not charge you for doing so.

If you think that you cannot approach your GP, you could ask someone like your carer, home help, social worker or a relative to complete the box.

### **Sending off the form**

The form should be posted in the brown envelope provided. Try and take responsibility yourself for making sure it is sent. Don't rely on anyone to fill in their part and then send it off on your behalf: there is a chance that it could be forgotten or delayed.

It is always a good idea to photocopy the form before you send it off, particularly the doctor's statement and your answers to the questions about your care needs.

### **So what happens next?**

The Disability and Carers Service should acknowledge that your claim has been received. However, it usually takes several weeks to get a decision. It is quite common for the Decision-Maker to require more information. They might write to you or your doctor for this. They might also arrange for a medical examination to be conducted, which could be either at a medical assessment centre or in your own home.

You should always receive written notification prior to any medical examination: you are not obliged to admit anyone to your home without warning.

You are also within your rights to request another time (if the proposed time is inconvenient) and another doctor, if you are unhappy about the GP or health professional that you have been allocated. For example, you may prefer to be examined by a doctor or nurse of the same sex as yourself.

## What happens if my claim is turned down?

If you are turned down, **don't give up**. The next stage is to ask for a mandatory reconsideration of the decision. You will need to state the reasons why you disagree with it. It is helpful to send detailed medical evidence which supports your claim at this stage. You can approach any of the health professionals involved in your care, not just your GP. Some doctors may charge you for this information but most of them don't.

Be very clear about what you need your doctor to say on your behalf. It's not enough for them to say that they support your claim: you need them to outline what the problems are that you have to face every day and to emphasise your care needs.

If a doctor or health professional from the DWP examined you, you should write to the DWP and request a copy of the report. You could do this at the same time that you request the reconsideration. The DWP are obliged to supply you with any information relevant to your claim that you request, unless it may be harmful to you.

The doctor's report can be useful when trying to establish the reason why your application didn't succeed and it will give you a clearer picture of what you need your GP to say on your behalf. It may also contain mistakes that you need to rectify.

You have **one month** in which to ask for the mandatory reconsideration. A Decision-Maker will look at your application again and see if there is any scope for changing the decision. If your reconsideration is successful, you will receive payment from the date of your original claim.

You cannot get Attendance Allowance backdated to a date prior to claiming it.

If your reconsideration is unsuccessful, the next step is to apply to have your application decided by an independent tribunal.

This is where you will have a chance to put your case to an independent panel that will look at the case afresh.

You must make an appeal in writing. You can download a form called a SSCS1 from [www.gov.uk](http://www.gov.uk) or you can phone attendance allowance for an appeal form once you have been advised of the reconsideration decision.

You will need to be very clear about what you want the tribunal to consider.

The tribunal will not be able to consider any deterioration to your health that has occurred after the decision that you are appealing against was made. If your health has deteriorated to any great extent, you would probably be better to submit a new claim for AA rather than pursue your first claim.

We recommend that you get advice before you proceed with reconsideration or an appeal. It is a fact that more claims succeed when the claimant has sought advice beforehand or is represented at the tribunal.

## I've just been awarded Attendance Allowance. What happens now?

Tell the DWP and the council straight away. Your pension credit or housing benefit / council tax reduction might be increased. **They cannot be decreased as a result of you getting AA.**

If you have a carer, they might be able to get **Carer's Allowance (CA)**, for looking after you.

CA is £64.60 a week. Carers can work as well as claiming CA but they must not earn over £120 a week. If your carer does not work or has a low income they could claim Universal Credit (UC) to top up their income; they could be entitled to an extra carers element as part of their UC.

If you do not have a carer getting CA and you live alone or with another person who also gets AA then you should check whether you are entitled to a severe disability addition within Pension Credit or Housing Benefit.

If you are both severely disabled and caring for one another you may be able to get both the carer's addition and the severe disability addition. This can only happen when a claim for CA has been made but it has not been paid because you have another benefit in place such as Retirement Pension. This is called an underlying entitlement to CA and means that the severe disability addition can remain in payment for the disabled person.

### **Other sources of help or advice:**

- **Age UK (Brighton & Hove)**  
29-31 Prestonville Road, Brighton, BN1 3TJ  
Tel: 01273 720603
- **Possability People - Disability Advice Centre (Brighton & Hove)**  
Montague House, Montague Place, Brighton, BN2 1JE  
Tel: 01273 894040
- **The Carers Centre for Brighton & Hove**  
18 Bedford Place, Brighton, BN1 2PT  
Tel: 01273 746222
- **Postal address for Attendance Allowance**  
Attendance Allowance, Government Buildings, Warbreck House, Warbreck Hill Road,  
Blackpool, Lancashire, FY2 0UZ  
Tel: 0800 731 0122.
- **Citizens Advice Bureau - Brighton & Hove**  
Hove Town Hall, Tisbury Road Offices, Hove Town Hall, Tisbury Road, Hove.  
Tel: 03003309033  
Website: [www.citizensadvice.org.uk/local/brighton-hove/contact-us](http://www.citizensadvice.org.uk/local/brighton-hove/contact-us)