

This Information Sheet gives a brief summary and basic guidance to persons over retirement age who may be considering applying for the benefit known as Attendance Allowance (AA). The guidance in this Information Sheet is not intended to be authoritative or comprehensive and any person considering applying for this benefit should contact Age Concern, and/or their local Department of Work & Pensions Office (DWP) for further assistance and advice.

The local DWP Office address is; DWP, 44/46 The Grove, Gravesend, Kent, DA12 1DF. Telephone: 01474 592600. This office is open 9.00am to 4.30pm Monday to Friday, except Wednesday, which is 10.00am to 4.30pm. The Benefits Enquiry Line for advice is Freephone 0800 88 22 00 or contact the Age Concern Advice & Information Line on 01322 666448 / 01322 666118.

AA can be claimed by UK residents aged 65 years or older who need help (under DWP criteria) with personal care (bodily functions). It is tax-free and not means tested. This means you do not pay tax on any amount paid under this benefit or include the amount you receive with your other taxable income. Calculation and Payment of this benefit is not effected by any income or savings you have. This benefit does not depend on National Insurance contributions and will not normally affect, or be affected, by other benefits or pensions received, but see below notes regarding care or care home fees assessed by the local authority.

If you are under 65 years of age you could consider claiming Disability Living Allowance, (DLA) a similar benefit but an advantage in that it has 3 levels of care components and 2 levels of mobility component, the mobility element not available under AA. DLA claimants must be under 65 years but the benefit continues to be paid if eligibility continues over the age of 65 years.

AA claims are assessed by and under the criteria of the DWP, based on their assessment of your need for personal care, supervision or someone to watch over you because of physical or mental illness or disability, for the preceding six months prior to your claim. You may require the support of a Medical or Nursing Practitioner, and/or the DWP may require you to undergo a medical examination by a Doctor on their Panel, either at a Centre local to you or in your home if you are housebound or have difficulty travelling. We understand the rejection rate for this benefit is high.

You will need to show DWP that you are unable, or have difficulty in attending to, matters relating to personal care or help with bodily functions, such as washing/bathing yourself, dressing/undressing yourself, preparing a light meal, eating, going to the toilet, taking medication safely, getting into/out of your bed, turning over in bed, etc. Supervision and someone to watch over you really means if you need someone with you at times to keep you safe, like using the stairs, taking medication, wandering off, etc. These are only some typical examples; there are many permutations and matters which may well qualify you. To normally be eligible, any help or supervision you require has to be for prolonged (at least 20 minutes) or repeated (at least twice) periods. Seeing & Hearing are considered bodily functions.

Matters such as housework, hanging curtains, getting shopping, getting your pension, getting your prescription, gardening, etc, whilst important to many are NOT eligible for consideration for AA.

There are special rules for someone who is terminally ill, defined as a progressive illness likely to limit their life expectancy to six months or less, and in such cases the persons Doctor should be asked for a form DS 1500. This form should be sent with Section 1 of the AA (or DLA) Claim Form making

sure the special rules box on page 2 has been ticked.

There are two rates of AA payable, the **Lower Rate** if you are deemed to need care Day OR Night and a **Higher Rate** if you are deemed to need care Day AND Night. Please see Information Sheet 20 for current rates.

You can claim this allowance if you live alone, or with other people. It does not matter whether you receive any help now or not, what matters is that you NEED help within the DWP criteria, not if you are getting help. How you spend any money received under this benefit is discretionary on you. Please note that local authorities may take this benefit into account when assessing if or how much you need to pay for any care services, either within your own home or in a care home.

The AA application form is quite long and arduous and does take some time to complete, but do not let this put you off claiming if you think you may be eligible. Age Concern can assist in completing the form but waiting list may apply as we receive many requests. Also, the local CAB can also usually assist in completion of forms and the DWP have a dedicated telephone help-line that will assist you completing the form, with the number to ring being printed on your AA application pack.

There is a page on the section 2 form for completion by, for example, your Doctor, General Practitioner, Visiting Nurse, or any professional who may be able to support your claim.

If you are unhappy with any decision following your claim, you may request a review where the matter will be looked at again by a different DWP Adjudicating Officer. If you are not satisfied with the review decision, you can then lodge a formal appeal for a tribunal to decide. You should be aware that any request for a review or appeal could, as applicable, increase, decrease or leave untouched the original decision, so you need to think carefully.

When you request an AA claim pack, it will arrive with various guidance notes to assist you. The form may have two dates on the top right corner – the first date is the date you requested the pack, the second date is the last date you can submit your claim to the DWP to have any award of benefit back dated to the first date on the pack.

If you have previously been awarded a lower rate of DLA or AA, and your condition has deteriorated and/or you need more care, you should contact the DWP with the details to make your case for them to consider increasing your level of benefit.

If unsuccessful for AA, you can re-apply in say 6 or 12 months time or if your condition or ability to look after yourself has deteriorated.

The receipt of DLA or AA Benefits can in some instances result in your receipt or entitlement to other means tested benefits, such as Minimum Income Guarantee (Income Support) or Housing Benefit, to be higher. You should claim for these other benefits at the same time to ensure any entitlement is backdated.

Please do bear in mind that this Information Sheet is only a brief summary of the quite long and complex regulations for these benefits and should be treated only as an initial guide. Age Concern holds more detailed Fact Sheets and Your Rights books, available upon request. Please ask if you wish us to explain any part of this Information Sheet or if you require further details.