

Guide to Disability Living Allowance - Mental Health

February 2010

What is the Disability Living Allowance?

The Disability Living Allowance (DLA) is an entitlement that does not depend on your savings or income, or that of your partner (if applicable). It will not reduce any other entitlements you may be in receipt of and will only increase your income, if awarded.

Introduction to the guide

If you are a person who has mental health problems you may still have to pay for accommodation, prescriptions and other costs. You may also be able to claim money for help at home and getting about. The welfare benefits system is there for these times. Whether you have recently become ill, have suffered from a mental illness for a length of time, or are caring for someone with a mental illness, it is important to sort out what you are entitled to at your earliest convenience.

This fact sheet provides information on the following:

1. Introduction to DLA
2. Who can claim DLA?
3. Filling in the DLA claim form
4. Describing the effects of your condition
5. Attention and supervision
6. Supporting evidence
7. Medical examinations
8. Reviewing and renewing your claim
9. Getting help with claiming DLA

1. Introduction to DLA

Disability Living Allowance (DLA) is a benefit for people with disabilities who need help with their personal care, need supervision and/or need help with getting around. Many people with mental health problems are unaware that they can claim this benefit but a DLA claim can significantly improve the quality of a claimant's life. DLA has two "components": a care component and a mobility component.

DLA can be paid on top of Income Support and other benefits and it is non-means tested.

2. Who can claim DLA?

You can claim DLA after you have needed help for three months. You qualify for the care component from birth up until your 65th birthday if you meet the conditions of your entitlement. For mobility entitlement you must be aged 3 years up until your 65th birthday.

You need to telephone 0800 882200 and ask for a DLA claim form or contact your local social security office, or alternatively you can now download a DLA application form from the DWP website: http://www.dwp.gov.uk/lifeevent/benefits/disability_liv_allowance.asp

The form is made up of three booklets but you will not need to fill in many of the pages, as a good number relate to physical disability. You have to fill in your personal details, and then answer questions designed to show how much personal care, attention or supervision you need each day and night. You will also be asked questions about how mobile you are.

3. Filling in the DLA claim form

It is important when you fill in the claim form that you remember that the person reading it in the benefits office will probably have no experience of severe mental illness; for example, they may not understand why someone with a mental illness can't cook a meal. You also need to explain if you have periods of time when you can do something and periods of time when you cannot.

The pages on section 2 of the form that will need particular attention are:

Having someone with you when you are outdoors

For instance, are you afraid of going places alone? Do you avoid crowds, suffer from paranoia or agoraphobia, and do you need someone with you when going to new places? Try to explain what would happen if someone was not with you. You should fill this in even if you can make familiar journeys unaccompanied.

Preparing a cooked meal for yourself

Imagine yourself cooking meat, potatoes and vegetables so they are ready at the same time. Do you get confused when doing something like cooking? Do you cook for yourself or will you just not eat / eat cold food? Are you safe with the cooker or do you forget and leave it on? Are you too exhausted to cook a full meal?

Someone keeping an eye on you

Do you have problems with motivation, does someone have to make sure you get up in the morning, take your tablets, dress, wash or cook? It is important to write about any encouragement someone gives to help you do these things and reassurance they provide. People who self harm may need continual supervision to make sure they do not harm themselves again. Try to explain what would happen if you did not get supervision. It is important that you try to estimate the amount of time you need supervision.

The way you feel because of your mental health

Do you feel anxious, paranoid, fearful, and manic - how does this affect your life?

Communicating with other people

Are you able to go to a social event and talk to people? Are you fearful, paranoid?

4. Describing the effects of your condition

This can be difficult to do. Using abstract terms does not describe the help that you need. For example, saying that you are depressed does not tell the person deciding the claim whether you can cook a meal. It is much better to explain how this affects your daily life.

Don't feel that you must squeeze your answers into the boxes provided; feel free to write on other parts of the form if necessary, or add a separate piece of paper. Do make sure that any additional sheets of paper are securely attached to the application for, and write your name and National Insurance number clearly at the top of every additional sheet. It is important to keep a copy.

Don't worry if you keep repeating information, as the same points may apply as you fill in different parts of the form.

5. Attention and supervision

Think through the symptoms of your illness and how they affect your daily life. Think through what it would be like if you could have someone with you and how your life might be different.

For instance, lack of motivation is forgotten part of a severe mental illness. You may need a lot of encouragement, be reluctant to get out of bed, dress, take medication, wash or cook. Any time spent encouraging you to do these things counts as attention when applying for DLA. If you self harm, you may need continual supervision in case you harm again. Explain what might happen if you do not get this supervision.

Remember you don't have to prove that you are getting a particular level of attention, only that you need it. Also if you have little insight and cannot recognise the onset of a relapse, this should be made clear on the form.

6. Supporting evidence

This may be crucial to a successful claim. Ask someone who knows you well and the professional who knows you best to complete these sections. Or, you may wish to ask your GP or psychiatrist to write a letter supporting your application.

The supporting letter should describe your need for help and supervision, relate this to the illness, and explain what will happen if this help and support are not available. Unfortunately, many professionals know little about the benefits system and will provide a letter about diagnosis and medication, which says nothing about your ability to cook or your need for attention and supervision. You are the best person to decide who can provide the most useful supporting evidence. Sometimes this may be your CPN, who may visit the home regularly.

7. Medical examinations

Very occasionally, the Department of Work and Pensions (DWP), who decide whether or not to award you the benefit, may wish to send a medical examiner to examine you.

Because your condition may change from day to day, or because you might misrepresent your need for help, it is important for your carer or a friend that knows you to be present at the examination to make sure that the medical examiner is not misled.

8. Reviewing and renewing your claim

From time to time the DWP may decide to review your entitlement. If you are awarded DLA for a limited period, you will need to renew your claim. For both reviews and renewals the DWP will look into your claim afresh to see whether you can continue to be entitled to DLA.

If you are dissatisfied with the award (or refusal) you can ask for your claim to be looked at by someone else – this is called a revision and you must request a revision of the decision within 1 month of receiving the letter from the DWP. It might be helpful to submit further supporting evidence, and perhaps a diary showing how much attention and supervision you require over a sample week. You could send in some leaflets describing your illness. Rethinks Advice staff may be able to suggest what has gone wrong and help you proceed with the claim.

If you are still unsuccessful, you can ask to have your case heard at an independent tribunal (a Disability Appeal Tribunal).

9. Getting help with claiming for DLA

You may be more successful with your claim if you have some experienced help filling out the forms. You should ask your surgery if they have someone who could help as often a nurse or someone with experience of the benefits system can help. Otherwise, a mental health advocate may be able to help.