

Mythbuster

Disability Living Allowance



This factsheet busts five myths around claiming Disability Living Allowance.

We also have a series of guides and factsheets to help families of children with brain conditions with common problems they may be facing. Covering a range of legal, social and financial issues, these are useful tools in helping you understand your situation regarding your rights and entitlements. Available at <https://cerebra.org.uk/get-advice-support/legal-and-financial/>

1. Myth: I earn too much to claim it

DLA is not a means-tested benefit. This means that an award is not dependant on how much income you have, it is based on the care and supervision needs of your child. Regulations state they should require 'substantially more care from another person than children of their age normally require'.

2. Myth: My child hasn't got a diagnosis so I can't claim it.

An award of DLA is not based on your child's diagnosis or otherwise. Instead, it is based on the care and supervision needs of your child. Benefits regulations state that your child must have 'care and/or supervisory needs far in excess of those of a typically developing child of their age'.

3. Myth: I might lose my other benefits.

DLA is usually exempt as an income when assessing other means-tested benefits. This means that it will not be taken into account. In fact, in some cases DLA can have a positive effect on other benefits and can increase your award of, for example Universal Credit by the addition of a disability premium.

4. Myth: My child's behaviour is good at school so I won't be able to claim.

This is a common issue, particularly for children with neurodevelopmental disorders because the structured routine of school allows them to control their behaviours-until they get home! This is not a reason to not claim as case law has stated evidence from school alone should not determine a claim.

5. Myth: I'm worried about my child going for the assessment.

Normally the DLA claim process does not involve face-to-face assessment of your child. Some confusion has been caused by the introduction of Personal Independence Payment (PIP) which does usually involve a face-to-face assessment, but PIP only applies to people aged 16 years and over.



Our DLA guide takes you through each question on the DLA form, giving you explanations of what they mean and tips on how to answer them.: <https://cerebra.org.uk/download/disability-living-allowance-dla-guide/>

6. Myth: My child can walk so I can't claim the mobility component.

DLA encompasses all forms of disability, not just physical disabilities. This includes mental health conditions, neurological and neurodevelopmental disorders and learning difficulties and the supervision these children may require when making journeys.

7. Myth: I've been turned down once so I can't claim again.

Having your claim for DLA refused does not mean you can't claim again, you can make another claim straight away if you want to. However, if your claim is refused there is a reconsideration and appeal process which can be followed. See Cerebra's DLA guide for further details.

8. Myth: I'm worried about renewing my claim every year.

It's true that most awards of DLA are only made for a set period, and in a small number of cases this can be for one year, but in the vast majority of cases it is a longer period (a rough average of 3 years). In some cases an indefinite award is made meaning the claim will not have to be renewed, although at age 16 your child will have to claim PIP.

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