



## WELFARE RIGHTS UNIT

### Attendance Allowance (AA)

**From April 2022**

AA is a financial benefit for people with personal care needs. AA is paid to people who claim for the first time after state pension age, who meet the eligibility criteria. AA has two components, a high rate and a low rate.

The Higher rate is £92.40 per week

The Lower rate is £61.85 per week

#### **The disability tests for AA are:**

For the higher rate:

The person needs frequent attention throughout the day and night in connection with bodily functions, or needs continual supervision in order to avoid substantial danger to themselves or others and has done so for the last 6 months.

For the lower rate AA:

The person needs frequent attention throughout the day, or prolonged attention throughout the night, in connection with bodily functions, or needs continual supervision in order to avoid substantial danger to themselves or others and has done so for the last 6 months.

#### **AA:**

- Is not taxable
- Is non-contributory (so there is no national insurance conditions)
- Is available to both employed and unemployed people
- Is not means-tested
- Does not affect means-tested benefits adversely, but can attract extra payments of benefit

AA is intended to cover some of the extra cost someone with an illness or disability may have because they need care or supervision from another person.

The care component is not paid to someone whose only needs are housework type tasks, e.g. cleaning the home, shopping, gardening etc. It is paid if someone needs help with 'bodily functions', or needs supervision 'to avoid substantial danger to themselves or others' e.g. to prevent them having an accident or causing an accident. However, if awarded the person can spend the money on whatever they want. They could save it up for a holiday.

#### **Some of the questions asked for AA**

- Does the person need help with washing, bathing, showering or looking after their appearance
- Does the person need help dressing and undressing
- Does the person need help getting out of bed in the morning or getting into bed at night
- Does the person usually have difficulty or do they need help with moving around indoors
- Does the person fall or stumble because of their illness or disability
- Does the person have difficulty or do they need help with cutting up food, eating or drinking
- Does the person usually have difficulty or do they need help taking their medication or with their medical treatment
- Does the person usually need help from another person to communicate with other people
- Does the person usually need help from another person to actively take part in hobbies, interests, social or religious activities
- Does the person usually have difficulty or need help during the night
- Does the person usually need help with toilet needs.

Please note that the claimant only has to need help, they do not have to be receiving help. A lot of people do not want someone to help them with very personal things and they struggle to manage by themselves. Or the person may be able to care for themselves, but they need to be told to do so – that is called supervision. People with a mental health problem or a learning disability may need supervision rather than physical help.

It is necessary that the person fills in the form in quite a lot of detail. People get used to coping and finding easier ways to do things, e.g. someone with limited dexterity in their hands may not wear clothes that have buttons. Therefore it is useful if the claimant keeps a diary over the period of a fortnight or so, in order to focus their mind on their problems.

Even the embarrassing questions such as 'Do you need help with your toilet needs', needs a detailed explanation of the difficulties the person has in the toilet, or with incontinence. Eg the person may need help getting to and from the toilet because they are unsteady on their feet, or they may need assistance standing up from sitting on the toilet, or they may need help changing incontinence pads. The person should also explain why they cannot use aids, such as a commode – they may not have a private place to put it.

### **Special rules for people with a terminal illness**

People who have a terminal illness and the prognosis is that they are likely to die within 6 months, do not have to fill in the care section of the form or meet the backwards test. If the person does not know their prognosis someone can claim on their behalf. The claimant, or their representative, can ask the GP or Consultant to fill in a DS1500.

### **Residence and Presence Tests**

- To be entitled to AA you normally have to have lived in the UK for two years out of the last three and not be subject to Immigration Control.

You may be able to meet this condition if you are, or have been, living in another EEA state or Switzerland.

- These rules do not apply if you are terminally ill and qualify under special rules.
- Also, if you have come to Great Britain from a country that is part of the European Economic Area (EEA), or Switzerland, then depending on your circumstances you may not have to wait for this period of time before you can get AA.
- If you or a member of your family live in another country that is part of the EEA, or in Switzerland, then you may be able to get AA if the UK is responsible for paying you sickness benefits.

### **Attendance Allowance helpline**

Tel: 0800 731 0122 (textphone 0345 604 5312)

## **ADVICE & HELP**

### **London Borough of Havering**

#### **Welfare Rights Unit Advice Line**

Leave your name and phone number. We'll then call you to discuss your benefit issue.

01708 434444

Email [WelfareRightsUnit@haverling.gov.uk](mailto:WelfareRightsUnit@haverling.gov.uk)

### **Citizen's Advice Havering**

#### **Telephone Advice**

Local Number - 0300 330 2179

Monday, Wednesday, and Friday: 10 am - 12:30 pm

Tuesday 10 am - 4 pm

Thursday 1 pm - 3:30 pm

#### **Email Advice**

On the website, click on the Email Advice button and selecting the area you would like advice on

[www.haverlingcab.org](http://www.haverlingcab.org)

#### **Face-to-face (appointment only)**

You can book 30 minute appointments at the local hubs at Harold Hill and Rainham - with the following links;

[https://bit.ly/Book\\_CitizensAdvice\\_HaroldHill](https://bit.ly/Book_CitizensAdvice_HaroldHill)

[https://bit.ly/Book\\_CitizensAdvice\\_RainhamLibrary](https://bit.ly/Book_CitizensAdvice_RainhamLibrary)

**All benefits have complex rules and exclusions. Information provided here is as a guide only rather than a full statement of the rules and regulations. Information provided by Welfare Rights Unit, London Borough of Havering, at April 2022.**