

Factsheet 15

Disability Living Allowance

Mobility Component

INTRODUCTION TO DISABILITY LIVING ALLOWANCE

Disability Living Allowance (DLA) Mobility Component is a benefit for people with disabilities, both children and adults. It is aimed at people who need help getting around. DLA is tax free, not means tested and you don't have to have paid any National Insurance contributions. It is paid on top of any earnings or other income you may have. It is almost always paid in full on top of social security benefits. DLA is divided into two parts, this factsheet deals with the "mobility component" which helps you to pay for your mobility and is paid at two different levels.

Information on DLA "Care" is available on a separate factsheet.

Who can get DLA Mobility Component?

To qualify for DLA mobility component you must meet a series of criteria as set out by the Benefits Agency. As mentioned above the 'mobility' component is paid on two levels, the amount you get paid depends on the level of mobility that you have.

Age:- the mobility component is payable from the age of 3 years (high rate) 5 years (low rate) subject to the 3 months qualifying period) to the day before your 65th birthday.

How much do you get?

Higher rate	£39.95 per week
Lower rate	£15.15 per week

DLA is non taxable and is not affected by earnings. You can receive DLA whether you are in or out of work and no matter how much you earn. Your ability to work does not mean that you are capable of moving around without the assistance of a wheelchair or other form of transport. Your lack of mobility will however limit the type of work that you can do. The Benefits Agency will be aware of this.

The Disability Tests.

To qualify for DLA mobility component your mobility needs must ultimately stem from disability - your physical condition is the main testing point, however if you have a severe learning disability as a result of your physical condition this may help you qualify. You must meet the criteria set out below in order to qualify. For all people aged 3 - 65 the following tests apply:-

Higher rate.

To qualify for the £39.95 higher rate mobility component you must be 'suffering from physical disablement'. Your 'physical condition as a whole' must be such that:-

1. you are unable to walk
or
2. you are virtually unable to walk
or
3. the 'exertion required to walk would constitute a danger to your life or would be likely to lead to a serious deterioration in your health'.
or
4. you have no legs or feet (from birth or through amputation)
or

5. you are both deaf and blind

or

6. you are entitled to the higher rate care component and are severely mentally impaired with extremely disruptive and dangerous behavioural problems

or

7. you are switching from the pre-1976 invalid vehicle scheme and still meet those rules.

Lower rate

To qualify for the £15.15 lower rate mobility component, it doesn't matter that you are able to walk but you must be: *'so severely disabled physically or mentally that, disregarding any ability you may have to use routes which are familiar to you on your own, you cannot take advantage of the faculty out of doors without guidance or supervision from another person most of the time.'*

Children:- There is an extra disability test for the lower rate only for a child under 16 years. S/he must show that either:-

s/he *'requires substantially more guidance or supervision from another person than persons of his/her age in normal physical and mental health would require'*

or

people of his/her age *'in normal physical and mental health would not require such guidance or supervision'*.

Terminology.

Unable to walk:- Being 'unable to walk' means just that. You cannot take a step by putting one foot in front of the other. If you have one artificial leg it is your walking ability when using it that will be considered.

Effects of exertion:- For the third way of qualifying for mobility component remember that it is the exertion needed to walk that must cause the serious problem. How far you can walk is not relevant, the point is that medically you should not walk

This fact sheet is only a guide for the DLA (Mobility Component). Detailed information can be obtained from the Department for Work and Pensions (DWP).

very far because of the effect of the effort of walking on your life or health. The 'danger' or 'serious deterioration' does not have to be immediate, nor does any 'deterioration' have to be likely to last for 6 months. But danger arising from other causes besides the effort needed to walk cannot be taken into account.

Virtually unable to walk:- Regulation 12 of the DLA Regulations spells out the factors to be taken into account in deciding whether you are *'virtually unable to walk'*. The factors are:-

your *'ability to walk out of doors is so limited, as regards*

the distance over which, or

the speed at which, or

the length of time for which, or

the manner in which

*you can make progress on foot **without severe discomfort**, that you are virtually unable to walk.*

Physical cause:- The cause of your walking difficulties must be physical. The fear of walking outdoors cannot be taken into account when assessing this benefit.

Someone with a severe learning disability can meet this initial test if it is accepted that their disabilities and any behavioural problems which interrupt their ability to make progress on foot have a physical cause.

Severe discomfort:- If you start to suffer from *'severe discomfort'* when walking outdoors, any extra distance that you walk should be ignored when answering the questions in the application form. 'Severe discomfort' is subjective - different people have different thresholds of pain. It does not mean pain, discomfort can include pain, breathlessness or any thing that is brought on by the act of walking.

For an application form telephone the Benefits Agency on 0345 123456 or 020 86526000. If you need help with the forms contact **DISK on 01303 226464**.