

ATTENDANCE ALLOWANCE

What is attendance allowance?

You can claim attendance allowance if you are disabled, are aged over 65 and need help to look after yourself. There are two rates of payment, a lower rate and a higher rate. Attendance allowance is tax free and not means tested.

You can still get attendance allowance if you are not actually receiving any help to look after yourself. The amount of savings you have does not affect your attendance allowance.

What are the rules for attendance allowance?

To receive attendance allowance you must:

- be aged 65 or over when you claim;
- pass at least one of the disability tests;
- meet the qualifying period condition (see below); and
- pass the residence and presence tests (see below) and not be subject to immigration control.

The disability tests

Lower rate

For the lower rate of attendance allowance, you must satisfy one of the following conditions. You need:

During the day:

- frequent attention throughout the day in connection with your bodily functions; or
- continual supervision throughout the day to avoid substantial danger to you or others.
- or during the night:
- prolonged or repeated attention at night in connection with your bodily functions; or
- another person to be awake at night for a prolonged period or at frequent intervals to watch over you in order to avoid substantial danger to you or others.

Higher rate

For the higher rate of attendance allowance, you must satisfy either of the following. You:

- have one of the day needs and one of the night needs conditions shown above; or
- are terminally ill.

The 'backwards' qualifying period condition

You will need to have satisfied the disability tests for six months before you can be paid. This rule does not apply if you are terminally ill.

What do the terms in the disability tests mean?

needs - This is help that is reasonably needed, not what is given, nor what is medically essential. This is help to lead as normal a life as possible. This includes help you need outside your home. For example, you can be given help to do your own shopping or to take part in 'reasonable' social activities.

frequent - Means more than twice.

attention - This is help of an active nature required to be given in your physical presence. This can include help given to you to wash, dress or to go to the toilet. It can also be more indirect help such as signing, reading aloud or prompting and encouragement.

throughout - This means spread over the day.

bodily functions - These include hearing, eating, seeing, washing, reading, communicating, walking, drinking, sitting, sleeping, dressing or undressing, using the toilet, shaving, shampooing and help with medication. Anything to do with your body and how it works can count.

continual - Means regular checking but not non stop supervision; does not have to be constant.

supervision - This is watching over, ready to intervene.

substantial danger - The danger must be real, not just remotely possible.

prolonged - Means some little time (at least 20 minutes).

repeated - Means two or more times.

night - This is when the household has closed down for the night. It is generally the time when an adult is in bed but must be more or less within night-time hours - generally between the hours of 11pm and 7 am.

terminally ill - You are terminally ill if you are suffering from a progressive disease where death can reasonably be expected within six months. An award made because you are terminally ill will usually be for a fixed period of three years; after that period it will be reviewed.

How much is attendance allowance?

Weekly lower rate - £58.70 from April 2019

Weekly higher rate - £87.65 from April 2019

How do I claim?

You can call and ask for a form AA1A.

Tel: 0800 731 0122

Textphone: 0800 731 0317

Monday to Friday, 8am to 6pm

If you return the completed form within six weeks, it will be backdated to the day you requested it.

If you need any further support or information please contact DIAL on 01736 759500 or you can refer directly to the link below:

www.disabilityrightsuk.org

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