



Attendance allowance (AA)

What is attendance allowance?

You can claim attendance allowance (AA) 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. AA is tax free and not means tested.

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

What are the rules for attendance allowance?

To receive attendance allowance you must satisfy the "disability tests". You will need to have satisfied these tests for six months before you will be paid, unless you are terminally ill.

For the disability test for lower rate attendance allowance you must satisfy one of the following conditions:

- need frequent attention throughout the day in connection with your bodily functions.
- need continual supervision throughout the day to avoid substantial danger to you or others.
- need prolonged or repeated attention at night in connection with your bodily functions.
- need 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.

For the disability test for higher rate attendance allowance you must satisfy either of the following:

- have one of the day needs and one of the night needs shown in the lower rate conditions.
- you are terminally ill.

You must not be subject to any limitation on your right to stay in this country, such as a limitation on working or claiming benefits. There are exceptions to this rule, for example if you have refugee status or exceptional leave to remain or are a European Economic Area (EEA) national.

If you claim attendance allowance you also have to satisfy the residence and presence test.



What do the rules 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, help with medication and thinking.

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 nighttime 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 be expected within 6 months. Since 25 September 2006 an award made because you are terminally ill will be for a fixed period of three years. After that period it will be reviewed.

The residence and presence test

You must:

- be ordinarily resident in the UK
- be present in the UK for 26 weeks in the last 12 months



Ordinarily resident is not defined. It is taken to mean the place where you normally live for the time being if there is a degree of continuity about your stay and it can be described as being settled.

Present means physically present in UK.

If you are terminally ill you do not have to satisfy the presence test though you must still be ordinarily resident in UK.

If you go abroad but intend to return you can continue to be paid attendance allowance for the first 26 weeks of your temporary absence.

This time limit can be extended if you are being treated for an illness or disability that began before you left Great Britain and the Secretary of State agrees that it is consistent with the proper administration of the benefits system to pay you for a longer period.

If you intend to live abroad permanently your attendance allowance will stop as soon as you go abroad.

How much is it?

Lower rate attendance allowance - £47.10

Higher rate attendance allowance - £70.35

How do I claim?

You can call the Benefit Enquiry line and ask for a form AA1. The number is 0800 88 22 00 (textphone: 0800 24 33 55). If you return the completed form within six weeks it will be backdated to the day you requested it. In the future it is proposed to reduce this backdating time from six to two weeks.

To claim Attendance Allowance online or to download a form, please go to Directgov at <http://www.direct.gov.uk/disability-aa>.

Where can I get help with claiming?

DIAL Great Yarmouth

12a George Street

Great Yarmouth

Norfolk

NR30 1HR

Telephone 01493 856900

Monday to Friday 10am to 4pm