

Fact sheet from the RNIB regarding changes to DLA High Rate Mobility In April 2011

Please note that all the following information is supplied by the RNIB and any questions or queries should be directed to them.

New rules about Disability Living Allowance higher rate mobility component from April 2011

Introduction

From 11 April 2011 the rules for Disability Living Allowance (DLA) will change making it possible for the first time for some blind people to qualify for the higher rate of mobility component on the basis of their sight loss.

This factsheet explains the new rules and how the change will be carried out by the Department for Work and Pensions (DWP).

It has information on:

- * who will qualify for higher rate under the new rules
- * how the DWP will identify who may be entitled
- * what to do if you think you will be eligible
- * how to check whether you are also getting the correct level of other benefits (such as DLA care component)
- * where to get more information or advice.

If you have any questions about any of the information mentioned in this factsheet or want further advice, please call RNIB Helpline on 0303 123 9999.

DLA mobility component

DLA is one benefit with two components: a care component and a mobility component.

The mobility component is paid to people under 65 who have problems getting around outdoors independently. It is paid at two rates.

1. The lower rate is for people who can physically walk, but who need guidance or supervision out of doors in unfamiliar places. Most people who are registered as sight impaired or severely sight impaired should qualify for this level of mobility component. The qualifying criteria for this rate of mobility component is not changing.

2. The higher rate is currently paid to three groups of people, including people who are:

- * unable or virtually unable to walk due to physical disablement
- * or both blind and deaf
- * or severely disabled and who need to be restrained out of doors due to behavioural disturbance.

From 11 April 2011 people under 65 "with the most severe visual impairment" will also qualify for higher rate of mobility component. Unfortunately the definition

of "severe visual impairment" within the DLA rules is not the same as the level of sight loss required to become registered as severely sight impaired (blind). If you are severely sight impaired (blind), you may be entitled to the higher rate of mobility component from April 2011; however, the level of your sight loss will have to be separately assessed by the DWP.

Will I qualify?

You must be registered or certified as severely sight impaired (blind) to be considered for the higher rate of mobility component under the new rules, although not everyone who is registered blind will qualify. The DWP will also need to consider the level of your visual acuity and whether you have a restricted visual field.

Visual acuity is the measurement of your central vision and how well you can see detail. It is assessed using an eye test chart which is called the Snellen scale.

Your visual field is what you can see around you; this is also called your peripheral vision.

To qualify for higher rate mobility component you must be certified as severely visually impaired and either:

- * have a visual acuity of less than 3/60 (this means you only can read the top line of an eye test chart from 3 metres away)
- * or if your visual acuity is more than 3/60 but less than 6/60 (this means that you can read only the top line of the eye test chart from 6 metres away). You must also have:
 - * a complete loss of your peripheral vision
 - * and severely restricted central vision (this means no more than 10 degrees in diameter), sometimes called tunnel vision.

If your sight is too poor to be measured in this way, for example if you can only count fingers or you only have light and dark perception, you will qualify.

If your visual acuity is better than 6/60 you will not qualify, for example if your acuity is 6/36 or 6/18.

Does my age matter?

You cannot be awarded higher rate mobility component if you will be aged 65 or over on 11 April 2011, the date the new rules take effect.

Children who are severely sight impaired could qualify for the higher rate of mobility from the age of three. If you think this applies to your child, contact RNIB Helpline on 0303 123 9999 who can give you further advice.

How will DWP identify who is entitled?

The new rules come in on 11 April 2011 and no one can actually be paid the higher rate on the grounds of severe visual impairment until then. However, the DWP recognises that the majority of people who will qualify for higher rate under the new

rules will be already getting lower rate. The DWP intends to identify as many people as possible who may qualify for higher rate before the change comes into effect, so that payment of the higher rate can begin from April 2011.

From November 2010 through to March 2011, the DWP will be calling everyone currently receiving DLA lower rate mobility component whose main disabling condition is recorded as sight loss. If DWP can obtain sufficient evidence to show that you would qualify for the higher rate mobility component under the new rules, your award can be changed in time for April 2011.

If you would qualify for the higher rate on the grounds of severe visual impairment, but your mobility component was not increased in time for April 2011, the higher rate should be backdated to the date of change (as long as you were already receiving some DLA).

What do I need to do?

Between November 2010 and March 2011 you can expect to be contacted by DWP. You do not need to contact them before then.

You can prepare for this call by finding your certificate of registration (it may be called a CVI or BD8, or any other evidence you have about the level of your sight loss. A registration card or a letter stating that you are registered as severely sight impaired (blind) will usually not provide enough information, but an assessment by an optometrist or ophthalmologist may record your visual acuity and level of visual field loss.

If you do not have a copy of your CVI or BD8, you can get one from your GP, the hospital where you were certified or from your local authority (for example your local Blind Association office) If you can give DWP evidence that your visual acuity is less than 3/60, this is likely to be good enough for them to award the higher rate.

If you cannot supply this sort of evidence, or if your sight has worsened since you were registered, the DWP may need to write to your ophthalmologist at the hospital or arrange for you to attend an eye test.

DLA care component

If you qualify for higher rate mobility component because of the new rules about severe sight loss, you should also check whether you could receive at least middle rate care component. An award of only lower rate care may be incorrect as your level of sight loss is so severe.

DLA care component is paid at three different rates depending on how often you need help from another person because of your disability:

- * the higher rate is paid if you need help during both day and night
- * the middle rate is paid if you need help throughout the day or night
- * the lower rate is paid if you need help for only a part of the day or if you cannot cook a meal for yourself.

To qualify for middle rate care component, you must show that you reasonably need attention frequently throughout the day. This can include attention you may need

whilst bathing or showering, getting dressed and looking after your appearance, taking medication, having meals, reading and replying to your personal mail, any extra support you need at work or studying and help to carry out social or leisure activities.

If you are thinking of asking for a review of your existing entitlement, contact RNIB Helpline for information and advice.

If you are turned down by the DWP

If you are severely sight impaired and you are turned down for the higher rate of mobility or the middle rate of care component or both, or your existing payment has been reduced by the DWP, contact RNIB Helpline on 0303 123 9999. They will be able to advise and assist you to challenge the decision if appropriate and may be able to represent you at your appeal.

What else can I claim if I am awarded higher rate mobility component or middle rate care component or both?

If you get higher rate mobility component:

- * you can use your DLA mobility award to hire or buy a car using the Motability Car Scheme. Call 0845 456 4566 for further details

- * you are exempt from paying road tax for one car. This could be a car you hire using the Motability scheme or you can nominate another person's car. You will be sent a road tax exemption form automatically if you are awarded higher rate mobility.

If you get middle rate care component:

- * and live alone (or are classed as living alone) you may qualify for the severe disability premium which could increase your existing benefits or bring you in line to qualify for some means-tested benefits

- * and someone cares for you for at least 35 hours a week, your carer can claim Carer's Allowance (CA) for looking after you. It is very important that you and your carer seek advice about how your respective benefits will be affected before a claim for CA is made.

Further information

If you experience difficulties claiming any of the benefits mentioned in this factsheet, disagree with a decision made by the DWP or want further information, please call on 0303 123 9999.

RNIB Helpline