



A RISKY BUSINESS !



WORKING AGE CLAIMANTS [Aged 16 to Pension Age]

This leaflet is intended to alert you if you currently receive Disability Living Allowance (DLA), but you are thinking about asking for a review for either a higher rate, or a different component.

It is directed at people UNDER pension age only.

- see WWRAS leaflet *Pb29DLA 65+* for those still on DLA when aged 65 or over.
- For those on Attendance Allowance see *Pb29AA*.
- Where the DLA is in respect of a child (aged under 16) see *Pb29 Child*.

WHY DO I NEED TO BE ALERTED?

DLA for adults is gradually being replaced by Personal Independence Payments (PIP). There will be three types of current DLA claimants who will be affected by the way that PIP is being introduced:

Firstly, those DLA claimants who have a fixed award will be re-assessed at their renewal date, but then under PIP rules.

Secondly, those who have an indefinite (sometimes referred to as 'lifetime') awards will be reviewed over the next couple of years, but then under PIP rules.

It is the third group that this leaflet is about: those who ask the DWP to look at their DLA claim again because they believe that they need a higher rate/different component.

- If you ask the DWP to review your current DLA claim, you will be re-assessed under the new PIP rules, not DLA.

WHAT'S THE PROBLEM?

The Government says that there will be **gainers** and **losers** when transferring from DLA to PIP.

WHAT ARE THE ISSUES?

There are TWO issues which need to be considered before you decide to ask the DWP to review your DLA claim.

1. MEETING PIP RULES

Like DLA, PIP has two components: Daily Living (instead of 'care') & Mobility.

BUT there are only two Daily Living levels (DLA has three) with different criteria, and some will also find it harder to pass the PIP Mobility test.

You should therefore seek independent advice **before** asking for your DLA to be increased. You will be assessed under PIP rules and it may go down or be lost.

It may be that you will get PIP, but see the next section:

2. LOSING OTHER BENEFITS

2.1. BENEFIT CAP

Some people who have high levels of Rent Rebate or who have 3 or more children may be affected by the Benefit Cap. However, where a household contains someone on DLA or PIP the Cap does not apply. So, if you lose DLA/PIP that exemption may also be lost, and some may then be hit by the Benefit Cap.

2.2. TOP-UPS

DLA Care component triggers off a number of extra elements in the calculation of income-related benefits, such as Income Support, ESA or Housing Benefit.

These extras are called ***premiums***.

If you ask the DWP to review your DLA and you lose it, you could also lose these extras as well.

For some people this could mean a significant loss of weekly income.

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Pete gets DLA Care at the middle rate.

He lives alone and also gets ESA. His ESA includes a premium called the severe disability premium, which is triggered by that particular rate of DLA.

He is not due to be transferred to PIP yet, but he asks the DWP to look at his DLA claim earlier as he thinks he should be on the higher rate.

The DWP assesses him under PIP and he fails. This is an error, and he appeals, but pending the appeal he loses over £100 per week as he loses both the DLA *and* the premium.

IF YOUR CARER GETS A CARERS BENEFIT

IN ADDITION, if you have a carer, their income may depend on you being on the right level of DLA / PIP. If you lose your DLA Care, your carer may lose some of their benefits as well.

FUTURE CHANGE: UNIVERSAL CREDIT

Over the next few years income-related benefits such as Income Support and ESA will be replaced by *Universal Credit*. Universal Credit does not have the same extra premiums as the benefits it is replacing. As long as you stay on DLA/PIP any such extras you get will continue, so if you move onto Universal Credit your level of benefit should be protected. However if you come off DLA (or PIP) you will lose those extras. Get advice if this applies to you.

REMEMBER

The purpose of this leaflet is not to discourage you from claiming your full entitlement, BUT you should get independent advice FIRST!

INDEPENDENT ADVICE:

CITIZENS ADVICE

Rugby

1st Floor, Chestnut House
North Street
Rugby, CV21 2AQ

North Warwickshire

The Parish Rooms
Welcome Street
Atherstone, CV9 1DU

Bedworth & Nuneaton

(Covers Nuneaton & Bedworth)
Old Market Tavern
25 Congreve Walk
Bedworth, CV12 8LX
(To book appt in Nuneaton
call 024 7635 1049)

Warwick District

10 Hamilton Terrace
Leamington Spa, CV32 4LY

Stratford-upon-Avon

25 Meer Street
Stratford-upon-Avon, CV37 6QB

Switchboard number for ALL CAs: 0344 855 2322

For Carers Advice, Information and Support

Warwickshire Carer Wellbeing Service

9 Lawford Road, Rugby, CV21 2DZ

Tel: (024) 7610 1040

e-mail: carerssupport@carerstrusthofs.org.uk

www.carerstrusthofs.org.uk

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