



Guidance on claiming and the use of Disability Living Allowance (DLA) and Personal Independence Payments (PIP)

for Hertfordshire Foster Carers

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## Who is this guide for?

This guidance is intended for Hertfordshire foster carers and/or staff who either:

- care for a child looked after (CLA) who currently receives either DLA or PIP payments, or;
- care for a CLA whose child *might* be eligible for either DLA or PIP payments.

This guide is intended to be used to support the DLA/PIP training Hertfordshire offers all foster carers and staff.

## What is DLA?

Disability Living Allowance (DLA) is financial support to help with the extra costs of looking after a child who:

- is **under 16**
- has difficulties walking or needs much more looking after than a child of the same age who does not have an illness or disability.

They will need to meet all the [eligibility requirements](#) set out by the Department of Work and Pensions (DWP).

DLA looks at the child's mobility (their ability or capacity to move or to navigate a journey independently) and their care needs (the help they might need to wash, dress, eat, use the toilet or communicate). The mobility component has two rates that can be awarded (higher or lower), and the care component has three rates (higher, middle and lower). If a child is awarded the mobility element of DLA they might qualify for a blue badge which would allow them to use a disabled parking space. You can find out more about applying for a blue badge [here](#).

You can find out more about DLA [here](#).

## Who can apply for DLA?

Any child who has an illness or disability might qualify for DLA, they don't need a formal diagnosis. However, the child must need substantially more care or supervision than other children of the same age without additional needs. The DLA application is looking at how your child's everyday life is impacted by their condition.

A claim can be made from the age of three months old, or from birth if the child is believed to have a terminal illness.

A child under 16 cannot apply for DLA in their own right. When a child is in foster care, the child's foster carer is normally the most appropriate person to make the claim and then be appointed to act for the child once a claim is made.

If the child is a separated migrant they will also have to meet eligibility criteria in relation to their immigration status and the length of time they have been in the UK. You can find out more about this [here](#).

If you are unsure whether or not the child you are fostering qualifies for DLA or if you are the most appropriate person to act as an appointee, then a discussion should be had with the child's social worker and the supervising social worker.

**If it is a requirement that the foster carer notifies their supervising social worker if they are considering making a DLA claim on behalf of a child in their care and the outcome of any application.**

### **How to apply for DLA**

The first step is to notify the supervising social worker that you want to make a claim. This enables support to be offered to the foster carer in undertaking the application process.

If your child currently lives in England or Wales you can apply by either:

- printing off and filling in the [DLA claim form](#)
- phoning the Disability Living Allowance helpline and asking for a printed form.  
Telephone: 0800 1214600

You have six weeks to complete and return the form.

### **If the child might have 12 months or less to live**

There are special rules if a medical professional has said the child might have 12 months or less to live, so they can get DLA more quickly.

Phone the Disability Living Allowance helpline to start your claim. Ask a medical professional for form SR1. They'll either fill it in and give the form to you or send it directly to the Department for Work and Pensions.

#### **TOP TIPS!**

It is better to phone the DLA helpline and request the DLA1 Child form rather than downloading it yourself. This is because they will date your application from when you made your call to the department, rather than when the form is received, as is the case when you print it off yourself.

Make sure to keep a copy of the completed form so you can use it as a reference when the DLA is due for renewal.

Once your child turns 16 they will normally be asked to claim Personal Independence Payment (PIP) instead of DLA

### **What additional needs does the DLA application want to know about?**

Disability living allowance is made up of two components, and a child can qualify for one or both of these. A child can be considered for the care component from the age of three months and the mobility component from the age of three years.

### Care component

This is looking at what extra care the child needs because of their disability. The child does not need to have a diagnosed condition to qualify. There is no lower age limit to get this part of the allowance, but the child must require more care than would be given to a child of the same age who does not have additional needs. The child should have needed this extra care or supervision for at least three months.

The DLA claim form will ask you to describe the extra help the child needs:

#### During the day:

This is assessing if your child needs help with personal care for a 'significant portion of the day'. For example, help or supervision with washing, dressing, bathing, eating, going to the toilet, taking medication, communicating or staying safe.

#### During the night:

This is awarded if your child requires either 'prolonged' or 'repeated' help with their personal care overnight, or if they need someone to be awake and watching over them for either a 'prolonged' period or at 'frequent intervals'.

Your child would be awarded the **lowest rate care component** if they are deemed to need extra support with their personal care during the day.

Your child would be awarded the **middle rate care component** if your child has either regular day time or night-time needs, meaning that they either need frequent support during the day or frequent supervision overnight.

Your child would be awarded the **highest rate care component** if they have both day and night-time care needs, or they qualify under the 'special rules' because they have 12 months or less to live.

### Mobility component

This is looking at what extra help the child needs moving around because of their disability.

Your child would be awarded the **lower rate mobility component** if they need extra supervision outdoors to keep them safe. This can be awarded from the age of five.

Your child would be awarded the **higher rate mobility component** if they had difficulties that severely affected their ability to walk, or those who are deafblind or have a severe visual impairment. Even if your child has no physical problems with walking they might still qualify if their behaviour makes walking places difficult.

The current DLA care and mobility component weekly payment rates can be found [here](#).

### Top Tips!

A decision on your child's claim will be made by someone who has never seen your child. It is important that you document all the extra care and support that your child needs. Don't assume that the decision maker will already have this understanding.

Decision makers aren't medically qualified. They may have little or no knowledge about your child's condition. They will rely on medical information you supply with the claim, plus their own guidance on disability in children. If they need more evidence, they may write to the child's GP or hospital consultant. However, there is no guarantee they will do this. It might be a good idea to try and gather some supportive evidence yourself and send it to them.

Foster carers can claim Carer's Allowance (CA) if they care for a child that receives the middle or higher rate of the care component of DLA. You can find out more about CA [here](#).

### What is PIP?

Personal Independence Payment (PIP) can help with extra living costs if all the following applies to your young person:

- they're **16 or over**
- they have a long-term physical or mental health condition or disability
- they have [difficulty doing certain everyday tasks or getting around](#)
- you expect the difficulties to last for at least 12 months from when they started

They can get PIP even if they're working, have savings or are getting most other benefits.

They will need to meet all the [eligibility requirements](#).

You can find out more about PIP [here](#).

### Who can apply for PIP?

The Personal Independence Payment (PIP) replaces DLA for children when they turn 16. It is for young people over the age of 16yrs to help with the extra costs of disability if they have both:

- a long-term physical or mental health condition or disability
- difficulty doing certain everyday tasks or getting around because of their condition

and you expect the difficulties to last for at least 12 months from when they started.

They can get PIP even if they're working, have savings or are getting most other benefits.

If your child is under 16 **and currently claiming DLA**, the Department of Work and Pensions (DWP) will normally invite them to claim PIP shortly after their 16th birthday.

When they contact you they will explain what will happen and check whether your child has the mental capacity to deal with their own benefit claims, or whether they will need an appointee to act on their behalf. **It is expected that foster carers will consult with their supervising social worker and the child's social worker to agree whether the foster carer should continue to act on behalf of the young person or whether or not the young person is deemed capable of managing the claim and funds.**

If the young person is a separated migrant, they will also have to meet eligibility criteria in relation to their immigration status and the length of time they have been in the UK. You can find out more about this [here](#).

If you are unsure whether or not the young person you are fostering qualifies for PIP or if you should act as an appointee, a discussion should be had with the young person's social worker and your supervising social worker.

**It is a requirement that the foster carer notifies their supervising social worker if their young person is considering making a PIP claim or if they are considering making a claim on behalf of a young person in their care and the outcome of any application.**

#### **How to apply for PIP**

The first step is to notify the supervising social worker that you, or your young person, wants to make a claim. This enables support to be offered in undertaking the application process.

You can apply for PIP by:

- phoning the PIP claim line on: 0800 917222
- completing and returning the form asking about the young person's conditions
- undertaking an assessment if more information is needed.

When your child telephones the PIP claim line, they (or you) will need to complete a simple claim form over the telephone. This asks basic questions such as your child's name, contact details and nationality. It doesn't ask for detailed information about your child's care or mobility needs. There is a separate paper questionnaire to gather this detailed information. The DWP will post this to your young person after they have made their initial telephone claim.

Your child may also be asked to take part in a consultation with a health professional working on behalf of the DWP. This may be done face-to-face, via the telephone or by video link.

**If your young person needs support to make the claim and manage their finances, then the foster carer should apply to the DWP to become an appointee.** There are more details about this process [here](#). Alternatively the DWP will allow someone else to call on the young person's behalf if they are there with them when they make the call.

The disability allowances are not means-tested.

### If the child might have 12 months or less to live

- Call the PIP claims line to start your claim.
- Ask a medical professional for an SR1 form. They'll either fill it in and give the form to you or send it directly to the Department for Work and Pensions (DWP).

You will not need to go to a face-to-face assessment.

#### TOP TIPS!

You should think about applying if your child has a long-term illness that affects their everyday activities, even if you do not consider your child to be disabled.

### What additional needs does the PIP form want to know about?

Personal independence payment (PIP) is a benefit for people who have difficulty with daily living activities or mobility. You may qualify for PIP if you have a physical disability or long-term health condition, mental health problem, or a learning disability. Claimants must normally be aged over 16 and under state pension age to start a claim.

Like DLA, the PIP form has **two components**. There is a **mobility component** based on your child's ability to get around, and a **daily living component** based on your child's ability to carry out key activities necessary to participate in daily life. They may qualify for either or both parts, depending on how their disability or health condition affects them.

Both components of PIP are paid at either a **standard rate** or an **enhanced rate**. This depends on the level of your child's needs.

PIP uses a points-based system to decide whether someone qualifies for the benefit, and if so, at what rate. Your child receives points depending on the level of difficulty they experience in the following areas:

- Preparing food.
- Eating and drinking.
- Managing treatment.
- Washing and bathing.
- Managing toilet needs.
- Dressing and undressing.
- Communicating verbally.
- Reading.
- Mixing with other people.
- Making decisions about money.
- Planning and following journeys.
- Moving around.



The DWP adds the number of points your child scores in the last two categories to decide if they get the mobility component, and at what rate. Their combined scores in the other categories determine whether they get the daily living component.

**The current PIP daily living and mobility component weekly payment rates can be found [here](#).**

#### TOP TIPS!

A decision on your child's claim will be made by someone who does not know your child. It is important that document all the extra care and support that your child needs. Don't assume that the decision maker will already have this understanding.

If you believe that your child will struggle with an in-person assessment, make that clear on your application form stating the reasons why. The DWP will sometimes make the decision to award PIP without a face to face assessment if it would be potentially distressing for the child to attend.

Make sure to keep a copy of the completed form so you can use it as a reference when the PIP is due for renewal.

Foster carers can claim Carer's Allowance (CA) if they care for a child that receives either rate of the care component of PIP. You can find out more about CA [here](#).

#### **What help is available for foster carers wanting to apply for or renew their DLA or PIP?**

The application process for DLA is quite complex and requires in-depth knowledge of the child's needs. This can be difficult for foster carers who have recently had a child come into their care. The supervising social worker can help the foster carer gather information and evidence from the child's social worker, the IRO, schools, health workers, previous foster carers, birth families and any other key individuals in the child's life.

The SSW can also source support from the [Money Advice Unit](#) who can offer foster carer's support in writing the application in a way that the DWP requires.

Foster carers can also ask their SSWs to put them in contact with the [Hearts Hub](#) coordinator. Hearts Hub is a support network for Hertfordshire foster carers who have children with additional needs placed with them, enabling fosters to access support, information, buddy schemes and activities amongst other things.

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#### **What can you do if your child isn't awarded DLA or PIP or is awarded a lower rate than expected?**

You can [challenge a decision](#) about your claim. This is called asking for mandatory reconsideration.

If your child is refused DLA or PIP or is awarded it at a lower rate than you expected, you may wish to challenge that decision.

Firstly, you can ask for a decision to be looked at again. This is known as a 'mandatory reconsideration' request, and you can do it by phone or in writing. If you want to do it in writing, you can either use form [CRMR1 form](#) or send a letter. You must normally ask for this within one month of the date of the decision you are challenging. Late requests will sometimes be accepted.

If you are still not happy with the outcome of the mandatory reconsideration, you can request an appeal. You must do this either [online](#) or in writing using [an appeal form](#). You must normally do this within one month of the date on your mandatory reconsideration decision. Late appeals will sometimes be accepted.

Find out more about [mandatory reconsiderations and appeals](#).

### **How much money will the child receive?**

Allowance amounts normally change each year and are dependent on what level of need your child is assessed to have.

Current DLA payments rates can be found [here](#).

Current PIP payment rates can be found [here](#).

### **What happens if a child is already receiving DLA or PIP when they are placed with you?**

Where a child in receipt of DLA is initially placed in a foster home the foster carers will be asked if they would be prepared to take on the role of 'Benefit Appointee' for the child. This means they will be responsible for correctly managing the DLA claim and associated DLA expenditure and notifying relevant agencies of any change of circumstances for either the foster child or foster carers.

Where a child in receipt of PIP is placed with foster carers they will be told if the young person is managing their own payments or if they need an appointee. If necessary, the foster carers will then be asked if they are willing to become benefit appointees.

**In all incidences the DWP needs to be notified of a change in circumstances.** For a new foster carer to take over as the appointee, the child's social worker will need to write a letter to the DWP declaring that the child is now in their care and acting as the appointee going forwards.

### **Where will this money go and who does it belong to?**

**These allowances belong to the child/ young person it does not belong to the Local Authority.**

### **DLA**

If your child is under 16 years old, it is expected that the foster carer will become the child's appointee and claim DLA on their behalf.

**You will be expected to set up a separate bank account for the sole use of the DLA payments.** This will provide a clear record of payments and expenditure. Payments will go

directly into that bank account and the foster carer maintains responsibility for overseeing the spending on the account.

DLA money should not be allowed to accumulate unless there is a large spend planned as savings can negatively affect young people's ability to receive benefits when they are older.

## PIP

Once they are 16 years old or older young people can claim PIP in their own right. If the young person has not previously claimed DLA then the foster carer or host (shared lives/staying put) will need to apply to the Department of Work and Pensions (DWP) to ask to become the appointee for PIP if the young person is not able to manage their own finances. The DWP will then visit the young person to assess if an appointee is needed and will interview the foster carer to make sure they are suitable for the role. An appointee takes on all the rights and responsibilities of the child.

**You can learn more about becoming an appointee [here](#).**

Otherwise, the young person, provided they can manage their own finances, can have the benefits paid to them directly. **Foster carers are expected to support the young person to set up a separate bank account for the PIP payments and help them to use the money appropriately.** PIP money should not be allowed to accumulate as savings can negatively affect young people's ability to receive benefits when they are older.

### GOOD TO KNOW:

When a foster carer becomes an appointee for a foster child it means they become responsible for all communication with DWP, including informing them of any changes in circumstances. The child must be living with the appointee (except in a few specific circumstances) so for foster carers this means that if a child moves to a new setting, then the DWP would need to be informed of the child's change of address and the appointee changed to the new foster carer. This usually requires a letter to the DWP from the child's social worker stating that you are the new foster carer.

### How should this money be spent?

**Foster carers are accountable for their use of DLA and PIP to the Department of Work and Pensions (DWP) not to the local authority.**

Hertfordshire recognises that foster carers have delegated authority to make day to day decisions on DLA and PIP spending (where the foster carer is named as the appointee by the DWP). However, there is the expectation that any unusual or high spends will be discussed with the supervising social worker.

Personal Independence Payment (PIP) recipients are allowed to spend PIP on whatever they like, there are no rules. But the Department of Work and Pensions (DWP) say the aim of PIP is to help get around outside (mobility) and/or disability aids or personal-care help.

Whilst every child (and young person) will have different needs, the following examples provide a list (not exhaustive) of items and activities that the DLA/PIP could be used for:

- Leisure activities, including overnight breaks for the child and including holiday activities;
- Day and overnight breaks for the foster carer;
- Any equipment the child might need in order to safely access activities, such as a riding helmet, or a skateboard and protective pads.
- Trips out, activities and support to help the child engage with any special interests they may have, including inviting a friend;
- An extra carer to enable the child to attend social events or to go on holiday safely or as additional help with personal care;
- Caravan expenses so that the child can have regular breaks in a familiar place;
- Any transport aids, adapted bicycles, wheelchairs, adapted car seats, taxi journeys, support with travel training and escorts to accompany travel/travel training;
- Extra support for foster carers, such as child sitting service, using individuals who are DBS checked;
- Individual equipment such as computer, communication aids, a tablet, games console;
- Toys or items which might have a therapeutic value, help the child self-regulate, or that have an educational value, such as a trampoline, Lego or a weighted blanket;
- Special clothing and footwear, for example clothing without seams or wheelchair adapted clothing;
- Replacement clothing where there is excessive wear and tear;
- Adult nappies, special foods or personal care items the child might need;
- Specific furniture, household items, replacement bedding/mattresses that the child needs etc
- Contribution towards additional heating costs if needed for child;
- Laundry service and appliances, and a contribution towards electricity where it is used for the child above and beyond normal expectations, for example a child that regularly wets or soils the bedding;
- Extra electricity used for keeping lights on overnight for a child who is scared of the dark or to charge powered wheelchairs, medical equipment or a fan etc;
- Domestic help to allow carer to spend more time with child, this might include employing a cleaner, a gardener or getting a takeaway meal instead of cooking;
- Streaming services, such as Disney+ or Netflix if purchased to meet the child's needs;

- Other additional goods or activities that will enhance the quality of the child's life, especially where this helps the child cope with the effects of his/her disability.

**It is Hertfordshire's expectation that, in all cases, money spent from either DLA or PIP allowances will be with the looked after child's best interests in mind.** Rather than giving foster carers a prescriptive list of acceptable ways to spend the money we ask that foster carers use the money to enhance the child's life and expand their opportunities in whichever way they think is best.

If foster carers are unclear if it is appropriate to use DLA or PIP money for a purchase, they are encouraged to refer to the [Hertfordshire outcome bees](#). If the DLA or PIP spend achieves any of the following outcomes for the child then it is likely to be an appropriate use of the money, to:

- Be Included
- Be Independent
- Be Ambitious
- Be Safe
- Be Healthy
- Be Resilient
- Be Happy

**Rather than asking foster carers to submit evidence forms showing how the money is being spent, the expectation is that monitoring will be part of the conversation during regular supervision meetings.**

#### **GOOD TO KNOW:**

Ongoing DLA or PIP spend will be discussed as part of supervision and foster carers should be prepared to show bank statements if asked.

If foster carers wish to keep a separate record of expenditure this is also permitted.

#### **What happens if there is a disagreement about how the money is spent?**

Foster carers in Hertfordshire go through a rigorous selection process, and as a county we recognise that as professionals they are best placed to know what is in the child's best interests.

However, if there is a dispute over how the DLA or PIP allowance has been spent by the foster carer, in the first instance the SSW will discuss the matter with the foster carer and ask how the spend was in the best interests of the child. If this is still not clear, or a decision cannot be agreed upon, then the SSW will refer the matter to the DLA/PIP lead in the Hertfordshire fostering team who will make the final decision and/or ask for a decision made by Senior management.

If it is decided that it was not an appropriate use of the child's DLA or PIP, then the foster carer will in most cases not be expected to reimburse the money but may be required to have more frequent monitoring and/ or further training.

If there are concerns over how a young person is spending their PIP allowance, then this should be discussed with the young person in the first instance and the foster carer should make their SSW and the young person's SW aware of any concerns.

### **Further information**

. Please note these links lead you to sites outside Hertfordshire County Council (HCC). These links are being provided as a convenience and for informational purposes only and do not imply on the part of HCC any endorsement or guarantee of any of the organisations or information (including the right to display such information) found on their respective websites. Any comments or inquiries regarding the linked websites or their content should be directed to the owners of the other website.

### **DLA**

Citizens Advice: How to claim DLA for your child

<https://www.citizensadvice.org.uk/benefits/sick-or-disabled-people-and-carers/disability-living-allowance/help-with-your-dla-claim/how-to-claim-dla/>

Citizens Advice: Help filling in the DLA form for your child

<https://www.citizensadvice.org.uk/benefits/sick-or-disabled-people-and-carers/disability-living-allowance/help-with-your-dla-claim/help-with-dla-form/>

Contact: Tips for completing DLA <https://contact.org.uk/help-for-families/information-advice-services/benefits-financial-help/disability-living-allowance/tips-on-completing-the-dla-form/>

Turn2Us: What is Disability Living Allowance (DLA)? <https://www.turn2us.org.uk/get-support/information-for-your-situation/disability-living-allowance-dla-children/what-is-disability-living-allowance-dla>

Carers UK: Disability Living Allowance factsheet

[https://www.carersuk.org/media/ajxhm1js/disability-living-allowance\\_april-2024-25.pdf](https://www.carersuk.org/media/ajxhm1js/disability-living-allowance_april-2024-25.pdf)

Carers UK: Introduction to DLA animation

[https://youtu.be/pNYTFdJ7aWs?si=fl\\_39rqx34SOjZnk](https://youtu.be/pNYTFdJ7aWs?si=fl_39rqx34SOjZnk)

Carers UK: Introduction to DLA BSL signed animation

<https://youtu.be/YBFZBiPnR3U?si=ID6Al-ZYPmlLJMf0>

DWP: About DLA for children- easy read version

<https://assets.publishing.service.gov.uk/media/6437bc17877741001368d8f0/about-dla-for-children-easy-read.pdf>

DWP: DLA video guides in BSL

[https://www.youtube.com/playlist?list=PLC0aQWFFHARyT\\_7dTjPwO42ZlxSZOhgM0](https://www.youtube.com/playlist?list=PLC0aQWFFHARyT_7dTjPwO42ZlxSZOhgM0)

### **PIP**

Citizen's Advice: How to prepare for an assessment PIP

<https://www.citizensadvice.org.uk/benefits/sick-or-disabled-people-and-carers/pip/help-with-your-claim/your-assessment/>

Citizen's Advice: Help completing the PIP form

<https://www.citizensadvice.org.uk/benefits/sick-or-disabled-people-and-carers/pip/help-with-your-claim/fill-in-form/>

Contact: PIP – Information for parents of disabled children in England and Wales

<https://contact.org.uk/wp-content/uploads/2021/03/PIP-guide.pdf>

DWP: PIP video guides in BSL

[https://www.youtube.com/playlist?list=PLC0aQWFFHARy\\_IYZbrnJfuXzhKWotacfM](https://www.youtube.com/playlist?list=PLC0aQWFFHARy_IYZbrnJfuXzhKWotacfM)

Mental Health and Money Advice: Personal Independent Payment (PIP) Contact numbers

<https://www.mentalhealthandmoneyadvice.org/en/welfare-benefits/pip-mental-health-guide/pip-resources/personal-independence-payment-pip-contact-numbers/>

Mental Health and Money Advice: PIP assessment tips

<https://www.mentalhealthandmoneyadvice.org/en/welfare-benefits/pip-mental-health-guide/help-with-your-pip-claim/pip-assessment-tips/>

Carers UK: PIP factsheet [https://www.carersuk.org/media/kjkdhwzy/personal-independence-payment\\_april-2024-25.pdf](https://www.carersuk.org/media/kjkdhwzy/personal-independence-payment_april-2024-25.pdf)

Carers UK: Introduction to PIP animation

<https://youtu.be/0evTdDRg1Sg?si=NlpXllqtfsYNyHml>

Carers UK: Introduction to PIP BSL signed animation

<https://youtu.be/y9WoFV0iGZg?si=SkQPvgl87AI0xQRj>