

CHILD DLA MOBILITY COMPONENT

FACTSHEET

Disability Living Allowance is split into two parts, mobility and care, but you apply for both on the same form. In this factsheet we have written detailed information about the Mobility criteria for children under 16. This can be very useful if you are trying to work out if your child actually fits the criteria for either Low or High Mobility.

DLA Mobility can be paid at two rates.

- The lower rate can be paid from age five or
- High rate can be paid from age three.

Low rate Mobility:

It is quite common for children with Autism, ADHD issues etc to qualify for low rate mobility because the criteria relates to the kind of extra help that a lot of children with these needs require.

Lower rate can be paid for children who have no physical difficulty with walking, but need "**guidance or supervision**" to enable them to walk. 'Guidance or supervision' must be 'substantially in excess' of the guidance and supervision needed by non disabled children of the same age.

For children on the autism + spectrum, relevant factors may be;

- lack of road safety
- sensory issues
- anxiety
- getting lost
- running off
- lack of understanding of stranger danger
- needing someone to monitor the route ahead for potential dangers
- encouragement to continue a journey or help returning home if becoming distressed.
- if your child needs a lot of extra supervision to keep them safe when outdoors then they are likely to qualify for the lower rate.
- It is important to explain the additional help that the child needs to enable them to safely and successfully make a journey on foot.

The low mobility criteria only looks at walking, and does not take into account any help needed with other forms of transport eg catching a bus.

High rate mobility

High rate mobility is much more difficult to qualify for, and most children with autism + do not get awarded high rate mobility.

When you are awarded high rate mobility it means you can automatically qualify for a Blue Badge and can access the Motability Scheme which enables you to exchange the DLA high rate mobility payments for a vehicle.

The high rate mobility criteria is very specific and DWP and Appeal Tribunals only award if the child fits into this. They have no power to issue discretionary awards. Therefore it is extremely important that you explain in detail how the criteria applies to your child.

There are seven possible ways to qualify for high rate mobility. The first five in the following list only relate to physical disability or visual impairment so these are only described briefly:

1. **Due to a physical disability the child is unable to walk:** This relates to when they cannot walk even a few steps due to a physical disability.
2. **The child is both deaf and blind:** Children who have 100% degree of disablement resulting from loss of vision and 80% degree of disablement resulting from loss of hearing, and who cannot walk outdoors without another person.
3. **The child has no legs or feet:** (from birth or amputation).
4. **They are blind or severely visually impaired:** The child must be certified blind/severely sight impaired

and must meet certain additional criteria relating to their degree of visual impairment.

5. **The exertion required to walk would lead to a danger to life/serious deterioration in the child's health:** Danger to health has to be caused by physical exertion, eg apply to a child with a very serious heart condition. This criteria does not apply to children whose behaviour 'causes' danger.
6. **The child meets the 'severe mental impairment' criteria.**
7. **Due to a physical disability the child is 'virtually unable to walk'.**

These final two criteria; the 'severe mental impairment' criteria and the 'virtually unable to walk' criteria do sometimes apply to children with autism, ADHD issues.

Severe Mental Impairment' criteria

To get high rate mobility under the severe mental impairment rules you have to meet every one of the following points:

1. The child receives DLA high rate care. This means if your child qualifies for none of the care component of DLA, or low/middle rate care, the 'severe mental impairment' criteria cannot be considered.

2. The child has a state of arrested development or incomplete physical development of the brain which results in severe impairment of intelligence and social functioning. This rule is split into three parts to make it easier to consider:

a) **The child must have arrested or incomplete physical development of the brain.** Where the child has a diagnosis of autism it should be accepted that they have arrested or incomplete physical development of the brain. If you are still going through the diagnostic process you might struggle to show that this point applies, however, there are other diagnoses such as Global Development Delay that could be accepted as being arrested or incomplete development of the brain.

(b) **The arrested development results in severe impairment of intelligence.** This part of the criteria is the main reason that only a minority of children with autism qualify for high rate mobility, because many children with autism have average or near average intelligence and so do not meet this point. The impairment must be 'severe' and it must be the intelligence that is impaired. What sort of things are considered depends on the child's age, but issues to consider are:

- Does the child have a Learning Disability?
- What sort of specialist educational provision do they have?
- Has the child been significantly delayed in meeting developmental milestones such as developing speech, feeding themselves, toileting etc?
- Does the child understand danger in a way appropriate to their age?
- What difficulty do they have applying the intelligence they have to the real world?

(c) **The arrested development results in severe impairment of social functioning.** This part of the criteria is usually straightforward to meet because it so obviously applies to autism. The child's ability and interest in playing with other children is relevant to this.

3. The Severe Behavioural Problems Rule

- The child has extreme disruptive behaviour. Provide examples about this behaviour. All behaviour is relevant, not just how the child is when outdoors.
- Due to disruptive behaviour the child regularly requires another person to intervene and physically restrain them in order to prevent the child causing physical injury to themselves/others or damaging property.
- Give examples of how and when you have to restrain the child. It is not things that just happen outdoors that count but from when at home and school also.
- Physical restraint means physically stopping the child from doing something, so holding a child's hand to physically hold them back from doing something that would cause injury could count, but holding a child's hand to keep them calm would probably not count.
- Disruptive behaviour is so unpredictable the child requires another person to be present and watching over them whenever they are awake. Give details why someone needs to be with them all of the time, and what dangers could happen if they were left in a room alone.

Virtually Unable to Walk

This criteria is for children who have a physical disability which makes their ability to walk extremely limited. If behavioural issues are caused by something with a physical origin then these behavioural problems can be taken into account.

It has been shown that autism is a disorder of brain development and so has a physical cause. If behaviour caused by autism means that a child's practical, physical ability walk is so limited that they can be said to be 'virtually unable to walk' then they can qualify for high rate mobility under this rule.

Issues of safety, and the need for guidance and supervision, are not relevant to this part of the criteria. This criteria is not dependent on the child also being awarded high rate care.

Interruptions in walking, or refusing to walk, can be taken into account if it happens often enough that on most days they are very physically limited in how far they can walk.

Although there is no set distance in the law below which you are considered 'virtually unable to walk', generally if the child is limited to less than approximately 50 metres they may qualify.

If you feel that the 'virtually unable to walk' criteria applies to your child then it is important to provide a high degree of very practical detail about their physical walking ability.

It is not essential to answer the following questions, but we hope they will help you to think about the sort of detail that would show whether a child qualified under this criteria:

Describe what happens when your child tries to walk:

- How many steps do they normally manage?
- How many seconds do they normally manage to walk for?
- Do they walk in the right direction?
- When they stop do they sit or lie down?
- What happens when they stop?
- Do you have to carry them?
- If they are too big to carry how long do you have to wait before they will get up again?
- Are there any sensory issues you think makes them stop walking?
- Do you usually have to carry your child or put them in a buggy or major buggy? How often does this happen?
- How do they travel to school?
- If they go by car how far is it from your front door to where the car is parked?
- How far is it from where the car stops to the entrance doors of the school?
- How do they get from the front door to the car?
- If they usually try to walk from the front door to the car how long does it take?
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It is very important to provide this level of detail to show that the child is extremely physically limited in how far they can walk.