

contact

*For families
with disabled children*

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[How Contact can help](#) [in print and online]
All about how we can help – free

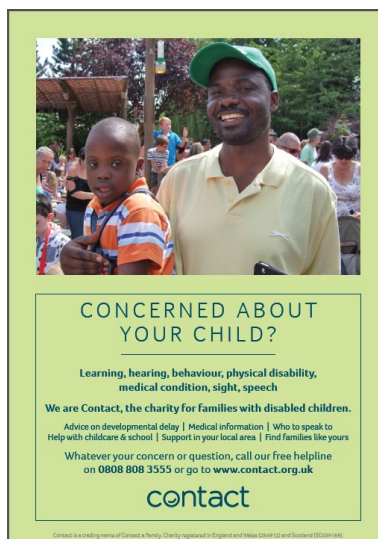
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Money and finance

[Money Matters checklist– England/Wales](#)
[Money matters checklist –Scotland](#)
Benefits and other financial support [online]



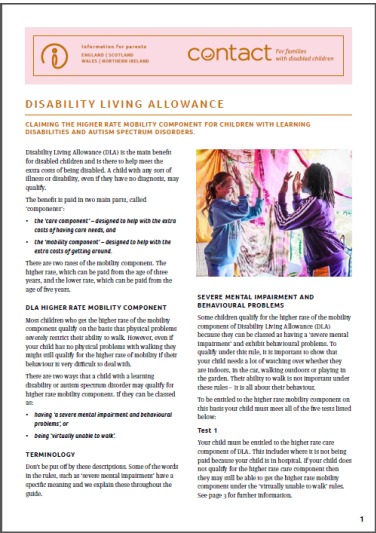
[Claiming Disability Living Allowance for children](#)
How to fill in the form [online]



[Personal Independence Payment and other benefits at 16](#) [online]



[Disability Living Allowance for children with learning disabilities - high rate mobility component](#) [online]



[Claiming Child Disability Payment – Scotland](#) [online]



[Adult Disability Payment – Scotland](#) [online]



Disability Living Allowance when your child is in hospital [online]



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DISABILITY LIVING ALLOWANCE WHEN YOUR CHILD IS IN HOSPITAL

The government have scrapped the rules which previously stopped payment of Disability Living Allowance (DLA) or Personal Independence Payment (PIP) when a child was in hospital.

WHAT WERE THE DLA HOSPITAL RULES FOR CHILDREN?

In the past, once a child had been a hospital in-patient for 14 days (or all days of aged 16 or above) their DLA payments were suspended.

In addition, where a child first made a claim for DLA when they were in hospital, they would have to wait until they were discharged home before those payments could start. Similar rules applied to PIP.

These rules have now been scrapped for children under 18 years of age.

WHY HAVE THE RULES BEEN SCRAPPED?

In July 2017 the Supreme Court found that the DLA hospital rules breached the human rights of a severely disabled child called Cameron Matheson.

Following the Matheson decision, the government introduced an interim policy of not suspending DLA or PIP payments where a child was in hospital.

That interim policy has now become law, as a result of changes to regulations introduced on the 24 June 2018 in England, Wales and Scotland, and from the 6 July 2018 in Northern Ireland.

WHAT ARE THE NEW RULES?

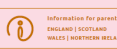
So long as your son or daughter is aged under 18 when they become an in-patient, payments of DLA or PIP continue as normal while they are in hospital. It does not matter how long they are in hospital for.

You do not have to prove how much care you continue to provide to your child while in hospital, nor what extra care you still incur – all children aged under 18 are exempt from the rules restricting DLA/PIP payments in hospital.

If your child first claims DLA or PIP when they are in hospital, payments can start regardless of the fact that



Carer's Allowance [online]
Explains the rules of the main benefit for carers



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CARER'S ALLOWANCE

Carer's Allowance is the main benefit for carers. You might be able to claim if your child receives Disability Living Allowance (DLA) care component at the middle or highest rate or the daily living component of Personal Independence Payment (PIP). For more information about DLA and PIP see our factsheet [Claiming Disability Living Allowance for children and Personal Independence Payment \(PIP\)](#).

HOW ARE MY EARNINGS ASSESSED FOR CARER'S ALLOWANCE?

Only your own earnings are counted. If you have a partner who works their earnings are ignored. In calculating your earnings, the Department for Work and Pensions (DWP) can make certain deductions from your gross pay. This includes not only any tax and national insurance you pay but also deductions for:

- any other active care costs that you have. This includes any childcare costs that you have while you are working whether this is for a disabled child or any other children under 16. If the person you care for is aged 16 or over and you have to pay someone to look after them while you work then those care costs can also be deducted. There is a cap on the maximum amount that can be deducted in this way – this is half of your net earnings. There is no requirement that any pay a registered childcare provider. These costs can still be deducted to long as any someone other than a child relative.
- 50% cost of any pension contributions that you make into a work or personal pension scheme; and
- an amount for any expenses you have that are wholly exclusively and necessarily incurred in carrying out your work and which you or your partner are not reimbursed by your employer. For example, if you have to buy equipment or specialist clothing or have to pay for travel between work places (or between work and home does not count).

If your earnings vary they should be averaged out, although the period over which they are averaged is at the discretion of the DWP. If you are self-employed your average earnings will normally be based on your most recent year's accounts, unless there has been a change in the pattern of your business.

You can claim if you are aged 16 years or over and:

- you look after someone who gets DLA care component at the middle or highest rate or the daily living component of PIP or is eligible for other people with disabilities called attendance allowance
- you look after that person for at least 10 hours a week
- you are not earning more than £123 a week. See below for more details about how your earnings are calculated.
- you are not in full-time education. Generally you're treated as in full-time education if your course is described as full-time by the educational establishment, although there can be exceptions. For example, you've been granted an exemption from parts of your course or the course is not a traditional university type course requiring private study. Even if the course isn't described as full-time, you'll still be treated as being in full-time education if it involves 21 hours or more supervised study per week
- you meet certain rules linked to your immigration status and the length of your presence in the UK.

You can only get one amount of Carer's Allowance, even if you are looking after more than one disabled person. If you share the care of your child with another person and you each provide at least 10 hours a week care, only one of you can get Carer's Allowance for that child.

Help with Council Tax bills [online]



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HELP WITH COUNCIL TAX BILLS

INFORMATION FOR PARENTS OF DISABLED CHILDREN
ENGLAND, SCOTLAND & WALES



Universal Credit for young disabled people in education [online]



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UNIVERSAL CREDIT FOR YOUNG DISABLED PEOPLE IN EDUCATION

Universal Credit is a benefit for people aged between 16 and 64 who are in education or training. It is a new benefit that replaces several other benefits, including Disability Living Allowance (DLA), Personal Independence Payment (PIP), and Child Tax Credit. It is a new benefit that replaces several other benefits, including Disability Living Allowance (DLA), Personal Independence Payment (PIP), and Child Tax Credit.

WHAT IS UNIVERSAL CREDIT?

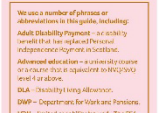
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WHO CAN CLAIM UNIVERSAL CREDIT?

You must claim Universal Credit if you have one or more dependent children. Apart from this, most people of working age can claim. You can claim regardless of whether you are not working or in employment. You can claim if you are a job seeker, a carer, or someone who is unable to work. You must now claim even if you are on a temporary or part-time contract.

WHAT ARE THE NEW RULES?

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Universal Credit – the essentials [online]



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UNIVERSAL CREDIT – THE ESSENTIALS

Universal Credit is a new benefit for people aged between 16 and 64. It can be paid to people who are not working and to those who are in employment. It is a new benefit that replaces several other benefits, including Disability Living Allowance (DLA), Personal Independence Payment (PIP), and Child Tax Credit.

WHICH BENEFITS ARE BEING REPLACED BY UNIVERSAL CREDIT?

Universal credit is gradually replacing:

- Income Support
- Income-based jobseeker's Allowance
- Income-related Employment and Support Allowance
- Child Tax Credit
- Working Tax Credit
- Housing Benefit (except for those in some types of supported accommodation)

There are known as the 'legacy benefits'. Other benefits such as Carer's Allowance, Child Benefit, Disability Living Allowance (DLA), Personal Independence Payment (PIP), and Council Tax Reduction will remain and can be paid alongside Universal Credit.

WHO CAN CLAIM UNIVERSAL CREDIT?

You must claim Universal Credit if you have one or more dependent children. Apart from this, most people of working age can claim. You can claim regardless of whether you are not working or in employment. You can claim if you are a job seeker, a carer, or someone who is unable to work. You must now claim even if you are on a temporary or part-time contract.

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Benefits if your child is in residential accommodation [online]



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BENEFITS IF YOUR CHILD IS IN RESIDENTIAL ACCOMMODATION

This factsheet looks at what happens to benefit payments where a disabled child is in residential accommodation. If your child has overnight stays away from home in a residential care or a residential educational setting, some of the benefits you receive are likely to be affected.

This factsheet will explain what happens to your benefits if your disabled child is away from home in any of the following settings:

- residential school or college
- residential care home
- residential care home
- residential care home

HOW WILL IT AFFECT MY BENEFITS?

There are different rules for each benefit. Some may stop altogether, some may be reduced, while others may continue to be paid as usual. It is important that you tell the relevant benefit and Tax Credit offices when your child goes into residential care even if they only go in for a few nights each month.

WHO SHOULD I TELL?

You need to tell each office separately as they do not always pass on information. No one else will do this on your behalf, so tell them so you can avoid any overpayments.

Disability Living Allowance (DLA) or Personal Independence Payment (PIP)

If you get either of these benefits for your child, contact:

- DLA helpline: 0800 121 4600
- PIP helpline: 0800 121 4433

Carer's Allowance

If you get Carer's Allowance, contact:

- Carer's Allowance helpline: 0800 371 0207



Education and childcare

Home to school transport – England [online]

HOME TO SCHOOL TRANSPORT – ENGLAND

Most children make their own way to school either accompanied by their parents, or independently if they are older. For some disabled children this may not be possible, either because their school is too far away, or because they are not able to walk or use public transport in the same way as other children. Local authorities must make free travel arrangements for these children.

THIS FACTSHEET WILL TELL YOU

- which children are eligible for free school transport
- what sort of transport can be provided
- how to apply for school transport
- how to challenge a school transport decision
- when to find out more.

This factsheet covers children of compulsory school age (5 to 16) in England only. References to children with Education, Health and Care plans (EHCP plans) also cover those who still have Statements under the old system.

LOCAL AUTHORITY DUTIES IN BRIEF

Local authorities must make travel arrangements they consider necessary to enable eligible children to attend school. These arrangements must be provided free of charge under section 500B of the Education Act 1996.

Local authorities also have the discretion under section 500C of the Education Act 1996 to provide transport for a wider group of children. This could be free or charged for.

WHO IS ELIGIBLE?

Some criteria apply to all children, and pupils with special educational needs or disabilities (SEND) may be eligible under these. Others apply only to children with a disability, special need, or mobility difficulty.

Challenging school transport decisions – England [online]

CHALLENGING SCHOOL TRANSPORT POLICIES – ENGLAND

The provision of home to school transport is governed by law, statutory guidance and local authorities' own policies. Local policies must offer at least the minimum legal entitlement. However, research as part of Contact's school transport campaign has shown that a number of policies do not comply with the law. We are also aware of parent groups who have successfully challenged potentially unlawful policies when they have been put out for consultation.

WHAT THIS FACTSHEET WILL TELL YOU

This factsheet will be useful to parent groups and individual parents who want to challenge a local school transport policy. It will help you understand:

- local authorities' duties with regard to transport policies
- the need for after consultation
- common issues on which a policy could be challenged.

For more details on transport eligibility see our factsheet on Home to school transport.

CHILDREN OF STATUTORY SCHOOL AGE (5-16)

The local authority must publish its school transport policy under the Education (School Information) (England) Regulations. This must form part of the composite prospectus published annually for school admissions in the following year. The composite prospectus must be published by 12 September in the year before admission.

Statutory guidance from the Department for Education – Home to school travel and transport guidance – states that the information should:

- be clear and easy to understand
- give full information on travel and transport arrangements

- explain both statutory transport provision and that provided as a discretionary benefit
- set out the appeal process.

The law does not say how or when the local authority should consult on transport policies for this age group. However, Home to school travel and transport guidance recommends that local authorities consult widely on any changes to their school transport policy with all interested parties for at least 14 days during term time.

YOUNG PEOPLE OF SIXTH FORM AGE (16-18)

Under section 500B of the Education Act 1996, the local authority must publish a transport policy statement for 16-18-year-olds. This must be published by 1 May to take effect the next academic year (from September). Local authorities must have regard to statutory guidance (HSC) of transport to education and training when they draw up their local policy for this age group. There are legal requirements detailing who must be involved in the consultation including young people and their parents.

YOUNG ADULTS (18-24 YEAR-OLDS WITH AN EHCP, R-430)

Under section 500C of the Education Act 1996, the local authority must publish a transport policy statement for 'relevant young adults' who are entitled to transport under the adult transport duty. Relevant young adults are defined as those under 25 with an EHCP plan the guidance however still uses the old terminology 'subject to learning difficulty assessment'. The policy must be published by 1 May to take effect the next academic year. There are legal requirements for who must be involved in the consultation, including relevant young adults and their parents.

Extra help in education for 19-25 year olds [online]

EXTRA HELP IN EDUCATION FOR 19-25-YEAR-OLDS

This factsheet is for parents/carers of young people with special educational needs aged between 19-25 in England. It describes the education options available for your son or daughter, and their right to extra help.

WHAT ARE SPECIAL EDUCATIONAL NEEDS?

The law says "A child or young person has special educational needs if he or she has a learning difficulty or disability which calls for special educational provision to be made for him or her". Children and Families Act 2014 section 20.1. A child with special educational needs (SEN) may need more help, or a different kind of help, from that usually given to children of the same age.

In 2014, the Children and Families Act came into force. This law extended the special educational needs system to young people up to the age of 25. It also brought in Education, Health and Care plans (EHCP plans) to replace statements.

WHAT IS AN EHCP PLAN?

An EHCP plan is a legal document which outlines a child or young person to extra help so they can access education. Some young people will need an EHCP plan to finish their education or training. This is likely to be the case if they need more help with their education than a mainstream college can normally provide, and if they were previously supported through a Statement of Special Educational Needs in school or a Learning Difficulty Assessment at college.

Your son or daughter may not have had this support, or they may be wanting to education after a long break. If you may need an EHCP Plan to finish their education or training, you or your son or daughter can ask the local authority to carry out an EHCP needs assessment.

A request can be made at any time before a young person's 18th birthday. See our factsheets Education, Health and Care needs assessments and Education, Health and Care plans for further information about the process.

IMPORTANT CHANGES UNDER THE CHILDREN AND FAMILIES ACT

- further education colleges have the same duties as schools to use their best endeavours to provide extra support to learners with a special educational need or disability (SEND)
- young people with special educational needs can have an EHCP plan if they need more educational support than a mainstream education setting could normally provide
- young people can express a preference for a mainstream or specialist college to be named on an EHCP plan, including a wide range of independent providers
- young people have a right to be consulted and to make their own decisions about the EHCP process. If they have the mental capacity to do this.

EDUCATION BEYOND 19 – WHAT DOES IT LOOK LIKE?

Many young people with SEN will move on from their school or college at around 16. Some may continue in a specialist or mainstream education setting, while others may continue their education outside a formal institution.

'Education' has a broad meaning for young people with SEN in this age group. It does not have to include studying for formal qualifications. Work experience or learning to do the daily tasks independently can be part of an educational programme. A recent court case

A guide to dealing with bullying [online]

DEALING WITH BULLYING

INFORMATION FOR PARENTS OF DISABLED CHILDREN

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Free school meals – England & Wales [online]

FREE SCHOOL MEALS

Many disabled children are entitled to free school meals, but struggle to access or eat them. Because their disability or medical condition, this prevents them with eating the food. Some school meals and the legislation, has education and health care duties when they provide meals to schools.

This guide to schools links to four template letters. It explains how you can use to ask the school to provide free school meals to a new year child who access them.

As the guide and the template letters were written by the public law to ensure rights lawyers, Alex Lewis, Roger Campbell and Katie Stedman, Solicitors Emergency and from Russell Brown, 30 Ram Chambers.

WHAT THE LAW SAYS

Schools have a legal duty to make "reasonable adjustments" to the way that school lunches are delivered. This means that that most law schools may have a duty to access them. The correct way of delivery may be a different kind of "reasonable adjustments" compared to other pupils.

In dealing with a complaint, the law requires will take all the circumstances into account, including the needs of the school and the needs of the disabled pupil.

ASKING FOR A REASONABLE ADJUSTMENT

If your child is eating out in a school lunch they are not a regular customer or member. The law requires schools to do so.

If your school is the reasonable adjustment is refused, you can make a request of funding discrimination to the local authority. If successful, the authority could order the school to fund the adjustment, to apply for the pupil's reasonable training, or potentially grant a claim to prepare a remedy. However, the process is not easy to set up.

THE LAW AFTER SCHOOL DISCRIMINATION IN SCHOOLS AND HOW TO CHALLENGE IT

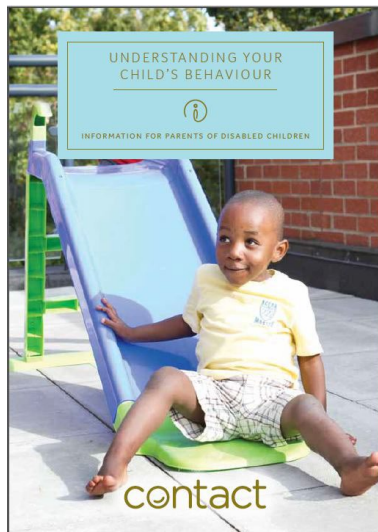
The governing body of the school, including the school, has a legal duty to provide lunch. This is the case whether the child is being educated or not at a school, including at home.

While a governing body is not an individual then a local authority will not be liable for school meals. It will be the local authority or the school.

The law will 2 of the Education Act 1996 and The Education (Schools) Regulations 2002, which says that the law of the 2002-2003.

Behaviour

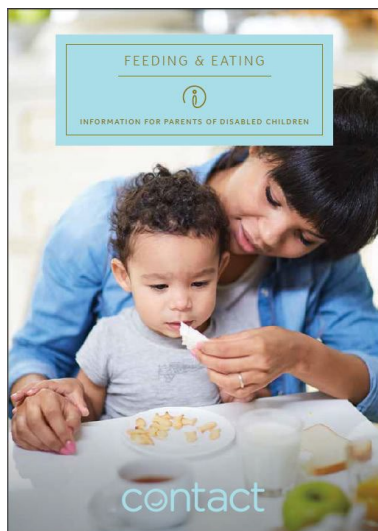
[Understanding your child's behaviour](#) [in print and online]



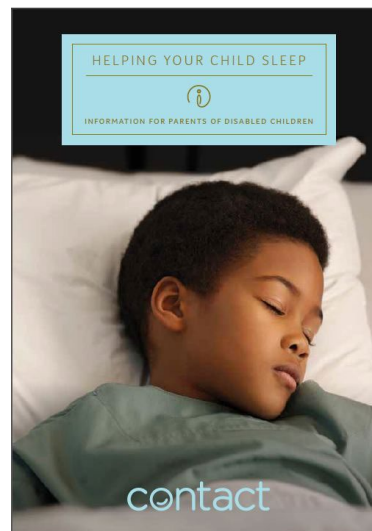
[Potty/Toilet training](#) [in print and online]



[Feeding and eating](#) [in print and online]

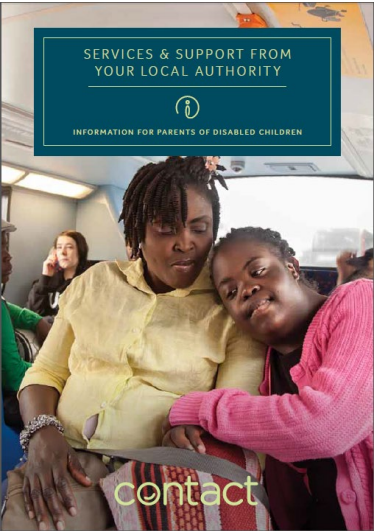


[Helping your child's sleep](#) [online]

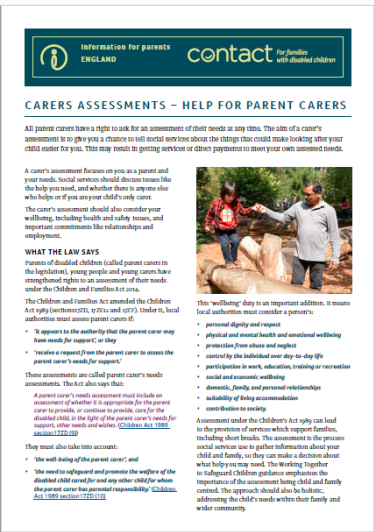


Social care services

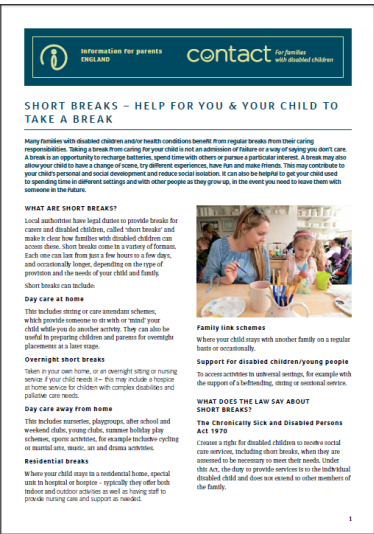
Services and support from your local authority – England [in print and online]



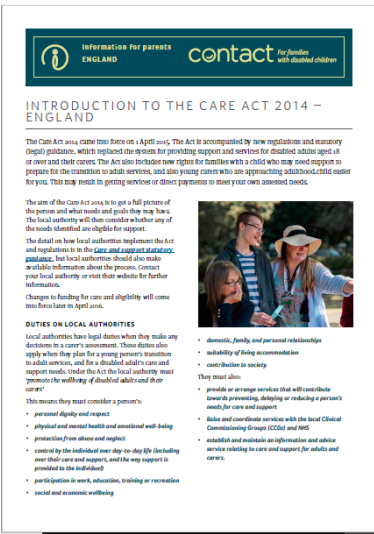
Carers' assessments – help for parent carers - England how parents can access their own support [online]



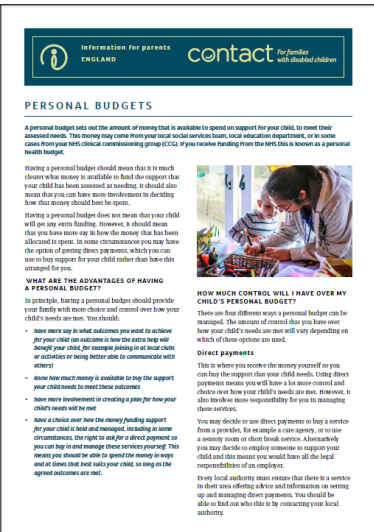
Short breaks – help for you and your child to take a break – England [online]



Introduction to the Care Act 2014 – England [online]

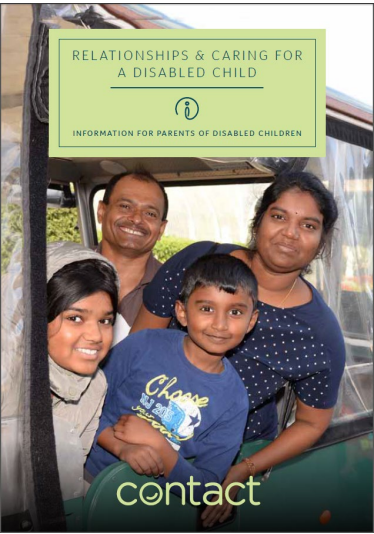


Personal budgets in England overview of personal budgets [online]

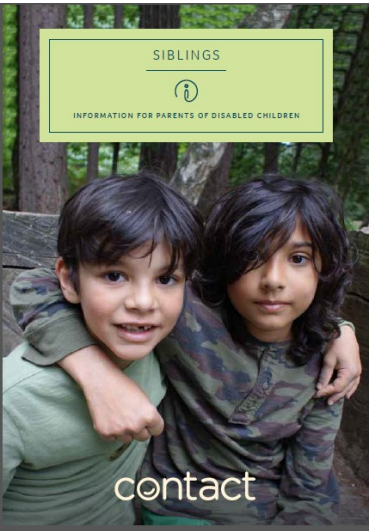


Family Life

[Relationships and caring for a disabled child](#) [online]



[Siblings: information and resources](#) [online]



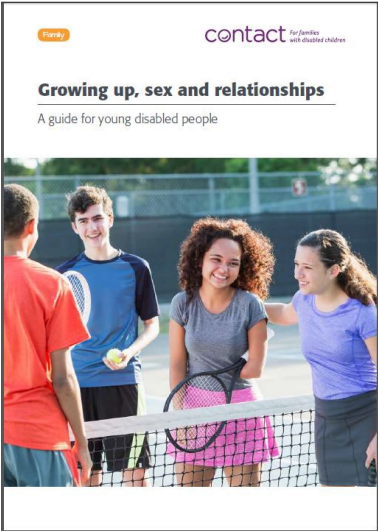
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[Growing up, sex and relationships - for young disabled people](#) [online]



[Growing up, sex and relationships - for parents of young disabled people](#) [online]



Health

[Concerned about your child](#) Professionals who can help [in print and online]



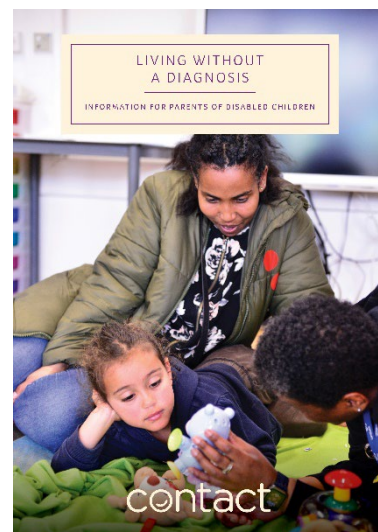
[Developmental Delay](#) - help for concerned parents, with developmental milestones [in print and online]



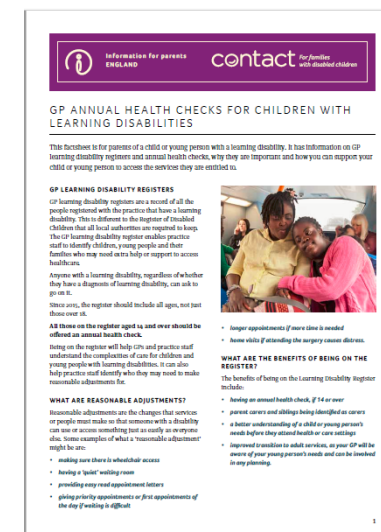
[Living with a rare condition](#) – for parents of children who have a rare condition [in print and online]



[Living without a diagnosis](#) – if your child doesn't have a diagnosis or if you are waiting for one [in print and online]



[GP annual health checks for children with learning difficulties](#) – how to access health support [online]

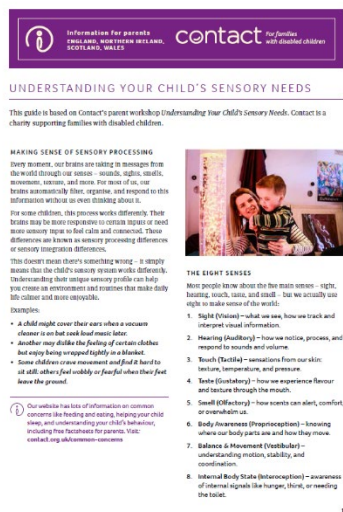


[When your child is in hospital: making things more manageable](#) [online]



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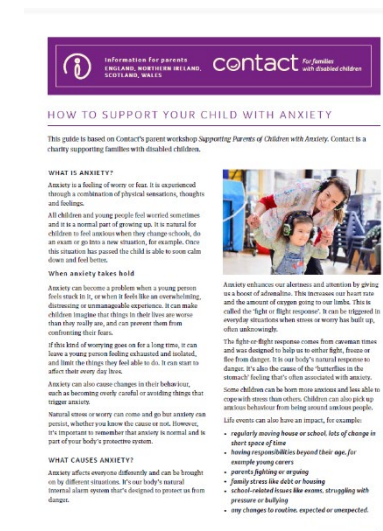
[Understanding your child's sensory needs](#) [online]



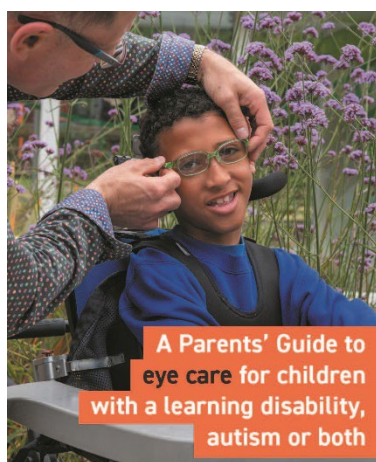
[Guide to hearing care](#) for children with learning disability, autism or both



[How to support your child with anxiety](#) [online]



[Guide to eye care](#) for children with learning disability, autism or both



[Guide to dental care](#) for children with learning disability, autism or both



Reports and research

We publish a number of research, reports and campaign briefings, see www.contact.org.uk/research

Parent Carer Participation

To find information and resources for parent carer forums, see <http://www.contact.org.uk/pcp/resources>

For parent support groups

To find resources for local and national support groups, see <http://www.contact.org.uk/lgn>

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