# The use of DLA by foster carers

1. Disability Living Allowance (DLA) is a Social Security benefit available to disabled children who require help with personal care and / or supervision over and above that of other children of the same age because of their illness or disability;

2. The DLA benefit contains both a care and mobility component and is paid at different rates according to the child’s needs. DLA care component is paid at a low, medium or high rate and may be payable to a disabled child from the age of three months once the child’s needs have been assessed. The Mobility Component is paid at low or high rate i.e. Higher Rate from aged three and Lower Rate from age five. Some children will receive either one or both elements;

3. Any adult caring for such a child, providing the child is not in hospital or residential care for more than 28 days, can apply for this benefit. Although the foster carer does not need the permission of the parent to apply for DLA, it would be good practice for the child’s social worker to inform the parent of their intentions;

4. If a child is in receipt of DLA, prior to becoming a looked after child, the child’s social worker should be involved in discussions with the parent concerning transfer of the DLA to the foster carer. The parent must notify the Department of Works and Pensions that the child is no longer in their care and the foster carer advised to make an application to receive it. In the same way if a child moves from one foster carer to another the foster carer must notify the DWP and any DLA money transferred to the new carer;

5. Where the child is in permanent foster care and in receipt of the mobility component of the DLA, this will transfer to the permanent carers;

6. DLA is paid to the child not the carer. Normally if the child is under 16 the carer acts as an appointee. Otherwise the young person, providing they are capable, can have the benefits paid to them direct;

7. There are no conditions laid down by the DWP as to how the money should be spent. It is intended that the money be used to enhance the child’s life so that the child derives maximum benefit from the payment of this benefit;

8. Foster carers will be expected to set up a separate bank account, in the foster carer’s own name, into which the DLA will be paid;

9. The money is not intended to be saved for the child for use in later years as this could result in them being penalised. For example, if there is more than £3000 in an account when the child returns home this will affect any benefits claimed by the parents. For a child reaching 16 a sum of more than £8000 will affect their claim for income support and housing benefits.

Scrutiny of the money process to ensure that the DLA is being spent appropriately is the responsibility of the child’s social worker, supported by the family placement social worker. If there is evidence that the DLA is not being spent by the foster carer on the child it would be appropriate to make another adult the appointee.

Social work staff and other Directorate staff will, from time to time, ask to see the record of allowance monies which have been spent and / or saved. This will be discussed within a foster carer’s supervision and review. It will also form part of the discussion at the Looked After Review.

Recording is an important part of the foster carer’s role and the foster carer will record the information in the [DLA expenditure recording form](http://inet.norfolk.gov.uk/view/INET171640), which should be regularly updated.

The Supervising Social Worker will from time to time discuss this with the foster carer within supervision meetings and foster carer reviews. They will also ask to view the record from time to time. The child’s social worker will also have access to these records relating to the child they are responsible for.

Saving DLA

Where it has been agreed that DLA should be saved this must be within an account which is clearly separate from that of the foster carer and must be in the child’s name.

Where a child regularly spends time at home

Where a child goes home regularly, a suitable calculation about the DLA allowance should be made. The child’s social worker will discuss this with the foster carer and with the child’s parent/s before a decision is made regarding how this will be claimed for.

Examples of how the money could be spent

\* Activities that are costly e.g. horse riding, after school clubs. Additional equipment needs due to disability and funding above the expectation of a normal foster carer e.g. the third activity in any week;

\* Provision of an escort to enable social events to be attended;

\* Extra helper for an outing or holiday;

\* Taxi fares for trips out;

\* Special holiday for the child, which could include covering the family’s expenses and once the fostering holiday allowance has been used;

\* Caravan expenses so that the child can have regular breaks in a familiar place;

\* Extra support such as child sitting service, using individuals who are DBS checked;

\* Individual equipment such as computer or communication aids;

\* Laundry service and appliances, where health needs mean it is above and beyond normal expectations of placement and the level the carers are paid;

\* Replacement clothing where there is excessive wear and tear on clothing;

\* Additional help with personal care;

\* Anything that will improve the child’s life can be considered in discussion with social worker;

\* Special toys to meet child’s needs - which may be of therapeutic value.

Please note that all escorts or helpers must have a current DBS check to ensure their suitability.

DLA:

Examples of hidden costs:

\* Additional wear and tear on domestic appliances e.g. washing machine, tumble drier, etc.

\* Damage to property.

Road tax, insurance and maintenance costs of second or larger car (NB exempt from road tax if paid higher rate of mobility allowance and this allowance can also be used to lease a car through mobility scheme, which then includes servicing costs).