



Constant Attendance Allowance Factsheet

May 2010

Have your care needs largely resulted from the Mesothelioma?

You may be able to claim **Constant Attendance Allowance**

This can be paid to top up the ordinary Disability Living Allowance (DLA) or Attendance Allowance if it is paid at one of the 2 Upper Rates. It is very important to claim this Allowance because the 2 Upper Rates pay more than the highest rate of DLA or Attendance Allowance.

This Allowance can be paid to people who

- Are getting care and attention from another person **and**
- The amount of care that is required is directly caused by Mesothelioma
- Have been given a 95% disability assessment in your claim for Industrial Injuries Disablement Benefit

The amount of Benefit

The amount of Benefit depends of the level of care that you are getting:

- **The exceptional rate £116.80 per week**
- **The intermediate rate £87.60 per week**
- **The normal maximum rate £58.40 per week**
- **The part time rate £29.20 per week**

Exceptionally Severe Disablement Allowance

This Allowance should automatically be awarded if you are paid CONSTANT ATTENDANCE ALLOWANCE at one of the 2 HIGHER RATES

And

The amount of care that you are getting is likely to be permanent.

It is currently paid at £57.50 per week

Can I have Savings and other Income?

You can have any amount of savings, income or earnings and still keep the CONSTANT ATTENDANCE ALLOWANCE or the EXCEPTIONALLY SEVERE DISABLEMENT ALLOWANCE. Both can be paid on top of any savings or income (including Income Support/Income Related Employment & Support Allowance and Pension Credit).

Will they affect my Income Support, Pension Credits and Housing Benefits?

No

It can be paid on top of

- Income Support
- Pension Credit
- Housing Benefit
- Council Tax Benefit
- Child and Working Tax Credits

Can they be paid on top of other Benefits?

Yes

It can be paid on top of the following Benefits

- Incapacity Benefit/Employment & Support Allowance
- Retirement Pension
- Carer's Allowance
- Industrial Injuries Disablement Benefit
- Disability Living Allowance (Mobility Component)
- Disability Living Allowance (Care Component)
- Attendance Allowance

How to claim

If you are awarded at least a 95% industrial assessment you should automatically be assessed for this Allowance by the Benefits Agency.

NB: Please note that you should claim the ordinary Disability Living Allowance or

Attendance Allowance in the meantime. These Benefits are processed more quickly, usually within 14 to 28 days. If you are awarded the Constant Attendance

Allowance at one of the 2 Higher Rates it will simply top up the Higher Rate of Disability Living /Attendance Allowance which is currently £71.40

What to do if you disagree with a Benefit Decision

Sadly many people are refused these two Allowances because at the time of claiming the disabling effects of Mesothelioma are not present. The sudden and rapid deterioration of the disease at a later date prevents people from applying for a much needed review. Asbestos Support Groups are campaigning to have both Constant Attendance Allowance and Exceptionally Severe Disablement Allowance paid automatically at the same time as Industrial Injuries Disablement Benefit. At present there is no right of appeal to a Tribunal against a refusal to award either of these Allowances. If you are refused Constant Attendance Allowance at one of the 2 Upper Rates please seek assistance.

For help to check exactly which benefits you are able to claim, help to fill in the necessary forms or to discuss any problems you have with your benefits call:

Macmillan Benefits Helpline on freephone 0808 808 0000

Mon – Fri 9am – 8pm

Alternatively, you can contact an Asbestos Support Group, your local Citizens' Advice Bureau or a local specialist nurse for advice and assistance.