

Citizens Advice Hampshire – Challenging Benefit Decisions

HO2 Mandatory Reconsideration – Case Study “Hannah”

Hannah was awarded Attendance Allowance at the Lower Rate two weeks ago. Her son filled in the form, explaining her care needs as he saw them during the day.

Last week he stayed over with her for a few days. He had to get up around 4 times a night, because his Mum wandered around the house, and he had to prevent her from falling on the stairs, leaving the gas on, and wandering out of the house.

He now feels that he didn't adequately describe the help Hannah needs at night because he isn't usually there at night, and didn't know.

Attendance Allowance Disability Test

You must be “so severely disabled physically or mentally that.... [you require] from another person”

During the day

- ‘frequent attention throughout the day in connection with [your] bodily functions, *or*
- Continual supervision throughout the day in order to avoid substantial danger to yourself or others’ or

During the night

- ‘[you require] from another person prolonged or repeated attention in connection with [your] bodily functions, *or*
- In order to avoid substantial danger to [yourself] or others [you require] another person to be awake for a prolonged period or at frequent intervals for the purpose of watching over [you]

Lower rate: for people who meet one of the day time conditions OR one of the night time conditions.

Higher rate: for people who meet one for the day time conditions AND one of the night time conditions.

Part 4: Why you disagree with the decision

Please explain in your own words why you disagree with the decision. Please be specific and provide as much detail as you can. If you disagree with more than one part of the decision, you must say why you disagree with each part.

Please read the booklet CRMR1A ‘How to disagree with a decision made by the Department for Work and Pensions’ for examples of information that will help.

What part(s) of your decision do you disagree with and why?

(If necessary, use the extra space in Part 6)