



How to claim Disability Related Expenditure

Introduction

Research by the disability charity Scope estimates that on average, disabled people spend £550 a month on disability-related expenditure, including higher heating bills, buying specialised equipment, paying for taxis to get around or covering higher insurance premiums.

Paying for social care charges can make this even worse so it is important to have such Disability Related Expenditure properly recognised when it comes to any financial assessment

Legal Basis for Charging and Disability Related Expenditure

The Social Work (Scotland) Act 1968 provides the legal basis for charging for non-residential care. Under s87 of the Act charges must be both “reasonable and practicable” for an individual to pay.

Understanding the associated additional daily living costs of living with an illness or a disability is essential if local authorities are to ensure charging levels meet this test. Failure to take Disability Related Expenditure (DRE) into account as part of the financial assessment could result in charging levels which cause financial hardship and undermine the right of people living with an illness or disability to live independently.

COSLA’s National Strategy & Guidance on Charges Applying to Non-residential Social Care Services 2015/16 recognises the importance of taking DRE into account and states in paragraph 7.31 on page 31 that “to ensure the extra costs of being disabled are taken into account by charging policies councils should be proactive in considering further disregard of income where additional expenditure is incurred by a service user as a result of living as a disabled person.”

What is Disability Related Expenditure

Local Authorities accept that additional DRE costs could include the following as well as others.

- additional heating requirements
- purchase, maintenance and repair of disability related equipment
- specialist dietary requirement
- specialist clothing
- help with cleaning and other domestic tasks

In order to understand what other costs might be, it is helpful to look at the costs with the following broad categories.

- A. Specialised goods, often with an added premium
Such as special communication aids, mobility scooters and wheelchairs
- B. Greater use of non-specialised goods and services
Such as extra heating or phone costs because you are stuck in the house
- C. Higher cost for non-specialised goods and services
Such as having to buy shopping from local shops or get home delivery from more expensive supermarkets.

*For A the full cost of these items should count as Disability Related Expenditure.
For B & C above you should deduct the "normal" costs of these goods and services to get the Disability Related Expenditure element.*

Other costs that could be included are:

Support

- Costs of any privately arranged and paid for care or support, such as respite care, social clubs or befriending that is paid by you directly (excluding Independent Living Fund or Individual Budgets). We suggest you break this down into the following categories if they apply
 - Social Support
 - Emotional support (related to disability)
 - Communication support (related to disability)
 - Personal care
 - Respite care
 - Therapeutic treatment
- Costs relating to carers such as sleeping over or meals or cost of their excursions to accompany you.
- Costs of community alarm systems

Equipment

- Purchase and maintenance of any specialist equipment or general equipment related to your disability. We suggest you break this down into the following categories if they apply
 - Equipment purchase including any costs of a computer as a communication aid
 - Equipment maintenance including costs of communication software and licence.
 - Phone Line rental if you only need one because of your disability or your support needs.
 - Additional home costs (if you need a bigger home)
 - Home renovations
 - Home maintenance
 - Garden maintenance
 - Extra holiday costs
 - Financial products and services
 - White goods (e.g washing machine/dryer)

Other Costs

- Costs of purchase and additional wear and tear on clothing and footwear
- Any additional costs of utilities that are directly related to your disability (e.g. usually extra heating costs but you could include cost of phone calls etc. if you cannot leave the house because of your disability.)
- Additional bedding costs
- Additional laundry costs
- Costs of activities
- Extra travel costs related to disability if they amount to more than the DLA mobility that you get. This may include additional vehicle adaptation or maintenance costs.
- Costs of any membership of a support organisation relating to your disability
- Costs of medical supplies, including non-prescription drugs

This list is not exhaustive. There may be other things that should be included because of your disability and the ways it affects you.

All these costs can only be taken into account if they are genuinely caused by your disability and you have “little or no choice” but to pay them. You may be asked to explain this further so please note a simple reason down for the inclusion of each item.

How to account for them

Where possible keep receipts for expenditure. Do so for a number of weeks so that you can average out the cost.

In other cases such as additional costs to a normal bill such as in electricity and gas usage or washing powder usage, an estimate should be acceptable.

For some items that you might only spend once a year or less, such as a computer for communication aid or other specialist equipment, get a weekly average by estimating its useful life.

We have produced a handy form that you can use either as a computer spreadsheet (available from our website) or on paper to make the calculations.

When to note Disability Related Expenditure

Local authorities should ask you to list any Disability Related Expenditure when they carry out a financial assessment. This means preparing a list in advance.

However you can submit a list of such costs at any time. A local authority may only consider this from the date you submit so do this as quickly as possible.

Disability Related Expenditure is an additional cost beyond ordinary day to day costs and is added to the financial assessment in *addition to the appropriate level of Income Threshold*.

Pursuing the Matter Further

The decision over what to accept is up to the local authority and they may disallow some of the items that you have included. In that case you may wish to consider the reasons that you included

that particular item. If you are satisfied that a “reasonable person” would agree this was a disability related item, then you should consider pursuing the matter.

Options open to you include

1. Asking for a review – write directly to the Director of Social Work and ask them to reconsider the decision giving appropriate reasons.
2. Take out a complaint. – All social work departments have formal complaint systems that have to record and action all complaints. If you are not satisfied with the first response, you can appeal to higher member of staff or Review Committee.
3. Seek Legal Action – As indicated above the local authority is required by law to consider whether if their charges are affecting the lives of disabled people. If you feel that you have been mistreated, you can seek the advice of a lawyer and possible redress through the courts.



SCOTLAND AGAINST THE CARE TAX

We believe that care - both social and personal, should be free for all. Until care charging is abolished, please use this form to help you calculate and try to negotiate your disability related expenditure with your local authority.

DISABILITY RELATED EXPENDITURE	WEEKLY COST	MONTHLY COST	ANNUAL COST (AVERAGE)
Help with household jobs (if paid for privately)	£ -	£ -	£ -
Gardening (if paid for privately)	£ -	£ -	£ -
Social Support	£ -	£ -	£ -
Emotional support (related to disability)	£ -	£ -	£ -
Personal care (if paid for privately)	£ -	£ -	£ -
Respite care	£ -	£ -	£ -
Therapeutic treatment (if paid for privately)	£ -	£ -	£ -
Other Carers Costs	£ -	£ -	£ -
Costs of Community Alarms	£ -	£ -	£ -
Other (please specify)	£ -	£ -	£ -
Equipment purchase	£ -	£ -	£ -
Equipment maintenance	£ -	£ -	£ -
Additional home costs (if you need a bigger home)	£ -	£ -	£ -
Home renovations	£ -	£ -	£ -
Home maintenance	£ -	£ -	£ -
Extra holiday costs	£ -	£ -	£ -
Financial products and services	£ -	£ -	£ -
White goods (e.g washing machine/dryer)	£ -	£ -	£ -
Other (please specify)	£ -	£ -	£ -
Clothing	£ -	£ -	£ -
Wear & tear (of items other than clothing or equipment)	£ -	£ -	£ -
Additional Bedding costs	£ -	£ -	£ -
Food (required because of disability)	£ -	£ -	£ -
Extra heating costs	£ -	£ -	£ -
Extra electricity costs (eg due to increased laundry)	£ -	£ -	£ -
Other extra utility costs	£ -	£ -	£ -
Costs of Activities related to disability	£ -	£ -	£ -
Transport costs (in excess of DLA)	£ -	£ -	£ -
Cost of membership of support organisations	£ -	£ -	£ -
Medical supplies inc non prescription drugs	£ -	£ -	£ -
Other (please specify)	£ -	£ -	£ -
Other (please specify)	£ -	£ -	£ -
Other (please specify)	£ -	£ -	£ -
Other (please specify)	£ -	£ -	£ -
Averaged Weekly Cost	£ -		£ -

Any sum entered into the Weekly Cost OR Monthly Cost column will automatically be multiplied to give an annual cost. However, you can also insert a sum into the Annual Cost column, for bigger one off expenses etc, and leave the Weekly / Monthly Cost column empty. The table will also add the figures in the Annual Cost Column and give you your average weekly