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ADP Mobility Component Introduction

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Introduction

1. This chapter:
 - explains the core eligibility criteria for the mobility component of Adult Disability Payment (ADP)
 - explains points for the mobility component activities and overall score for the mobility component of ADP
 - provides information on the rates of payment for the mobility component of ADP
 - provides information on when an individual is eligible for the Accessible Vehicles and Equipment (AVE) Scheme
2. Exceptions to the core eligibility criteria for the mobility component for specific groups are covered in separate chapters which should, in those cases, be considered alongside this chapter and the relevant activity chapter(s):
 - Terminal Illness
 - Case Transfer
 - Individuals who have reached the pensionable age, or if higher, 65
3. This chapter should be read and applied in line with the Overview of Decision Making chapter.
4. ADP has 2 components – daily living and mobility. Both components are payable at a standard or enhanced rate, depending on the needs of the individual.
5. The ADP mobility component consists of two activities:
 - Activity 1 – planning and following journeys
 - Activity 2 – moving around
6. A case manager will review the completed ADP application form and any supporting information provided by the client or obtained elsewhere, in order to make a determination on an individual's entitlement and rate of payment under the mobility component of ADP. They may also request a case discussion in order to inform their determination. If a case manager is not able to obtain sufficient supporting information to make a determination they can require an

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individual to attend a consultation with a practitioner, where that is the only way that the information can be obtained to make a decision.

Eligibility for the mobility component of ADP

7. An individual is entitled to the mobility component at the standard rate if both of the following apply:
- the individual's ability to carry out mobility activities is limited by their physical or mental health condition(s)¹, and
 - the individual meets the required period condition in accordance with regulation 12.²

1 ADP regs, Reg 6(2)(a)

2 ADP regs, Reg 6(2)(b) taken with reg 12

8. An individual is entitled to the mobility component at the enhanced rate if both of the following apply:
- the individual's ability to carry out mobility activities is severely limited by the individual's physical or mental health condition(s)¹, and
 - the individual meets the required period condition in accordance with regulation 12.²

1 ADP regs, Reg 6(3)(a)

2 ADP regs, Reg 6(3)(b) taken with reg 12

Points for the mobility component activities

9. The mobility component activities are listed in column 1 of the table in Part 3 of Schedule 1 of the ADP regulations ("the mobility activities table"). Each of the mobility activities include a number of related descriptors (listed in column 2 of the table) which represent a range of abilities to undertake the activity and associated numerical points (shown in column 3 of the table)¹.

10. A case manager will decide for each activity which of the descriptors apply to the individual and, therefore, how many points they receive. A case manager should consider that an individual's ability to carry out mobility activities may fluctuate. As a result, they may satisfy several different descriptors for an activity at different times within the required period.

¹ ADP regs, Sch1, part 3

11. The correct descriptor is chosen based on the following principles:

- where one descriptor is satisfied on over 50% of the days of the required period, it is the correct descriptor;

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- where two or more descriptors are each satisfied on over 50% of the days of the required period, the descriptor with the higher or highest number of points is the correct descriptor
- where no descriptor is satisfied on over 50% of the days of the required period but two or more descriptors (other than a descriptor which scores 0 points) are satisfied for periods which, when added together, amount to over 50% of the days of the required period, the correct descriptor is either:
 - the descriptor which is satisfied for the greater or greatest proportion of days of the required period, or
 - where both or all descriptors are satisfied for the same proportion, the descriptor which scores the higher or highest number of points.
- A descriptor is to be treated as satisfied on a day in the required period if the descriptor has been satisfied for any part of the day which is not minimal or fleeting.¹

1. ADP regs, Reg 10(2)

Examples of where a descriptor has been satisfied for any part of the day not considered minimal or fleeting:

- A client who can carry out the mobility activities during some of the day however, due to a chronic joint problem, it takes them two hours in the morning to mobilise
- A client who has a non-predictable leg tremor that comes and goes during the day totalling eighty minutes
- A client with an anxiety disorder that is unable to leave the house in the evening specifically

The required period for determining the relevant descriptor is covered in more detail in separate guidance.

12. A person's ability to carry out a mobility activity is determined by either:

- the basis of their ability whilst wearing or using any aid or appliance that they normally wear or use or
- as if they were wearing or using any aid or appliance which they could reasonably be expected to wear or use.

1. ADP regs, Reg 7(1)

13. The individual's ability to carry out an activity is determined on the basis of which descriptor applies for the individual to be able to carry out the activity:

- safely;
- to an acceptable standard;
- repeatedly; and
- within a reasonable time period. ¹

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These are the 'reliability' criteria and are more fully detailed in the overview of decision making. If an individual cannot complete an activity in the way described in a descriptor in accordance with the reliability criteria, then they should be considered unable to complete it at that level, and a higher descriptor should be considered appropriate.

1. ADP Regs, reg 7(2) and (3)

Overall score for the mobility component of ADP

14. By choosing a descriptor which has an allocated number of points for each of the activities, and adding up the points, the case manager can determine whether an individual has a limited or severely limited ability to carry out mobility activities.

15. A case manager should determine that an individual has:

- limited ability to carry out mobility activities where they obtain a score of at least 8, and no more than, 11 points in relation to mobility component activities, or
- severely limited ability to carry out mobility activities where they obtain a score of at least 12 points in relation to mobility component activities.¹

1 ADP regs Reg 9(3)

Rates of payment for the mobility component of ADP

16. The weekly rate of the mobility component of ADP at the standard rate for 2021-2022 is £23.70.

The weekly rate of the mobility component of ADP at the enhanced rate for 2021-2022 is £62.55.¹

The weekly rates are updated annually in April.

Where an individual is entitled to payment of the mobility component for a period shorter than one week, payment is to be made at one-seventh of the relevant weekly rate, for each day of entitlement².

1 ADP Regs, reg 34(2)

2 ADP Regs, reg 34(3)

17. When considering an individual's rate of payment, there should be consideration of the chapter on Payment of ADP.

18. Whilst an individual may be determined entitled to the mobility component at the enhanced or standard rate, consideration needs to be given as to whether there requires to be any zero-rating, deductions from their rate of payment, or payment of their mobility component to an authorised provider of vehicles. This will be relevant where the individual:

- is in or enters legal detention

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- is in or enters hospital or a similar institution
- is in receipt of War Pensioners' Mobility Supplement
- is to be given payment in whole or in part by way of deduction
- has entered into an agreement with an authorised provider of vehicles

19. Where an individual's entitlement is to be suspended, consideration should be given to suspensions.

Eligibility for Accessible Vehicles and Equipment (AVE) Scheme

20. All or some of the mobility component may be used to pay in full, or contribute towards, meeting the cost of a vehicle for individuals with disabilities from an authorised provider.

This applies when both the individual:

- is entitled to the enhanced rate of the mobility component of ADP, and
- has entered into an agreement with an authorised provider of vehicles for persons with disabilities for the hire or hire-purchase of a vehicle ¹

1 ADP regs, Reg 55(1)

21. The payment of part or all of the mobility component will be made by the Scottish Ministers to the vehicle provider, with the consent of the individual, to meet or contribute towards meeting the individual's liability under the agreement.

22. The Scottish Ministers must stop payment of all or some of the mobility component towards the cost of a vehicle in either of the following circumstances:

- the agreement is brought to an end in accordance with the terms of the agreement, or
- the individual withdraws their consent¹.

1 ADP regs, Reg 552(a) and (b)

23. An appointee acting on behalf of an individual can, on behalf of the individual:

- enter into an agreement with an authorised provider of a vehicle for the hire or hire-purchase of a vehicle,
- terminate any such agreement
- give consent to the payment (in whole or in part) of the mobility component, to which the individual is entitled, to be paid to the authorised provider, and
- withdraw consent to pay (in whole or in part) the mobility component, to which the individual is entitled, to the provider¹.

1 ADP regs, Reg 56(1)

24. An appointee can terminate an agreement, or withdraw consent for the Scottish Ministers to pay the mobility component to the provider, regardless of whether the agreement was entered into, or the consent given, by the appointee or by any other person¹.

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1 ADP regs, Reg 56(2)

25. For further information on the AVE Scheme for individuals in receipt of Short Term Assistance (STA), please see the Short Term Assistance chapter.

1 ADP regs, Schedule 2, Part 1, Paragraph 2(3)

[End of chapter]