



Money when your child reaches 16 years of age

Information for families

UK

Introduction

At 16 years of age, it may be possible for your child to claim certain benefits in their own right. However, if they do, any benefits or tax credits you get for them will stop.

If your son or daughter stays in full-time non-advanced education or some types of training, you should have a choice. Either you can carry on claiming for them as part of your family or they can claim for themselves as a disabled adult. But you will need to weigh up which option is likely to leave your family better off.

This guide also outlines the main benefits available to young disabled people, depending on whether they are in or out of work, in advanced education or on a training course.

Figures used in this guide

The figures used in this guide are based on benefit rates announced by the government for the year April 2010-2011. However, there is a possibility that the government may announce further changes. Contact our helpline for up to date information about whether any of the figures used in this publication have changed.

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Claiming benefits for your child as part of your family

While a child or young person is under 16 years of age, it's not possible for them to claim benefits in their own right. You must claim for them as your 'dependent'. This means you may get certain payments for them as a member of your family.

The main payments you can get for a dependent child are:

- Child Benefit
- Child Tax Credit
- additional amounts for a child or young person paid with Income Support or income-based Jobseeker's Allowance — this only applies to claimants who have not claimed Child Tax Credit yet
- additional amounts included in the assessment of any Housing Benefit and Council Tax Benefit you claim.

When talking about a parent claiming 'benefits and tax credits' for their child in this guide, we are referring to the benefits above. As a general rule, you can get these benefits and tax credits for a young person until the September after their 16th birthday. After that, whether you will be able to continue getting payments depends on their circumstances.

Note: Child Tax Credit, Income Support, income-based Jobseeker's Allowance, Housing Benefit and Council Tax Benefit are all means-tested. Whether you qualify for these will also depend on your financial circumstances.

Claiming for a young person after 16
From the September following a young person's 16th birthday, it is only possible

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to carry on getting payments for them as a dependent if they attend a course of full-time non-advanced education or an approved training course.

Payments can then usually continue until their 19th birthday, unless they stop attending the course or training before that date (see page 6 for more details). Payments can be extended to their 20th birthday if they're completing a course they started (or were enrolled on, or offered a place on) before they turned 19.

When is a course treated as full-time?

To count as full-time, your child's course must be for more than 12 hours a week during term time. This includes classes, tuition and any supervised study. It doesn't include meal breaks or unsupervised study. The education has to be at a recognised educational establishment or 'elsewhere'. This means that home education may count in some cases.

What is non-advanced education?

A course is non-advanced education when it is below the level of an HND (HNC in Scotland). This includes 'A' levels and below, Advanced Highers (Scotland) and below, NVQ/SVQ Level 3 and below, Ordinary National Diplomas or BTEC Diplomas. There may be other courses which are also classed as non-advanced. If you are uncertain about the level of your child's course, seek further advice.

What is an approved training course?

Young people who are attending certain types of approved training are treated as if they were in non-advanced education. This applies to work-based training programmes which don't pay a wage.

When your child lives elsewhere

If your child lives away from home, for example, at a residential school, this may have an effect on your benefits. Contact our free helpline for more advice.

The types of courses classed as 'approved training' depend on which part of the UK you live. Some examples of the approved training courses are:

England

Entry to Employment, Programme led Pathways into Apprenticeships.

Scotland

Skillsseekers, Modern Apprenticeships, Get Ready for Work.

Wales

Skillbuild, Skillbuild+, Foundation Modern Apprenticeships.

Northern Ireland

Access or Training for Success.

Contact the helpline if you're not sure whether your son or daughter's course is approved training.

Notifying the Child Benefit office

The Child Benefit office will write to you during the school year that your child turns 16 to ask if they will be staying on in full-time education or approved training, and when you expect them to leave. If you don't return the form, or say your child is leaving full-time education or training, your Child Benefit will stop.

Notifying the Tax Credits office

The Tax Credits office automatically assumes any young person aged 16 will leave education the summer after they turn 16. They automatically stop any payments for them from the September after their 16th birthday. For tax credits

to continue, you must contact the Tax Credits office to tell them the young person will continue in non-advanced education or approved training.

Notifying Income Support, Housing and Council Tax Benefit offices

Payments for a young person as part of an Income Support, Housing Benefit or Council Tax Benefit claim should continue as usual. But if Child Benefit stops, then any Income Support, Housing Benefit or Council Tax Benefit allowances for them will also stop. It is your responsibility to report any changes that may affect your entitlement.

What happens if a young person starts work while in education or training?

If your son or daughter works, this will not affect your benefits as long as they are still attending a course. Your payments will also not be affected if:

- they're working during a gap between courses (as long as they are enrolled on another course), or
- the August following their 16th birthday has yet to pass.

However, if they are working more than 24 hours a week, you will not get benefit during any period after they've left their course but are waiting for the terminal date or end of their extension period. See box on page 6 for more information.

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Do the payments I get for my child stop as soon as they leave their course?

Generally speaking, you can continue to receive payments such as Child Benefit and Child Tax Credit for a short period after your child leaves education or training.

September after 16th birthday

If your child leaves education or training you can normally carry on getting payments for them until at least 31 August after their 16th birthday.

Terminal date

Child Benefit payments for your child don't usually stop on the day they stop going to their course. They usually continue to a 'terminal date' that falls after the course ends. Contact our helpline for details of the terminal date for your child's course. Child Tax Credit payments will stop as soon as your child leaves education, unless they register with Connexions or the Careers Service.

Extension period

If a young person is 16 or 17 years old and registers with a qualifying body (for example, a local Connexions or Careers Service), you can carry on getting payments for them for 20 weeks from the day they leave their course. If your child turns 18 during this extension period, these benefits will stop on their 18th birthday.



Between courses

You can carry on getting payments for your child if they've finished one course and enrolled on another course they are waiting to start (for example, over the summer holidays). The new course must also be full-time and non-advanced.

Temporarily unable to attend the course

If your son or daughter has to have a break from their education or training, this can be ignored if it is seen as reasonable in the circumstances. This can usually be up to six months, but it can be indefinitely if the interruption is due to physical or mental illness or disability. This means you would still be able to claim benefits and tax credits for them during this time.

When a young person claims benefits in their own right

Many young disabled people in education or training have the option of claiming benefits in their own right. See the section 'Benefits that may be claimed by a young person from 16 years of age' on page 12 for details.

Impact on a parent's benefits if a young person claims benefits

If your son or daughter claims Employment and Support Allowance (see page 12), Income Support (see page 19) or income-based Jobseeker's Allowance (see page 19) they will stop being treated as a dependent of yours in any benefit you receive, and you will no longer get Child Benefit, tax credits or any other payments for them as part of your family.

Also, if your child starts claiming tax credits in their own right, you can no longer get payments for them.

Tell the relevant benefit office

If your son or daughter does opt to claim these benefits in their own right, you must make sure you tell the relevant benefit and tax credit offices about this. If you don't, you run the risk of being overpaid, and you will have to pay it back.

Disability Living Allowance

If your child starts to get Disability Living Allowance (DLA) paid to them directly, it will not stop you continuing to get benefit and tax credit payments for them as your dependent.

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Will we be better off if my child claims benefits in their own right?

This will depend on your family circumstances. You need to compare how much your son or daughter will get if they claim in their own right, with what you will lose from your benefits and tax credits. If you receive child support payments for your disabled child, contact our helpline for advice about whether a claim for benefits in their own right will affect the amount of maintenance you get.

If you have a high income

If your family income is high and you don't qualify for any Child Tax Credit — or you only receive the basic family element of Child Tax Credit (£545 a year) — there is a good chance your household will be better off if your child claims benefits in their own right.

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Education Maintenance Allowance

Education Maintenance Allowance (EMA) is a weekly payment for young people who, after the age of 16, stay on in full-time non-advanced education or, in England, attend an approved training course.

There are three levels of payment depending on your family income, and bonus payments may be paid during the year. If parental income is above a certain threshold, no EMA is paid. Application forms are available from the school or college.

Payment of an EMA doesn't affect any of the benefits or tax credits that you receive. Neither will it affect any payments your child gets if they claim benefits in their own right.

The government has announced that it is scrapping the Education Maintenance Allowance (EMA) in England. EMA will close to new

If you have a lower income

Families with a lower income — and therefore getting higher tax credits payments — run the risk that they will be worse off if their child claims benefits in their own right. The higher your tax credit payments, the less chance you will gain if your son or daughter claims in their own right. In

applicants in England from January 2011. If your child currently gets EMA this will continue until the end of the current academic year. EMA will be replaced by an enhanced learner support fund — this is administered by the individual school or college allowing them to make discretionary payments to those students they believe to be in greatest need. EMA is expected to continue in Scotland, Wales and Northern Ireland.

Training Allowances

In some parts of the UK, young people on approved training can still get a training allowance. It may be possible to continue claiming Child Benefit and Child Tax Credit for your child in these circumstances. Contact our helpline for more detailed advice.

For more information about EMA and training allowances, please ring the Contact a Family helpline.

some circumstances, you could not only lose Child Benefit and tax credit payments but also see a reduction in help with Housing Benefit and Council Tax Benefit. Also, some young people on Employment and Support Allowance lose their right to free prescriptions.

Warning!

Families on low incomes who get the maximum rate of Child Tax Credit or who get Income Support or income-based Jobseeker's Allowance run the risk of being significantly worse off if their child claims a benefit like Employment and Support Allowance. But other families can lose out too.

Get advice

Ultimately, each family's circumstances are different, so it is important to get your individual situation checked, preferably before your child turns 16. Contact a Family employ welfare rights staff who can offer you free detailed advice about whether your household would be better or worse off if your child makes claims for benefits, such as Employment and Support Allowance or income-based Jobseeker's Allowance. To access this free help, call our helpline.

Who will be paid the benefits for my child?

If you claim Child Benefit or Child Tax Credit for your son or daughter as a dependent, they are always paid directly to either you or your partner.

Disability Living Allowance, from 16 years of age, will usually be paid directly to your son or daughter. Also, if they claim Employment and Support Allowance or any other benefit, these will usually be paid to them rather than to you. The only exception is if they lack the mental capacity to manage their own affairs.

If this is the case, you may be able to receive and manage benefits for them as their 'appointee' (see page 21).

If my child gets a bursary or other funding to attend their course, will this affect the payments I get?

Student funding will not affect any tax credits you get. Also, it will not affect any Child Benefit, Housing Benefit or Council Tax Benefit you get. But if you get Income Support (and have not claimed Child Tax Credit yet), then the amount of Income Support you get for that child could be reduced. Contact our helpline for further advice. However student funding can impact on means tested benefits claimed by your son or daughter in their own right.

When a young person leaves non-advanced education or approved training

The choice between continuing to claim benefits for your child, or them claiming in their own right, only arises if your son or daughter stays in full-time non-advanced education or approved training. Once they've left education, you no longer have the option of claiming benefits for them. The financial support available to your

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son or daughter will then depend on what they do after leaving their course.

The following pages give a brief summary of the most common types of support available.

When a young person moves into advanced education

If your son or daughter leaves school to move into advanced education, such as a university course, any benefits and tax credits you get for them as your dependent will stop. As a student, they may be eligible for financial support in the form of tuition fee loans, loans for living expenses, supplementary grants and bursaries. The exact type of student support available will depend on the young person's specific circumstances, including where in the UK they study. For advice on the types of financial support available to disabled students, contact SKILL. See 'Getting advice' on page 22.

Benefits for students in advanced education

Some students in advanced education may be able to claim benefits such as Employment and Support Allowance (ESA). However, if they're under 19 years of age, they will usually only qualify for contributory ESA if their course is for less than 21 hours a week.

Some disabled students who either get Disability Living Allowance (DLA) or who study part-time can claim income-related



ESA but, because it is means-tested, the amount paid will depend on what other student income they have from grants, loans and other sources. Full-time students in advanced education who get DLA are exempt from the test of limited capacity for work when claiming income-related ESA (but not contributory ESA). However, they may still have to undergo the other parts of the work capability assessment (see page 16). For more information on ESA, see page 12.

If a disabled student works in paid employment for 16 hours or more a week, they may be able to get Working Tax Credit.

If your son or daughter is studying away from home, they may also be able to claim Housing Benefit and Council Tax Benefit. Contact our helpline for further advice.

When a young person moves onto a training course which is not 'approved' training

Some young disabled people move from school onto a training course. There are a variety of different government training courses for young people and the financial support available to the trainee will depend on the type of course.

If the training course the young person attends is not an 'approved' training course (see page 4), you will no longer be able to claim benefits or tax credits for them. The financial support available will depend on whether they have the status of a trainee or an employee.

Classed as a trainee

If they are classed as a trainee, then they should get a training allowance which, if low enough, may be topped up with Income Support.

Classed as an employee

If they are classed as an employee, they should get wages. If they work more than 16 hours a week, they may also be able to claim Working Tax Credit. If they work less than 16

hours and have low earnings, call our helpline for further advice.

The rules governing payment of benefit while in a training course are complex, so always seek further advice from our helpline. For advice about training in your area, speak to your local Connexions or Careers Service adviser.

Young people not in work, education or training

If your son or daughter leaves education but is unable to access work or training because of their disabilities, they should be able to claim Employment and Support Allowance as a young adult. For more information see page 12.

When a young person moves into work

If your child leaves school or college to start working, you will no longer get benefits or tax credits for them as your dependent. Depending on their circumstances, they may be able to claim benefits or tax credits on top of their earnings.

Working 16 hours or more a week

If your son or daughter works 16 hours a week or more, then they should consider making a claim for Working Tax Credit as a disabled worker. If they move into work of 16 hours or more, after at least six

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months on Income Support, Jobseeker's Allowance, Employment and Support Allowance or Incapacity Benefit, they may qualify for a one-off job grant of £100. This has to be claimed within five weeks of starting work.

Working less than 16 hours a week

In limited circumstances, it may also be possible for someone to keep their Employment and Support Allowance or Incapacity Benefit while working. See information on permitted work on page 18.

Benefits that may be claimed by a young person from 16 years of age

Employment and Support Allowance (ESA)

Employment and Support Allowance (ESA) is a new benefit paid to people who are assessed as having a limited capacity for work because of illness or disability. ESA has replaced Incapacity Benefit and Income Support for ill or disabled people. ESA has two types of payment – contributory ESA and income-related ESA. Most people who claim contributory ESA need to have paid national insurance contributions to qualify. But young people are exempt from this test. This means that a young person can claim contributory ESA even if they have never worked or paid national insurance. This is known as ESA in Youth. It is not means-tested so it is not affected

by other income or savings the young person may have.

Who can claim contributory ESA in Youth?

A young person who is not able to work because of disability or ill health may qualify for this benefit as long as they:

- are now aged at least 16, and
- were under 20 when their limited capability for work began (but see 'people over 20 years' for exceptions to this rule), and
- have had limited capability for work for at least the last 196 days (28 weeks). Days prior to a young person's 16th birthday can count towards the 196 day qualifying period. (See below for what is meant by 'limited capability for work') and
- if under 19, are not studying for 21 hours or more a week (see below), and
- are present and 'ordinarily resident' in the UK, and not subject to immigration control (seek specialist advice if this is a concern).

Employment and Support Allowance (ESA) is a new benefit paid to people who are assessed as having a limited capacity for work because of illness or disability.



Once it is in payment, contributory ESA can continue to be paid indefinitely (or until they are found not to have a limited capability for work).

Aged between 20-25 years of age and claiming contributory ESA in Youth

Some young people who have given up contributory ESA in Youth to try out work or training can reclaim it even though they are aged 20-25. Other young people aged 20-25 may also be able to claim contributory ESA in Youth in certain circumstances. Alternatively a normal claim for contributory ESA can be made if sufficient national insurance contributions have been made. Seek advice from a local welfare rights or citizens advice bureau if the young person is 20 years of age or over.

Young people under 19 and studying full-time

Young people under 19 years of age who are classed as in full-time education

cannot get contributory ESA. For the purposes of contributory ESA, full-time education means 21 hours or more a week. This usually means supervised study or classes. Lunch breaks are not counted. But it is important to note that if part or all of the course would not be suitable for someone the same age without a disability, those hours are ignored. This means a young person with a disability who is in special education, on a course specially tailored to suit their needs, or who receives extra tuition because of their disability, may still qualify for contributory ESA even if the course actually involves 21 hours or more a week.

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If your son or daughter is unable to claim contributory ESA because they are treated as in full-time education, they may still be able to claim income-related ESA if they are getting DLA at any level.

How much is contributory ESA?

The basic allowance during the assessment phase is now £51.85 pw, increasing to £65.45 per week after the assessment phase.

- The support component is now £31.40 per week (that is £96.85 contributory ESA in total).
- The work-related activity component is now £25.95 per week (that is, £91.40 contributory ESA in total).

Which of these two amounts is paid depends on the assessment carried out in the first 13 weeks of the claim. See page 16 for more information.

Income-related ESA

This can be paid as a top-up to, or instead of, contributory ESA. A young person may qualify for this benefit if they have limited capability for work and:

- are aged at least 16
- have no income or income below a certain amount
- have no more than £16,000 capital – this means things like savings, investments and property
- are not in full-time education (unless they get DLA, see below)
- are not subject to immigration control (there are some exceptions to this so it is best to seek specialist advice)
- are habitually resident in the UK.

Income-related ESA and full-time education

A young person in full-time education cannot get income-related ESA unless they are getting Disability Living Allowance (DLA) care or mobility components, paid at any rate.

Whether a course is full-time depends on the type of course and where your child is studying. Contact our helpline for more details.

Income-related ESA and capital

A young person with capital of £16,000 or over will not qualify for income-related

ESA. Capital means things like savings, investments and property. Certain 'discretionary' trust funds are ignored but any payments made from the trust to your son or daughter can be taken into account as income or capital.

Income-related ESA and other income

Whether someone gets income-related ESA, and the amount they get depends on their individual circumstances and on their existing income. Some types of income are ignored, for example DLA, the Education Maintenance Allowance and earnings from 'permitted work'. But many other types of income are taken into account, including things such as student grants or loans and any earnings above the 'permitted work' levels.

If a young person has capital between £6,000 and £16,000, they will be treated as having a regular weekly income from their capital. To find out if your child is likely to qualify for income-related ESA or any other benefits, please call our free helpline.

Making a claim for Employment and Support Allowance

Most claims are now made by telephone to a contact centre (see page 22). Details of the claim are taken over the phone and a written statement or claim form is sent out to be checked, signed and returned. Both contributory and income-related ESA are claimed on the same form (ESA1). Your son or daughter should make the claim unless you are their 'appointee' (see page 22), but you can make the phone call on their behalf. They may have to be there to give their permission for you to

speak on their behalf. If a telephone claim is not suitable for you, it is possible to get a claim form sent to you.

Backdating of ESA

ESA can be backdated for three months providing your son or daughter satisfies the conditions and you hand in backdated fit notes covering the correct amount of time.

Providing medical evidence

In order to make a claim for ESA, you will need to provide medical evidence that your son or daughter has a limited capability for work. Usually this evidence will take the form of a statement of fitness for work - otherwise known as a 'fit note'.

To be paid contributory ESA in Youth from the date you claim, you also need to provide evidence that your child has been unfit to work for the previous 28 weeks. This means you should ask your GP to provide a backdated fit note covering at least the previous six months. If you can't provide evidence that your child was unfit for this earlier period, you will have to wait 28 weeks before getting any payments of contributory ESA, although your child may still be able to get income-related ESA.

Fit notes and backdated claims

If a claim is made after a child turns 16 then it is possible for payments to be backdated for up to three months or until the child's 16th birthday, whichever date is the more recent. For this to happen,

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you will need to provide a backdated fit note. For contributory ESA in Youth, this will mean that you need to provide a backdated fit note covering not only the previous 28 weeks but also a further three months.

If a claim is for income-related ESA only, then a three month backdated fit note will be needed.

What is meant by 'limited capability for work'?

To qualify for ESA, the Department for Work and Pensions (DWP) has to accept that the person claiming has a 'limited capability for work'.

Most people claiming ESA will have to undergo an assessment known as the 'work capability assessment'. There are two parts to this assessment.

The first part is to decide whether the person claiming has 'limited capability for work'. This involves completing a questionnaire (form ESA50) and attending an examination by a health professional. The assessment is based on a points system, and if not enough points are scored, ESA will not be awarded. It is important to get advice before completing the ESA50 form. You can call the Contact a Family helpline for advice.

The second part of the assessment is to decide which of two groups the person should be in – the 'support group', for more severely disabled people, or the 'work-related activity group' for people assessed as having some prospect of moving into work with support and training.

Some people are automatically treated as having a limited capability for work

Some people are exempt from the usual assessment and will automatically be treated as having a limited capability for work. This includes people who are:

- classed as terminally ill, or
- receiving certain types of chemotherapy or recovering from that treatment, or
- the carrier of an infectious disease, or
- pregnant and work would mean a serious risk to their own or their baby's health, or
- receiving haemodialysis for renal failure for at least two days per week.

Some people will still have to be assessed in order to decide which group they should be in – the 'support group' or the 'work-related activity' group.

Support group

When someone is assessed as being in the support group it means they will not be required to attend any work-focused interviews or undertake any work-related activity. They will also receive a higher level of ESA.

Work-related activity group

When someone is assessed as being in this group they will be expected to attend work-focused interviews (unless they are under 18) and other work-related activities.

Failure to attend any of these assessments without a good reason can result in a sanction being applied and a reduction in benefit.

Claiming Incapacity Benefit or Income Support instead of ESA?

ESA was introduced on 27 October 2008 and replaced new claims for both Incapacity Benefit or Income Support where claimed on the grounds of disability.

If your child already gets Incapacity Benefit or Income Support, they will continue to receive these benefits, rather than ESA, at least initially.

Between October 2010 and April 2014 the government intends to apply the new ESA medical assessment to all pre-existing Incapacity Benefit and Income Support claimants. It will then 'migrate' those who are found to have a limited capacity for work onto ESA. Where someone's existing benefits were higher than the amount of ESA they are entitled to after 'migration' their existing rate of incapacity benefits will be frozen until ESA payments 'catch up' via the usual annual increases. However where someone's existing incapacity benefits are lower than the ESA rate, their benefit payments will immediately be increased once they have 'migrated'. Although most people making a new claim have to apply for ESA, in certain limited circumstances, (and only until 1 February 2011) it is still possible to make a claim for Incapacity Benefit or Income Support instead. The main situations where this applies are:



- where someone has been getting Income Support on the basis of disability since before 27 October 2008, they can still claim Incapacity Benefit. If the young person has previously been claiming Income Support for some reason other than disability (for example, as a lone parent), call our helpline for further advice
- where someone has been getting Incapacity Benefit since before 27 October 2008, they can still claim Income Support
- where someone had previously been in receipt of Incapacity Benefit or Income Support. In certain circumstances it is possible to 'link' a new claim to their previous entitlement.

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Claiming ESA and doing 'permitted work'

If you claim ESA on the basis that you have limited capacity for work then you would normally expect benefit to stop if you actually started working. However, in certain circumstances it may be possible for a young person to do some paid work and keep their ESA. This is known as 'permitted work'. There are three types of 'permitted work':

- a young person claiming ESA can earn up to £20 a week without losing any of their benefit
- a young person can do 'supported permitted work' regardless of the hours worked. The work must be arranged by a public or local authority or by a voluntary organisation. They can earn up to £95 a week (after certain deductions) and will be able to keep their ESA
- a young person can work in any type of employment for a temporary period as long as it is for less than 16 hours a week and earnings are no more than £95 a week (after certain deductions). Normally they can only do this type of work for 52 weeks before they start losing their ESA. However, anyone who is assessed as being in the support group can do this type of permitted work indefinitely without losing ESA.

It is best to let the Department of Work and Pensions (DWP) know if your son or daughter is starting a job. Different permitted work rules will apply if they are claiming Income Support — get advice from our helpline.

Other benefits

Income-based Jobseeker's Allowance (ib-JSA)

ib-JSA is a benefit for people who are actively looking for work. It is a means-tested benefit and claimants have to prove they are actively looking for work. There are also particular rules which make it difficult for most 16-17 year olds to claim ib-JSA. For these reasons most young disabled people claim ESA rather than ib-JSA. For people who have paid national insurance in the past, contribution-based JSA may be another option. Contact the helpline for more information about JSA.

Income Support

Income Support is a means-tested benefit for groups of people who are unable to look for work because of their specific circumstances, for example carers and some lone parents. It can also be claimed by some trainees to top up a training allowance or low earnings. Prior to 27 October 2008 it was also possible to claim Income Support on the basis of disability but this has now been replaced by ESA for new claims. It is no longer possible for someone to make a new claim for Income Support on the basis that they are a disabled worker.

DLA and work

DLA can be paid to someone in employment — and should not be affected by work. However, the fact that someone is able to carry out certain tasks relating to a job may call into question the extent of their care or mobility difficulties, and could lead to a review of their current award. If this happens, seek advice from the helpline.

Working Tax Credit (WTC)

WTC is a benefit that can be claimed by a young disabled person if they are in paid work for at least 16 hours a week. The young person has to be at least 16 years old and they must have a physical or mental disability that puts them at a disadvantage when getting a job.

In addition the young person must either currently be getting Disability Living Allowance or have been in receipt of certain disability or incapacity payments within the last six months. Some people who were submitting medical certificates to the DWP before they started working may also qualify.

The amount of WTC paid will depend on your son or daughter's circumstances, including their taxable income. To claim Working Tax Credit call the Tax Credit office on Tel: 0845 300 3900

Disability Living Allowance (DLA)

When your son or daughter reaches the age of 16, their entitlement to DLA will be assessed using the adult version of the form. The form has a number of differences including a 'cooking test' which only applies to people aged 16 or over. It is a good idea to get advice about

completing this form (see 'Getting advice' on page 22). If your child gets DLA as an adult, it won't stop you continuing to claim benefits and tax credits for them as part of your family.

If your son or daughter is capable of dealing with their own financial affairs, then DLA will be paid to them instead of you. But if you feel they are not capable of managing their affairs you can apply to become their 'appointee'. If granted, this means you will receive the DLA on their behalf. For further information about applying to become an appointee, see page 21.

Carer's Allowance (CA)

You can carry on claiming CA for your son or daughter as long as they get DLA at the middle or higher rates of care and you satisfy the other rules of entitlement. If they have started to claim benefits in their own right, this should not affect your entitlement to CA.

If your son or daughter is a carer for someone else, then they may be able to claim CA. They will need to be aged at least 16 years of age and caring for someone who gets DLA middle or higher rates of care. The care they provide is not defined in the rules but it must be for at least 35 hours a week. Also, there are rules that prevent people who are on a full time course from claiming CA. Contact our helpline for more information.

Freephone helpline: **0808 808 3555**
www.cafamily.org.uk

'Underlying entitlement' to Carer's Allowance

Sometimes a payment of CA cannot be made because another benefit, like contributory ESA or Incapacity Benefit, is in payment. However, it is still important to make the claim as this will establish an 'underlying entitlement' to CA. An underlying entitlement to CA can lead to an increase in the amount of any means-tested benefits they claim like Income Support.

Other financial help

As a parent, you may already qualify for some or all of the following forms of help while you claim for your son or daughter as part of your family. If they start claiming benefits for themselves, they might still qualify for this help in their own right.

Social Fund payments

If your son or daughter gets income-related ESA, Income Support or income-based JSA, they can apply to the Social Fund for a Community Care Grant or Budgeting Loan if they need certain items. A payment can be made for items such as a bed, bedding, clothing or decoration of their bedroom. These are just some examples. It is best to apply for a Community Care Grant because you won't have to pay it back, whereas a Budgeting Loan has to be repaid weekly by an amount taken from their benefit payments.

Free school meals

A young person aged 16, 17 or 18 qualifies for free school meals if they get income-related ESA, Income Support or income-based Jobseeker's Allowance.

School clothing grant

Each local authority has its own rules so it is best to check with them or a local advice agency.

Health benefits

A young person can get free prescriptions, free NHS dental treatment, free NHS sight tests and help with fares to hospital. To qualify, they have to be:

- in full-time education and aged under 19, or
- getting income-related ESA, Income Support or income-based JSA, or
- getting Child Tax Credit or Working Tax Credit which includes a disability element, and with gross annual income of no more than £15,276, or
- an asylum seeker getting support from National Asylum Support Service or the local authority.

If none of these apply, it is still possible to get help on the grounds of low income. Prescription charges are also free for people with certain medical conditions and are free if you live in Wales. Call our helpline for more information.

Note: If your son or daughter gets contributory ESA only (and no

Warning!

An award of Carer's Allowance can sometimes lead to a 'cared for' adult's benefits being reduced. Before making a claim for Carer's Allowance, it is important to get advice from our helpline.

When a young person turns 16, they are expected to take on responsibility for any benefits they claim in their own right. But if they're unable to manage their own affairs, you can become their 'appointee' for benefit claims.

income-related ESA), they are unlikely to get free prescriptions unless they fit into one of the categories above.

When a young person is unable to manage their benefit claims

When a young person turns 16, they are expected to take on responsibility for any benefits they claim in their own right. But if they're unable to manage their own affairs, you can become their 'appointee' for benefit claims. If you have already been appointed by the courts to look after their affairs, you won't have to do anything else.

What is an appointee?

If you are made an appointee for your child's benefits, this means you are responsible for making any claims, giving any information required and telling the

Department for Work and Pensions of any changes that may affect their entitlement to benefits. The benefits will be paid to you on their behalf. Becoming an appointee for benefit purposes does not mean you have any wider rights to deal with their affairs.

How do I become an 'appointee'?

Contact the DWP who will arrange a home visit. This is usually a straightforward process and should not delay any claims that you are making.

Getting advice

It is very important to get full and detailed advice about your benefit and tax credit entitlement as well as that of your son or daughter. Contact a Family employ experienced benefit advisers who can calculate your benefit and tax credit entitlements over the phone.

We can also help you access a local adviser if you need help completing forms or if you need someone to phone the DWP or tax credit offices about your claim.

To access the free Contact a Family helpline, 0808 808 3555

You may wish to contact the office paying your benefits or tax credits directly:

Freephone helpline: **0808 808 3555**
www.cafamily.org.uk

Child Benefit Unit

Tel: 0845 302 1444

Textphone: 0845 302 1474

Tax Credit Helpline

Tel: 0845 300 3900

Textphone: 0845 300 3909

DLA Unit

Tel: 08457 123456

Textphone: 08457 22 44 33

For families in Northern Ireland, please ring our helpline for your local numbers.

Employment and Support Allowance

Jobcentre Plus

Tel: 0800 055 66 88

Textphone: 0800 023 48 88

To discuss a claim for ESA.

SKILL – the National Bureau for Students with Disabilities

Tel: 0800 328 5050

Textphone: 0800 068 2422

Advice about grants, bursaries, loans and other financial support for disabled students.



Contact a Family would like to thank Her Majesty's Revenue and Customs for funding this booklet.

Written by Marian Gell.

Social networking

Contact a Family is on Facebook and Twitter. Join us at:

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Podcasts

You can download podcasts from our website at: www.cafamily.org.uk/news/podcasts.html

iTunes users can listen to our podcasts at:

www.cafamily.org.uk/itunes

Videos

You can watch videos on our YouTube channel at:

www.youtube.com/cafamily

Freephone helpline: **0808 808 3555**
www.cafamily.org.uk

Getting in contact with us

Free helpline for parents and families

0808 808 3555

Textphone

0808 808 3556

Open Monday–Friday

Access to over 170 languages

www.cafamily.org.uk

www.makingcontact.org

Contact a Family Head Office:

209-211 City Road, London EC1V 1JN

Tel **020 7608 8700**

Fax **020 7608 8701**

e-mail **info@cafamily.org.uk**

Web **www.cafamily.org.uk**



Language Line
services

Other information booklets available

This guide is one of a series produced for parents and groups concerned with the care of disabled children. A full list of Contact a Family publications is available on request or can be downloaded from our website www.cafamily.org.uk

- The tax credits guide (UK)
- Benefits, tax credits and other financial help (UK)
- Special educational needs (England)
- Disabled children's services in England and Wales (England & Wales)
- A guide to claiming Disability Living Allowance for children (UK)
- Help with council tax bills (England, Scotland & Wales)

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