



Benefits, tax credits and other financial help

Information for families

UK

Introduction

This guide gives an overview of all the main benefits and tax credits available, focusing on those aspects which affect families with disabled children.

Some benefits can be paid because your child is disabled but you may be paid others for different reasons. For example, you may be getting Disability Living Allowance (DLA) for your child but you may also be able to claim Income Support because you have a low income.

Warning: Please note that benefit rules are different if you care for an adult and you should get advice before claiming. You can get this from a local Citizens Advice Bureau (CAB) or welfare rights unit.

Information in this guide

The information provided in this guide is based on benefit rules and rates announced for the year April 2010-2011. However, there is a possibility that after the general election the new government may make changes to the benefits system. Contact our helpline for an update.

Contents

Claiming benefits and tax credits	3
Benefits and looking after a disabled child	5
Benefits for families on a low income	8
Tax credits for working people and people with children.....	14
Benefits when your child turns 16	16
Benefits for widows and widowers	19
Other benefits	20
Other possible sources of financial help	23
What to do if you are unhappy with a benefit or tax credit decision	27
Frequently asked questions	27
Getting further advice	30

Claiming benefits and tax credits

Eligibility criteria

Each benefit and tax credit has its own set of eligibility criteria. This means you need to meet certain conditions to qualify.

To claim **contribution-based benefits**, you need to have paid national insurance contributions in the past.

To claim **means-tested benefits**, you must be on a low income, with savings of less than a certain amount.

Claim now, even if you are not sure you qualify, as you could miss out if you delay. The Contact a Family helpline, a local Citizens Advice Bureau (CAB) or welfare rights unit can carry out a full benefits check for you.

These are just basic criteria and each benefit has other conditions which must be met before they can be paid to you. Some benefits, for example Disability Living Allowance (DLA), are paid in full even if you have never worked, and are not affected by any income or savings you have.

When to claim

After reading this guide and if you know which benefit or tax credit to claim, you should telephone the appropriate office straight away. Claim now, even if you are not sure you qualify, as you could miss out if you delay. The Contact a Family helpline, a local Citizens Advice Bureau (CAB) or welfare rights unit can carry out a full benefits check for you.

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



It is difficult to get awards backdated and some benefits, for example DLA, can't be backdated from before the date you claim them, no matter what the circumstances may be.

Work-focused interviews

People who make a claim for certain benefits will be asked to attend compulsory interviews to talk about employment, training and education opportunities. If you claim Income Support, Employment and Support Allowance, Incapacity Benefit or Severe Disablement Allowance, you may be required to attend interviews.

You might also be asked to attend an interview at Jobcentre Plus if your partner

claims Carer's Allowance or any of the above mentioned benefits and gets extra payments for you, or if they claim income-based Jobseeker's Allowance.

If you do not attend an interview without a good reason, your benefit could be reduced or even stopped altogether.

How are benefits paid?

Some benefits are paid as tax credits by HM Revenue and Customs (referred to here as the Revenue). Different offices of the Department for Work and Pensions pay most other benefits. Benefits and tax credits are usually paid directly into a parent's bank account. Any benefits for your child will be paid to you as their parent.

Benefits and looking after a disabled child

Disability Living Allowance (DLA)

DLA is the main benefit for disabled children (disabled adults can claim for themselves although the rules are slightly different). It is usually paid every four weeks and is not means-tested. This means you can be paid without taking into account other money you have coming in. DLA has two parts and either one or both parts can be claimed.

Part 1: Care component

If your child needs a lot of extra looking after or help with personal care because of a physical or mental disability, they should qualify for the care component. This is paid at three rates depending on how much extra care your child needs. It can be paid from when a child is three months old or from birth if a child's condition is terminal.

Part 2: Mobility component

If your child needs help getting around, they may qualify for the mobility component of DLA.

The lower rate mobility component is for children who can walk but need someone to supervise or guide them. This can be paid when a child reaches five years of age.

The high rate mobility component is for children who have severe difficulties walking or who are unable to walk. It is also for children who get the high rate care component and have a 'severe mental impairment' as well as 'severe behavioural problems'. This is also paid to people who

Each benefit and tax credit has its own set of eligibility criteria. This means you need to meet certain conditions to qualify.

are both deaf and blind or people whose health might deteriorate with the exertion of walking. From April 2011, people with severe visual impairments will also become eligible for the high rate mobility component.

The high rate mobility component can be paid from when a child is three years of age. Getting the high rate mobility component means you can apply for a Blue Badge for disabled parking and for road tax exemption. You also have the option of using your child's high rate mobility component to hire or buy a car through the government's Motability scheme. Contact our helpline for further details.

Claiming DLA

Use claim form DLA(1) Child, available from local benefit offices or by calling the Benefits Enquiry Line, Tel: 0800 882 200, or Tel: 0800 220 674 in Northern Ireland.

You can also complete the form on line or print out a copy from the government website at: www.direct.gov.uk/disability-dla.

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



If you request the form from the Benefits Enquiry Line, it will be date-stamped and you will have six weeks to complete and return the form. If you do this, benefit can be paid from the date you asked for the form, providing your child qualifies during these weeks. Otherwise, the earliest your benefit can be paid is from the date your form is received by the benefits office.

The government plans to stop using 'date-stamped' claims and to replace this with two weeks backdating from the date your form was received. At the time of writing no date has been set for this change.

It is usually best to get help with the form from a local citizens advice bureau

or disability advice project, because it is very long and can be difficult to complete. Contact a Family's booklet, 'A guide to claiming DLA for children' is available free from our helpline or can be downloaded from our website.

At the time of writing, the government is piloting a new DLA claim pack for children. Contact our Helpline for an update on when this is likely to be introduced for all children claiming DLA.

If your child has a terminal illness and is not expected to live for more than six months, you can make a claim under a fast-track procedure known as the 'special rules'. You only need to complete certain

parts of the DLA pack. You will also need a DS1500 medical certificate from your GP or hospital specialist.

A child who qualifies under the special rules should get the high rate care component automatically. It is possible for a terminally ill child to also get the mobility component. However, unlike the care component, this is not awarded automatically and depends on whether the child meets the standard qualifying rules. The mobility questions in the claim pack have to be completed.

DLA and overnight stays away from home

Frequent and regular stays away from home can affect the care component of DLA. This could be when your child is in hospital, residential school or on a short-term break (respite care). The rules are complex and it is very important to seek advice. You can contact our helpline for further information.

DLA and other benefits

Getting any rate of DLA can help you qualify for extra amounts of other benefits like Income Support, income-based Jobseeker's Allowance and Housing or Council Tax Benefit. It can also lead to an increase in your tax credits payments.

Getting any rate of DLA can help you qualify for extra amounts of other benefits.

If you are getting Child Tax Credit and your child is awarded DLA (or if an existing DLA award is increased to the high rate for personal care), make sure you tell the Tax Credits office within three months of getting this DLA decision. So long as you do this, any extra tax credits should be backdated in line with the DLA award.

Carer's Allowance (CA) – formerly called Invalid Care Allowance

You could be entitled to receive CA if your child receives the middle or highest rate of the DLA care component. To qualify you need to be:

- caring for the child for at least 35 hours a week and be aged 16 or over
- if you work you must not earn more than £100 a week net (after taking off certain childcare costs and other expenses)
- not in full-time education (this is classed as 21 hours or more supervised study a week).

If you don't qualify but someone else helps care for your child, they may be able to claim instead. This could be a relative who helps while you are at work.

How much is CA?

CA is paid at a basic rate of £53.90 a week. Some people who claimed before 6.4.10 receive additional amounts for a dependant adult or for children.

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

Claiming CA

Apply using form DS700 or DS700 (SP) if you get a state pension. This is available from your local benefit office or the Benefit Enquiry Line. CA should be backdated to the start of the DLA award, as long as you claim within three months of the decision awarding your child the DLA care component at the middle or high rate. You must have met the qualifying conditions during the whole period. Otherwise CA payments can only be backdated for a maximum of three months.

CA and other benefits

You cannot usually be paid CA at the same time as Incapacity Benefit, contributory Employment and Support Allowance, Maternity Allowance, bereavement benefits, contribution-based Jobseeker's Allowance, and State Retirement Pension.

However, making a claim for CA could still help you even if you can't be paid it because you get one of the above benefits. This is because it can help you to qualify for extra payments as part of certain means-tested benefits like Income Support, income-related Employment and Support Allowance, income-based Jobseeker's Allowance, Housing Benefit and Council Tax Benefit. See the section on the carer premium on page 11 for more information.

Benefits for families on a low income

Income Support (IS)

IS is a means-tested benefit to help individuals or families on a low income who have savings of £16,000 or less. To qualify, you must be someone who does not have to be available for work, for example a carer or some lone parents. Usually, you must be working less than 16 hours per week and, if you have a partner, they must be working less than 24 hours per week. However, some carers can claim IS regardless of the hours they work.

The amount of Income Support you receive depends on your personal circumstances (including those of any partner) and on your income and capital. It can also include help towards mortgage interest payments, although there is usually a waiting period before this is included.

Amounts for children

Child Tax Credit (CTC) replaces financial help paid for children in the Income Support (IS) assessment. This has already happened for all new IS claims.

Families who have been receiving IS since before April 2004 had the choice of continuing to get payments for their children included in their claim. However, the government intends to move all these families onto CTC at some point before 2012. When this happens, only the adult amounts of IS will be paid. A separate CTC payment will be made for children. Most parents will continue to receive IS at a reduced rate. However, some families



could find they no longer receive IS when amounts for their children are removed. The Government expects that, as a result of moving onto CTC, most parents on IS will either be better off or they will see no change in their total weekly income. However, a very small number could end up worse off.

Contact our helpline for detailed advice if you would like to know how you will be affected by a CTC award. For more information about the Child Tax Credit, see section on 'Tax credits for working people and for people with children' on page 14.

Pension Credit

Pension Credit (PC) is made up of two parts, a guarantee credit and a savings credit.

Guarantee credit

This is designed to ensure a minimum income for older people. To be eligible, you or your partner must be aged above the pension credit qualifying age. This was previously 60 years but over time it is gradually increasing in line with the women's state pension. You must also have income below a certain level. This level varies for people in different circumstances. The calculation assumes you will have income from any savings above £10,000, but there is no upper limit. The calculation will not include any amounts for children. If you have children, you will need to claim Child Tax Credit. See 'Tax credits for working people and for people with children' on page 14.

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



Savings credit

This is designed to reward people who have saved or made extra provision for their retirement. To be eligible, you or your partner have to be at least 65 years of age. The award will be based on how much your income is over a certain threshold. However, if you earn above a certain level of income, you will not be entitled to receive payments.

How to apply

The Pension Service

Tel: 0800 99 1234

Textphone: 0800 169 0133 (Mon-Fri, 8am-8pm)

For Northern Ireland

Pension Service Application Line

Tel: 0808 100 6165

Textphone: 0808 100 1165 (free call) (Mon-Fri, 9am-5pm)

Pension Service Enquiry Line

Tel: 0845 601 8821

Textphone: 0845 601 8841 (Mon-Fri, 9am-5pm)

If English is not your first language, you can also ring the relevant number and ask for an interpreter.

Income-based Jobseeker's Allowance (ibJSA)

ibJSA is very similar to Income Support and is calculated in the same way. The main difference is that it is designed to help people who can't claim Income Support, have a low income and are looking for work. If you have a mortgage, you can get some help towards the interest payments. Amounts paid for children as part of ibJSA will be replaced by Child Tax Credit, in the same way as for Income Support (see 'Amounts for children' on page 8). For more information about Jobseeker's Allowance, see 'Other benefits' on page 20.

Income-related Employment and Support Allowance (irESA)

IrESA is a benefit for people on low incomes who have a limited capability for

work because of their health problems. It was introduced on 27th October 2008 and replaced new claims for Income Support on the grounds of disability. If you have a mortgage, it can include help towards interest payments. See page 17 for more information about Employment and Support Allowance.

Housing Benefit (HB) and Council Tax Benefit (CTB)

These benefits help people on a low income pay their rent and council tax (rent and rate rebates in Northern Ireland). If you are already getting Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance or Pension Credit (guarantee credit), you will usually qualify for full HB and CTB. But even if your income is too high to be paid any of the benefits above, you could still get some HB and CTB.

The amount of help you get depends on how much money you have coming in and your family circumstances. You will automatically be refused HB and CTB if you have savings or capital of over £16,000, unless you get Pension Credit (guarantee credit).

HB and CTB are local authority benefits which means you need to contact your local council for claim forms. In Northern Ireland, rent and rate rebate claims are dealt with by the Northern Ireland Housing Executive or Housing Benefit Office, and the Land and Property Services. If you have a private landlord, then your housing benefit is calculated using special rules known as the Local Housing Allowance. Contact our helpline for more details.

The carer premium

The carer premium is not a benefit in itself. It is an extra amount added to the calculation when working out your entitlement to the means-tested benefits mentioned above. A carer premium is included in these calculations if you are paid Carer's Allowance, or you claimed Carer's Allowance and the only reason it is not paid is because you are getting another benefit instead. Qualifying for the carer premium could mean you are better off by up to £30.05 per week.

Getting Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance or Pension Credit (guarantee credit) means you should also qualify for:

- Housing Benefit if you pay rent (rent rebate in Northern Ireland)
- Council Tax Benefit if you pay council tax (rate rebate in Northern Ireland)
- free prescriptions and dental treatment, free NHS eye tests and vouchers to help with the cost of glasses, as well as help with travel costs to hospital for NHS treatment
- free school meals
- vouchers for milk, vitamins, fresh fruit and vegetables for pregnant women, nursing mothers and for children up to four years of age
- help from the Social Fund.

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

The Social Fund

The Social Fund gives various payments to help people on a low income with specific costs. Claims for any of the payments are dealt with by your local benefit office or Jobcentre Plus office.

There are different types of payments you can get:

Maternity Grants

If you get Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance, Pension Credit, Child Tax Credit (at a rate above the family element), or Working Tax Credit (that includes a disability element), you could get £500 to help with extra costs when you have a new baby.

Funeral Payments

If you are on Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance, Pension Credit, Child Tax Credit (at a rate above the family element), Working Tax Credit (which includes a disability element), Housing Benefit or Council Tax Benefit, you could qualify for help towards the cost of a funeral for a close relative or close friend.

Cold Weather Payments

An automatic payment for people on certain benefits and pension credits, cold Weather Payments are paid when the temperature drops to a certain level over seven consecutive days.

Winter Fuel Payments

An automatic annual payment for winter fuel is made for households with a person who is aged above the pension credit qualifying age (this had previously been 60 but is gradually increasing in line with the women's state pension).

Crisis Loans

Financial help in the form of a crisis situation can be made if you have no other way of getting help. The money given to you has to be repaid to the Department for Work and Pensions.

Budgeting Loans

For families on Income Support, income-related Employment and Support Allowance, income-based Jobseeker's Allowance or Pension Credit a budgeting loan can help with costs like moving home or buying new items such as a cooker. This loan has to be repaid to the Department for Work and Pensions.

Community Care Grants

A payment to ease 'exceptional pressures' on families or to help people at risk of going into care, or who need help to settle in the community after a stay in residential care or prison. Unlike a loan, a grant does not have to be repaid. To be eligible for this award you must be on Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance or Pension Credit.

Usually a grant is given for specific items, which might include clothing, bedding and other household items. The Community Care Grant can also help with the costs of visiting someone in hospital and are often awarded to families with disabled children or children with serious health problems.

See our free guide to Community Care Grants available from our helpline or website.

Each payment has its own set of criteria you need to meet in order to qualify. Some of these payments are discretionary, meaning you might not be paid even if you meet the criteria. For more information about the Social Fund contact our helpline.

Fares to hospital for treatment

If you are on Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance or Pension Credit (guarantee credit), you can claim help with travel costs to and from hospital for NHS treatment when escorting your child.

You can also claim if you get Working Tax Credit (including a disability element) or Child Tax Credit, and your gross annual income is no more than a set amount (15,276 at the time of writing). You can get a refund of the cost of fares directly from the hospital if you take along a valid NHS exemption certificate or proof of benefit income.

If you are not getting these benefits but have a low income, you could still get help. If your child is 16 years of age or over, it is their income that counts, not yours. If you are on a low income and want to make a claim, ask the hospital or benefit office for forms HC5 and HC1.

If you are not the patient but are visiting a close relative and you are getting Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance or Pension Credit, you may be able to get a Community Care Grant from the Social Fund. Again, ask at your local benefit office for a form.

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

Anyone with a dependent child can claim Child Tax Credit. You can apply whether you work or not and it is paid on top of Child Benefit.

NHS benefits

These include free prescriptions, free dental treatment, free NHS eye tests, and vouchers to help with the cost of glasses. Various groups of people can qualify for this help, including those on Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance and Pension Credit (guarantee credit). If you get Working Tax Credit (including a disability element) or Child Tax Credit, and your gross annual income is no more than a set amount (£15,276 at the time of writing) you could qualify for NHS benefits.

There is also a Low Income Scheme for other people and 'pre-payment certificates' which might help reduce your prescription charges. For more information, contact:

Help with Health Costs helpline

Tel: 0845 850 1166

Health Publications Order Line

Tel: 0300 123 1002

Vouchers towards milk, fresh fruit and vegetables

These vouchers are for people who get Child Tax Credit (but not Working Tax Credit) and whose income is less than £16,190. They are also for people who get Income Support, income-based Jobseeker's Allowance, income-related Employment and Support Allowance or Pension Credit (guarantee credit).

To qualify, you or a dependent of yours, must be pregnant or have a child under four years of age. If you qualify, you can get vouchers towards the cost of milk, infant formula, vitamins, fresh fruit and vegetables. Pregnant women under the age of 18 qualify whether or not they are getting one of the benefits mentioned above.

If you don't already get vouchers, you will need to complete an application form available from your local Jobcentre Plus, doctors' surgery or the Healthy Start helpline on Tel: 0845 607 6823, www.healthystart.nhs.uk. The form needs to be signed by a health professional, for example your health visitor.

Tax credits for working people and for people with children

There are two tax credits. Working Tax Credit (WTC) is a means-tested tax credit for working people on low incomes. Child Tax Credit (CTC) is a means-tested tax credit for people with children. Couples (this includes same-sex partners) must make a joint claim.

Both tax credits are paid by the Revenue and are claimed on the same form – TC600. This is available from your local Revenue office or the Tax Credits helpline.

Tax Credits Helpline

Tel: 0845 300 3900

Textphone: 0845 300 3909 (Mon-Sun, 8am-8pm)

Working Tax Credit (WTC)

You qualify for WTC if you, or your partner if you have one, are working for 16 hours a week or more and have a dependent child. This means that you have a child under 16 years of age, or under 20 years of age and in certain types of education or training.

WTC is also for:

- some people without children living on a low wage
- people with a disability working at least 16 hours a week
- people over 50 who have recently returned to work after a period of time on benefits
- people over 25 working at least 30 hours a week.

There are special rules that allow some people to qualify who were working but have now stopped. These include:

- term-time only school workers
- women on Statutory Maternity Pay or Maternity Allowance
- people on Statutory Paternity or Adoption Pay
- people off work sick in certain circumstances.



WTC can include extra amounts for disabled workers and people who work more than 30 hours a week. It can also help towards certain 'approved' childcare costs. Childcare costs can only be included for:

- lone parents who are working at least 16 hours a week
- couples who are both working 16 hours
- where one partner works 16 hours and the other is incapacitated or in prison.

For information and advice about finding and paying for childcare, phone the Contact a Family helpline.

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

Child Tax Credit (CTC)

Anyone with a dependent child can claim CTC. You can apply whether you work or not and it is paid on top of Child Benefit. It is made up of a basic family element, which is paid at a higher rate if you have at least one child under one, plus amounts for each child.

You could get extra CTC if you have a child who gets Disability Living Allowance (DLA). This is because an extra amount is added to the CTC calculation for each child who gets DLA or is registered blind. If your child gets the high rate DLA care component, a further amount is added.

The amount of tax credit you get is usually based on your annual taxable income. If you have a partner, your joint income is taken into account. Although tax credits are means tested, you are guaranteed some Child Tax Credit as long as your income is less than £58,000 (£66,000 if you have a baby under one). In some cases, you can get tax credits even if your income is above this amount, for example you have more than one child on DLA and a lot of childcare costs. Unlike most other means-tested benefits, there is no capital limit.

Contact a Family publishes *The tax credits guide* which includes a 'ready reckoner' to help you assess your tax credit entitlement. You can also access our on-line calculator at <http://www.cafamily.org.uk/cashcounts>. We employ welfare rights specialists who are able to advise on any aspect of claiming tax credits. Please contact our free helpline for further details.

People in work could also get other benefits, including help with rent and council tax if your income and savings are low enough. See 'Benefits for families on a low income' on page 8.

Benefits when your child turns 16

Generally, you can claim benefits and tax credits for your child as your dependent while they are under 16 years of age. You can also claim until they are 19 years of age if they stay in full-time, non-advanced education or certain types of unwaged work-based training. This can be extended up to the young person's 20th birthday if they are completing a course of education or training that started (or onto which they had been enrolled or accepted) before they turned 19. However, young disabled people can choose to claim benefits in their own right from 16 years of age.

For your child to get benefits (other than Disability Living Allowance) in their own right, you need to give up Child Benefit and amounts you receive for them in any other tax credits and benefits you get. So it is important to get advice first to check that this will not make you worse off, because you need to consider how much benefit you will lose and how much they will gain. Contact a Family produce a guide to claiming benefits for 16-19 year olds *Money when your child reaches 16 years of age*, available free from the helpline.

Claiming Incapacity Benefit or Income Support on the grounds of disability rather than Employment and Support Allowance (ESA)

Although most people making a new claim will have to apply for ESA, in certain circumstances it is still possible to make a claim for Incapacity Benefit or Income Support instead. The main situations where this applies are:

- if someone has been getting Income Support on the basis of disability since before 27th October 2008, they can still claim Incapacity Benefit. If you have been claiming Income Support on some other basis (for example, as a carer or lone parent) but also have health problems, call our helpline for further advice
- if someone has been getting Incapacity Benefit since before 27th

October 2008, they can still claim Income Support

- if 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.

There can be advantages in claiming Incapacity Benefit/Income Support rather than ESA, so seek further advice if any of the above situations apply.

Between 2010 and 2014, existing claimants of Incapacity Benefit or Income Support on the grounds of disability will be reassessed using the new ESA assessment. Those who pass the assessment will then be transferred over to ESA.

Also, when your child turns 16, Disability Living Allowance can start to be paid to them directly unless they are unable to handle their own affairs. If this is the case the Department for Work and Pensions (DWP) will nominate someone, usually the parent, to act as an appointee for the young person.

Young people and Employment and Support Allowance (ESA)

Employment and Support Allowance (ESA) is a benefit for people whose capacity for work is limited by their health problems. It was introduced on 27th October 2008 and replaced new claims for both Incapacity Benefit and Income Support on the basis of disability.

There are two types of ESA – contributory ESA and income-related ESA. Some young people will receive both types of payment, others may only get one.

Contributory ESA

Most people must have paid national insurance contributions to get contributory ESA. However, special rules mean a young person can qualify for contributory ESA even if they have never worked or

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



paid national insurance. In these cases it is called ESA in Youth. ESA in Youth is paid in the following circumstances:

- the claimant is at least 16 years of age
- under 20 years of age or, in some circumstances, aged 20-25 (seek further advice)
- has been incapable of work for 196 days before the claim was made (this can be for a period before your child's 16th birthday).

Full-time education and ESA in Youth

Young people under 19 years of age who are in full-time education can't be paid contributory ESA. Full-time education is classed as 21 hours a week of supervised study. However, any hours of the course that are only appropriate for a disabled young person are not included when you calculate the number of hours. Because of this rule, many children in special education, or on courses specially tailored to their needs, can claim contributory

ESA despite being in education full-time. Being in full-time education should not stop any young person from getting contributory ESA once they reach 19 years of age.

Even if your child is refused contributory ESA, they may still be able to claim income-related ESA (irESA) instead.

Income-related ESA (irESA)

As its name suggests, irESA is a means-tested benefit. It can either be paid by itself or alongside contributory ESA.

ESA is paid at two different rates; a lower rate during an initial 13 week assessment period, and then at one of two higher rates.

During the first 13 weeks, Jobcentre Plus will decide whether your health problems are sufficient for you to be paid ESA at all. If they do accept that you have a limited capacity for work, they will then go on to decide which of two groups you fall into:

- the 'support group' – for the most severely disabled people
- the 'work related activity group' – this applies to everyone else. Claimants in this group will have to attend regular work-focused interviews with a long-term aim of helping them eventually move into work.

People in the support group will get more generous ESA payments than those in the work related activity group. Payments of ESA can also be increased with an award of extra premiums. These extra payments are dependent on an individual's circumstances.

One claim form covers both types of ESA. It is available from JobCentre Plus on
Tel: 0800 055 6688
Textphone: 0800 023 4888 (Mon-Fri, 8am-6pm).

To claim ESA, you need to provide medical evidence from your doctor that you have a limited capability for work. Young people claiming ESA in Youth will also need to provide backdated medical evidence from their doctor covering at least the previous 28 weeks. From April 2010, GPs providing medical evidence are expected to use a new 'statement of fitness for work' as a replacement for medical certificates.

For detailed advice on ESA or any other state benefit, call our free helpline on
Tel: 0808 808 3555.

Contact a Family also produce a guide, *Money when your child reaches 16*, available free for parents from our helpline or from our website.

Benefits for widows and widowers

Bereavement benefits are for both men and women who have recently lost their spouse or civil partner. In Scotland, it is sometimes possible to qualify if you were living with an opposite-sex partner but were not married. There are three different types of bereavement benefits.

The Bereavement Payment is a one-off payment of £2,000. To qualify, you must be under pension age when your spouse or civil partner dies. If you are older, you might qualify if your spouse or civil partner was not getting a retirement pension based on their own national insurance contributions. Your spouse or civil partner must have paid enough national insurance contributions in the past for you to get the payment, or have died as a result of an accident at work or contracting a disease at work.

Widowed Parent's Allowance is a weekly payment for widows and widowers with dependent children. The amount you get depends on your late spouse or civil partner's national insurance record (unless they died as a result of an accident at work or contracting a disease at work).

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

Bereavement Allowance is a weekly payment that can be paid for 52 weeks starting from the day your spouse or civil partner died. The amount you get depends on your spouse or civil partner's national insurance record (unless they died as a result of an accident at work or contracting a disease at work). It also depends on how old you were when they died. You must have been 45 years of age or over to claim. You cannot get Bereavement Allowance at the same time as Widowed Parent's Allowance.

Both Widowed Parent's Allowance and Bereavement Allowance cannot be paid after retirement age.

Other benefits

Child Benefit (CB)

You can get CB if you are responsible for a child. It does not depend on your income or savings, or whether you stay at home with the child. It can be paid to someone other than a parent, for example a grandparent who looks after a child.

CB is normally paid up until your child is 16 years of age. If your child is in full-time non-advanced education or certain types of unwaged work-based training, CB can be paid up to the age of 19. This can be extended up to your child's 20th birthday, so long as they are completing a course of education or training that started before they turned 19 years of age.

Jobseeker's Allowance (JSA)

JSA is a benefit for people who are unemployed and looking for work. To qualify for JSA, you must register as available for, and actively seeking, work. You must also have entered into a jobseeker's agreement to show what steps you are taking to find work.

JSA is a benefit in two parts. If you have paid enough national insurance contributions in the past, you could qualify for contribution-based JSA. This is paid at a flat rate for the first six months you are unemployed.

Income-based JSA can be paid to top up any contribution-based JSA or on its own. It is means tested and the amount you get will depend on your financial circumstances. For more information about income-based JSA see 'Benefits for families on a low income' on page 8.

Employment and Support Allowance (ESA)

ESA is a benefit for young people and adults who have a limited capacity for work due to ill-health or disability. At first, the benefit office will usually accept medical evidence from your own doctor but eventually you will need to undergo an assessment by the Department for Work and Pensions. See page 17 for more detailed information on ESA.

Maternity Allowance (MA)

MA is a state benefit for pregnant women who do not get maternity pay from their employer. It can be paid for up to 39 weeks.

To qualify, you must have been working for at least 26 weeks in the last 66 weeks before the baby is due, either as an employee or self employed. You must have earned an average of at least £30 for 13 of those weeks.

Women who do not qualify for Statutory Maternity Pay or MA might qualify for Employment and Support Allowance for at least six weeks before the baby is due until two weeks after the baby is born. It may be paid for other weeks if you are unfit to work. For more information about Employment and Support Allowance, see page 17.

Health in Pregnancy Grant

This is a one-off payment from the Revenue of £190 to women who are at least 25 weeks pregnant. It is not taxable or means tested and does not affect your entitlement to other benefits. A claim form is available from your doctor or midwife. They have to sign a certificate stating they have provided you with advice relating to maternal health and you must return the claim form within 31 days of the date on the signed certificate.

Industrial Injuries Disablement Benefit (IIDB)

IIDB is a benefit designed to help people who are injured or contract a 'prescribed disease' while working. If you have had an accident at work, you could be entitled to IIDB. It does not matter how old you are or how long you have worked somewhere, how much you have earned or whether you have paid national insurance contributions.

However, IIDB is paid at different rates depending on how disabled you are as a result of the accident or disease. It is not normally paid unless you have been assessed by the DWP as being at least 14 per cent disabled, although there are some exceptions.

If you have contracted a disease in the course of your work, you will only qualify if it is a disease covered by the scheme (benefit can be paid for around 70 different diseases).

Attendance Allowance (AA)

The AA benefit is very similar to the care component of Disability Living Allowance (DLA) except it is for people who have extra care needs after 65 years of age. For AA there is no equivalent of the mobility component for older people. It is paid at two rates and the claim process is the same as for DLA. Like DLA, it does not matter how much income or savings the claimant has.

Getting AA will also help you to qualify for the Pension Credit (guarantee credit), Housing Benefit and Council Tax Benefit (rent and rate rebates in Northern Ireland).

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

If someone is looking after a person who gets AA, they may also be able to get Carer's Allowance as their carer. It is usually best to get advice first, since an award of Carer's Allowance can, in some cases, lead to the disabled person losing some of their means-tested benefits, (for example Pension Credit (guarantee credit), Income Support, income-related Employment and Support Allowance, Housing Benefit and Council Tax Benefit.

Disability Living Allowance (DLA)

DLA can also be paid to adults who need help with their personal care and/or have problems getting around. For information about benefits available to disabled adults see the section 'Getting further advice' on page 30.

State Retirement Pension (RP)

You can get RP if you have reached retirement age. This had been 60 years of age for women and 65 for men. However, pensionable age for women will gradually increase to 65 years between 2010 and 2020. To see your retirement date go to the state pension age calculator at <http://pensions.direct.gov.uk/en/state-pension-age-calculator/home.asp>. You must have paid enough national insurance contributions for a Category A pension. Otherwise you can rely on your spouse or civil partner's national insurance contributions for a Category B pension.

The amount you get depends on how much national insurance you have paid or been credited with over your working life. For a Category B pension, it is the amount your spouse or civil partner has that counts. If you get Carer's Allowance

you will automatically receive National Insurance credits. If you do not get Carer's Allowance you may still be able to protect your pension by applying for a 'Carer's Credit'. This replaces Home Responsibilities Protection from April 2010 and helps some carers and people with children who have gaps in their national insurance record because they have not been working.

To get a carer credit you must provide at least 20 hours care for one or more people on a qualifying disability benefit



(e.g DLA at the middle or high rate for personal care) or where no qualifying benefit is in payment have a signed certificate from a medical or social care professional confirming that the level of care is appropriate. People who get Income Support as a carer on the basis that they provide regular and substantial care should also qualify. Similar credits are available for parents receiving Child Benefit for a child under 11 and for foster parents. For more information, call the Contact a Family helpline.

If you do not qualify for a Category A or Category B pension, or if your pension is very low, you could get a Category D pension when you reach 80 years of age. You do not need to have paid any national insurance to qualify for a Category D pension.

You could qualify for extra if you have a dependent adult. Also, unless you have opted out, you could get additional pension via the State Second Pension. The State Second Pension also helps some groups who do not have earnings, like carers.

You can continue to work and claim your pension in full. Also, it may be possible to delay claiming your pension after you reach retirement age so you can qualify for a higher rate or a one-off lump sum at a later date. If you are thinking of deferring your pension, get advice. This is because if you get certain benefits in the meantime, it could stop you getting the increase or lump sum from your deferred pension. The pension age will be equalised to 65 years of age for both men and women

between 2010 and 2020.

Guardian's Allowance (GA)

GA is a benefit paid to people who look after children who are effectively orphaned. This means a child whose parents are both dead, or where one parent is dead and the other parent can't be found. It can also be paid to people who look after a child who has lost a parent, and the other parent has been sentenced to prison for two years or more, or is detained in hospital under a court order.

Other possible sources of financial help

Help getting around

In some areas, there are schemes that provide cheap transport for people with mobility problems. The names of the schemes and what is on offer can vary. Details should be available from your local Citizens Advice Bureau, Volunteer Bureau, Disablement Association or from Door to Door, a transport and travel website for disabled and less mobile people:

Door to Door

www.dptac.gov.uk/door-to-door

Disabled Facilities Grants (DFG),

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

renovation and minor works

You should contact the local housing authority to check what help is available before starting work on your home to make it suitable for your disabled child. There are a number of different grants available and some are means tested. In England, Wales and Northern Ireland, the most relevant grant is probably the Disabled Facilities Grant (DFG), which helps meet the cost of property adaptations for a disabled person. Scotland, however, has a separate 'scheme of assistance'.

DFGs are not means tested so long as the grant is provided to meet the needs of a disabled child. Contact our helpline for more information and for a copy of our guide *Aids, equipment and adaptations*, giving more details about housing grants.

Council tax (England, Wales and Scotland)

Council Tax Benefit is designed to help people who do not have enough money to pay their council tax bill. There are also a number of schemes to help specific groups with their council tax by reducing their bill. This includes the disability reduction scheme, which reduces your council tax bill if someone in your household is disabled and you have a second bathroom or kitchen they need. You can also qualify for a reduction if you have a room in your house that a disabled person needs other than a bathroom, kitchen or toilet. Or, if you have enough space for someone who needs to use a wheelchair indoors.

There is also a discount scheme which

reduces your council tax bill if there are less than two adults in the property. Children and some adults are ignored when counting the number of people who live with you. More information is available in our guide *Help with council tax bills*, free from our helpline.

Education Maintenance Allowance (EMA)

Young people of 16-18 years of age (and some 19 year olds) who stay on at school or college, or are doing certain types of unwaged work-based training, could be eligible for an EMA. The amount of an EMA depends on your income as a parent. No payment is made if your annual taxable income is more than a set figure (which varies depending on where in the UK you live). EMAs do not affect any of the benefits that you or your child receives. Contact your child's school, college, training provider or our helpline for more details.

Child Trust Fund (CTF)

Child Trust Funds are long-term savings and investment accounts for children living in the UK, who were born on or after 1st September 2002. Each eligible child automatically receives a voucher from the government for £250. Children in low-income families can also receive an additional payment of £250. To get an additional payment on the basis of low income, you must either:

- be on specific means-tested benefits, or
- you must have a taxable income below a certain level (£16,190 for 2010/11) on the date Child Benefit was first paid, and
- claim CTC before your trust fund

voucher expires (that is, within 12 months).

The government also makes a further payment of £250, or £500 for children in low-income families, once your child turns seven.

From April 2010, the government is also making extra annual payments of £100 (£200 if a child is on the care component of DLA at the highest rate) into the CTF accounts of children in receipt of DLA.

Parents, family and friends can also add money to the CTF, subject to annual limits. A child must normally wait until they reach 18 years of age to access the money in their fund. But if your child has a terminal illness and is not expected to live for more than six months, you can get early access to buy things that your child needs.

Child Trust Fund vouchers are valid for 12 months and if you have not opened an account for your child by the time their voucher expires, the government will automatically open a stakeholder account for them. For further information on the Child Trust Fund, see www.childtrustfund.gov.uk or call the Contact a Family helpline.

The Savings Gateway

During 2010, the government intends to launch a new scheme to help people of working age on certain benefits to save. If you receive Carer's Allowance, Income Support, Job Seeker's Allowance, Employment and Support Allowance, Incapacity Benefit, Child Tax Credit (and your annual taxable income is



below £16,040) or Severe Disablement Allowance, you will be invited to open a savings gateway account. You can save anything up to £25 per month into this account and at the end of a two-year period the government will reward you with an extra 50 pence for every £1 you have saved.

Family Fund

The Family Fund can give lump sums for specific items to help care for a child under 18 years of age with severe disabilities. Your social and financial circumstances will be taken into account when they assess your application. The Fund will consider any request, so

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

you can ask for whatever you need most, for example, laundry equipment, transport expenses, clothing, holidays and so on. To apply, write giving the full name and date of birth of your child, brief details of their disability, the type of help you need and whether you have been in touch with the fund before, to:

The Family Fund
Unit 4, Alpha Court Huntington, York
YO32 9WN
Tel: 0845 130 4542
www.familyfund.org.uk

Turn2us

Turn2us is a new web-based charity providing an online service to help people access information on all benefits and grants available in the UK. In many cases, applications for support can be made directly from the website and people can be kept informed by email or by text to their mobile phone. For more information, see www.turmtous.org.uk

Family Action

This organisation administers a wide variety of funds. Applications must be made by a social worker on your behalf. For further information, contact:

The Grants Officer, Family Action,
501-505 Kingsland Road, London
E8 4AU
Tel: 020 7254 6251
<http://www.family-action.org.uk>

Grants from other charities and benevolent funds

The Directory of Social Change publishes *A Guide to Grants for Individuals in Need*. This is a practical guide to sources of

If you are unhappy with a decision made on your benefit application, you can ask for the decision to be revised. You have one month from the date of the letter to ask for this.

money available from over 2,280 trusts and charities. Your local library or CAB may have a copy of this guide or you can buy one from:

Directory of Social Change
24 Stephenson Way, London NW1 2DP
Tel: 08450 777 707
www.dsc.org.uk

It may also be worth contacting any organisation concerned with your child's particular condition. Some of these charities provide small grants. The Contact a Family helpline can help you to find suitable charities.

Information on help with the costs of a holiday can be found in our guide *Holidays, play and leisure*.

This guide is one of a range produced by Contact a Family which includes *Getting direct payments for your disabled child*, *The tax credits guide* and *Dealing with debt*. For copies and to find out about other guides, call the helpline.

What to do if you are unhappy with a benefit or tax credit decision

Getting a letter

If you make a claim for benefit or ask for your benefit claim to be looked at again, you should be notified of the decision in a letter from the office dealing with your claim. For some benefits, the full reasons for the decision are not included in the letter. If you ask for these within a month (of the date of the letter) you should receive a reply within 14 days.

What next?

If you are unhappy with the outcome of your claim, you can ask for the decision to be revised (looked at again). You have one month from the date of the letter to ask for this. The office that dealt with your claim must then look at it again and issue a new decision.

If you are unhappy with any new decision, you can appeal. Again, you must appeal within one month of the date of the new decision letter. An appeal must be made in writing and you can get a form from the benefit office or a local Citizens Advice Bureau.

Beware: With a few types of decision, there is no right of appeal. In these cases, you can usually ask for the decision to be revised. The decision letter should tell you if you can appeal.

Do I have to ask for my claim to be revised before I can appeal?

No. You do not have to ask for your claim to be revised and can appeal straight

away if you prefer. A local CAB or welfare rights project should be able to help with your request to have a decision revised, or an appeal.

Tax credits

The Revenue can revise a decision if there is a change of circumstances, if they have made a mistake or if they think that your award is wrong. If you disagree with a Revenue decision, you can appeal. The time limit for appealing is 30 days from the date of the decision. An appeal must be made in writing and you must give the reasons you are appealing.

Appeals can be made on an appeal form found in leaflet WTC/AP, which is available from the Revenue. Unless you are reporting a change of circumstances, it is usually better to request an appeal rather than a revision as the appeal deadline of 30 days won't be extended if you ask for a revision and the revision is turned down.

Frequently asked questions

I claimed Disability Living Allowance (DLA) for my child but it was turned down. Should I try claiming again?

If less than a month has passed since the date of the decision letter, you can ask for it to be revised (looked at again) and you should get a new decision. If you are

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

The general rule is that if you earn £100 or less a week after tax and deductions for certain costs like childcare while you are at work, you can keep the Carer's Allowance. If you earn more than this, your Carer's Allowance will stop.

still unhappy, you have one month from the date of the new decision to appeal. A local CAB or welfare rights unit should be able to help with this.

If more than a month has passed, you can ask for a late appeal. However, you will need to provide special reasons why you did not claim in time, so seek further advice. Otherwise, you will need to make a fresh claim. But note this will mean that DLA will not be paid for the period before the date of your new claim.

When challenging a decision, it is always best to get help from an advice agency and to gather evidence which supports your claim. Types of evidence you can use are a letter from your child's GP, or from other professionals involved in your child's care. If you decide to appeal and then want to make another claim, get advice first. This is because a new claim could affect the outcome of your appeal, when it is finally decided.

My child gets DLA at the lower rates but their condition has worsened since the original award. Can I ask for their DLA award to be increased?

If your child's needs have increased, you can ask for their award to be looked at again. This is known as a supersession request. However, asking for a supersession can result in benefit going down or up. Because of this risk, it is always a good idea to get the help of a local CAB or welfare rights project.

If I go to work, will I be able to keep the DLA for my child?

Yes, DLA is not affected by any other income you have or work that you do.

I get Carer's Allowance (CA) as a carer for my child but would like to go back to work. Can I keep the CA?

The general rule is that if you earn £100 or less a week after tax and deductions for certain costs like childcare while you are at work, you can keep the CA. If you earn more than this, your CA will stop. However, you might be able to get other benefits if you still have a low enough income, like Working Tax Credit. A local CAB or other advice service should be able to help you identify other benefits you are entitled to, or you can get advice from our helpline. If you stop getting CA and someone else is helping to care for your child, they might be able to claim instead.

I have claimed DLA for my child but not heard anything yet. Should I claim the CA or wait to see if DLA is awarded?

You should wait until you have a decision awarding the DLA care component at the middle or high rate before making a claim for CA. As long as you claim CA within



three months of the date of the DLA decision, and you met the qualifying conditions during that whole period, CA should be backdated to the start of the DLA award.

I already get DLA for myself and have just been awarded DLA for my child. Can I get CA as my child's carer even while I'm on DLA?

Yes, many carers are disabled themselves or have poor health. CA should not be refused because you are getting DLA for yourself.

I get CA as my child's carer but am worried about my National Insurance being up-to-date. Am I still going to get a State Retirement Pension when I reach retirement age?

Getting a State Pension when you retire will depend on your National Insurance record over your whole working life.

For each week that you get CA you automatically receive national insurance credits that count towards getting the

basic State Pension. However you will have had to have paid at least some national insurance contributions in the past. CA also helps you to get State Second Pension. Special rules apply to some married women who 'opted out' of national insurance. If this applies to you, you may not get credits towards your basic pension while you are on CA, and you should seek specialist advice.

If you do not get CA you may still be able to protect your entitlement to a state pension by applying for a 'carer's credit'. See earlier section on state retirement pension for more information.

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

He will soon turn 10 and I've been told my Income Support (IS) will have to stop, as a lone parent whose child is aged 10 or above cannot claim IS. Apparently I will have to sign on and claim Job Seeker's Allowance instead. Is this true?

No, you will still be entitled to claim IS as a carer. It is true that the government has restricted claims for IS by lone parents whose youngest, or only, child is aged 10 or above (7 years or above from October 2010).

Getting further advice

It is important to make sure that any information you have about allowances or benefits is up to date because they change so often. Your local Citizens Advice Bureau (CAB), welfare rights adviser from social services or other advice agency will have detailed information about benefits and other financial help which may be available. They will also be able to help you with any claims. For help over the telephone, call:

Contact a Family

Tel: 0808 808 3555 (Mon-Fri, 10am-4pm; Mon, 5.30-7.30pm)

We employ welfare rights specialists who can provide detailed advice on any aspect of claiming state benefits. Contact a Family have also created Cashcounts, an on-line source of benefits advice which includes a benefits and tax credits calculator. Cashcounts can be accessed at www.cafamily.org.uk/cashcounts.

Your local CAB, welfare rights adviser from social services or other advice agency will have detailed information about benefits and other financial help which may be available.

Carersline

Tel: 0808 808 7777

(Wed & Thurs, 10am-12pm & 2-4pm)

The Benefits Enquiry Line

Tel: 0800 882 200

Tel: 0800 220 674 in Northern Ireland

The Benefits Enquiry Line can help with filling out forms and can fax them to your local benefits office. They also provide a service to people with English as a second language.

For details of local advice agencies that can help with benefit problems, call the Contact a Family helpline.

Written by Derek Sinclair and Mark Robertson.

With thanks to Her Majesty's Revenue and Customs for funding to produce this guide.

Contact a Family is on Facebook, MySpace, Bebo, Twitter and YouTube.

Join us at:

MySpace

www.myspace.com/contactafamily

Facebook

www.facebook.com
and search for 'Contact a Family'

Twitter

<http://twitter.com/contactafamily>

YouTube

www.youtube.com/user/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 Mon–Fri, 10am–4pm;

Mon, 5.30–7.30pm

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**



Other information booklets available

This guide is one of a series produced for parents and groups concerned with the care of disabled children. Titles available include:

- *Concerned about your child?* (UK)
- *A guide to claiming Disability Living Allowance for children* (UK)
- *The tax credits guide* (UK)
- *Working* (UK)
- *Disabled children's services in England and Wales* (England & Wales)
- *Getting direct payments for your disabled child* (England & Wales)

A full list of Contact a Family publications is available on request or can be downloaded from our website www.cafamily.org.uk



Registered Office: 209-211 City Road,
London EC1V 1JN
Registered Charity Number: 284912
Charity registered in Scotland No. SC039169
Company limited by guarantee
Registered in England and Wales No. 1633333
VAT Registration No. GB 749 3846 82

® Contact a Family is a registered trade mark. Although great care has been taken in the compilation and preparation of this guide to ensure accuracy, Contact a Family cannot take any responsibility for any errors or omissions. The photographs in this booklet do not relate to any personal accounts.

Incorporating **The Lady Hoare Trust**