



Benefits

This factsheet will cover some of the main benefits available for disabled people at present. It will be separated into two main sections:

- Means Tested Benefits
- Non-Means Tested benefits

Means tested benefits are those where your income and capital has a direct affect on whether you will receive the benefit and how much you will receive. Non-means tested benefits do not depend on how much income and capital you have. This factsheet will only go through the basic eligibility criteria for each benefit, if you want a more information on any of the benefits mentioned please contact TDF's Information Service.

Means Tested Benefits

There are five means tested benefits available and they are:

- Income Support
- Jobseekers Allowance
- Housing Benefit
- Council Tax Benefit
- Pension Credit

Income Support (IS)

Income Support (IS) is an income-based benefit which aims to ensure that everyone has enough money to cover the basic living expenses. It is not dependent on the amount of National Insurance contributions you may have paid which means that you could still receive IS even if you have never worked. It is possible to work a limited number of hours and receive IS but the amount you get for the benefit will be reduced.

To receive IS you must meet the following starting conditions:

- you must be living in Great Britain (GB)
- you must be aged between 16 and 60
- you must not be in full-time education unless you have a sickness or disability, get child benefit for a child living with you or are an orphan with no guardian
- you must not be working over 16 hours per week

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- if you have a partner they must not work over 24 hours per week
- your capital must be lower than £16,000
- you are:
 - incapable of work through an illness/disability
 - regularly caring for another person
 - a lone parent and responsible for a child under 16
 - pregnant and incapable of work due to this, are due within 11 weeks or have had the baby within the last 16 weeks

Working Out Your Entitlement

When working out how much money you receive under IS the benefits office will need to know your weekly income. If you receive Disability Living Allowance (DLA) you should not include this benefit as income. This will then be compared to your **applicable amount** which is the minimum amount that the government thinks you need to live on every week.

This applicable amount is made up of:

- Personal allowance - basic Income Support allowance
- Premiums - extra amounts if you satisfy certain conditions
- Certain housing costs

Personal Allowances

There are quite a few different levels of personal allowance and they depend on whether you are single, a couple, a lone parent and on your age.

Premiums

There are a total of five premiums that have various qualifying conditions. You may be eligible for more than one premium depending upon your situation but some of them overlap which means you cannot get both at the same time.

Disability Premium

To be eligible for this premium you or your partner, must be either:

- registered blind
- receiving Attendance Allowance (AA), DLA, Incapacity Benefit (IB), the disability element of Working Tax Credit, war pensioners mobility supplement or Constant Attendance Allowance

You can also claim if you have been incapable of work or eligible for statutory sick pay for one year (28 weeks if you are terminally ill).

Enhanced Disability Premium

You qualify for this premium if you or your partner receive the highest rate care allowance under the DLA and you are under the age of 60. There are two rates for this premium, one for a single person and another for a couple.

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The premium can be paid to you on top of the Disability Premium.

Severe Disability Premium

This can also be awarded on top of the Disability Premium and the Enhanced Disability Premium. To qualify for this premium you need to be:

- receiving the DLA care component at the middle or higher rate or be receiving AA; and
- no-one gets Carer's Allowance for looking after you; and
- you live alone

If you are a couple both of you must be receiving DLA or AA and no more than one of you has someone looking after you that receives Carer's Allowance. The amounts received under this premium will change slightly depending upon your circumstances.

Carer Premium

This premium can be received on top of any of the other premiums that you are eligible for under Income Support. You will qualify for this premium if:

- you are paid Carer's Allowance (CA)
- you are entitled to CA but you do not receive it because you receive another benefit that overlaps with CA

Pensioner Premium

There are not many instances where someone would be eligible for this premium since Pension Credit was created. It is only payable if you are part of a couple and your partner is over 60 and chooses not to receive Pension Credit and you are under 60. It is not very likely as the benefits of receiving Pension Credit outweigh the benefits of receiving this premium.

Housing Costs

If you own your home and you have been receiving IS for 39 weeks you may be able to get help with your mortgage interest payments. If you rent your home you may be eligible for Housing Benefit (HB) (see page 4), which you can apply for as soon as you start receiving IS.

If you receive IS you will also qualify for Council Tax Benefit, help with NHS costs (prescriptions, dentists etc), vouchers for glasses and hospital travel fares.

Job-Seekers Allowance (JSA)

Jobseekers Allowance (JSA) is a benefit for those who are unemployed but are able to work or those who work less than 16 hours per week.

There are two forms of JSA:

- Contribution-based JSA - this is a flat-rate allowance based on your National Insurance contribution record and is payable for up to six months

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- Income-based JSA - this is means-tested and is payable if you have no income or a low income, have capital less than £16,000, are unemployed and your partner (if you have one) is working less than 24 hours per week

To receive JSA you must sign on as being able to work, be taking active steps in looking for work and are living in Great Britain. You cannot receive it if you are working more than 16 hours a week, are over retirement age (60 for women, 65 for men) or are in full-time education.

If you receive income based JSA it then may entitle you to housing benefit, council tax benefit, free prescriptions and free dental treatment.

Housing Benefit (HB)

Housing Benefit (HB) is designed to help pay rent on accommodation if you are on IS, Income based JSA, the guarantee credit of Pension Credit or have a low income. It does not matter if you are living in a council owned home or not, although if you are renting in privately owned accommodation HB may not cover the full cost of your rent.

Your rent may include water charges, fuel, meals or other services but HB will not cover these. The amount you pay for these will therefore be deducted from your rent. If the amount you are charged for these other services is not specified in your letting agreement then a flat rate is deducted for each of these. These amounts can vary depending on the type of accommodation you are renting.

If you are living in private rented accommodation then the local authority will send a rent officer to your home to find out what is called your 'maximum rent'. The rent officer, who is independent from the council, will take into account the area you live in, the type and size of your home and other factors to calculate the reasonable market rent. This could be lower than the rent you actually pay if the rent officer thinks you pay too much rent for the property or if they think your home is too large for your needs. The local authority will then only pay you the reasonable market rent as HB.

If you are not receiving any of the qualifying benefits above then your capital and income will be assessed. This assessment process is very similar to the one for Income Support. You are allowed £16,000 of capital with the first £6,000 being disregarded.

The local authority then has to find out your applicable amount as in IS before comparing this with your weekly income. There are four premiums under HB: family premium, family premium (lone parent), disabled child premium and enhanced disability premium (child).

There are also slightly different rules if you are receiving Pension Credit as HB

reflects the more generous provisions of Pension Credit. If you or your partner receives the Guarantee Credit then the whole of your capital and income is disregarded and you will receive the full HB. If you receive savings credit only then your income and capital will be assessed but there are some special rules that will apply (contact your local Jobcentre Plus or telephone TDF's Information Department for more details).

Council Tax Benefit (CTB)

Council Tax Benefit (CTB) exists to help people who are on IS, income-based JSA, the Guarantee Credit of Pension Credit or have a low income to pay their council tax.

If you are a couple and are jointly liable to pay council tax then one of you can apply for CTB on behalf of both of you as long as you both satisfy the above conditions.

CTB is worked out on your weekly 'eligible council tax' so you will need to divide your total council tax for a year by 365 and multiply this figure by seven. CTB is awarded as a rebate so your council tax will be reduced rather than receiving money in your bank account to pay for the council tax.

If you do not get any of the benefits listed above then a financial assessment will be necessary to find out how much discount you will get on your council tax bill. The method to find this amount is exactly the same as for HB above.

Pension Credit (PC)

Pension Credit (PC) is a means tested benefit for people aged 60 or over and has two elements:

- the Guarantee Credit
- the Savings Credit

Guarantee Credit

This part of PC is awarded if you have a low income which is below what the government sets as the amount a person needs each week to live on. This income includes what you may receive as a state pension, a private pension, earnings and any other regular amounts you may receive. Any money received under DLA and AA is not counted as income when looking at the income you receive.

Savings Credit

This part of PC is awarded to people over 65 and also takes into account a person's income. The financial assessment for savings credit is quite complicated but you may be eligible for savings credit even if you are not entitled to the guarantee credit.

As well as the two credits mentioned, PC may also be able to meet some mortgage needs and enable you to receive HB and CTB. If you receive the Guarantee Credit you may also be entitled to help with health costs such as free dental treatment and help with hospital fares.

Non-Means Tested Benefits

These benefits do not take into account how much money you have either as income or capital. They include:

- Disability Living Allowance
- Attendance Allowance
- Incapacity Benefit
- Carer's Allowance
- State Pension
- Industrial Injuries Benefit

Disability Living Allowance (DLA)

Disability Living Allowance (DLA) is a benefit specifically for disabled people who need help to perform daily tasks and for people who have difficulty walking any distance. There are two parts to DLA and you can receive just one or both depending on how your disability affects you. The two parts are:

- Care component - there are three rates for this component
- Mobility component - there are two rates for this component

You are only eligible for DLA if you are under 65 years of age. There is no lower age limit but there are some slightly different rules for children under 16 that will be explained later. You can still receive DLA over the age of 65 but you must be awarded it before your 65th birthday otherwise you should apply for Attendance Allowance (see page 8).

To qualify for DLA you must pass a series of non-disability tests and satisfy one of the disability tests. The non-disability tests ensure that you:

- are within the age limits
- have been disabled for three months and will be disabled for at least six months after the date of application
- are a UK resident and have been present in the UK for 26 weeks out of the last 52 weeks
- are not in hospital

The disability tests are different for each component and you will be assessed for each one separately.

The Care Component

This component is given to you if you need help looking after yourself or supervision to keep you safe. This could be because of a physical disability,

learning disability or mental health condition.

To receive the higher rate care component you must require some form of care both during the day and night. This does not necessarily have to come from another person and could include any adaptations you may have without which you would not be able to undergo a particular task.

To receive the middle rate care component you must require some form of care either through the day or through the night not for both. This also does not necessarily have to come from another person.

To receive the lower rate care component you must either require some assistance from time to time during the day or you cannot prepare a cooked main meal yourself if you have the ingredients.

To receive any DLA, if you are under 16 then you must show that the needs are substantially in excess of the normal requirements of a non-disabled child of the same age.

The Mobility Component

There are only two rates for this part of DLA and you will need to pass the disability tests to qualify. A child under the age of three is not eligible for the mobility component.

To receive the higher rate of this component you must either:

- be unable to walk,
- be virtually unable to walk,
- have no legs or feet,
- be both deaf and blind,
- have a condition that means that the exertion required to walk would be a danger to your life or would cause a deterioration in your condition
- be entitled to the higher rate care component and are severely mentally impaired with extreme behavioural problems

To receive the lower rate of this component you must show that although you can walk you cannot go outdoors without guidance and supervision. For children to receive the lower rate they must show that they need substantially more supervision than a non-disabled child of the same age.

If you are awarded the higher rate mobility component then you are entitled to enter the Motability Scheme. This scheme enables disabled people to obtain cars, powerchairs or scooters using the money they receive from this benefit. If you receive the higher rate you also do not have to pay road tax which also means you may be exempt in paying for tolls on the road or at least pay a reduced rate (please see TDF's factsheet for more information about Motability).

The form to apply for DLA is renowned as being the most difficult form to fill in. When filling it in it is important that you answer all questions as though you are having a bad day. If you receive DLA it can open up lots of extra premiums on some other benefits

Attendance Allowance (AA)

You can only apply for Attendance Allowance (AA) if you are over the age of 65 and are not already receiving DLA. It is given to disabled people who need help to perform everyday tasks. To receive AA you also have to be living in the UK for 26 out of the last 52 weeks and you have to satisfy the disability tests or be terminally ill.

There are two rates to this benefit, a higher rate and a lower rate. The disability tests are similar to the ones for DLA, the higher rate of DLA being equivalent to the higher rate for AA and the middle rate for DLA being equivalent to the lower rate of AA.

To receive the higher rate for AA you must need help both during the day and the night and to receive the lower rate you must need help either during the day or during the night as with DLA.

Incapacity Benefit (IB)

Incapacity Benefit (IB) is given to people who are unable to work because of ill-health or a disability. You usually have to have paid enough National Insurance contributions to qualify for this benefit but if you become incapable for work before you reach 25 years you may still be eligible.

You should apply for IB if you are not entitled to Statutory Sick Pay (SSP), your SSP has run out or you are self-employed. To find out if you are incapable of work you must undergo an own occupation test and a Personal Capability Assessment (PCA).

Own Occupation Test

This is applied when you have worked for eight of the last 21 weeks before the date the decision was made that you are incapable of work.

PCA

This assesses your ability to work by focusing on activities like walking, standing or sitting, and includes a mental health assessment if necessary. If you have undergone the own occupation test then you will not have a PCA until 28 weeks after incapacity. There are some circumstances when you will

- be exempt from the PCA, these include:
- you receive the higher rate care component of DLA
- you are entitled to Industrial Injuries benefit or War Pension on the basis of being 80% disabled

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- you are terminally ill with a life expectancy of 6 months
- you are registered blind
- you have tetraplegia, paraplegia, dementia, are in a vegetative state or have 'uncontrollable involuntary movements or ataxia that renders you functionally paraplegic'.

Claiming if you are under 25

This type of IB is known as non-contribution IB or IB Youth (IB(Y)) and replaced Severe Disablement Allowance. To qualify for IB(Y) you must be:

- aged 16 or over (19 if in full-time education)
- aged under 20 (or 25 if in full-time education) when you became incapable for work
- you have been incapable for work for a continuous period of 196 days (28 weeks) and are still incapable of work
- you are resident in the UK and have spent the last 26 out of 52 weeks in the UK

There are several rates of IB and what you receive depends on how long you have been receiving IB, whether you are entitled to the higher rate care component of DLA or if you are terminally ill.

When you first apply for IB you get the short term lower rate for 28 weeks. From 29 - 52 weeks you will move on to the short term higher rate and after a year you will then move onto the long term rate of IB. If you receive the higher rate care component of DLA or are terminally ill then you will move onto the long term rate after 28 weeks rather than 52 weeks.

There are some additions to the basic amount received on each rate so you may receive more money if you have dependent adults or children living with you. The long term rate also has some age additions so you may get extra money depending on how old you are.

Carer's Allowance (CA)

Carer's Allowance (CA) is given to someone who cares for a disabled-person for at least 35 hours per week without being paid for doing it. The qualifying criterion are:

- the person you care for must be in receipt of
 - the middle or higher rate care component of DLA
 - Attendance Allowance
 - Constant Attendance Allowance paid with Industrial Injuries benefit or War Pensions schemes
- you must be aged 16 or over and not be in full-time education
- you must not be earning more than £87 per week
- you must be resident in the UK and have spent 26 of the last 52 weeks in

the UK

If you get CA you will be eligible for the carer premium which you can receive under IS, income based JSA, HB and CTB.

State Pension

There are two main categories of state pension that are based on National Insurance contributions, Category A and B. Category A pensions are based on your own National Insurance contributions and Category B is given to married women, widows, some widowers and surviving civil partners based on their spouse/civil partner's National Insurance contributions.

There is also a Category D pension which is given to people over 80 and is not based on your National Insurance contributions. You will get this pension if you are not eligible for a Category A or B pension or get less than £50.50 from a Category A or B pension.

At present the age which you can get a pension is 60 for women and 65 for men. This will be equalised in 2010 when both men and women need to be 65 before being eligible for a state pension. You can receive a state pension if you continue working but it may be financially beneficial if you do not withdraw your pension while working.

Industrial Injuries Disablement Benefit (IIDB)

Industrial Injuries Disablement Benefit (IIDB) is paid to compensate people if they have sustained a disabling injury or a prescribed disease whilst at work. You are able to claim this benefit whether you are incapable of work or not but it does need to be a substantial long-term injury.

You have three months from the date of the injury to apply for the benefit. You can still apply later but the benefit will not be backdated more than three months previous to the application.

For some prescribed diseases there are some special time limits to qualify for IIDB. You may have had to have worked in a particular industry for a certain amount of time and have sustained an injury, e.g. deafness caused by your occupation. Your local Jobcentre Plus will be able to provide you with the necessary information before you apply or you can telephone TDF's Information Service.

For more information on any of these benefits or others that are not mentioned please contact TDF's Information Service on 020 8954 7373

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