

# Carers Benefits Overview

# Disability Benefits

The three main disability benefits are:

- Disability Living Allowance (DLA)
  - New claims for children under 16
- Personal Independence Payment (PIP)
  - New claims for ages 16 – 64
- Attendance Allowance (AA)
  - New claims for Over 65s

# Some features of Disability Benefits

- Not means-tested or contributory
- Can be paid in or out of work
- Can be paid to people who don't have a carer, or live alone
- Not counted as income when calculating other benefits
- Not taxable
- Claimants can spend PIP as they like
- Can act as a passport to other benefits and concessions

# Attendance Allowance

- Attendance Allowance is for new claims for people 65 and over
- There is no mobility component
- There are two rates:
- Lower rate is if you meet the criteria during *either* the day or night
- Higher rate is if you meet the criteria during *both* the day and night

# Disability Living Allowance

- DLA is for new claims for people under 16. The needs are assessed in comparison to a normal child their age
- There are three rates of care: lower, middle and high
- There are two rates of mobility: low and high
- You can carry on getting it once you turn 65 but people born after 8<sup>th</sup> April 1948 will at some point be asked to claim PIP
- The mobility component can never increase over the age of 65

# PIP is for working age people

- **People aged 16 to 64**

New claimants now claim PIP instead of DLA.

Existing DLA claimants (including those with an indefinite or lifetime award of DLA) must apply to transfer to PIP.

- **Children (up to 16)** can still claim DLA.

- **People aged 65 and over**

DLA claimants born before 8 April 1948 will remain on DLA. Attendance Allowance is unaffected.

# Introduction and roll-out of PIP

- PIP was introduced in 2013 for new claimants
- Existing DLA claimants must apply for PIP if:
  - they reach the end of a DLA award *or*
  - they reach age 16 *or*
  - they report a change in their condition
- The DWP is telling DLA claimants chosen at random to apply for PIP - including those with indefinite and 'lifetime' awards
- Reassessment of DLA claimants is expected to be complete by May 2019.

# Daily living activities

1. preparing food
2. taking nutrition
3. managing therapy or monitoring a health condition
4. washing and bathing
5. managing toilet needs or incontinence
6. dressing and undressing
7. communicating verbally
8. reading and understanding signs, symbols and words
9. engaging with other people face-to-face
10. making budgeting decisions

# Mobility activities

1. planning and following journeys
2. moving around

# Applying the descriptors

Claimants may score points if they require:

- an aid or appliance
- assistance
- prompting
- supervision
- social support or communication support
- an assistance dog

# Applying the descriptors

Can the claimant complete each activity '**reliably**'?

- safely
- to an acceptable standard
- repeatedly
- in a reasonable time period

# Assessment

- An independent health professional considers the form and other evidence
- Atos and their subcontractors
- Most PIP claimants attend a **face-to-face consultation**, but some have a paper-based review instead
- Claimants who can't travel to a consultation can request a home visit (medical evidence required)
- The health professional sends a report to the DWP

# Decision

- A DWP case manager looks at the claim form, any health professional's report and other evidence.
- They make a decision on entitlement, including the level and length of award.
- They notify the claimant in writing.
- Normally paid four-weekly in arrears (weekly in advance if terminally ill).

# Challenging decisions

After receiving a decision about a PIP claim, claimants can:

1. Ask the DWP to look at the decision again (**mandatory reconsideration**)
2. **Appeal** to an independent tribunal if they are still not happy after the reconsideration – SSS1 form

The normal time limit for challenging a decision is one month from the date on the decision letter.

# DLA claimants and PIP

All existing DLA claimants (except children under 16 and those who were 65 or over on 8 April 2013) will have to apply for PIP.

PIP reassessment is triggered when a DLA claimant:

- is approaching the end of a fixed-term DLA award
- reports a change in their care or mobility needs
- reaches age 16 (unless terminally ill)

DWP will write to all remaining DLA claimants during 2016 and 2017, to tell them when they need to apply for PIP.

# Hospital & residential care

- Both components of PIP stop being paid after 28 days in hospital (except for children under 18).
- No exception for claimants with a Motability vehicle
- If a claimant is in residential care and receives public funding, PIP daily living component stops after 28 days. Mobility component remains payable.
- Short periods in hospital or care are linked together if less than 28 days apart
- The day you go into hospital and the day you come out don't count as days in hospital

# Carer's allowance

Claimants must:

- be aged 16 or over
- care for someone who receives PIP daily living component (either rate), or middle/highest rate DLA care component, or AA
- care for at least 35 hours per week
- not earn more than £116 per week
- not be in full-time education
- pass residence and presence tests

**NB** Carer's allowance **overlaps** with some other benefits, eg state pension

# Qualifying Criteria:

- Care must be regular and substantial and for at least 35 hours each week
- Each assessed week starts midnight on Sunday morning until the end of the following Saturday
- not earn more than £116 per week after tax, NI and half of pension contributions.
- Childcare costs can be deducted if they relate to expenses incurred at work.
- The reason for the earnings limit is that CA is an *earnings replacement benefit*.

**NB:** If you are employed as a carer via direct payments that will count as income.

# Overlapping benefits:

There are a number of earnings replacement benefits and you can't usually be paid more than one at the same time. These are:

- contributory jobseeker's allowance
- contributory employment and support allowance
- incapacity benefit
- maternity allowance
- state pension
- bereavement allowance
- widowed parent's allowance
- carer's allowance (non-contributory)
- severe disablement allowance (non-contributory)

# Overlapping benefits:

- Even if CA overlaps with another benefit and can't be paid, you can still make a claim if you meet the other criteria. If awarded you get an 'underlying entitlement'
- If you have an underlying entitlement to CA then you may have an additional 'Carer Premium' added to means-tested benefits (eg. housing benefit/council tax support) so it can still be worth doing.
- Carer's Allowance is non-contributory (not based on paying NI). Contributory benefits take priority.

# Example:

Single claimant over 65 with £200 state pension income and £100 rent.

1. Applicable amount for over 65 = £159.35
2. Income - Applicable amount = £40.65
3. 65% of £40.65 is £26.42
4. Full Housing benefit (£100) is reduced by £26.42

The claimant claims Carer's Allowance. It cannot be paid because it overlaps with state pension but the claimant is awarded an underlying entitlement.

New calculation:

1. New Applicable amount is £159.35 (over 65)  
**plus** £34.95 carer premium = £194.30
2. Income – Applicable amount = £5.70
3. £65% of £5.70 = 3.70
4. Full Housing benefit is reduced by £3.70

# Making a claim

- A CA claim can be backdated for up to three months
- You cannot make a claim until a qualifying disability benefit is in payment
- Because of this, once the disability benefit is awarded you can backdate your CA claim to the start of the disability benefit award *if you claim within 3 months.*
- To make a claim call: 0800 731 0297 to request a claim form, or you can go to [gov.uk](http://gov.uk) and apply online

**Important: Making a claim for carer's allowance can sometimes affect the cared-for's benefits**

# Hospitals, Care Homes and breaks

- If payment of DLA/AA/PIP stops then CA has to stop as well, including if it is because you are in a hospital or care home.
- If the person you care for dies then CA can continue for another 8 weeks.
- If you have been caring for 22 of the last 26 weeks (or 14 of the last 26 if one of you was in hospital) you can have a breaks from caring of 4 weeks in every 6 month period (or 14 weeks if one of you was in hospital).

# Carer's Credits

Carer's Credits are National Insurance credits to protect your state pension. You can qualify if:

- You are over 16
- You are caring for someone for 20 hours a week
- The cared-for receives the same qualifying benefits as in CA. If they don't then a professional can sign a care certificate to confirm the care.

You can have a 12 week break from caring whilst claiming Carer's Credits and your claim can be backdated to the start of the previous full tax year

# Income support

- Paid to people under women's pension age
- Do not have to be available for work/don't work/  
work less than 16 hours

*mainly*

- Lone parents
  - Who have children aged under 5
  - If youngest child is between 1-4 then subject to WFI
  - If youngest child aged 3 or 4 then subject to MWRA
- Carers

# Claiming as a Carer:

- You can claim if you are in receipt of carer's allowance and your income is low enough
- If awaiting the outcome of a PIP/DLA claim you can claim for up to 26 weeks while waiting for the decision
- You can occasionally be asked to attend Work-Focussed Interviews (WFI)

- **Carers receiving Income Support who are not also lone parents of children under 5 years old**
- The circumstances in which you will have to take part in a WFI are as follows:
- At the start of your claim for Income Support; or
- If Carer's Allowance ends; or
- When you start or end part time work; or
- When you finish training; or
- When you turn 18; or
- In any other case after 3 years since the last time you attended.

# Universal Credit

The following benefits abolished and replaced by UC:

- income support
- income-based jobseeker's allowance
- income-related employment & support allowance
- housing benefit
- child tax credit and working tax credit

# Main features

- Single earnings withdrawal rate (taper) of 63%
- More conditionality ('claimant commitment') and increased sanctions
- Administered by DWP with online claims and automated calculations using real-time information on claimants' earnings supplied by HMRC
- Monthly payment paid in arrears

# Main features

- UC is a means-tested benefit paid to working age claimants in or out of work
- Personal allowance for claimants plus additional amounts for children, childcare costs, 'limited capability for work', caring responsibilities and housing costs
- Aims to reduce complexity, cost, bureaucracy and barriers to work in current system

# Three 'phases' of UC rollout

- Live service – already introduced in all jobcentres but only for small claimant group who meet Gateway conditions
- Full service – being rolled out nationally. All **new** claims for JSA/IS/ESA/HB/tax credits will be claim for UC.
- In the Nov budget statement the chancellor announced that the roll out would be slow down between Feb 18 and April 18 with the aim to have UC rolled out in all JCP by Dec 18

- Full service currently in St. Albans, Broxbourne and some WD postcodes
- No new claims can be made in other areas until

# Transfer to UC in full service area

## **No new claims for legacy benefits**

Unless failed WCA and did not claim UC – ESA reinstated when appeal lodged

Change of circumstances trigger a claim for UC:

- Moving in or out of work
- Moving from jobseeker to sick or vice versa
- Having first child or youngest child turns 5
- Needing help for rent in different LA
- ‘Managed migration’ July 2019 - March 2022 with ‘transitional protection’

# Timetable – ‘Full service’

## **November 2017**

Broxbourne

St Albans

## **December 2017**

Three Rivers

Watford

Welwyn Hatfield

## **Oct 2018 (was June)**

Stevenage

East Herts

North Herts

## **December 2018 (was Sept)**

Dacorum

Hertsmere