

**disability information SERVICE**

**Young People  
With  
Disabilities**  
April 2008

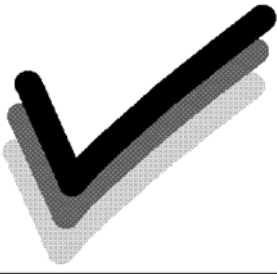
***Fact Pack***



**Falkirk Council**  
*Housing & Social Work Services*

**community advice services**





## disability information service

### ***Introduction***

This pack contains a series of fact sheets for young people with disabilities who are approaching their sixteenth birthday.

The information will be of use to young people with disabilities, their families and carers, and people working with them.

### ***Contents:***

- ◆ Claiming Benefit If Staying On At School
- ◆ Starting Work
- ◆ Working Tax Credit
- ◆ National Health Service Benefits
- ◆ Help Getting Around
- ◆ Help with Employment





## Claiming Benefit If Staying On At School

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This factsheet is for young people with disabilities who intend to stay on at school after age 16. However, students who are in NON-ADVANCED COURSES at college should also claim on the same grounds.

If you have a physical or learning disability, which affects your ability to work, there are two benefits you should consider claiming from your 16th birthday. They are Incapacity Benefit and Income Support.

If you are not sure which benefit you may qualify for, CLAIM BOTH Incapacity Benefit and Income Support from your 16th birthday.

#### INCAPACITY BENEFIT

You may be able to claim Incapacity Benefit (IB) when you reach the age of 16. You do not need National Insurance contributions to qualify. Claim by telephoning **0845 600 4262** and asking for an **IBY claim form** for a young person who is unable to work.

To get IB while you are at school, there are two important conditions you must satisfy:

1. You must be considered incapable of work, AND
2. You must attend main-stream classes for less than 21 hours a week

DO NOT COUNT-      lunch breaks,  
                                     breaks between classes,  
                                     free periods,  
                                     periods of private unsupervised study

If you attend classes for 21 hours or more, you may still qualify for IB if the extra hours of classes would not be suitable for someone of the same age and sex who did not have a physical or learning disability.

If you are unsure how your course fits in to these rules, CLAIM ANYWAY. The Jobcentre Plus Agency will decide if you qualify. You can APPEAL AGAINST THEIR DECISION IF YOU ARE DISALLOWED.

If you intend to claim Incapacity Benefit, do not forget to CLAIM INCOME SUPPORT AS WELL. Income Support can be paid on top of Incapacity Benefit.

# CLAIMING INCOME SUPPORT (IS) FROM YOUR 16TH BIRTHDAY

You may be able to claim Income Support (IS), while you are at school. If you are unlikely to get a job in the next year because of your disability, and decide to stay on at school, you should make a claim by calling **0800 055 6688**.

You will need a letter from your School Doctor or GP. This letter will have to clearly state that:

1. you are severely disabled due to your medical condition

and

2. you are unlikely to find employment in the next 12 months because of your disability.

The IS test is easier than the test for Incapacity Benefit. It takes into account your current job prospects, given your disability.

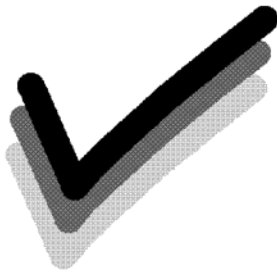
IS is means-tested. You must not have savings of £16,000 or more.

If your claim is successful, your parents will no longer get Child Benefit/Child Tax Credit for you. They will have to inform the Child Benefit Centre and the Inland Revenue (Child Tax Credit) that you are now getting benefit in your own right. You will be paid from the date of your claim. However, the arrears will be reduced to take account of any Child Benefit received for the same period.

***If your parents have IS, another Social Security benefit, or Tax Credits, you should seek advice on claiming benefit in your own right to ensure that you and your family are not worse off.***

**If your claim is turned down, you have a right of appeal – you can get help with an appeal by contacting our Welfare Benefits Helpline on 01324 501404.**

# Starting Work – the effect on your benefits



## disability information service

# Young People With Disabilities

This factsheet is for young people with disabilities who are thinking about getting a job. It is for single young people who do not have dependent children. It explains what happens to your benefits when you start working.

If you start work, your benefits may be affected. There are different rules for different benefits. If you get more than one benefit, you need to look at the rules for each benefit.

### **Incapacity Benefit**

Incapacity Benefit (IB) is paid if you are unable to work because of an illness or disability. If you are unable to work, you may be able to claim Income Support (IS) to top up your IB. Income Support is means tested, so your income and savings are taken into account in the assessment of your claim. You cannot normally work and continue to claim IB or an IS top up. The exceptions include:

**Voluntary work** You can do voluntary work – that is, unpaid work. There is no limit on the number of hours voluntary work.

**Permitted work** You can work for:

- an unlimited period as long as you do not earn more than £86.00 a week and it is part of a treatment programme under medical supervision while you are in hospital or, you are a regular out-patient or, the work is supervised by a person employed by a public or local authority or voluntary organization which provides or arranges work opportunities for people with disabilities.
- an unlimited period, as long as you do not earn more than £20 a week.
- up to 26 weeks, as long as your average hours are less than 16 hours a week and you do not earn more than £86.00 a week. This can be extended for a further 26 weeks if there is evidence that it will improve your capacity to take on full-time work. You will be expected to take support from a job broker, personal adviser or disability employment adviser.

You must inform Jobcentre Plus that you are doing this type of work. The activities you do at work could lead the Jobcentre Plus Agency to reassess you under the Personal Capability Assessment.

### **Income Support (IS)**

You cannot normally claim IS while you are working 16 or more hours a week; however, in certain circumstances, the 16 hour rule does not apply. You can work for more than 16 hours a week and still claim IS if, because of a physical or mental disability, your hours of work, or earnings, are only 75% (or less than 75%) of what would normally be worked, or earned, by someone without a disability, doing the same job as you, in the same area. (N.B. The actual amount of money you earn will be counted in full when your entitlement to IS is worked out.)

If you get IS to top up IB and you start to work, you may still be able to claim IS if:

1. you are working less than 16 hours a week
2. the 16 hour rule does not apply to you - as described above

If neither of the above applies to you, you may be able to top up your earnings by claiming **Jobseeker's Allowance** - if working less than 16 hours a week. If you are aged 16 or 17 the rules are complicated and you should seek advice. If you are aged 18 or over, claim at your local Jobcentre Plus office.

- Working Tax Credit - if working 16 or more hours a week (see below).

### **Disability Premium**

If you get the Disability Premium included in the calculation of your Income Support, Housing Benefit or Council Tax Benefit because you are incapable of work, it will stop if you do any work, unless the Jobcentre Plus Agency decides that the work is therapeutic (see 'permitted work' above). If you qualify because you get D.L.A., or are registered blind, the premium will still be included in the calculation for Income Support, Housing Benefit and Council Tax Benefit.

### **Income Support, Housing Benefit or Council Tax Benefit**

If you are working, some of your earnings are disregarded which means you can keep some of your wages without it affecting your benefit.

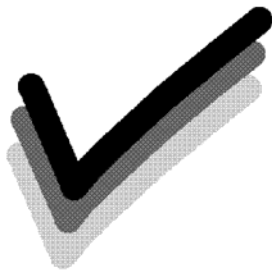
- £20 if you still get IB or the Disability Premium while you are working (i.e. it is permitted work - see above), or you get Disability Living Allowance or you are registered blind.
- £5 if you are not getting the Disability Premium.

### **Disability Living Allowance (DLA)**

If you receive either component of DLA, these can continue as long as you qualify for them. Payment of benefit will not stop just because you have a job, but it is possible that your entitlement might be reviewed if you start work. For further information, contact the Disability Information Service, telephone and minicom: 01324 504304 (answer phone available).

### **Working Tax Credit (WTC)**

You may be able to claim WTC, if you are working 16 or more hours a week **and** you are at a disadvantage in getting a job because of your disability. (See "Working Tax Credit" on next page.)



## Working Tax Credit

### disability INFORMATION SERVICE

**Working Tax Credit (WTC)** is a benefit designed to supplement the earnings of people on a low income. It is administered and paid by the Inland Revenue.

This fact sheet explains how a young disabled worker may qualify for Working Tax Credit.

You can get a claim pack, or further information, by phoning the Tax Credit helpline on 0845 300 3900 or text phone 0845 300 3909 or you can apply online at [www.inlandrevenue.gov.uk/taxcredits](http://www.inlandrevenue.gov.uk/taxcredits). Awards run from the date of the claim until the end of that current tax year, but can be adjusted to take account of changes to your income or family circumstances.

#### **Who can claim as a disabled worker?**

To get WTC as a disabled worker you must:

- be aged 16 or over
- have a physical or mental disability that puts you at a disadvantage in getting a job **and** you were previously in receipt of some form of disability benefit

You will also qualify for the disability element if:

- you work at least 16 hours a week
- you meet the disability test
- you are in receipt of a qualifying benefit.

Please contact an adviser to ensure you meet the criteria.

#### **Effect on other benefits.**

WTC

- counts as income for Housing and Council tax benefit calculations.
- may entitle you to free prescriptions, eye tests and dental treatment.
- is a qualifying benefit for Funeral and Maternity Payments from the Social Fund.

#### **Returning to IB if you stop working**

If your job ends within 2 years of your last payment of Incapacity Benefit or Severe Disablement Allowance, there is a special linking rule. This may allow you to go back on to that benefit as long as the Jobcentre Plus Agency accepts that you satisfy the incapacity for work rules.

## **Disadvantaged in getting work?**

By marking box 1.11 on page 2 of the application form for Working Tax Credit you are indicating that you are in receipt of a qualifying benefit and at a disadvantage in getting a job because of your disability.

To be treated as disadvantaged in getting a job, you must meet at least 1 of 21 criteria as a result of your disability. These criteria are listed in the notes that accompany the claim form. They include:

- You cannot walk a continuous distance of 100m without stopping or suffering severe pain.
- You are registered as blind or registered as partially sighted,
- You cannot hear a telephone ring when you are in the same room as the telephone whilst, if appropriate, using a hearing aid you normally use.
- You cannot do simple addition and subtraction.
- Due to mental disability, you strike people or damage property or are unable to form normal social relationships.
- Due to mental disability you are often confused or forgetful.
- You cannot normally sustain an 8 hour working day, or a 5 day working week, due to a mental condition or intermittent or continuous severe pain.

## **Right of Appeal**

If you are unhappy with the decision, you have 30 days from the date of the decision, to appeal against it. You can get help with an appeal from Falkirk Council's Welfare Benefits Advice Service, accessible through the Welfare Benefits Helpline, 01324 501404.



## National Health Service Benefits

### disability INFORMATION SERVICE

National Health Service (NHS) Benefits help cover the costs of:

- prescriptions,
- dental treatment and dentures (N.H.S.dental checkups are free for everyone in Scotland).
- buying glasses or contact lenses (N.H.S. sight tests are free for everyone in Scotland)
- fares to and from hospital for treatment or an appointment.

You may qualify for help with some or all of these on the basis of:

- age
- low income
- receiving a passport benefit, or
- falling into certain categories, e.g., expectant mother.

The table below is a quick guide to check if you may qualify.

| <b>NHS Benefits - Who qualifies?</b><br>Look down the column below to find a situation that describes you. More than one may apply . If you find a ✓ in the box, you will qualify for help with that service.        | prescriptions | dental treatment & dentures | vouchers towards glasses | fares to hospital |
|--|---------------|-----------------------------|--------------------------|-------------------|
| You are under 16 (under 18 for dental treatment)   | ✓             | ✓                           | ✓                        |                   |
| You are under 19 & in full time education  | ✓             | ✓                           | ✓                        |                   |
| You are pregnant or have given birth in last 12 months   | ✓             | ✓                           |                          |                   |
| You get Income Support or Income-based Jobseeker's Allowance   | ✓             | ✓                           | ✓                        | ✓                 |
| You get Child Tax Credit Only, or Working Tax Credit as a disabled worker, or Working Tax Credit & Child Tax Credit and your Income for tax credit purposes is not over £15,050 (this is shown on the award letter). | ✓             | ✓                           | ✓                        | ✓                 |
| You are on a low income (see over)   | ✓             | ✓                           | ✓                        | ✓                 |
| You have a specified condition including some types of epilepsy and diabetes   | ✓             |                             |                          |                   |

## **How to Claim**

You claim the help by:

- ticking the box on the back of the prescription
- telling the dentist before treatment
- telling the optician before the sight test
- claiming your fares at the hospital when you attend for your appointment

You will need to supply evidence to show that you qualify; for example, your Income Support letter of award or your low income exemption certificate (see below).

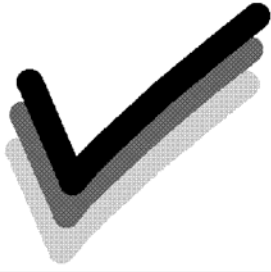
## **Low Income Grounds**

To get help on low income grounds, you should apply on form HC1. You can get this from your doctor, dentist, optician, hospital or local Jobcentre Plus office. If your income is low enough, you will be sent either:

- an HC2 exemption certificate, to show you are entitled to get these services free, or
- an HC3 exemption certificate, to show you are entitled to get them at a reduced rate.

You cannot use your HC3 exemption certificate to get prescriptions at a reduced rate. You may, however, reduce the cost by buying a pre-payment certificate for four months or a year. This will save you money if you need more than five prescription items in a four month period or 14 items in a year. You can apply for a certificate on form EC95, which you can get from your local Jobcentre Plus office, a post office, chemist, or doctor's surgery.

It is important to apply for your exemption certificate before you start treatment or get a service. If you have to pay for the service before you have had a decision on your claim, you can ask for an NHS receipt and obtain a refund if you are later sent an exemption certificate. If your NHS receipt is for prescriptions, it explains how to claim a refund. If it is for another service, you must also get an HC5 form from your Jobcentre Plus agency. This explains how to claim your refund. You must claim within three months. (This time limit may be extended if you can show good cause for a late claim e.g. because you were too ill to claim before).



## Help with Getting Around

### disability INFORMATION SERVICE

#### Disability Living Allowance (DLA)

DLA is a benefit paid to help people with the extra costs of disability. The extra money:

- ◆ is **not** taxable
- ◆ is **not** means tested, so your income and savings are ignored
- ◆ is paid on top of all other benefits and earnings
- ◆ does **not** reduce Income Support, Housing Benefit or Council Tax Benefit. You may actually get more of these benefits.

DLA has a **Mobility** Component paid at two different rates:

- The higher rate is paid if you are unable, or virtually unable to walk.
- The lower rate is paid if you can walk but need guidance or supervision to walk in places you do not know well.

*DLA also has a **Care Component** –for further information contact the Disability Information Service, telephone and minicom: 01324 504304 (answer phone available).*

#### Provisional Driving Licence

If you receive the higher rate mobility component of DLA, you can apply for a provisional licence at 16, without waiting until you are 17.

You can apply for a licence on the normal form from a Post Office. You have to state your disability. The DVLA may contact your doctor. If your condition is static and not likely to get worse, you will receive a "till 70" licence. If your condition is changeable or progressive, the licence may be issued for a set period, renewable free of charge at the DVLA's discretion.

Some conditions e.g. epilepsy, may prevent you from being given a licence. If you are refused a driving licence because of your disability, you are entitled to a Scotland Wide Travel Pass. This pass allows people with disabilities to travel on buses, all over Scotland, free of charge.

There is also provision for those who are in receipt of the middle or high rate care component of DLA to have a free pass for a companion to travel with them. For further information, contact 01324 504304.

## **Driving Assessment**

If you want expert advice on how you will manage to drive, and which adaptations you might need, ask your doctor to refer you to the Driving Assessment Service, Vehicle Centre, Astley Ainslie Hospital, Grange Loan, Edinburgh Tel: 0131 537 9192.

You can phone for advice but need to be referred by a doctor for an assessment. You do not need a licence to visit the Centre and you will be given a trial in various types of car.

## **Driving Lessons**

Some driving schools provide cars with special controls, others will offer to teach you in your own vehicle. Contact the Disability Information Service, tel. & minicom 01324 504304, for more information.

## **Motability**

This is a scheme which can allow you to use your higher rate mobility component of DLA to lease hire or buy a car, depending on your length of award.

## **Routes to Mobility**

This is a scheme which can allow you to use your high rate mobility component of DLA to buy or lease hire an electric wheelchair or scooter, depending on your length of award.

For further details, contact Disability Information Service, tel. and minicom: 01324 504304, fax: 01324 504312 or email: [dis@falkirk.gov.uk](mailto:dis@falkirk.gov.uk)

## **Exemption from Road Tax**

If you have High Rate Mobility Component of DLA, you can receive a certificate exempting you from paying Road Tax. It is issued in your name or the name of your nominee.

The exempt car must be used "solely for the benefit of the disabled person" but this can include collecting a prescription for the disabled person or family shopping etc.

Personal use of the car by someone other than the disabled person, may

invalidate the car's insurance cover. The car must be registered in the name of the disabled person (or nominee) but, for a child, the car may be registered jointly.

## **Blue Badge**

The Blue Badge is for the Disabled Person's use - not for the car! It allows parking close to places you want to visit and gives free parking in some areas.

It is available to people who are blind, people receiving the high rate Mobility Component of DLA, or others who have a permanent and substantial disability that causes them difficulty in walking, or people with a severe disability in both upper limbs which means they cannot turn a steering wheel.

Some applicants will need their doctor to confirm their condition.

Application forms are available from the Disability Information Service, tel. & minicom 01324 504304.

## **Scotland Wide Free Bus Travel Pass**

If you have a disability and are over 5 years old, you *may* qualify for a concessionary travel pass.

Please contact the Disability Information Service, tel. & minicom 01324 504304, for further information.

## **Taxicard**

You can apply for a Taxicard if you can use taxis but cannot use public transport. This gives you reduced taxi fares and allows up to 3 companions to travel with you for 20p each.

You need access to a telephone, for bookings.

Application forms are available from the Disability Information Service, tel. & minicom 01324 504304.

## **Dial a Journey**

If you have difficulty using public transport, you can apply to join Dial-a-Journey, a door-to-door minibus service that can accommodate several wheelchairs. A charge is made to cover fuel and maintenance.

Bookings have to be made before you plan to travel – at least 3 days before, if possible.

For further information, contact Dial-a-Journey, 4 Albert Place, Stirling. Telephone 01786 465355.

## **N.H.S. Travel to Hospital Costs**

You qualify to have your travel expenses to hospital refunded (and the cost of the fares of anyone who has to accompany you, if you are unable to travel alone) if you are: in receipt of Income Support or income based Jobseekers Allowance. Contact the cashier at the hospital for advice and assistance.

If you do not qualify on either of these grounds, you may qualify on low income grounds – if this applies to you, you should claim on Form HC1, available from hospitals, Jobcentre Plus offices or Disability Information Service, tel. and minicom. 01324 504304. You will need to show proof of your entitlement; e.g. your benefit award letter or your exemption certificate. If you have already paid the fares, you can claim a refund up to 3 months afterwards, on form HC5. You can send this off along with the completed HC1 form.

## **Travel to Work Scheme**

This is a Department of Employment scheme which helps cover the cost of travelling to work if you have a severe disability that affects your ability to keep or get a job and you cannot use public transport.

For information, contact the Access to Work Business Team, Tel: 0845 6021358, Text phone: 0141 800 2223, Fax: 0141 800 2222

## **Other concessions, or assistance with travel, are: -**

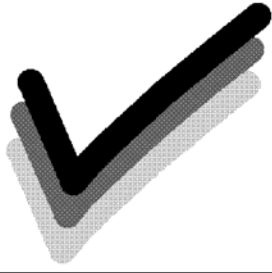
- ◆ National Blind Persons Concession Scheme
- ◆ Disabled Persons Rail Pass
- ◆ Red Permit Scheme
- ◆ Housebound Persons Scheme

*For further information contact the Disability Information Service, telephone and minicom: 01324 504304 (answer phone available).*

## **Social Work Vehicles**

Minibuses may be available to groups registered with Social Work when the vehicles are not required by Day Centres, etc. All drivers must be registered with Social Work and hold a current M.I.D.A.S. certificate.

For details of how to borrow these, contact the Transport Co-ordinator, Public Transport Unit, tel. 01324 504925, Fax no. 01324 504914.



# Help with Employment

## disability information service

# Young People With Disabilities

### EMPLOYMENT SERVICES

#### Registering as Disabled

Since the introduction of the Disability Discrimination Act, there has been no register of disabled people. Green cards are no longer issued, although existing card holders will retain the rights and privileges they had under the scheme.

#### Getting into Work

If you are 16-18 years of age, the Careers Service can advise you on education, training and employment opportunities and hardship allowances, if appropriate. If you need special services or equipment, the Careers Service will arrange contact with the Disability Employment Adviser in your local Jobcentre Plus office. You can contact the Careers Service in Falkirk – tel. 01324 620311, or Grangemouth – tel. 01324 472397.

If you are over 18 years of age, the Disability Employment Adviser at your local Jobcentre Plus office will provide advice and assistance on getting into work. You can contact Jobcentre Plus on Falkirk - tel. 01324 505000; Grangemouth – tel. 01324 508100.

#### Getting Advice on Welfare Benefits

Before you take up education, training or employment, it is advisable to contact **Disability Information Service, Tel and Minicom. 01324 504304** or **Falkirk Council's Welfare Benefits Helpline, tel: 01324 501404** about your future entitlement to benefits.

The helpline is generally staffed 9.30 – 12.30 & 2.00 – 4.00  
Monday - Friday

Outwith these times, or if staff are unavailable, you can leave a voicemail message. Please leave your name and contact number.

Your call will be returned as soon as a member of staff is available. We aim to return your call before the end of the next working day. If your enquiry cannot be dealt with over the phone, appointments can be arranged in an office near you. Home visits can be arranged in exceptional circumstances.

## **DISCRIMINATION IN EMPLOYMENT**

The Disability Discrimination Act makes it unlawful for employers to discriminate against a disabled person in:

- recruitment and retention of employees
- promotion and transfers
- training and development
- the dismissal process

Discrimination occurs when a disabled person is treated less favourably than someone else and

- the treatment is given for a reason relating to the person's disability and that reason does not apply to the other person and
- this treatment cannot be justified

Examples:

An employer could probably not justify dismissing an employee because they were sometimes off work due to their disability, if the amount of time taken off was little more than what would be regarded as a reasonable amount of sick leave for other employees.

An employer could not justify refusing to promote an employee, who used a wheelchair, solely because that person's new work station was not wheelchair accessible, if it could be made accessible by re-arranging furniture.

Employers must make reasonable changes to their premises or employment arrangements if these substantially disadvantage a disabled employee, or prospective employee, compared to a non-disabled person. i.e. widening doorways for wheelchair access, changing taps to make them easier to turn etc.

For further information on any of the contents of this pack, please contact the Disability Information Service – details below.

### **disability INFORMATION SERVICE**

**Dundas Resource Centre  
Oxgang Road  
GRANGEMOUTH  
FK3 9EF**

**Tel. & Minicom  
01324 504304  
OFax. 01324 504312  
e-mail: [dis@falkirk.gov.uk](mailto:dis@falkirk.gov.uk)**



**Falkirk Council**  
***Housing & Social Work Services***