

# Some Important Benefits

Income Support

Pension Credit

Attendance Allowance

Disability Living Allowance

Carer's Allowance

Discretionary Social Fund

Housing Benefit

Council Tax Benefit/discounts



## INCOME SUPPORT

### Income Support (IS)

I.S. is a means tested benefit for people with little or no income and who are not required to be available for work. People who are aged 60 and over do not get I.S. They are assessed for pension credit instead.

Lone parents, and people who are incapable of work because of an illness or disability do not have to be available for work and can claim IS if they meet the eligibility criteria.

Savings or capital must be below £16,000. Savings/capital between £6,000 and £16,000 will reduce the amount of IS by £1 for every £250 (or part of £250).

You must usually work less than 16 hours per week (if you are married or cohabiting your partner must work less than 24 hours per week).

The money you have coming in from other sources must be below prescribed amounts, known as your 'applicable amount'. (Certain income is ignored, Disability Living Allowance for example).

The applicable amount consists of:-

- personal allowances based on whether you have a partner or not and your age(s)
- dependent allowances (based on the number of any dependent children) \*
- premiums (intended to help with extra expenses as a result of disability etc)
- Housing costs (If you are paying a mortgage on your home you may qualify for help with the interest).

You can get IS on its own or to "top up" other income or benefits.

- \* Allowances and premiums for children stopped for new claimants from April '04. New claimants should claim child tax credits instead; these are administered by the Inland Revenue Service.

## Which Premiums?

- Carer Premium** - for each person who is paid Carer's Allowance (C.A.) or qualifies for (C.A.) but cannot be paid the full amount because of the overlapping benefit rules.
- Enhanced Disability Premium** - claimant, partner or dependent children qualify if they are paid D.L.A. higher rate care component and are aged under 60.
- Disability Premium** - claimant or partner is registered blind (or has been taken off that register in the last 28 weeks) **or** gets a disability benefit e.g. D.L.A., **or** claimant has been incapable of work for 12 months (6 months if terminally ill).
- Pensioner Premium** - can only be claimed if the claimant's partner is 60 or over, but the claimant him/herself is under 60. When claimant reaches 60, they will be switched from I.S. to Pension Credit.
- Severe Disability Premium** - this can only be paid along with the disability or pensioner premiums. The disabled person must be in receipt of the higher or middle rate care component of D.L.A. **or** Attendance Allowance **and** be treated as living alone with no one receiving Carer's Allowance for looking after them.
- Bereavement Premium** - payable to some widows and widowers depending on their circumstances.

# PENSION CREDITS (P.C.)

Pension Credits are means tested benefits for pensioners.

The **Guarantee Credit** has replaced Income Support and the **Savings Credit** is a new benefit to help some people who have made extra provision for their retirement, e.g. by paying into an occupational or private pension, or by saving.

## **Pension Credit has two elements:**

- 1) Guarantee Credit – this credit can be paid to people aged 60 and over and is calculated in a similar way to Income Support (I.S.).
- 2) Savings Credit – can only be paid if claimant and/or partner are aged 65 or over.
- 3) People aged between 60 and 65 can only be considered for the guarantee credit. People aged 65 or over will be considered for both the Guarantee Credit **and** the Savings Credit.

The lower capital limit is £6,000 but, unlike Income Support, there is no upper capital limit. However, for every £500 (or part of £500) capital there is over £6,000, £1 is added to the weekly income amount. (This is known as tariff income).

## **A Guarantee Credit payment passports claimants to:**

Full Housing and Council Tax Benefit (Some other housing costs may also be covered)  
Free N.H.S. Benefits  
Access to the Social Fund

**A Savings Credit payment alone** may mean you qualify for some Housing and Council Tax Benefit. Contact your local council finance office for further information.

For a claim pack, contact the Pension Credit helpline: 0800 99 1234 (manned Monday to Friday from 8a.m. to 8p.m. and Saturday 9a.m. to 1p.m.)  
Textphone no. 0845 60 64 064.

If you wish, an operator can complete the claim form for you over the phone. They will then post it out for you to check, sign and return along with any documentation requested to confirm your income and savings. When you call, you will need to have the following details to hand:

- National insurance numbers for you and your partner
- Information about money you have coming in each week
- Information about your savings and any other benefits you receive.

## ATTENDANCE ALLOWANCE (AA)

Attendance Allowance is payable to people who are 65 or over and require personal care as a result of a mental or physical disability.

It is not based on national insurance contributions and it is neither taxable nor means tested.

Whether you receive AA, and at what rate, will depend on the level of your care needs during the day and/or night.

### Daytime

During the day you must either:-

- require **frequent** attention **throughout** the day in connection with your **bodily functions**.

*Frequent - At least 3 times*

*Throughout the day - i.e., during the middle of the day as well as in the morning and in the evening.*

*Bodily functions - e.g., walking, eating, washing, sleeping, using the toilet, taking medication. [Bodily functions do not include domestic tasks such as cooking, cleaning and shopping.]*

OR

- require **continual supervision** throughout the day in order to avoid substantial danger to yourself or others.

*Continual supervision - Continual means frequent or regular, it does not mean non-stop. Supervision does not have to be active, alert or awake - standing by and being ready to intervene if necessary can also count.*

### Night-time

During the night you must either:-

- require **prolonged** or **repeated** attention **during the night** in connection with your bodily functions.

*Prolonged - At least 20 minutes*

*Repeated - At least twice (it does not matter for how long)*

*During the night - This means when the household closes down for the night, not just when the disabled person is in bed.*

OR

- require at night another person to be awake for the purposes of watching over you in order to avoid substantial danger to yourself or others.

There are two rates a higher and a lower.

You get the lower rate if you satisfy one of the day time tests OR one of the night time tests.

You get the higher rate if you satisfy one of the day time tests AND one of the night time tests.

If you are terminally ill and make a claim under the special rules you will be paid the higher rate whatever your actual care needs are.

## **Care Needs**

It is your reasonable need for attention and/or supervision which counts. You can still claim AA even if you do not have someone giving attention or supervision.

## **Supervision**

Supervision is required if you need someone to be around to prevent accidents or other incidents which may cause substantial danger to yourself or others.

You might need continual supervision if you experience epileptic seizures, are unsteady on your feet and prone to falling over, have a tendency to wander away from home, have memory problems or are mentally confused; or cannot remember to take medication.

Supervision and 'watching over' needs. It may be reasonable for you to require supervision if you:

- are hyperactive
- have spasms, fits or panic attacks, or show violent or aggressive behaviour
- have memory problems or are mentally confused
- are prone to self-mutilation or suicide attempts
- are unsteady on your feet and prone to bumping into things or falling over
- have no sense of danger in the home, such as fire, gas, electricity and height
- have no sense of danger outside the home, for example because you are visually impaired
- need to be supervised to ensure you take medication.
- need support when suffering panic attacks or hallucinations
- cannot be left alone in a room or in your home
- have a tendency to wander away from your home

<b><i>Bodily Function</i></b>	<b><i>Attention Need – some examples:</i></b>
Eating and Drinking	Cutting up food Being fed
Keeping clean	Washing hands, face, body or hair Cleaning teeth Getting in and out of a bath Brushing hair Shaving Changing sanitary protection Changing colostomy or urine bags Changing soiled bedding
Dressing/Undressing	Putting on/taking off clothes Doing up buttons and zips Putting on shoes and socks
Going to bed and sleeping	Getting in and out of bed Getting comfortable in bed Turning in bed Being soothed to sleep at bedtime or during the night
Using the toilet	Getting to and from the toilet Using the toilet Cleaning her/himself and the toilet facilities afterwards Washing hands
Incontinence	Putting on incontinence aids Changing soiled clothes, furniture and bedding
Sitting and walking	Getting about the house Getting into and out of a wheelchair or chair Getting up and down stairs
Communicating and interpreting	Initiating communication Making yourself understood to others Understanding what other people say
Medication and treatment	Physiotherapy Changing dressings Measuring or giving medication Remembering to take medication Opening bottles
Seeing/hearing	Help with seeing or hearing to enable you to do any of the above tasks for yourself.

## DISABILITY LIVING ALLOWANCE (DLA)

DLA is the equivalent benefit to Attendance Allowance for people claiming before the age of 65. If DLA is awarded, they can continue to receive it as long as necessary, with no upper age limit.

There are two parts to DLA: The “care component” and the “mobility component”.

### Care Component.

This has three rates - highest, middle and lowest. The highest and middle rates are equivalent to the higher and lower rates of AA and have the same tests. For the lowest rate of the care component there are two other tests. If someone satisfies either of these tests they qualify for the lowest rate care. The tests are the person -

- needs **attention** in connection with their bodily functions for a **significant portion of the day**

*Significant portion of the day - One hour or more. This can be a single period or a number of short periods added together.*

### OR

- cannot prepare a cooked main meal for themselves

#### *Preparing a cooked main meal*

*In order to establish that you cannot prepare a cooked main meal it is necessary to show that you cannot perform one or more of the various tasks required to do this. There are both physical and mental tasks involved; you may not have the stamina and/or the mental ability required. You may be unable to perform some, or all, of the tasks - e.g. you may not be able to cope with planning the menu and/or you may not have the motivation and/or the concentration required to make the meal.*

*If you cannot perform one of the required tasks, you may pass this test, even if you can perform all the other tasks associated with preparing a meal. It is irrelevant whether you actually ever cook yourself a main meal - it is your inability to cook which matters.*

*The tasks include:*

- *planning a menu*
- *recognising that food is out of date*
- *carrying out the stages in the correct order and within a reasonable period of time*
- *peeling, chopping and washing fresh vegetables*
- *using taps*
- *using a cooker safely*
- *coping with hot pans*
- *draining cooked vegetables from hot pans*
- *stirring, testing and tasting whether vegetables etc. are properly cooked*
- *using a tin opener*

## Mobility Component.

There are two rates

a **higher rate** paid mainly to people who are **unable** or **virtually unable to walk**

*Unable to walk - Unable to take a step by putting one foot in front of the other.*

*Virtually unable to walk - Four factors are taken into account when deciding whether or not the claimant is virtually unable to walk. They are:*

- *distance - i.e. how far the claimant can walk without severe discomfort.*
- *speed - compared to someone with no walking difficulties*
- *time - to walk a certain distance*
- *manner - e.g. limping, shuffling, using crutches.*

**and**

a **lower rate** paid to people who require **guidance** or **supervision** when walking in unfamiliar areas.

*Guidance - in relation to lower mobility this means the action of directing or leading, including giving oral directions, persuasion or suggestion.*

*Supervision - in relation to the lower mobility component this means accompanying the person and at least monitoring them, or the circumstances, for the need to intervene so as to prevent the person's ability to take advantage of the faculty of walking being compromised. There is no requirement that this supervision should be necessary to avoid substantial danger to the claimant or others*

AA & DLA are paid regardless of other benefits, savings or income.

Claim forms for DLA and Attendance Allowance can be obtained by phoning the **free...**

**Benefits Enquiry Line (BEL) 0800 882200,  
8.30a.m. - 6.30 p.m. (Monday to Friday) and 9a.m. - 1p.m. Saturday**

The Benefits Agency will send out a claim pack. The form is date stamped on the day it is requested and that date will be taken as the date of the claim, provided the completed form is returned within 6 weeks.

## **CARER'S ALLOWANCE (CA)**

This is the only benefit specifically for carers. If you are looking after someone who needs a lot of care, you may be able to claim CA.

To qualify for CA you must :-

- provide regular and substantial care for at least 35 hours per week;
- care for someone who gets Attendance Allowance or Disability Living Allowance care component (at the middle or higher rate);
- be 16 years or over;
- not earn more than £95 per week;
- not be in full time education;
- satisfy the conditions on residence in the UK.

You do not have to be related to the person you look after in order to get CA.

You do not have to live with the person you care for to qualify for CA.

You will be able to earn up to £95 after expenses (which can include the cost of child care or paying someone to look after the disabled person while you are at work) and still receive CA.

CA counts as income for means tested benefits e.g. payment reduces any Income Support, Income-based Jobseeker's Allowance, pound-for-pound. It can still be worth claiming because, if successful, a Carers Premium will be included when calculating your entitlement to means tested benefits.

CA is an earnings replacement benefit and is affected by what is known as the "overlapping benefits rule". This means that, although there is an entitlement, benefit cannot be paid at the same time as certain other benefits are in payment, e.g. Retirement Pension, Widows Pension or Incapacity Benefit. It can still be worth claiming because establishing an underlying entitlement to CA means that the Carer Premium will be included with means tested benefits.

Claiming CA can affect the disabled person's Income Support or Pension Credit and Housing Benefit premiums so this should be checked before a claim is made.

## **DISCRETIONARY SOCIAL FUND**

The Discretionary Social Fund provides help towards specific expenses if a person has a low income and little or no savings. Awards are made from cash limited budgets. There are three types of awards:-

**Community Care Grants** may be awarded if someone is on Income Support, Income based Jobseekers Allowance or Pension Guarantee Credit Community Care Grants are;

- to help people remain in their own home or
- to help people leaving residential or institutional care or
- to help families under exceptional pressure etc.

**Budgeting Loans** can be awarded to help with important expenses for which it is difficult to budget. Claimants must have been on Income Support, Income based Jobseekers Allowance or Pension Guarantee Credit for 26 weeks or more.

**Crisis Loans** - awarded in the event of an emergency or a disaster and it is the only way to avoid risk to the person or their family.

Loans are interest free but have to be repaid. Awards are usually only paid to people whose needs are considered a high priority.

## **HOUSING BENEFIT/COUNCIL TAX BENEFIT**

These are benefits administered by the Council to help with rent and council tax. You can get up to 100% of your rent paid, and up to 100% of your council tax (water and sewerage rates are not included). If you get Income Support/Pension Guarantee Credit, you will get the maximum amount of these benefits, subject to possible deductions for other people living in your household. If you do not get Income Support or Pension Guarantee Credit and you have less than £16,000 in savings or capital you may still get these benefits on low income grounds.

In addition to CTB there are also second adult rebates, discounts and exemptions available.

### **Housing and Council Tax Benefit Discounts**

Council Tax is based on the idea that the average household consists of two adults. Single person households are entitled to a 25% reduction on their bill. Houses with no one resident get a 50% discount. When counting the number of people in a household there are certain people who are ignored.

This includes carers but only if they are:

- living and caring for someone who is not their husband, wife , cohabitee or child under 18
- caring for the person for at least 35 hours per week on average
- caring for a disabled person who is in receipt of higher rate AA or DLA highest rate care component.

### **Disregarded**

Some people are disregarded for Council Tax purposes – they pay nothing, not even water and sewerage charges. Some examples: people who are severely mentally impaired, some young people, students in certain cases etc.

### **Exemptions**

**– do not pay council tax at all, not even water and sewerage rates:**

- if the property is unfurnished and unoccupied for up to 26 weeks.
- if the property is unoccupied because the liable person is receiving care elsewhere.
- if the property is occupied solely by students etc.

## **Disability Reduction Scheme**

You qualify if someone staying in the house is “substantially and permanently disabled” and either:

- you have a second bathroom or kitchen needed by that person; OR
- you have a room (other than a bathroom, kitchen or toilet) needed by and predominantly used by that person; OR
- you have enough space in your house for that person to use a wheel chair which she or he needs indoors.

If you qualify for a reduction, your house will be placed in the next valuation band down from the one it is in at present. If your house is already in the lowest band (band A) you will get a discount equivalent to going down a band.

If you want more advice/information about any of the benefits in this pack, please contact: Disability Information Service, Telephone and Textphone: 01324 504304; fax. no. 01324 504312; e-mail; [dis@falkirk.gov.uk](mailto:dis@falkirk.gov.uk)