WHAT CAN YOU CLAIM?

A basic guide to benefits which people with learning disabilities may be able to claim.

The Down's Syndrome Association
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This information is updated every year.
# Table of contents

Introduction........................................................................................................................................... 4
Future changes...................................................................................................................................... 4

**Benefits for children under 16** ........................................................................................................ 6
The Blue Badge Scheme ....................................................................................................................... 6
Child Benefit ......................................................................................................................................... 6
Child Tax Credit .................................................................................................................................... 7
Child Trust Fund .................................................................................................................................. 8
Disability Living Allowance ............................................................................................................... 9
The Family Fund ................................................................................................................................... 10
Free nappies .......................................................................................................................................... 10

**Benefits from 16 and over** ............................................................................................................ 11
Young people with Down’s syndrome claiming in their own right at 16............................................ 11
16-19 Bursary ....................................................................................................................................... 11
Benefits in residential care ................................................................................................................ 12
Carer’s Allowance .............................................................................................................................. 13
Council Tax Benefit .......................................................................................................................... 14
Education Maintenance Allowance ..................................................................................................... 15
Employment and Support Allowance .................................................................................................. 16
Energy efficiency and heating grants .................................................................................................. 18
Health Benefits ..................................................................................................................................... 18
Healthy Start food vouchers and vitamins .......................................................................................... 19
Housing Benefit ................................................................................................................................. 19
Incapacity Benefit ............................................................................................................................. 20
Income Support .................................................................................................................................... 20
Independent Living Fund .................................................................................................................. 22
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jobseeker’s Allowance</td>
<td>22</td>
</tr>
<tr>
<td>PDSA - help with vets’ bills for people on low incomes</td>
<td>23</td>
</tr>
<tr>
<td>Severe Disablement Allowance</td>
<td>23</td>
</tr>
<tr>
<td>The Social Fund</td>
<td>23</td>
</tr>
<tr>
<td>Warm Homes discount scheme</td>
<td>24</td>
</tr>
<tr>
<td>What happens to Employment and Support Allowance if you start work or training?</td>
<td>24</td>
</tr>
<tr>
<td>Working Tax Credit</td>
<td>25</td>
</tr>
<tr>
<td><strong>Benefits at age 60</strong></td>
<td>26</td>
</tr>
<tr>
<td>State Retirement Pension</td>
<td>26</td>
</tr>
<tr>
<td>Pension Credit</td>
<td>27</td>
</tr>
<tr>
<td>Winter Fuel Payments</td>
<td>27</td>
</tr>
<tr>
<td><strong>Benefits at age 65</strong></td>
<td>27</td>
</tr>
<tr>
<td>Attendance Allowance</td>
<td>27</td>
</tr>
<tr>
<td><strong>General information</strong></td>
<td>28</td>
</tr>
<tr>
<td>Appointees</td>
<td>28</td>
</tr>
<tr>
<td>Protecting your National Insurance contributions</td>
<td>29</td>
</tr>
<tr>
<td>Revisions, supercessions and appeals</td>
<td>30</td>
</tr>
<tr>
<td>Useful addresses</td>
<td>31</td>
</tr>
</tbody>
</table>
Introduction

This information sheet is a basic guide to benefits which people with learning disabilities may be able to claim.

Some of the benefits mentioned in the information sheet are just for people with disabilities. Other benefits can be claimed by anyone. Many are social security benefits, administered by the Department for Work and Pensions, or Her Majesty’s Revenue and Customs (HMRC). We have also included other useful benefits, such as health benefits, heating grants, and so on.

This information sheet is only a brief guide. Rules about benefits can be complicated, so if you think you might be entitled to one or more of these benefits, get advice about your own situation from one of the organisations listed at the end of this information sheet.

The information in this leaflet relates to England and Wales. Scotland and Northern Ireland have different legal and administrative systems (although a lot of the information in this leaflet also applies to Scotland and Northern Ireland). Contact the Scottish and Northern Irish organisations listed in the back of this information sheet for more detailed information.

The Department for Work and Pensions deals with policy decisions about social security. Many benefits are administered by local DWP offices, called JobCentre Plus offices. Some benefits, such as Disability Living Allowance and Carer’s Allowance have central offices (addresses at end of this information sheet).

If you don't know whom to contact:

- phone the Benefits Enquiry Line (the DWP helpline for people with disabilities) on 0800 88 22 00, or
- ring the DSA Benefits Advisers at the Down's Syndrome Association on 0333 1212 300, Monday to Friday, 10am - 4pm.

Keep copies of all correspondence and forms you send to the DWP.

Future changes

Many of you will know that the Government intends to make changes to the benefits system.

The main changes are:

1. Universal Credit

   From 2013, this will replace:
   - Child Tax Credit
   - Housing Benefit
   - Income-related Employment and Support Allowance
   - Income-based Jobseekers Allowance
• Income Support
• Social Fund budgeting loans
• Working Tax Credit

2. Personal Independence Payment

From 2013, PIP will replace Disability Living Allowance for people of working age (16-65).

Full details of these new benefits are not yet available. We will post information on the DSA website www.downs-syndrome.org.uk when more information becomes available.

There are also changes to some benefits in the meantime. We have given details of some of these changes in this information sheet, where they may affect people with Down's syndrome.
Benefits for children under 16

The Blue Badge Scheme

The Blue Badge scheme operates throughout England and Wales (except for parts of central London). It is run by local councils.

The Blue Badge scheme is to help people who have problems with walking to park where there are parking restrictions, for example, close to shops, public buildings, and so on. A car displaying a Blue Badge driven by a disabled person, or with a disabled person as a passenger, can be parked in some, but not all, parking restricted areas.

To qualify for a Blue Badge a child under 2 years old, must, because of their condition:

• always need bulky medical equipment, which is difficult to carry, near them, OR
• always be near a car so that treatment can be given for their condition in the car, or they can be quickly taken somewhere where treatment can be given.

To qualify for a Blue Badge someone over 2 years old must:

• be getting the higher rate of the mobility component of Disability Living Allowance; OR
• be getting war pensioner’s mobility supplement; OR
• be using a vehicle supplied by a government department or getting a grant towards running your own car or invalid trike; OR
• be registered blind; OR
• drive regularly and have a severe disability in both arms; OR
• have a "permanent and substantial disability which causes inability to walk or very considerable difficulty in walking".

The car does not have to be driven by the disabled person, but the disabled person has to be in the car - unless they have just been dropped off or are being picked up.

How to claim

Contact your local council.

Child Benefit

Child Benefit is paid for all children. You claim Child Benefit if you are responsible for a child.
Currently Child Benefit is not means-tested - your savings and income don’t matter. However from January 2013 it will be means tested for those earning over £50,000.

There are special rules for children living in local authority care or in hospital, and for families where the parents or the child go abroad a lot.

**How to claim**

You claim on from CH2. You can get a form from:

- the Child Benefit Office – contact details at the end of this information sheet
- the website direct.gov.uk
- the HMRC website www.hmrc.gov.uk/childbenefit
- some local HMRC enquiry offices or Jobcentre Plus offices may have forms

Or you can use the interactive form on the HMRC website. Fill it in on screen, print it, sign it and post it.

Your claim form should be sent to the Child Benefit Office (address at the end of this information sheet).

**Future changes**

Previously the Government announced plans to withdraw child benefit in full from all higher rate tax payers. These changes were heavily criticized because they were unfair on single income families and created a ‘cliff edge’ for those earning just over the higher rate threshold.

From 7th January 2013 only those who earn over £60,000 a year will lose their child benefit entirely, while people who earn over £50,000 a year will see it gradually withdrawn depending on how much they earn.

If both you and your partner earn under £50,000 a year you will keep all of your child benefit payments.

If either you or your partner earn over £60,000 you will lose child benefit in full.

However, if you or your partner earn between £50,000 and £60,000 you will lose 1% of your child benefit payments for every £100 you earn above the £50,000 threshold – so for example if you earn £55,000 you will lose 50% of your child benefit.

The government has announced it will write to all higher rate tax payers set to be affected by the change in the autumn of 2012, with details of how much they’ll lose

**Child Tax Credit**

Child Tax Credit is money paid to families to support children. It is means-tested.

You can get Child Tax Credit if you are working and if you are not working.
If you are not working, you get Child Tax Credit for your children, but you claim other benefits for yourself and your partner (such as Income Support or Jobseeker’s Allowance or Employment and Support Allowance/Incapacity Benefit). Payments for children are no longer included in these benefits.

An award of Child Tax Credit lasts for a year (the tax year, 6 April to 5 April).

The amount of the award depends on your income. It is usually based on your taxable income for the previous year. There is no capital limit, but interest from your savings is counted as income.

If your family’s circumstances change during the year, you often need to tell HMRC, so that you don’t get too much or too little Child Tax Credit.

**Children with a disability**

Children who get Disability Living Allowance (see page 8) get an extra element of Child Tax Credit included when HMRC work out their benefit. Children who get the highest rate of the care component of Disability Living Allowance get another extra element.

However, it still depends on your family's income as to whether you actually get more money, even when your child with a disability is included.

**More information**

See the Down’s Syndrome Association's information sheet *Tax Credits*, on our website [www.downs-syndrome.org.uk](http://www.downs-syndrome.org.uk), or ring 0208 6145 100 for a free copy.

Or ring the Benefits Advisors on 0208 6145 100, Monday to Friday, 10-4.

**How to claim**

Tax Credits are administered by Her Majesty’s Revenue and Customs (HMRC).

If you are making a new claim, you have to claim tax credits on form TC600. You get the form by ringing the Tax Credit Helpline (details at the end of this information sheet).

Some JobCentre Plus offices or advice agencies may have copies of the form.

You claim Child Tax Credit and Working Tax Credit on the same form.

**Child Trust Fund**

A Child Trust Fund is a long-term, tax-free savings account.
Children born between 1 September 2002 and 2 January 2011 are entitled to a Child Trust Fund. Up to January 2011, the Government contributed an amount per year for each child.

From 1st November 2011, family and friends can still contribute up to £3,600 into an existing account every year.

You can find more information about the Child Trust Fund scheme at www.direct.gov.uk.

Disability Living Allowance

All children with Down’s syndrome get Disability Living Allowance. It is an important benefit for people with disabilities. It’s paid on top of all other benefits. If your child gets Disability Living Allowance, you may get extra money included in other benefits, such as more Child Tax Credit, Housing Benefit or Council Tax Benefit.

Disability Living Allowance is not means-tested.

There are two parts to this benefit:

- the care component

  and

- the mobility component

The care component

The earliest you can claim the care component is when your child is 3 months old. Some children with Down’s syndrome get the benefit then. In our experience, most children with Down’s syndrome get the benefit at some time between the age of 3 months and 1 year old.

The mobility component

The earliest you can claim the mobility component is 3 years. This is for the higher rate of the mobility component only. Some children with Down’s syndrome get the higher rate at the age of 3.

The earliest you can claim the lower rate of the mobility component is at the age of 5. We believe that all children with Down’s syndrome qualify for the lower rate.

More information

The rules for Disability Living Allowance are complicated. We advise you to get more information and advice before making a claim.

This information sheet only gives basic information. For more detail, please see the Down’s Syndrome Association Guidelines to claiming Disability Living Allowance. There are different versions for children of different ages. The Guidelines are available on our website at www.downs-syndrome.org.uk, or ring 0208 6145 100 for a free copy.

Or contact the Benefits Advisors on 0208 6145 100, Monday to Friday, 10-4.
Future changes

From 2013, the Government plan to replace Disability Living Allowance with a new benefit, the Personal Independence Payment, for people of working age (16-65). This change will not affect claims for children, for now.

The Family Fund

The Family Fund is funded by the government, but it is run by the Family Fund Trust. The Fund gives money to buy equipment or services for children who need extra help because of a severe disability or long-term illness.

You can apply to the Family Fund if you are the parent or carer of a child or young person aged 17 or under and you have the legal right to live in the UK.

Grants are means-tested, but you do not have to be on the basic income level (for example, Income Support) to apply. Getting Disability Living Allowance does not mean that your child will definitely get a grant. The Family Fund apply their own eligibility criteria.

You may get help with:
- Washing machines and tumble dryers, fridge-freezers, dishwashers
- Clothing and bedding
- Holidays or outings
- Driving lessons
- Transport
- Play and leisure equipment

These are only examples of the things the Fund can be used for. It is not a complete list and families are encouraged to ask for anything that they feel they need, as long as it is directly related to the child’s disability.

How to apply

- You can download an application pack from www.familyfund.org.uk, or
- email info@familyfund.org.uk and ask for one to be posted to you, or
- phone 08449 744 099

Free nappies

If your child is still in nappies after the age of 3, you may be able to get free nappies or incontinence pads for them. In some areas, you may not be able to get them until your child is older than 3. You may not be able to get as many as you need.

Ask your GP, health visitor or continence adviser.
Benefits from 16 and over

This section gives information about benefits that young people with Down’s syndrome can claim in their own right from 16. It also gives information about benefits that the parents, carers and families of someone with Down’s syndrome may be able to claim, such as Carer’s Allowance.

Young people with Down’s syndrome claiming in their own right at 16

Young people with Down's syndrome can claim benefits in their own right at 16. The benefit they can claim is Employment and Support Allowance (ESA). This has replaced Incapacity Benefit (IB).

People on Incapacity Benefit or on Severe Disablement Allowance and Income Support will be transferred onto ESA at some point over the next 2-3 years. This process has now started.

Remember that if someone’s needs haven't changed, they should keep Disability Living Allowance as well.

Is it always a good idea for someone to claim in their own right at age 16?

No- not always. If your whole family is on benefit (such as Income Support or Jobseeker's Allowance), GET ADVICE before a child turning 16 claims in their own right. Your family may be better off if your child still counts as a member of your household.

Warning - the DWP can make a mistake!

Sometimes, people used to be told by the DWP that a young person with Down’s syndrome could not claim Incapacity Benefit because they were still at school or college. That was not correct. We hope that the same mistake will not be made with ESA, but if you are told you can’t make a claim for ESA at 16 for this reason, it is wrong. Go ahead and make the claim.

Another problem is that people are told their child can’t claim ESA if they are still receiving Child Benefit. This is also not correct. Please contact us if you are in this situation.

See the Down’s Syndrome Association’s information sheet Benefits at 16 for further details. Look on www.downs-syndrome.org.uk, or ring 0208 6145 100 and ask for a copy.

16-19 Bursary

From September 2011, young people with Down’s syndrome aged 16 to 19 will be eligible for the 16-19 Bursary instead of Education Maintenance Allowance (EMA).
EMA was mean-tested. 16-19 Bursaries for young people with Down’s syndrome will not be means-tested. This means that many families may now qualify for a Bursary when they did not receive EMA.

Someone with Down’s syndrome will get a bursary of at least £1,200 per year if they are:

- aged 16-19
- in full time education
- getting both Employment and Support Allowance and Disability Living Allowance (which means they count as being in a “vulnerable group”)

(If the year is less than 30 weeks, the bursary will be pro rata).

EMA was means-tested but there is no means-test for people in the vulnerable groups, either of the young person, or their family.

The 16-19 Bursary will be administered by the school or college. Schools and colleges are responsible for identifying students who qualify. They will decide when the payments will be made. Schools and colleges will decide if a course is “full time education.”

Young people without disabilities but in financial need can apply for a discretionary bursary. Schools and colleges will be responsible for giving these bursaries. Some form of means-test is likely. There may also be some conditions, for example, about attendance or behavior.

For more information, visit www.direct.gov.uk or contact your child’s school or college.

**Benefits in residential care**

There are several types of residential or nursing care homes, or residential colleges, which people with a learning disability can live in. The rules about getting benefits in this kind of accommodation are very complicated.

However, a common situation, where a young person with Down’s syndrome is in a residential college or care home would often affect their benefits as follows:

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Disability Living Allowance - Kept in full
Mobility component
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Disability Living Allowance - Care Component

- Paid for the first 28 days in the college/home, then stopped.
- It will be paid at a daily rate for any day spent at home.
- The day someone leaves the college/home, and the day they return, both count as days at home.

Employment and Support Allowance or Incapacity Benefit or Severe Disablement Allowance

- May be taken into account in a financial assessment for contributions towards residential fees.
- It can be reduced to the personal expenses allowance, currently £23.25 per week (April 2012).
- However, some local authorities allow people to keep more of their benefit.

If you are considering this kind of accommodation, contact your local Social Services department. You have to be assessed by Social Services as a first step to getting any help with funding residential college or a care home. If it is a residential college, the local education authority will also be involved.

How to claim

Contact your local Social Services department. You will find their telephone number in the phone book under the name of your local council.

For more information about your own specific situation, contact the DSA Benefits Advisers on 0208 6145 100, Monday to Friday, 10-4.

Carer’s Allowance

Carer’s Allowance (CA) is a benefit for people who are 16 and over, who regularly care for a disabled person.

You may get Carer’s Allowance if:

- You are caring for someone who receives the middle or highest rate care component of Disability Living Allowance, or gets Attendance Allowance.
- You are caring for someone 35 or more hours a week.
- You are not working and earning more than £100 a week. You can deduct tax, national insurance contributions, half of any personal pension contributions, and child care costs, from your earnings. If you are earning and want to claim CA, check the details of these rules, either with the CA Unit (address at the end of this information sheet) or the DSA Benefits Advisers on 0208 6145 100.
- You are not a full-time student (attending a course for 21 hours or more a week).
Carer’s premium

You cannot get Carers Allowance (CA) if you are already getting Income Support, Jobseeker’s Allowance, Employment and Support Allowance or Incapacity Benefit, Retirement Pension, Pension Credit, bereavement benefits and some other benefits. But you may still get some extra money, called the carer’s premium, if you claim CA while on means-tested benefits (Income Support, income-based Jobseeker’s Allowance, income-related Employment and Support Allowance, Pension Credit, Housing Benefit or Council Tax Benefit).

How does CA work?

You claim CA for yourself. You cannot normally get extra money for a partner or dependent children.

Only your own income counts – savings or a partner’s income are ignored.

You can get CA even if you have not paid National Insurance contributions. You get National Insurance credits (which count towards your Retirement Pension) while you are on CA.

Working and CA

If you are working, or plan to start work while you are on CA, make sure you tell the CA Unit in writing and keep a copy of your letter.

When to claim CA

If you claim CA within 3 months of the person you are looking after getting Disability Living Allowance or Attendance Allowance, your CA will be backdated to the start of the DLA or AA claim.

How to claim

• Phone the Carer’s Allowance Unit on 0845 608 4321 (textphone 0845 604 5312) to get a claim form.
• Phone the Benefits Enquiry Line for people with disabilities on 0800 88 22 00 (text phone 0800 24 33 55) to get a claim form.
• Get a form from a Jobcentre Plus office, or other DWP office.
• You can download and print a claim form or claim online at www.direct.gov.uk - go to the section “Carer’s Allowance – how to claim”.

If you get CA, it is a good idea to report any changes in your circumstances in writing to the CA Unit (address at the end of this information sheet). Always keep a copy of the letter for your own records.

Council Tax Benefit

The amount of council tax you pay can be reduced in a number of ways. Some of these you have to claim for. Others are given automatically, if you qualify.
Council Tax Benefit helps people on a low income to pay their council tax. You can get Council Tax Benefit whether you are working, or getting other benefits. You have to claim this benefit.

There is another type of help with the council tax, called "Second Adult Rebate." Second Adult Rebate can be paid regardless of whether you are on a low income or not. When you apply for Council Tax Benefit, the council will work out whether you can get main Council Tax Benefit, or Second Adult Rebate. If you qualify for both, you get whichever is highest.

If you get Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance or the guarantee credit of Pension Credit, you get the maximum amount of Council Tax Benefit.

**Council tax and people with disabilities**

Your council tax bill may be reduced if you are someone with a disability, or you live with someone with a disability.

If you are living with your son or daughter who has Down’s syndrome and you are the only two adults in the household, you may get a reduction of 25% of your Council Tax if:

- your son or daughter is over 18, and
- gets the middle or highest rate of the care component of Disability Living Allowance.

If there are more than two adults in your household, you may get a reduction of your Council tax if:

- your son or daughter is over 18, and
- they get the highest rate of the care component of Disability Living Allowance, and
- you care for them for 35 hours or more a week (you don’t have to be getting the Carer’s Allowance).

You may get your Council tax reduced by 25% or 50%, depending how many other people live with you.

You may also be able to get your council tax band changed to the band lower (reducing your council tax bill) if you have a disability, or live with someone with a disability, and need a bigger property than would otherwise be the case.

If you need further information about reducing your council tax, ring the DSA Benefits Advisors on 0208 6145 100, Monday to Friday, 10 – 4.

**How to claim**

To claim Council Tax Benefit or Second Adult Rebate, get a form from your local council. It is local councils which deal with Council Tax Benefit and Housing Benefit, not the DWP.

**Education Maintenance Allowance**
Education Maintenance Allowance (EMA) has been abolished and replaced by the 16-19 Bursary. Some young people will continue to receive transitional EMA, but young people with Down’s syndrome will receive the Bursary from September 2011.

EMA was means-tested. 16-19 Bursaries for young people with Down’s syndrome will not be means-tested. This means that many families may now qualify for a Bursary when they did not receive EMA. For more information, see page 11.

Employment and Support Allowance

Remember, if your whole family is on benefit, get advice before your child claims ESA (see page 11).

Employment and Support Allowance (ESA) is a new benefit that replaced Incapacity Benefit on 27 October 2008. It is the benefit to claim if you can’t work because of sickness or disability. People already on Incapacity Benefit are gradually being transferred onto ESA.

The main difference between ESA and IB is that some people on ESA will have to go to interviews with the DWP to discuss work, and also take part in “work-related activities”. **No one will lose their benefit if they don’t take a job.** The work-related activities are supposed to be individually agreed with each person, depending on their circumstances. If you don’t go to the interviews, or take part in the agreed “work-related” activities, you may lose some of your benefit. We understand that most people with Down’s syndrome are not being asked to do “work-related activities”. We feel it is extremely unlikely that someone with Down’s syndrome would lose benefit, in any case.

**Conditions of entitlement**

There are two types of ESA.

- **Contributory ESA** is paid if you have paid enough National Insurance contributions, or you are under 20 (or 25 in certain circumstances) when you claim - this is called “ESA in youth”.
  
  From April 30th ESA in youth will be abolished. However most people will qualify under the income related ESA criteria providing they are below the savings limit of £6000. Savings over this amount up-to £16000 will result in reduced benefit.
  
  From April 2012, people who only qualify for contributory ESA and are in the “work-related activities group” will only get benefit for 1 year.

- **Income-related ESA** is paid if you pass the means-test. You do not have to have paid any National Insurance contributions.

You also have to satisfy some basic conditions:

- be at least 16 years old
- be under pensionable age
- be resident in Great Britain

**Limited Capability for Work – the assessment phase**
When someone claims ESA, they will be assessed to find out if they have ‘limited capability for work’.

While someone is being assessed, which should take about 13 weeks, a basic allowance will be paid. People under 25 get a lower allowance. Those entitled to income-related ESA may be entitled to extra premiums depending on their circumstances. Someone getting the highest rate of the care component of Disability Living Allowance will get more than the basic allowance.

If someone is found to have “limited capacity for work”, they will then be placed in:

- The work-related activity group, or
- The support group

**Work-related activity group**

People in this group will have to go to regular interviews with the DWP to discuss work, and also take part in “work-related activities”. These will be agreed with each person individually. People in this group will get an extra £28.15 per week, on top of the basic allowance.

**Support group**

People in the support group do not have to go to interviews. They will be paid an extra £34.05 per week, on top of the basic allowance.

At this stage, everyone is paid the same basic allowance, regardless of age.

**How to claim**

To start your claim ring Jobcentre Plus on: 0800 055 66 88  
0800 023 48 88 Textphone  
0800 012 18 88 Welsh language

You will be sent a questionnaire, ESA 50, asking about what your difficulties are. You will be asked about both physical and mental issues. This is similar to the Incapacity Benefit (IB) form. Most people will then have a medical examination, and the DWP will decide if they have “limited capacity for work”, and whether they should be placed in the “work-related activity group” or the “support group”.

People with Downs Syndrome will be found to have “limited capacity for work”. We understand that most young people with Down’s syndrome are being placed in the “support group”.

See the DSA information sheet **Benefits at 16** for more details. Look on our website [www.downs-syndrome.org.uk](http://www.downs-syndrome.org.uk), or ring 0208 6145 100 for a free copy.

**Future changes**

From 2013, ESA will be replaced by the new Universal Credit.
Energy efficiency and heating grants

The government has funded energy efficiency and heating grants for families with children, people with disabilities and pensioners, who are on low incomes. You may qualify if you own your own home, or rent from a private landlord.

England, Wales, Scotland and Northern Ireland all have different schemes. In all of them, to qualify, you or your partner have to be getting a means-tested benefit (which ones vary from scheme to scheme), and there are other conditions.

For more information, contact:

England: The Warm Front Grant scheme: 0800 316 2805 or visit www.direct.gov.uk
Wales: Nest: call 0800 512 012 or visit www.nestwales.org.uk
Northern Ireland: The Warm Homes scheme: 0800 988 0559 or visit www.warm-homes.com
Scotland: Energy Assistance Package: 0800 512 012 or visit the Energy Assistance Package section on www.scotland.gov.uk

Health Benefits

If you are on a low income, you may be able to get help with costs to do with your health.

You may get:

- free prescriptions
- help with fares to hospital
- help with paying for glasses
- help with paying dentist’s fees
- help with the cost of wigs and fabric supports

To qualify for help automatically because of low income, you must get:

- Income Support or income-based Jobseeker’s Allowance, income-related Employment and Support Allowance, OR
- Child Tax Credit, or Child Tax Credit and Working Tax Credit, or Working Tax Credit including the disability or severe disability element, AND
- your gross income (as calculated by HMRC for your tax credit claim) must be below £15,276.

All children under 16, or under 19 and in full time education, automatically get full help with NHS costs.

Prescriptions

People in Wales, Scotland and Northern Ireland get free prescriptions. All pensioners (women or men over 60) get free prescriptions.

Other NHS costs
You may get help with opticians’ fees or dentists’ fees, even if your income is not low, depending on your health condition. For more information, ask your dentist or optician.

Low income scheme

If you are not on one of these benefits, but your income is low and your savings are less than £16,000, you may get some help with these costs, but you have to claim it. If you think your income is low, fill in form HC1, available from:

- The NHS Business Services Authority: 0845 850 1166 or www.nhsbsa.nhs.uk.
- JobCentres Plus offices, or
- Your doctor, hospital, dentist or optician may have the form.

If you can get help, you will be sent a certificate telling you how much.

For more information, visit www.nhsbsa.nhs.uk.

Healthy Start food vouchers and vitamins

If you are pregnant, or have children under 4 and you are on means-tested benefits, you may be able to get food vouchers and free vitamins. You also qualify if you are under 18 and you are pregnant. All applications must be supported by a midwife or health visitor.

For more information, call Healthy Start on 0845 607 6823 or visit www.healthystart.nhs.uk.

Housing Benefit

Housing Benefit (HB) helps people on a low income to pay their rent. You can get Housing Benefit whether you are working, or claiming other benefits, such as Income Support (see below) or Employment and Support Allowance (see page 16).

If you are paying a mortgage, you may get help with your mortgage interest costs through Income Support, income-related Employment and Support Allowance, income-based Jobseekers Allowance, or Pension Credit.

Someone on Income Support, income-based Jobseekers Allowance or income-related Employment and Support Allowance paying rent will get maximum Housing Benefit.

- Housing Benefit is not taxable.
- Housing Benefit is not counted as income when Income Support, income-related Employment and Support Allowance, or income-based Jobseekers Allowance are worked out.
- Housing Benefit is counted as income for Tax Credits, so getting HB may reduce your Tax Credits.
- Someone can get Housing Benefit even if they have not paid national insurance contributions.
- Housing Benefit is means-tested.
From 1\textsuperscript{st} April 2011 the rates for the local housing allowance were capped. A limit of

- £250 per week for a 1 bedroom property (including shared accommodation).
- £290 per week for a 2 bedroom property
- £340 per week for a 3 bedroom property
- £400 per week for a 4 bedroom property

The maximum rate of housing benefit payable is £400 per week so you will not get extra benefit if you rent a house with more bedrooms than 4.

There is help for disabled people who need a room for a carer who has to stay overnight.

**Other changes**

You may want to seek advice before you sign a new tenancy agreement

Changes from April 2011 to April 2014

The deductions made from Housing Benefit will be gradually increased if there is an adult living in your household who you do not claim benefit for. An example would be a grown up child.

Changes from January 2012

The shared accommodation rate currently applies to single people under the age of 25 living in accommodation that they rent from a private landlord. This will be extended to people aged under 35.

This means that single people under 35 will no longer receive Housing Benefit based on one bedroom self-contained accommodation.

Changes from April 2013

Housing Benefit will be restricted for some people who are living in a property that is larger than their household size. This will apply to working-age customers renting from a social landlord.

**How to claim**

Get a form from your local council. It is local councils which deal with Housing Benefit and Council Tax Benefit, not the DWP.

**Incapacity Benefit**

You cannot make a claim for Incapacity Benefit (IB) any more (except in very limited circumstances). It has been replaced by ESA. People on IB are gradually being transferred onto ESA.

**Income Support**

Income Support (IS) is the safety net of the benefits system. It can be paid on its own, or as a top up with other benefits, or on top of earnings from part-time work.
The rules about who can claim Income Support have changed. From 27 October 2008, almost everyone with Down’s syndrome will be claiming Employment and Support Allowance instead.

There may be a few situations where someone with Down’s syndrome could claim IS. If you are not sure which benefit to claim for your child, get advice.

Families of people with Down’s syndrome may be able to claim IS, for example, lone parents with children under 7 (reduced to 5 from January 2012) and carers. Someone can get Income Support even if they have never paid national insurance contributions.

You may get Income Support if:

- You come into one of the groups who can claim (eg, carers, lone parents with children under 7 (or 5 from January 2012).

- Your income is less than your applicable amount. Your applicable amount is the minimum level of income the Government says you should have to live on.

- Your capital and savings are less than £16,000. Savings under £6000 are ignored. The value of the home you live in is ignored.

- You are not working full-time. Full-time work is 16 hours a week or more. (But a person with disabilities who works more than 16 hours a week may still be able to get Income Support. Check if you are in this situation.) If you have a partner, they must not be working for 24 hours or more a week.

- You are not a full-time student (but there are some exceptions)

- You are aged 16 or over, but you are under 60. (If you are over 60, claim Pension Credit instead, see page 27).

- You live in Great Britain.

Who claims Income Support?

A single person can claim Income Support for themselves. A couple are assessed together. Children are not included any more. You get money for your children by claiming Child Tax Credit.

How is Income Support worked out?

Your applicable amount is worked out. This includes a personal allowance, which varies according to your age, plus premiums which are added according to your circumstances, for example, the carer’s premium. An amount can also be included if you are paying interest on a mortgage (though this may not be paid immediately).

Then your actual income is worked out. This includes an amount for any savings between £6000 and £16,000.
If your income is less than your applicable amount, Income Support is paid to make up the difference.

**Income Support and housing costs**

Income Support can help towards the cost of paying a mortgage. It only covers the interest payable and there may be a waiting period before you get any money.

**The advantages of being on Income Support**

If you are on Income Support, you will automatically be entitled to some other benefits. These include help with various health costs (see page 18), the maximum amount of Housing Benefit (page 19), exemption from paying Council Tax (page 14), free school meals, access to the Social Fund (page 23), etc.

**How to claim**

- Call 0800 055 6688, Monday to Friday, 8am - 6pm, (textphone 0800 023 4888),
- Get a paper form (A1) from your local JobCentre Plus office, if you cannot make a phone call.

**Future changes**

Universal Credit will replace Income Support from 2013.

**Independent Living Fund**

This was a government fund to give financial support to disabled people to enable them to live at home rather than in residential care.

The Fund continues to pay existing users but is permanently closed to new applicants.

**Jobseeker’s Allowance**

To get Jobseeker’s Allowance (JSA) you have to be unemployed, capable of work, available for work, and actively looking for work.

JSA has two parts:

- **Contribution-based JSA** - This can be paid for the first 26 weeks of unemployment, if you have paid enough national insurance contributions.

- **Income-based JSA** - This can be paid during the job-seeking period if your income and savings are low enough. The means test is very similar to the means test for Income
Support. Income-based JSA can be paid on its own or together with contribution-based JSA.

Should you claim Employment and Support Allowance or JSA?

Some people, including many young people with Down’s syndrome, could claim either Employment and Support Allowance (see page 16) or JSA.

Young people with Down’s syndrome should claim Employment and Support Allowance rather than JSA at the age of 16. Once they have been assessed, they will get more money on ESA. They will also get more appropriate help in looking for work, if that’s what they chose to do.

How to claim

- Ring 0800 055 6688 Monday to Friday, 8am - 6pm, to start your claim.

PDSA - help with vets’ bills for people on low incomes

The animal charity PDSA gives free vet care to pets whose owners are on a low income. (You will be asked to make a donation.)

To qualify, you have to:

- Live in the catchment area of a PDSA PetAid hospital or PetAid practice, and
- Get Housing Benefit or Council Tax Benefit, and provide proof of that.

For more information, visit www.pdsa.org.uk or call 0800 731 2502.

Severe Disablement Allowance

You cannot make a claim for Severe Disablement Allowance (SDA) any more. People on SDA will usually be getting some Income Support as well. People on Severe Disablement Allowance are gradually being transferred onto ESA.

The Social Fund

The Social Fund is to help people on low incomes to meet unusual costs, such as having a baby, paying for a funeral, extra money during periods of very cold weather, moving out of residential care, or something like buying new furniture.
Some payments from the Social Fund have to be paid if you meet the conditions. For others, you have to meet the conditions and your local office has to have enough money in its budget.

To get help, you usually have to be on benefit, for example, getting Income Support, or income-based Jobseeker's Allowance, or income-related Employment and Support Allowance, or more than the basic amount of Child Tax Credit, or Working Tax Credit which includes the disability elements, or Pension Credit. For some Social Fund payments, you can qualify if you get Housing Benefit or Council Tax Benefit. Most payments from the Social Fund are loans, which have to be paid back. Grants, which don't have to be paid back, can be given.

If you are claiming a Sure Start maternity grant or a funeral expenses payment, you have to claim within a time limit.

If you are on a low income, and you have to meet an extra cost, contact one of the organisations at the end of this information sheet to get advice about applying to the Social Fund.

**Warm Homes discount scheme**

The Warm Homes discount scheme is a new scheme which will replace a number of other schemes where fuel suppliers currently give lower tariffs to people on low incomes.

Electricity suppliers will provide a £120 rebate in winter 2011/12 for pensioners who get the Guarantee Credit of Pension Credit. People with disabilities, or children under 5, who are also on means-tested benefits may get a rebate – suppliers will set their own eligibility criteria.

Pensioners on the Guarantee Credit of Pension Credit should get the rebate automatically. If you are in one of the other groups, check with your own electricity supplier.

Please note that the big six energy companies are all participating but many smaller fuel suppliers are not taking part in the scheme. Also, apart from British Gas, fuel companies are saying that the rebates will be given on a first come, first served, basis, so people may be eligible but not get a rebate.

The rebate does not affect any cold weather payment or winter fuel payment you may receive.

**What happens to Employment and Support Allowance if you start work or training?**

Many young people with Down's syndrome may start by claiming Employment and Support Allowance (or be on Incapacity Benefit or Severe Disablement Allowance) and then later decide to start work or training.

You can stay on Employment and Support Allowance, Incapacity Benefit or Severe Disablement Allowance and do a limited amount of work. You can do:
• Voluntary work for which you only get expenses (as long as it isn't for a close relative).

• Unpaid work on a “work placement” with an employer, as long as the DWP have approved in writing before the placement starts.

• Permitted work, which is:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Work under medical supervision</td>
<td>Work as part of a treatment programme under medical supervision while you are in hospital or a regular hospital out-patient as long as you don't earn more than £99.50 per week.</td>
</tr>
<tr>
<td>Supported permitted work</td>
<td>Work for an unlimited period, as long as you don't earn more than £99.50 per week, and it is &quot;supported work&quot;, that is, it is supervised by someone whose job it is to find work for people with disabilities.</td>
</tr>
<tr>
<td>Permitted work lower limit</td>
<td>Work for an unlimited period, as long as you don't earn more than £20 per week (this is under 5 hours a week at the minimum wage).</td>
</tr>
<tr>
<td>Permitted work higher limit</td>
<td>Work for up to 52 weeks, as long as you do not earn more than £99.50 per week and work on average less than 16 hours a week.</td>
</tr>
<tr>
<td></td>
<td>Under certain circumstances, this 52 week period can be extended. If you are the support group for ESA, it can be extended indefinitely. Get advice about your own situation.</td>
</tr>
</tbody>
</table>

You do not need to get permission to do permitted work, but it is a good idea to tell the DWP in writing before you start any work.

You can decide to start work or training and stop claiming Employment and Support Allowance (or Incapacity Benefit or Severe Disablement Allowance). If you need to stop work later and claim these benefits again, it may be possible to do so. But the rules are complicated. It is important to get advice about your own situation, if you are thinking about starting work.

If you do start work and stop claiming these benefits, you may be able to claim Working Tax Credit instead, if your wages aren’t high.

**Working Tax Credit**

Working Tax Credit (WTC) is to help people with children, or people with a disability, or people over 25 working full-time, who don't earn very much.

You may get Working Tax Credit if:
• You or your partner have a child and work at least 24 hours a week between you with one of you working at least 16 hours, or
• You count as having a disability and work at least 16 hours a week, or
• You are over 25 and work at least 30 hours a week, or
• You or your partner are at least 60, work at least 16 hours a week
• You may also get extra WTC if you pay for childcare.

Almost everyone with Down's syndrome will satisfy the tests and count as having a disability.

WTC will be paid directly into a bank, building society, or post office card account.

• WTC is means-tested – your income is taken into account.
• WTC is not taxable.
• WTC awards run for a year, the tax year, 6 April to 5 April. If your circumstances change and you do not tell HMRC, you could end up having to repay money.
• Claims for WTC can be backdated for up to one month.

How to claim

Tax Credits are administered by Her Majesty’s Revenue and Customs (HMRC).

If you are making a new claim, you have to claim tax credits on form TC600.

You can get the claim form from the Tax Credit Office by post or by phone (details at the end of this information sheet).

You claim Child Tax Credit and Working Tax Credit on the same form.

Benefits at age 60

State Retirement Pension

The State Retirement Pension is paid to people over pensionable age (at the moment, 60 for women and 65 for men). An equal pensionable age of 65 for men and women has been introduced and is being phased in over several years.

You can find a state pension age calculator on direct.gov.uk, if you want to know your own state pension age.

At present, you may qualify for a Retirement Pension if you are aged 60 (if you are a woman) or 65 (if you are a man) and you paid enough national insurance contributions during your working life. You may also qualify for a Retirement Pension on your spouse's national insurance record, even if you are divorced or widowed.

If you get a pension and you are still working, your pension will not be reduced no matter how much you are earning.
Remember, it is possible to get a State Retirement Pension and Pension Credit as well, if your pension is not very high.

**Pension Credit**

For people over 60, Income Support was replaced by Pension Credit on 6 October 2003. It is administered by the Pension Service (part of the DWP).

Pension Credit tops up income to a set minimum amount for single people and couples - the "guarantee credit" - like Income Support does for people under 60. But it also includes a "savings credit" so that pensioners over 60 with savings will get more help than people on Income Support.

Pensioners who have responsibility for children need to claim the Child Tax Credit as well, since Pension Credit doesn't include support for children.

**How to claim**

- Ring the Pension Service on 0800 731 4811 (textphone 0800 169 0133)
- You can start your claim over the phone, or you can ask them to send you a form.

**Winter Fuel Payments**

If you are over the pension credit qualifying age (currently 60) on the third Monday in September, you can get a winter fuel payment for the following winter. In the winter of 2011-12, the payment will be £200 per household where at least one person was over 60, and £300 per household where at least one person was over 80.

If you are receiving Retirement Pension or any other social security benefit (except Child Benefit, Council Tax Benefit or Housing Benefit) you will get a payment automatically. Otherwise, you can request or download a claim form from August 2012.

**How to claim**

- Contact the Winter Fuel Payments Helpline on 0845 915 1515.

**Benefits at age 65**

**Attendance Allowance**

Attendance Allowance is the main disability benefit for people over the age of 65.
If you become sick or disabled before you are 65, you can apply for Disability Living Allowance (see page 8). If you become sick or disabled after you are 65, you can apply for Attendance Allowance. If you are already receiving Disability Living Allowance, you continue to receive it after you are 65, but once you are past 65, you can no longer make a new claim for Disability Living Allowance.

The rules for getting Attendance Allowance are very similar to those for Disability Living Allowance.

Once you are past your 65th birthday, you cannot apply for any help with getting around. Attendance Allowance has no equivalent to the mobility component of DLA. But if you are already receiving either the lower or higher rate of the mobility component of DLA when you turn 65, you keep that benefit.

**How to claim**

- Phone the Benefits Enquiry Line for people with disabilities on 0800 88 22 00 (textphone 0800 243 355)

**General information**

**Appointees**

An appointee is a named person who deals with Social Security benefits for another person, who because of disability, is unable to act on their own behalf. The appointee does not have to be a relative or carer or live with the disabled person. This person is appointed by the Secretary of State to be responsible for everything relating to social security benefits.

The appointee deals with the DWP on behalf of the person with disabilities, for example, claiming a benefit, or telling the DWP about any changes.

But the money is still to be used for the disabled person.

In the case of someone living in residential care the home manager will often be the appointee. In the case of a person living independently the social worker often becomes the appointee. Parents or carers are usually appointees to people with a learning disability who live at home.

If someone suspects that the appointee is not using the person's benefits in the best interest of the disabled person, they are entitled to challenge the appointeeship. This is done by informing the local DWP office of your concerns. The DWP office will tell you what to do next.

**How to become an appointee**

- Apply in writing to the DWP.
Protecting your National Insurance contributions

To qualify for some benefits (the contribution-based benefits), you need to pay and/or be credited with national insurance contributions during your working life. Contribution-based benefits include Jobseeker's Allowance, Employment and Support Allowance, bereavement benefits and State retirement pension.

If you are not working because you are caring for someone, you may be able to protect your entitlement to all, or some, of the contribution-based benefits.

Credits for being a carer

If you are a carer and get Carer's Allowance (see page 13), you get national insurance credits. You get these Class 1 credits automatically and do not have to claim. They count towards all contribution-based benefits.

Home Responsibilities Protection (HRP)

From 1978/79 to 2009/10, Home Responsibilities Protection helped parents and carers (who did not get Carer's Allowance) protect their State Pension only. From April 2002, some carers could build up their additional state pension as well as the basic pension.

You may have got HRP automatically, for example, if you were claiming Child Benefit for a child under 16 or Income Support as a carer. However, there are circumstances where you have to make a claim for Home Responsibilities Protection, even if you are claiming these benefits. You did have to make a claim for HRP if you were a carer, but did not get Carer's Allowance or Income Support.

Every year of HRP was subtracted from the number of qualifying years you needed to claim a State Pension. However, HRP could not reduce your number of qualifying years below 20.

To check if you need to apply for HRP for past years:

- Call HM Revenue and Customs (HMRC) on 0845 302 1479 (textphone: 0845 915 3296)

NB. There are time limits for claiming for years from 2002/03 to 2009/10. You have to claim within 3 years of the end of any tax year you spent caring. You can still claim HRP for any year prior to 2002 with no time limits.

For more information:

- see the government's pension guide, "State pensions for carers and parents", available from JobCentre Plus offices, or
- go to direct.gov.uk and search for "Home Responsibilities Protection".

National Insurance Credits for parents and carers

From April 2010, HRP has been replaced by new national insurance credits for parents and carers (who do not get Carer’s Allowance). Note that there is now a credit for caring for children under 12, which can be claimed by family members other than the child’s parents.
For more information, visit direct.gov.uk.

You usually have to apply for these credits.

- Ring the Benefit Enquiry Line for CC1 claim form (for carers), or a CF411A claim form (for parents and carers of children).

To check your contribution record, you can ask for a State Pension forecast - ring the State Pension Forecasting Team on 0845 300 0168.

**Revisions, supercessions and appeals**

If you disagree with a decision made by the DWP, there are steps you can take. What to do next depends on which benefit you are claiming. Get advice from one of the organisations mentioned in the back of this information sheet if:

- you have just claimed a benefit and do not agree with the decision
- you have been receiving a benefit for some time, but now think it is wrong
- the DWP decide they want to reconsider your benefit.
Useful addresses

Child Benefit Centre (Washington)  Tel: 0845 302 1444
Free post               Textphone: 0845 302 1474
PO Box 133              www.hmrc.gov.uk/childbenefit
Washington NE38 7BR

Carers Allowance Unit  Tel: 0845 608 4321
Palatine House         Textphone: 0845 604 5312
Lancaster Road         www.direct.gov.uk/carers
Preston PR1 1HB

Disability Alliance  Tel: 0207 247 8776 (textphone available)
Universal House        www.disabilityalliance.org
88-94 Wentworth St
London E1 7SA

Publishes the Disability Rights Handbook.

Disability Living Allowance Unit  Tel: 0845 712 3456
or Attendance Allowance Unit    Textphone: 0845 722 4433
Warbreck House  Warbreck House
Warbreck Hill        Warbreck Hill
Blackpool FY2 0YE

Handles all DLA claims, except a first claim, which is dealt with by your local Disability Benefits Centre.

Down’s Syndrome Association  Tel: 0333 1212 300
Langdon Down Centre  www.downs-syndrome.org.uk
2A Langdon Park
Teddington TW11 9PS

Down’s Syndrome Scotland  Tel: 0131 313 4225
158/160 Balgreen Road  www.dssscotland.org.uk
Edinburgh EH11 3AU

The Family Fund Trust  Tel: 08449 744 099
4 Alpha Court  Textphone: 01904 658 085
Monks Cross Drive  www.familyfund.org
Huntington York
YO32 9WN
This leaflet is a brief outline of welfare benefits which might be available to people with learning disabilities and their families. It is not a full statement of the law about benefits, and does not provide a guide for every situation.

**IF YOU ARE IN ANY DOUBT, CHECK YOUR BENEFIT ENTITLEMENT.**

For more information, you can contact:

- Down's Syndrome Association 0208 6145 100 - ask for the Benefits Adviser
- MENCAP National Centre on 0207 454 0454 - you will be given the name and telephone number of a local contact
- the Welfare Rights Unit or Advice shop run by your local council
- your local Citizen’s Advice Bureau
- the Benefits Enquiry Line (the DWP helpline for people with disabilities): 0800 88 22 00

This information sheet has been written by:

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Revised by Christina Katic/Helen Wild April 2012