

A guide to benefits

Please note that changes in benefits law are frequent. This is a general guide to benefits and is correct at the time of publication. Entitlement to benefits depends on a claimant meeting set criteria.

What benefits are available if I am employed and become ill?

- **Statutory Sick Pay (SSP)**

If you work for an employer, pay National Insurance (NI) and earn more than £90.00 a week (for tax year April 2008 to April 2009) you will usually get Statutory Sick Pay when you are off sick for four or more days in a row. Your employer will pay Statutory Sick Pay for up to 28 weeks. Spells of illness with eight weeks or less between them link and count as one spell.

If you are sick after 28 weeks of Statutory Sick Pay, or your employer's obligation to pay you Statutory Sick Pay ends before 28 weeks on or after 26th October 2008 your employer **must** complete form SSP1 (10/08) for you to claim Employment Support Allowance. You should talk to your employer before your Statutory Sick Pay ends about this, to ensure that your sickness benefits continue.

Under some circumstances previous claimants of Incapacity Benefit, Severe Disablement Allowance or Employment and Support Allowance who meet the linking rules will reclaim those benefits and will not be entitled to SSP.

- **How to claim Statutory Sick Pay**

Following a seven day period of self certification you need to obtain a sick note from your GP and give it to your employer. Your employer will arrange for any appropriate Statutory Sick Pay to be paid to you in the same way as your wages.

Other services, such as meals on wheels or home help may be available via social services for people who are severely ill. Ask your GP to refer you for a Community Care Assessment.

What benefits are available if I am too ill to work?

Employment and Support Allowance (ESA)

In order to claim ESA you will;

- Have a limited capability to work
- Be aged 16 years or over and under state pension age
- Be resident in Great Britain

You will not be able to claim ESA if you claim or are eligible for Income Support as a lone parent or as a carer, or are entitled to jobseekers allowance.

Payment of ESA is either contributions-based or income-based.

- Contributions-based ESA

To claim contributions based ESA you will need sufficient National Insurance Contributions or a mixture of National Insurance Contributions and Credits.

Contribution based ESA can be topped up with income based ESA.

- Income based ESA

If you do not have sufficient National Insurance Contributions or Contributions and Credits, Payment of income based ESA is means tested and will depend on you having capital of less than £16,000 (in October 2008) if you have a partner your joint income/capital will be taken into consideration.

Claimants of income-based ESA may be able to claim additional premiums.

- **Incapacity Benefit (IB)**

In October 2008 ESA replaced Incapacity Benefit and Income Support. Whilst this will have no immediate affect on existing Incapacity Benefit claimants you may find yourself involved in the Work Capability Assessment (WCA). It is expected that IB claimants will migrate across to ESA (beginning with the under 25's) during 2009 - 2013 to bring everyone under the same system. If you lose your IB and reclaim it within a linking period you will continue to claim it under the old rules until this transition takes place.

- **National Insurance Contributions**

If you cannot claim contribution based benefits such as Employment and Support Allowance, because you do not have enough National Insurance Contributions/Credits in the relevant tax years you may still be able to claim N.I. Credits that help toward your pension as long as you can prove that you are unfit for work or that you meet other relevant criteria. There are circumstances when this will also help toward future claims for Benefit however the contribution conditions and when they can be relaxed are very complicated and under most circumstances you will need to have paid at least one year of contributions within the previous three tax years.

- **Income Support (IS)**

Income Support is for people who are not required to sign on for work and have capital/savings of less than an upper limit of £16,000. You do not need to have paid National Insurance Contributions to claim this benefit. You will not be able to claim Income Support if your partner works 24 hours or more a week.

- **Industrial Injuries Disablement Benefit**

You may be able to claim Industrial Injuries Disablement Benefit if you have been employed or you are doing specific types of voluntary work (but not if you were self employed) and become disabled because of an accident at work, or your disablement/illness has been caused by work.

What if I am well enough to do *some* work?

▪ **Job Seekers Allowance (JSA)**

Job Seekers Allowance is for people who are unemployed or working less than 16 hours per week and are actively seeking work. Contribution based Job Seekers Allowance is based on your National Insurance Contributions. Income based Job Seekers Allowance is means tested in the same way as Income Support.

▪ **Working Tax Credits (WTC)**

The Working Tax Credit is paid to people on a low income who are in work. The level that you are entitled to will be higher if you are disabled or have children. You may be able to claim this if you or your partner are in work at least 16 hours per week, and you have at least one child or are disabled. You may also be able to claim if you are aged 50 or over and have started work of at least 16 hours or more, having been out of work or sick, or if you are aged 25 or over without children or a disability and you work at least 30 hours per week.

▪ **Child Tax Credits (CTC)**

Child Tax credit is a means tested or income related payment for people with children. It does not matter if you are working or not. The benefit is for people with children on low incomes.

▪ **Permitted Work**

You may be able to do some work that is considered therapeutic while you are claiming Employment and Support Allowance/Incapacity Benefit/Income Support as long as you work less than 16 hours a week. Your Employment and Support Allowance/ Incapacity Benefit/Income Support/Housing Benefits may be affected by the fact that you are able to do some work. It is useful to have a supportive GP to back you up, as your claim for benefits may be affected in the longer term.

What other help is available?

▪ **Disability Living Allowance (DLA)**

Disability Living Allowance is a cash benefit for people under 65 who need help with personal care or for getting around. Disability Living Allowance does not depend on your income, savings or National Insurance contributions.

There are two components to Disability Living Allowance:

- the care component, which consists of three rates: high, middle and low, is for help with things like washing, dressing and cooking.
- the mobility component is for those who cannot walk or have difficulty in walking due to their illness and is broken down into two levels, high rate and low rate.

• **Attendance Allowance (AA)**

Attendance Allowance is a tax-free benefit for people aged 65 or over who need help with personal care or supervision to keep them safe. The rules are almost the same as Disability Living Allowance middle and high rate of care.

- **Transport subsidies**

Some local authorities offer concessions to disabled people on local buses. You may also get help with transport to clubs, day centres and workshops. Your Social Services Department can give you details. If you are getting DLA care component at the higher or middle rate or the higher rate of mobility component, severe disablement allowance, 80% or more war pension, are registered as visually impaired, are deaf, or have recurrent attacks of epilepsy you can buy a disabled person's railcard which entitles you to one-third off the cost of most railway journeys. Concessions are available on some ferry routes, some toll roads, tunnels and bridges. For more information ring The Disabled Drivers Association, telephone 0870 770 3333. In some areas there are voluntary schemes such as Dial-a-Ride. Pensioners have been able to receive a free national bus pass since April 2008.

If you receive the high rate mobility component of Disability Living Allowance you will automatically be entitled to a Blue Badge for parking. If your walking is severely affected but you do not claim Disability Living Allowance you may still qualify for a Blue Badge. For more information see the Action for M.E. leaflet entitled 'The Blue Badge Parking Scheme'.

- **Exemption from Road Tax**

If you receive Disability Living Allowance on high rate mobility you (or someone you nominate in your place) can apply for exemption from vehicle excise duty (VED). The vehicle is only exempt while it is being used solely by or for the purposes of the disabled person.

Application forms are available for the above benefits from your local Jobcentre Plus, The Department for Work and Pensions or by ringing the Benefit Enquiry Line on 0800 88 22 00.

What if I need help with housing costs?

- **Income Support (IS)**

If you have a mortgage then you may be able to get help with your mortgage interest payments as part of your Income Support.

- **Housing Benefit (HB)**

HB is paid to people on Income Support or who have a low income and less than £16000 savings and who rent their home. To claim HB, ask at your local council offices for an application form.

Help with paying Council Tax

- **Council Tax Benefit (CTB)**

CTB is paid to people who fulfil the same criteria as for HB. If you own your home and are on a low income you may still be able to get help. To claim CTB, ask at your local council offices for an application form.

- **Help with Health Costs**

If you are in receipt of Income Support, Pension Credit, and income based Job Seekers Allowance; or if you are named on or entitled to, an NHS Tax Credit Exemption Certificate you will be entitled to full help with the following health costs:

1. NHS dental treatment
2. NHS prescriptions
3. NHS wigs and fabric supports
4. Sight tests, glasses and contact lenses. (If you or a member of your family has glaucoma or you are over 60 sight tests are free)
5. Travel to receive care under a NHS consultant

If you are on low income you may be still be able to get some help.

Contact the NHS customer enquiry line on 0845 8501166 for further information and application forms.

Where can I find further information?

If you are already a member of Action for M.E. and require further help please contact the Welfare Rights Helpline. The times of opening and phone numbers are listed at the front of *InterAction* magazine.

Detailed welfare rights information sheets are available from Action for M.E. See our publications list at www.afme.org.uk/publications.asp for the full range of titles.

For non-members, information about benefits can be accessed on the Benefit Enquiry Line for people with disabilities, Tel: 0800 882 200 (Mon-Fri 8.30am-6.30pm and Saturday 9am to 1pm) www.dss.gov.uk

Your local Citizens Advice Bureaux may also be able to help. See the phonebook for your nearest bureau, or contact:

National Association of Citizens Advice Bureaux
Myddleton House
115-123 Pentonville Road
London, N1 9LZ
Tel: 020 7833 2181
<http://www.citizensadvice.org.uk/index/getadvice.htm>

The Disability Information Advice Line (DIAL UK) in some areas help with Welfare Rights Issues – Check your local phone directory to see if there is a DIAL UK office locally, the national office number is 01302 310123.

Age Concern is available to people in their 50's and can be found in your local phone directory. The general information line is 0800 00 99 66.
www.ageconcern.org.uk

For further advice and information on Statutory Sick Pay contact the HM Revenue & Customs employee helpline: 0845 302 1479.

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