Benefits and tax credits for ill health or disability

This factsheet outlines some of the different types of financial support available to you if you have a short or long-term health condition, or a disability. Whether you are working or not working, or if you are thinking of moving into or giving up work, this factsheet tells you what benefits and tax credits you may be entitled to. Details of all the organisations mentioned are at the end of this factsheet.

The rules for claiming this financial support can be complicated, call the Gingerbread Single Parent Helpline for further advice to fit your circumstances.

What financial help is available?

Statutory Sick Pay
This is paid by your employer for up to 28 weeks for a period of sickness lasting four days or more. You must normally be earning at least £97 a week to be entitled. If you are entitled, you can be paid £79.15 a week. Some employers may also pay you occupational sick pay on top of this as part of your contract of employment. You must provide a medical certificate to your employer to get Statutory Sick Pay.

Working Tax Credit
If you claimed Working Tax Credit before being absent from work due to ill health or disability, you can continue to claim it for up to 28 weeks. You may also qualify for an extra amount of money called a disability element when you return to work. If you did not qualify for Working Tax Credit before, you may qualify if your income drops when you are on sick leave. To qualify, you must have worked at least 16 hours a week before your sick leave. Contact the Tax Credit Helpline to make a claim.

Employment and Support Allowance
If you cannot work because of illness or disability, you should make a claim for Employment and Support Allowance. You claim this from Jobcentre Plus. You can make a claim over the telephone or by requesting form ESA1. You will need to provide a medical certificate from your doctor after the first seven days of your claim. For more on claiming Employment and Support Allowance, see below.

Income Support
If you cannot be paid Employment and Support Allowance, you may be able to claim Income Support instead. However, recent changes to the rules mean that you can only receive Income Support if your youngest child is under the age of ten, or from October 2010 if your youngest child is under the age of seven.

Jobseeker’s Allowance
If you cannot claim Employment and Support Allowance or Income Support, you may need to claim Jobseeker’s Allowance instead. You will be expected to be available for and actively seeking work. You can have up to two weeks sickness in any one year whilst claiming Jobseeker’s Allowance.

Disability Living Allowance
Disability Living Allowance is a benefit for disabled adults who have difficulty walking or need someone to help look after them. You may get Disability Living Allowance if you have a physical or mental disability, or both. This can include learning disabilities, a sensory disability such as blindness, if you have difficulties walking or need someone to help care for you or to supervise you for your own safety. You should be under the age of 65 when you claim.

If you get Disability Living Allowance, you may also receive an extra amount paid with other benefits and tax credits you receive such as Income Support, Employment and Support Allowance and Child Tax Credit. You can work, full time or part time and still get Disability Living Allowance.
It will not affect any other benefits or tax credits you may receive. To make a claim, contact the Benefit Enquiry Line or visit the website, see below.

**Council Tax Benefit and Housing Benefit**

Housing Benefit and Council Tax Benefit can be paid if you are on a low income, whether you are working or whether you are claiming benefits. If your income has reduced due to ill health or disability, you may become entitled to Housing Benefit and Council Tax Benefit or you may be paid at a higher rate than you were getting before. Contact your local authority to make a claim.

**Help to pay mortgage interest**

You may be able to claim help with your mortgage interest if you are receiving:

- Income Support;
- Employment and Support Allowance
- Jobseeker’s Allowance

You must have been claiming one of these benefits for at least 13 weeks before you can start to receive help with your mortgage interest.

When you make your claim for these benefits tell Jobcentre Plus that you also want to claim help with your mortgage lender, who will complete it and send it back to Jobcentre Plus.

For more information on making a claim for help with mortgage interest and how the amount you may receive is calculated, contact the Gingerbread Single Parent Helpline free on 0808 802 0925.

**Incapacity Benefit**

You may be getting paid Incapacity Benefit if you became ill or disabled before 27 October 2008.

The government intends to move everyone claiming Incapacity Benefit to Employment Support Allowance by 2014. If you are getting Incapacity Benefit, you may be contacted by your local Jobcentre Plus office and asked to have a new medical test.

**Employment and Support Allowance**

Can I claim Employment and Support Allowance?

To qualify you must:

- have a ‘limited capability for work’ (decided by Jobcentre Plus – see below);
- have been living in Great Britain for a period of time and for this to be your usual place of residence;
- not be working or be absent from work due to ill health or disability and not be entitled to Statutory Sick Pay from your employer;
- not be claiming Income Support or Jobseeker’s Allowance.

What happens when I claim Employment and Support Allowance?

Employment and Support Allowance is not usually paid for the first three days of your claim unless, before your claim, you were being paid Income Support, Jobseeker’s Allowance, Statutory Sick Pay, Carer’s Allowance, or Maternity Allowance.

You can also be paid Employment and Support Allowance straight away if you are terminally ill or if you stopped claiming Employment and Support Allowance less than 12 weeks ago.

The assessment phase

The first 13 weeks of receiving Employment and Support Allowance are called the ‘assessment phase’. During this phase, you will be asked to attend a medical test called a Work Capability Assessment (see below). You may also have to go to a work-focused interview after the eighth week of your claim. You will be paid Employment and Support Allowance at the ‘basic’ rate, which is £65.45 a week.

The Work Capability Assessment

The Work Capability Assessment is used to decide whether you get Employment and Support Allowance, as well as whether you need to do work-related activity as part of your claim. Before you have an assessment, you should be sent an ESA50 questionnaire to fill out. This asks you about your physical and mental health.

You will usually be required to attend a medical test with a doctor working for the Department for Work and Pensions’ (DWP) Medical Services.
A limited capability for work?
The assessment looks first at whether you have ‘limited capability for work’. This decides whether or not you get Employment and Support Allowance. You score points depending on the level of your health problems across a range of activities.

If you score 15 points or more, you are assessed as having a limited capability for work. This means that your ability to undertake paid work is limited in some way by your ill health or disability.

If you are found not to have limited capability for work, you cannot continue to receive Employment and Support Allowance and will need to claim another benefit such as Jobseeker’s Allowance or Income Support.

If you think that the decision to stop your Employment and Support Allowance is wrong, you can appeal. You should continue to receive the basic rate of the benefit until your appeal is decided.

A limited capability for work-related activity?
The second part of the assessment decides whether you have a ‘limited capability for work-related activity’. This test is a list of activities related to your physical and mental health. You are assessed on how well you can complete these activities and the outcome decides which of two possible groups you are placed into.

These groups are:
- The work-related activity group
- The support group

The work-related activity group – If you are placed in this group, you will be expected to take part in work-focused interviews with a Jobcentre Plus adviser. You should receive support to help you to prepare for suitable work.

If you participate in these interviews and other recommended activities, you will receive an extra amount of Employment and Support Allowance, called the work-related activity component. This is currently £25.95 a week. This means the total amount of Employment and Support Allowance you receive each week is £91.40.

The support group – You will be placed in the support group if it is decided that your illness or disability has a severe effect on your ability to work. You will not be expected to take part in any work, although you can do so on a voluntary basis if you wish to. You will receive an extra amount of Employment and Support Allowance of £31.40 a week. This means that the total amount of Employment and Support Allowance you receive each week is £96.85.

Some people, for example those who are terminally ill, are automatically said to have a limited capability for work-related activity and are put in the support group without going through this part of the test.

Work-focused interviews
You will usually be required to attend and participate in a first work-focused interview with a personal adviser from Jobcentre Plus after the eighth week of your claim. If you are in the work-related activity group, you will take part in more interviews later in your claim. At each interview, you meet a personal adviser to explore any barriers to work you may have and to identify support that could help you move towards work, training or education.

You do not have to take part in work-focused interviews if you are placed in the support group or if you are likely to start work very soon, although you can ask to if you wish.

An action plan will be drawn up recording the steps you are willing to take to enhance your job prospects.

What happens if I do not attend an interview?
If you do not take part in the work-focused interview, your Employment and Support Allowance will be reduced, unless you can show ‘good cause’ for not attending within five working days. Good cause can include looking after an ill relative, ill health, a medical appointment or transport difficulties.

Any reduction is applied after the 13-week assessment phase. The reduction stops once you have participated in an interview or are placed in the support group. The reduction is 50 per cent of your work-related activity component for the first four weeks. If you still do not attend a work-focused interview after four weeks, your work-related activity component is stopped completely.
You can appeal against a decision that you failed to take part in a work-focused interview. You can also appeal against a decision that you did not show good cause for failing to take part. You have one month from the date of the decision to make your appeal.

Contact the Gingerbread Single Parent Helpline free on 0808 802 0925 for more advice on challenging a decision made by Jobcentre Plus, or visit your local free advice centre.

Doing voluntary or paid work
It can be possible to do limited paid or voluntary work and claim Employment and Support Allowance. There are strict limits on how many hours you can work and the money you can earn. Get advice before starting any voluntary or paid work if you are claiming or intend to claim Employment and Support Allowance.

What can I claim if …?
I am employed for 16 hours a week or more and am off sick for less than 28 weeks
Ask your employer about Statutory Sick Pay. This is paid by your employer for periods of sickness lasting four days or more. You are not paid for the first three days of sickness but can receive the benefit for up to 28 weeks. You may be paid more if your employment contract allows for it. Sick pay given to you by your employer is usually called occupational or contractual sick pay.

For the first 28 weeks you are off sick, you can continue to claim Working Tax Credit, including help with any childcare. If you were not previously entitled to Working Tax Credit, you may be able to claim while you are sick if your income has dropped. Call the Tax Credit Helpline to make a claim.

As your income may be lower while you are off sick, you may be able to claim Housing Benefit and Council Tax Benefit, or receive more than you are currently. If you cannot get Statutory Sick Pay because you are self employed or are not entitled for another reason, you may be able to receive Employment and Support Allowance instead.

What if I …?
I am thinking of leaving work due to sickness

If your youngest child is aged 10 or over (or aged 7 or over from October 2010)
If your child is currently aged 10 or over, or aged seven or over from October 2010, and you are too sick to work, you should claim Employment and Support Allowance.

You can claim Housing Benefit and Council Tax Benefit from your local authority to help with your rent and council tax. If you are paying a mortgage, you may be able to claim help with your mortgage interest payments after 13 weeks of claiming Employment and Support Allowance.

If you leave work and are turned down for Employment and Support Allowance you may claim Jobseeker’s Allowance instead. If you claim Jobseeker’s Allowance, you will have to show that you left work with good reason. If Jobcentre Plus decide that you left work voluntarily, you may not be paid for up to 26 weeks. If this happens, you should be able to claim a reduced amount of Jobseeker’s Allowance, called a hardship payment, during this period.

If your youngest child is under the age of 10 (or under the age of 7 from October 2010)
Youngest child is under the age of 10, or under the age of seven from October 2010, you can claim either Income Support or Employment and Support Allowance. You cannot be paid both benefits at the same time. You should get advice about which to claim as you may be entitled to more money overall if you claim Employment and Support Allowance but in return you may have to take part in more activities with the Jobcentre to prepare you for work.
Further help and information

Gingerbread Single Parent Helpline
Freephone 0808 802 0925
Free information on a range of issues including maintenance, benefits, tax credits, debt, employment, education, legal rights and holidays. Open Mondays to Fridays, 9.00am – 5.00pm, with extended opening on Wednesdays to 8.00pm.

Gingerbread Single Parent Information Online
www.gingerbread.org.uk/information
All our information for single parents available online.

One Parent Families Scotland Lone Parent Helpline
0800 801 0323
www.opfs.org.uk
Run by our partner organisation, the Lone Parent Helpline provides confidential advice and information for single parents in Scotland.

Citizen’s Advice Bureau
www.citizensadvice.org.uk
Information and advice on a wide range of issues including benefits and tax credits. Check your telephone directory for your local bureau or find details on the website.

Community Legal Advice
0845 345 4345
www.communitylegaladvise.org.uk
Telephone advice on benefits, housing, employment, debt, welfare benefits and family law for people who are eligible for public funding.

Department for Work and Pensions
0800 065 6688 Jobcentre Plus Benefits Enquiries
Minicom: 0800 023 4888
www.jobcentreplus.gov.uk
Processes new claims/claim renewals for welfare benefits.

0800 882 200 Benefit Enquiry Line (for disabled people and their carers only) Textphone: 0800 243 355
For general information and claim forms.

DIAL UK (Disability Information and Advice Line)
01302 310 123
Email: dial-uk@hotmail.co.uk
Refers queries to your local DIAL for information and advice for people with disabilities and their families and friends. Advice is available on a range of issues, including benefits, daycare and clubs, mobility aids, equipment and adaptations, holidays, social services and medical services.

HMRC Tax Credit Helpline
0845 300 3900
www.hmrc.gov.uk/taxcredits
For information about tax credits and to request claim forms.

Immigration Advisory Service
0844 974 4000
www.iasuk.org
Offers free face-to-face advice and a fee paying telephone advice service. Telephone advice costs £30 for a 20-minute session and is suitable for those who require one off advice.

OISC
0845 000 0046
www.oisc.gov.uk
For information on organisations/solicitors that give immigration advice.

Refugee Council
020 7346 6700
www.refugeecouncil.org.uk
Advice for refugees and asylum seekers.

Working Families
0800 013 0313
www.workingfamilies.org.uk
Advice on benefits and employment law.

More from Gingerbread
The following related Gingerbread factsheets for single parents are also available:
> Benefits and tax credits if you work 16 or more hours a week
> Claiming Child Tax Credit
> Claiming Jobseeker’s Allowance

Download them from our website or call 0808 802 0925 to request them from the Helpline

Become a Gingerbread member
Membership is available to single parents in England and Wales. Join a community of thousands of single parents who benefit from the mutual support, free advice and information provided by Gingerbread. You can also meet other single parents at one of our local support groups.

Visit our website, call 0800 018 4318 or email membership@gingerbread.org.uk

Gingerbread Single Parent Helpline Freephone 0808 802 0925

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