

## Factsheet 56

# Benefits for people under State Pension age

April 2023

### About this factsheet

This factsheet has information about benefits for people under State Pension age (currently 66 years). It has information about Universal Credit and how it affects people claiming other benefits and about disability and carers' benefits. It explains how you can claim these benefits.

The information in this factsheet is correct for the period April 2023 to March 2024. Benefit rates are reviewed annually and updated in April but rules and figures can sometimes change during the year.

The information in this factsheet is applicable in England, Scotland and Wales. If you live in Scotland and have dependent children, call Age Scotland and ask about Scottish Child Payment. If you are in Northern Ireland, please contact Age NI for information. Contact details can be found at the back of this factsheet.

Contact details for any of the organisations mentioned in this factsheet can be found in the *Useful organisations* section.

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## Glossary

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ADP – Adult Disability Payment (Scotland)	HMRC – HM Revenue and Customs
CA – Carer’s Allowance	HB – Housing Benefit
CDP – Child Disability Payment (Scotland)	JSA – Jobseeker’s Allowance
CTS – Council Tax Support	NIC – National Insurance Contributions
DHP – Discretionary Housing Payment	PC – Pension Credit
DLA – Disability Living Allowance	PIP – Personal Independence Payment
DWP – Department for Work and Pensions	SSP – Statutory Sick Pay
EEA – European Economic Area	UC – Universal Credit
ESA – Employment and Support Allowance	WCA – Work Capability Assessment

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# 1 Different types of benefits

There are different benefits that working age people can claim depending on their circumstances. We use the term '*working age*' in this factsheet to describe anyone who is below State Pension age. You can find the date you reach State Pension age by going to [www.gov.uk/state-pension-age](http://www.gov.uk/state-pension-age) or for more information, see section 2 of factsheet 19, *State Pension*.

Some benefits are not dependent on income or savings and you claim them as an individual, even if you have a partner. Some benefits depend on your National Insurance record and are called '*contribution-based*' benefits. Entitlement is not affected by the circumstances of your partner if you have one, nor is it usually affected by any income or capital you have.

Other benefits are '*means-tested*'. You must normally claim these as a couple if you have a partner living with you. A partner is your spouse, civil partner, or someone you live with as though you were married or in a civil partnership. Your combined income and capital are added together and taken into account to work out if you are entitled.

You can get an estimated benefit entitlement with the Age UK benefit calculator at [www.ageuk.org.uk/benefits-check](http://www.ageuk.org.uk/benefits-check)

## 2 Means-tested benefits

Means-tested benefits include Universal Credit, Jobseeker's Allowance, Employment and Support Allowance, Income Support and Housing Benefit. Entitlement to these benefits is determined by your income and capital (such as savings). If you are in a couple, it is usually your joint resources that are assessed. The benefit cap applies to all benefits in this section and limits the overall amount of benefit you can be paid.

### 2.1 Universal Credit

Universal Credit (UC) is a non-taxable benefit to cover basic living expenses. There are extra amounts for carers and people with a limited ability to work due to sickness. UC can help with housing costs such as rent and service charges, and childcare costs if you work. UC is replacing six '*legacy benefits*' paid to working-age people, in or out of work:

- income-based Jobseeker's Allowance (IB-JSA)
- income-related Employment and Support Allowance (IR-ESA)
- Income Support (IS)
- Housing Benefit (HB)
- Child Tax Credit (CTC) and Working Tax Credit (WTC) ('*Tax Credits*')

You can generally no longer make new claims for legacy benefits and you must claim UC instead. Some exceptions are listed in the relevant benefit sections below.

If you currently claim a legacy benefit, you may need to claim UC instead if you reach State Pension age, have a relevant change of circumstance, or are invited to claim UC under '*managed migration*' between now and 2028, whichever comes first. See section 2.2 for more information.

### 2.1.1 Basic requirements

To claim UC, you must:

- be 18 or over
- be under State Pension age (if you are a mixed age couple where only one of you is over this age, see next section)
- have a low income and capital of £16,000 or less
- be present, '*habitually resident*' and not subject to immigration control (if you are an EEA citizen, see section 9)
- not be in education
- accept a Claimant Commitment.

#### Mixed age couples

A mixed age couple is where one person is over State Pension age and the other person is under. Since May 2019, such couples making a new claim for benefit must claim UC rather than Pension Credit (PC), until both members of the couple reach State Pension age.

Existing mixed age PC claimants can stay on PC provided there is no break in the claim. If there is a break in your PC claim, or you expect one to happen, seek specialist advice to determine your options.

For information about PC, see factsheet 48, *Pension Credit*.

## 2.2 Transferring to UC from other benefits

If you currently claim a legacy benefit, you remain entitled until your claim terminates. This can happen in one of three ways:

### 2.2.1 You or your partner reach State Pension age (SPA)

If you are single and claiming IB-JSA, IR-ESA, IS, or working age HB, these awards terminate when you reach SPA. You can claim PC and pension age HB instead, see factsheet 48, *Pension Credit* and factsheet 17, *Housing Benefit*.

If you are a mixed age couple claiming PC and/or pension age HB, you can stay on these benefits provided there is no break in the claim, see '*Mixed age couples*' above.

If you are a couple and claiming IB-JSA, IR-ESA, IS and/or working age HB, these may terminate when one of you reaches SPA depending on your circumstances:

## Claiming working age HB only

Couples under SPA claiming working age HB become a mixed age couple when one partner reaches SPA. The HB award terminates and you can claim UC instead.

## Claiming IB-JSA, IR-ESA, IS and working age HB

Where the older partner is the lead claimant and they reach SPA, these benefits terminate and you can claim UC instead.

### Example

Susan and Sean receive IR-ESA and working age HB. Susan is the older member of the couple and is the lead claimant. The DWP write to them to advise that their existing claims will cease when Susan reaches SPA and that they should claim UC.

Where the younger partner is the lead claimant, these awards continue when the older partner reaches SPA until there is a relevant change of circumstance which terminates your entitlement (see next two sections about other ways of transferring to UC).

### Example

Nadia and Anthony receive IB-JSA and working age HB. Anthony is the younger member of the couple and is the lead claimant. When Nadia reaches SPA, these awards can continue until Anthony reaches SPA or they have another change of circumstance which terminates their entitlement. Nadia's State Pension is counted in full as income, which may affect on-going entitlement.

## Making a UC claim in these circumstances

If you need to claim UC based on the above, you should do this before your existing benefits terminate (for example, before reaching SPA). If so, you continue to receive these benefits for the first two weeks of your UC claim. These 'run-on' payments are not recoverable and do not affect the amount of UC you are entitled to.

For IR-ESA claimants already assessed as having limited capability for work (LCW) or limited capability for work-related activity (LCWRA), making a UC claim before the ESA award terminates means these components are included in your UC award from the outset.

This means you do not need to undergo another Work Capability Assessment (see section 2.4.1) or serve a 13-week assessment phase. You may need to supply a new medical certificate regardless.

For more information about making a UC claim, see section 2.2.4.

## 2.2.2 Change of circumstances or ‘*natural migration*’

If you have a change of circumstance which prior to UC would have meant claiming another legacy benefit, you may have to claim UC instead under ‘*natural migration*’ which terminates existing awards of legacy benefits.

Examples include if you claim:

- IB-JSA, IR-ESA, IS, HB, or WTC and move into or out of work
- IB-JSA and become sick, or IR-ESA and are no longer sick
- HB only and move to new rented accommodation in a different local authority area.

If this applies, see ‘*Making a UC claim in these circumstances*’ above.

If you have a change of circumstance which does not require making a new claim, you remain entitled to the legacy benefit. Examples include if you claim:

- a legacy benefit and become entitled to another premium or allowance
- a disability benefit like Personal Independence Payment (Adult Disability Payment in Scotland) or Carer’s Allowance
- one of the Tax Credits and you subsequently qualify for the other
- HB and move to new rented accommodation within the same local authority area
- Old style contributory ESA and you become entitled to income-related ESA

There is no ‘*transitional protection*’ if you move to UC due to a change of circumstance, which can mean a reduction in the total amount of benefit you receive. If this applies, seek specialist advice to consider your options.

## 2.2.3 Managed migration

If you do not transfer to UC due to a change of circumstance, you will be part of the ‘*managed migration*’ process between now and 2028. You will receive a letter inviting you to claim UC by a specific deadline of at least three months. If you fail to make a claim before the deadline, any legacy benefits you receive will stop.

If the amount of UC you are entitled to is lower than the amount received with legacy benefits, an extra transitional element tops up your UC award. This stays in place until your UC award catches up to that amount, or you have a relevant change of circumstance (earnings change significantly for three months or more, extra UC payable, or you stop claiming UC).

### ‘Move to UC’ campaign

The DWP may contact you about making a voluntary UC claim if they think you might be better off, although you can refuse to do so. Seek advice to check if you would be better off on UC, as there is usually no transitional protection as with managed migration.

## 2.2.4 How to claim

UC is designed to be claimed online, although there is provision to make a claim by telephone or face to face.

Apply online at [www.gov.uk/apply-universal-credit](http://www.gov.uk/apply-universal-credit)

There is a free helpline (0800 328 5644) for applications to allow you to ask questions.

You must provide all necessary information and evidence to show you meet the basic eligibility criteria for UC. Failure to do so can lead to your application being turned down. If one partner is unable to claim (e.g. due to illness), the other partner can be allowed to claim for both of you.

Before making a claim, make sure you have details of your National Insurance number, bank account, and, if applicable, details about your partner and any dependents. You need a unique email address, as does your partner if you have one. If you have a partner, you both need to create an online account and link them together with a special code.

When an online claim is made, an online account is created with a username and password that should only be known by you. This is because the account holds a great deal of personal information such as your National Insurance number and bank account details.

After a claim is made, you must attend a local Jobcentre Plus for an interview with a work coach. After you apply, it is at least five weeks before you receive your first payment. You can ask for an advance payment if this will cause you difficulties budgeting. This must be paid back from subsequent payments. You can request for your claim to be backdated for up to one month if you could not reasonably have claimed earlier but in very limited circumstances.

If there is a shortfall between your rent and the amount of UC you receive for housing costs, you can apply to your local authority for a Discretionary Housing Payment (DHP). See section 2.6.1 for more information.

### Help to claim

If you need assistance to claim UC, contact the Citizens Advice Help to Claim service. They help with the early stages of making a new claim, see [www.citizensadvice.org.uk/about-us/contact-us/contact-us/help-to-claim](http://www.citizensadvice.org.uk/about-us/contact-us/contact-us/help-to-claim)

Contact an adviser through their free Help to Claim phone service.

- England: 0800 144 8 444
- Scotland: 0800 023 2581
- Wales: 08000 241 220

Advisers are available 8am to 6pm, Monday to Friday.

Call the Wales number if you'd like to speak to a Welsh language adviser.

For more information on UC, see factsheet 92, *Universal Credit*.

## 2.3 Income-based Jobseeker's Allowance

No new IB-JSA claims are possible due to the introduction of UC. However, you may be able to claim '*new style*' JSA if you satisfy the National Insurance Contribution conditions (see section 3.1).

If you currently claim IB-JSA, you will eventually be transferred onto UC as set out in section 2.2.2.

Until that happens, you remain entitled to IB-JSA for as long as you satisfy the basic conditions:

- under State Pension age
- unemployed or working less than 16 hours a week
- available for, and actively seeking, work, and have a Jobseeker's Agreement or Claimant Commitment with Jobcentre Plus
- income less than your '*applicable amount*'
- less than £16,000 in capital
- your partner must be unemployed or working less than 24 hours a week
- not in full-time education (although there are exceptions)
- be present, '*habitually resident*' and not subject to immigration control (if you are an EEA citizen, see section 9)

You must attend regular appointments at Jobcentre Plus and the Jobseeker's Agreement can be reviewed and updated. The level of job-search activity you must pursue increases the longer you are on JSA.

You may be referred to job vacancies, training or employment schemes. These are usually compulsory and you can be sanctioned if you do not apply or attend.

### Sanctions

If your adviser feels you are not keeping to the Jobseeker's Agreement, your JSA payments can be sanctioned. This means some, or all, of your benefit payment is suspended for a period of time.

You can also be sanctioned if you gave up your last job voluntarily (except for voluntary redundancy) or lost it through misconduct.

The length of the sanction varies and can be for a few days up to six months, or until you comply with a requirement to participate in an appointment.

Hardship payments may be available if you are sanctioned – ask your adviser.

## 2.4 Income-related Employment and Support Allowance

No new IR-ESA claims are possible due to the introduction of UC (unless you already claim contributory ESA). However, you may be able to claim 'new style' ESA if you satisfy the National Insurance Contribution conditions (see section 3.2).

If you currently claim IR-ESA, you will eventually be transferred onto UC as set out in section 2.2.2. Until that happens, you remain entitled to IR-ESA for as long as you satisfy the basic conditions:

- under State Pension age
- have a limited capability for work due to sickness or disability
- not be in work (apart from some kinds of 'permitted work')
- income less than your 'applicable amount'
- capital must be less than £16,000
- your partner must not work 24 hours or more a week
- not in full-time education (with some exceptions), and
- be present, 'habitually resident' and not subject to immigration control (if you are an EEA citizen, see section 9)

### 2.4.1 Work Capability Assessment

The DWP send you an ESA50 form to complete with details of your health condition and how it affects you in relation to certain specific activities.

When you send this back, the DWP usually arrange for you to attend an examination, known as the Work Capability Assessment (WCA). You may be asked to attend a work-focussed interview during this period.

Some people, including those with a terminal illness, do not go through the assessment phase and go straight to the main phase.

The WCA has two parts:

- 'limited capability for work' assessment determines whether you are entitled to ESA. It assesses your ability to carry out specific everyday activities based on a points system. You must score at least 15 points to be assessed as having a limited capability for work
- 'limited capability for work-related activity' assessment decides whether you are placed in the work-related activity group or support group.

If you are in the work-related activity group, you must meet work-related conditions including attending work-focussed interviews and taking part in work-related activities. If you fail to comply with these conditions, your ESA payment can be sanctioned until you do comply. A sanction means your ESA is reduced by an amount equal to the ESA personal allowance, although you are always left with 10p in payment.

This does not apply if you are put into the support group.

## 2.5 Income Support

No new IS claims are possible due to the introduction of UC.

If you currently claim IS, you will eventually be transferred onto UC as set out in section 2.2.2. Until then, you are entitled to IS as long as you remain eligible (by being a carer; receiving Statutory Sick Pay, Incapacity Benefit or Severe Disablement Allowance; lone parent of a child under five; pregnant; or on parental leave) and satisfy the basic conditions:

- under State Pension age
- not work 16 hours or more a week (your partner must not work 24 hours or more a week)
- income must be below your '*applicable amount*'
- capital must be less than £16,000
- not in full-time education (with some exceptions), and
- be present, '*habitually resident*' and not subject to immigration control (if you are an EEA citizen, see section 9)

You may be required to undertake work-related activity and attend work-focused interviews. If you fail to participate in these, you may be subject to a benefit sanction, as described in section 2.3.

## 2.6 Housing Benefit

HB is paid if you are liable to pay rent and have a low income. It is administered by local authorities. No new HB claims are possible due to the introduction of UC, except if:

- you are part of a couple and you have both reached State Pension age, or
- you are in specified accommodation (e.g. sheltered housing schemes)

If you currently claim '*pension age*' HB (where one or both of you have reached State Pension age) you continue to receive this as long as you remain eligible.

For all other HB claims, you will eventually be transferred onto UC as set out in section 2.2.2. Until that happens, you remain entitled to HB for as long as you satisfy the basic conditions:

- treated as liable to pay rent for the home you normally live in
- capital of less than the relevant threshold
- be present, '*habitually resident*' and not subject to immigration control (if you are an EEA citizen, see section 9)

Additionally, you must either:

- receive a '*passporting*' benefit such as IB-JSA, IR-ESA or IS, or
- have a low income (whether you work or not).

## 2.6.1 Discretionary Housing Payments

If there is a shortfall between your rent and the amount of housing costs in HB or UC, you can apply to your local authority for a Discretionary Housing Payment (DHP) to make up the difference in the short term.

You may be able to get a DHP if your benefit is reduced because of:

- size criteria restrictions, if you have spare bedrooms
- rent officer restrictions, such as local housing allowance
- non-dependant deductions
- benefit cap reductions.

You must apply by requesting a form or by writing to your local authority. It is important to describe your circumstances fully and explain why you are in financial difficulty. The local authority has discretion whether to award a DHP. If they do, they are usually for a period of up to one year. You can reapply for subsequent DHP's. There is no right of appeal if an application is refused, although you can ask for the decision to be looked at again.

## 2.7 Council Tax Support

Council Tax Support (CTS) or Council Tax Reduction, provides help towards your Council Tax if you claim means-tested benefits or are on a low income. You must be liable to pay Council Tax but it does not matter if you are a tenant, contract holder in Wales, home owner, or other kind of resident. If you live alone as a single person, or your home has certain adaptations for a disabled person, or you have a severe mental impairment, you may get a discount or exemption on your Council Tax bill.

In **Scotland**, water and sewerage charges are included in your Council Tax bill but CTS only covers the Council Tax element. The Water Charges Reduction Scheme gives you 25 per cent off water and sewerage charges if you receive full CTS and there are two or more adults in the household with no other discounts. Your local authority should do this automatically – contact them if not.

### How to claim

In **England**, if you are under State Pension age, the local authority make their own rules about who is entitled to CTS and decide how this should be worked out. They may take into account means-tested benefits, disability related premiums, disability or carer benefits. Contact your local authority for more information.

In **Wales**, there are more standard eligibility criteria between local authorities as they are only allowed to exercise discretion in a few areas. In **Scotland**, there is a standard system of CTS that applies to everyone.

For more information, see factsheet 21, *Council Tax*. In Wales, see Age Cymru factsheet 21w, *Council Tax in Wales*. In Scotland, see Age Scotland's *Council tax reduction* guide.

## Second Adult Rebate

If you cannot get CTS because you have excess capital or income, you may be able to get a Second Adult Rebate. This reduces your Council Tax bill by up to 25 per cent if one or more other adults (not your partner) live in your household and they have a low income.

The local authority decide whether to make a Second Adult Rebate scheme available to working age people. Contact them to check. There is a national scheme in **Scotland** (see Age Scotland's *Council tax reduction* guide) but this is not available in **Wales**.

## 2.8 Tax Credits

These are administered by HM Revenue and Customs (HMRC). Working Tax Credit (WTC) is for workers with low earnings. Child Tax Credit (CTC) is for if you are responsible for dependent children. For entitlement to both Tax Credits, you must be '*present*' and '*resident*' in the UK and not subject to immigration control (if you are an EEA citizen, see section 9).

No new claims for Tax Credits are possible due to the introduction of UC. An exception is if you already receive one Tax Credit, you can make a claim for the other. If currently claiming Tax Credits, you will eventually be transferred onto UC as set out in section 2.2.2. Until then, you are entitled to Tax Credits as long as you satisfy the basic conditions, see below.

Assessment of income and capital is on an annual basis. For the tax year 2023/24, your Tax Credits are paid based on either your previous year's income or an estimate of your current year's income. Your award is finalised after July 2024 when your actual income for 2023/24 is known.

You can use the online Tax Credits calculator to find out how much you might be entitled to at [www.gov.uk/tax-credits-calculator](http://www.gov.uk/tax-credits-calculator)

### Child Tax Credit

To be entitled, you must be '*responsible*' for a child, or children, who are:

- under 16, or
- under 20 and in eligible education or training.

You must be assessed as having a low income, although this can be up to £50,000 a year.

### Working Tax Credit

The basic conditions of entitlement if you are single are:

- are aged 25 or over and work at least 30 hours a week, or
- work at least 16 hours a week and are single with dependent children or have a disability that puts you at a disadvantage in getting a job, or
- work at least 16 hours a week and are aged 60 or more.

The basic conditions if you are a couple are:

- one of you is 60 or over and works 16 hours a week, or
- one of you is entitled to Carer's Allowance and works 16 hours a week, or
- one of you is disabled and works 16 hours a week, or
- one of you works at least 16 hours a week and the other cannot work because they are incapacitated, a hospital in-patient, or in prison, or
- you have dependent children, work at least 24 hours between you, with at least one of you working 16 hours.

## 2.9 Benefit cap

The benefit cap places an upper limit on the total amount of benefit that households can receive. It varies depending on where you live in the country and the make-up of your household. It incorporates most benefits including UC, HB, JSA, ESA, CTC, Child Benefit, Maternity Allowance, and Severe Disablement Allowance.

If your overall benefit income is over the capped amount, the excess is deducted from your HB or UC award after offsetting childcare costs. The monthly cap is:

- £1,432.92 (single) or £2,100.25 (lone parents/couples) in Greater London
- £1,229.42 (single) or £1,835.00 (lone parents/couples) in other places

The cap does not apply if you or anyone you claim for in your household receives, or is entitled to:

- Working Tax Credit (even if you cannot be paid it due to earnings)
- Universal Credit (limited capability for work-related activity/carer element, or if you or your partner earn over £722.45 net combined a month)
- Employment and Support Allowance (with the support component)
- Attendance Allowance or Disability Living Allowance
- Personal Independence Payment (Adult Disability Payment in Scotland)
- Carer's Allowance
- Industrial Injuries Disablement Benefit
- War Pension or an Armed Forces Compensation Scheme payment.

### Amount of reduction

HB payments can be reduced to the amount of the cap. You must be left with at least 50p a week HB, even if this leaves you with higher overall benefit payments than the cap. Your whole UC award is subject to a reduction, down to the minimum amount payable. If you have difficulty paying your rent because of the benefit cap, you can apply for a Discretionary Housing Payment. See section 2.6.1 for more information.

### 3 National Insurance benefits

Eligibility for these benefits is based on your (or your partner's) National Insurance Contribution (NIC) record. You claim as a single person, even if you are a couple. If each person in a couple satisfies the requirements of the same benefit, you can both make an individual claim.

These benefits can be paid on top of other benefits, although most count as income when determining means-tested benefit entitlement.

#### 3.1 'New style' Jobseeker's Allowance

This can be claimed if you are seeking work and is paid for a maximum of 26 weeks. You must have paid sufficient NICs in the last two years to qualify and you must satisfy the basic conditions of entitlement:

- under State Pension age
- unemployed or working less than 16 hours a week
- available for, and actively seeking, work, and have a Jobseeker's Agreement or Claimant Commitment
- not have an illness or disability which stops you from working
- in Great Britain
- have the right to work in the UK.

The rate for people aged 25 or over is £84.80 a week. In general, income and capital are not taken into account. If you have earnings (for example part-time employment or self-employment) or an occupational/personal pension, your JSA is reduced. Earnings are deducted in full, with a disregard of £5 or £20 a week. The first £50 a week of an occupational or personal pension is ignored but any amount over this is deducted in full.

To claim, call Jobcentre Plus on 0800 055 6688 or apply online at [www.gov.uk/how-to-claim-new-style-jsa](http://www.gov.uk/how-to-claim-new-style-jsa)

#### 3.2 'New style' Employment and Support Allowance

This can be claimed if you are ill or disabled and is paid for up to 52 weeks if you are put in the work-related activity group. There is no time limit if you are in the support group. You must usually have paid enough NIC's in the last two tax years, although you can qualify without NICs if you received NI credits as a low-paid disabled worker or a carer.

You must satisfy the basic conditions of entitlement:

- under State Pension age
- have a limited capability for work due to sickness or disability
- not be in work (apart from some kinds of '*permitted work*')
- in Great Britain.

You must also satisfy the Work Capability Assessment as in section 2.4.1.

The rate for people aged 25 or over is:

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First 13 weeks (assessment phase)	£84.80
After 13 weeks (main phase)	£84.80 (work-related activity group)
	£129.50 (support group)

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Your ESA award may be reduced if you have gross income from an occupational or personal pension of more than £85 a week. For every £1 of pension over £85, you lose 50p of benefit. Other types of income and capital do not affect ESA.

To claim, call 0800 328 5644 or apply online at [www.apply-new-style-employment-support-allowance.dwp.gov.uk](http://www.apply-new-style-employment-support-allowance.dwp.gov.uk)

### 3.3 Bereavement benefits

If your husband, wife, civil partner, or partner you were living with if you have children dies, you may be able to claim Bereavement Support Payment. Entitlement is based on your partner's NIC record, but there is no NIC requirement if they died as a result of an industrial accident or prescribed industrial disease.

It is available to people under State Pension age and consists of an initial lump sum payment (£2,500 or, if you have children, £3,500) and a further 18 monthly instalments (£100, or if you have children, £350). The monthly payments are not taxable and are disregarded when calculating entitlement to means-tested benefits and for the benefit cap. The lump sum payment is disregarded for means-tested benefits for 52 weeks.

To claim, contact the Bereavement Service on 0800 731 0469. There is a Welsh language line on 0800 731 0453. You can download a claim form from:

[www.gov.uk/government/publications/bereavement-support-payment-claim-form](http://www.gov.uk/government/publications/bereavement-support-payment-claim-form)

### 3.4 Incapacity Benefit and Severe Disablement Allowance

These benefits have been abolished and are not available for new claimants. You can still receive Incapacity Benefit (IB) if you were entitled before 27 October 2008 and continue to fulfil the qualifying conditions.

You can still receive Severe Disablement Allowance (SDA) if you were entitled before 5 April 2001 and continue to fulfil the qualifying conditions. You can continue to receive SDA after State Pension age – seek advice if you are considering this.

Both are taken into account for the benefit cap. If you claim either and did not reach State Pension age before April 2014, you may be asked to claim ESA instead. Seek advice if you are told to do this.

## 3.5 Statutory Sick Pay

If you are an employee and off work due to sickness, you are entitled to Statutory Sick Pay (SSP) for up to the first 28 weeks. SSP is administered and paid by your employer. SSP is taxable and paid at a rate of £109.40 a week. You may also be entitled to contractual sick pay under the terms of your contract.

To claim, speak to your employer. If you have any problems, you can contact the HMRC statutory payment dispute team on 03000 560 630.

If you are unable to work due to sickness but not entitled to SSP, for example because you are self-employed, you may be entitled to 'new style' ESA instead. If you are off work for more than 28 weeks and your SSP runs out, you may be entitled to 'new style' ESA or Universal Credit.

## 4 Other benefits

These benefits are generally claimed because of your particular circumstances or situation. They can often be claimed as well as other benefits and sometimes can increase the amount of those benefits.

### 4.1 Carer's Allowance

You can claim Carer's Allowance (CA) if you look after someone else who receives a qualifying disability benefit such as Attendance Allowance, Personal Independence Payment daily living component, Disability Living Allowance (middle or high rate care component), or Adult Disability Payment in Scotland.

You must spend at least 35 hours a week caring for them. If you work, you cannot earn more than £139 a week (net earnings or profit if self-employed). Some means-tested benefits are paid at a higher rate if you are entitled to CA. However, the person you care for may lose money if you claim CA, so seek advice first.

See factsheet 55, *Carer's Allowance*, for more information.

### 4.2 Disability benefits

Personal Independence Payment (PIP) is a benefit for people aged 16 to State Pension age who have a disability or care needs. A similar benefit, Disability Living Allowance (DLA), may be in payment due to an earlier award. Most existing working age DLA claimants are being moved ('migrated') to PIP, particularly if you report a change of circumstance.

In **Scotland**, PIP is being replaced by the Adult Disability Payment.

The Armed Forces Independence Payment (AFIP) is payable (instead of PIP) to service and ex-service personnel who have an Armed Forces Compensation Scheme award that includes a Guaranteed Income Payment of 50 per cent or higher.

You can receive PIP, DLA, ADP, or AFIP on top of most other benefits. They are not affected by your capital or income or the circumstances of your partner (if you have one). They are not taxable and if you receive them, the amount of other benefits you are entitled to may increase.

If you have reached State Pension age, have care needs due to a disability or health problem, and you do not currently claim PIP, DLA, ADP, or AFIP, you may be able to claim Attendance Allowance – see factsheet 34, *Attendance Allowance*, for more information.

See factsheet 87, *Personal Independence Payment and Disability Living Allowance*, for more information, including contact details for the Veterans Agency and information about AFIP.

### 4.3 Industrial Injuries Disablement Benefit

If you have been injured in an accident at work or have contracted an industrial disease, you can claim Industrial Injuries Disablement Benefit. The level of disability caused by your accident or industrial disease is assessed by a DWP doctor and expressed as a percentage.

The weekly rate of benefit varies from £41.52 to £207.60 depending on your level of disablement. If assessed as 100 per cent disabled, you may qualify for extra allowances such as Constant Attendance Allowance or Exceptionally Severe Disablement Allowance.

Industrial injuries benefits are paid on top of other benefits but taken into account as income when calculating means-tested benefits. Industrial injuries benefits are not taxable and you do not have to prove an employer was negligent to qualify.

Contact the Barnsley Industrial Injuries Disablement Benefit centre on 0800 121 8379 or download a form from:

[www.gov.uk/industrial-injuries-disablement-benefit/how-to-claim](http://www.gov.uk/industrial-injuries-disablement-benefit/how-to-claim)

### 4.4 War pensions

If you became disabled through serving in the Armed Forces, you may be able to claim a pension, allowance, or compensation. There are some pensions payable to war widows, widowers, or surviving civil partners. In some circumstances, an unmarried partner or same-sex partner who was not a civil partner can qualify. For more information contact Veterans UK or see online at [www.gov.uk/government/organisations/veterans-uk](http://www.gov.uk/government/organisations/veterans-uk)

### 4.5 Healthcare costs

Depending on your income and savings, you may be entitled to help with healthcare costs through the 'NHS low income scheme'. For example, NHS prescriptions, dental care and glasses. For more information, see factsheet 61, *Help with health costs*. In Wales, see Age Cymru factsheet 61w, *Help with NHS health costs in Wales*. In Scotland, see *NHS Inform*.

## 5 Social Fund, Advances of Benefit and Local Welfare Provision

### The Social Fund

The Social Fund provides lump sum cash payments for extra expenses that are difficult to meet from your weekly income. These include Funeral Payments, Cold Weather Payments during periods of very cold weather (not available in Scotland), and Winter Fuel Payments to help with heating costs. Contact your local Jobcentre Plus office to make an application to the Social Fund or download a claim form from the Gov.uk website.

### Budgeting Loans and Advances of Benefit

Budgeting Loans help with the cost of items you cannot afford and must be repaid from your benefit entitlement. To apply, you must have received income-based JSA, income-related ESA, Income Support or PC for 26 weeks. If you claim UC, you can apply for a budgeting advance instead.

### Local Welfare Provision

Local Welfare Provision has replaced the discretionary Social Fund for people facing a crisis or short-term unavoidable need, or to support community care. They are run by English local authorities and the Welsh and Scottish governments. They may be a loan, vouchers, or a grant. Some areas in England no longer have a scheme.

For more information, see factsheet 49, *The Social Fund, Advances of Benefit and Local Welfare Provision*. In Scotland, see Age Scotland's *Scottish Welfare Fund* guide.

See also factsheet 1, *Help with heating costs*. In Wales, see factsheet 1w, *Help with heating costs in Wales* and the *Discretionary Assistance Fund*.

## 6 Back to work benefits

If you start full-time work after a period of claiming income-based JSA, income-related ESA, or Income Support, your benefit payments may not stop immediately.

If you claim Housing Benefit as well as the other benefit, you may be entitled to four-week extended payments of Housing Benefit. You may also be entitled to extended payments of Council Tax Support. Contact your local authority for more information.

If you start work after a period on UC, you may still receive an amount of UC if your earnings are low. If you receive a loan to support your mortgage interest payments with UC, this may also continue to be paid if you move into work.

## 7 Where to apply for benefits

The main government department with responsibility for social security benefits is the Department for Work and Pensions (DWP). Note that:

- most working age benefits are administered by Jobcentre Plus. Face to face support is available through local offices but most benefits are administered centrally. You usually need to speak to DWP call centre staff about claims and for some benefits, you can claim online
- employers are responsible for paying benefits to employees such as Statutory Sick Pay
- Personal Independence Payment, Disability Living Allowance, and Carer's Allowance are dealt with by the Disability and Carers Service, part of the DWP. Adult Disability Payment and other Scottish benefits are dealt with by Social Security Scotland.
- Housing Benefit and Council Tax Support are dealt with by your local authority
- Tax Credits, Child Benefit and Guardian's Allowance are administered by HM Revenue and Customs.

## 8 Challenging a decision

You have the right of appeal against many decisions involved in the benefit system, such as if your claim is refused.

It is important to challenge a decision or get advice promptly because there are time limits that usually mean you must act within one month of the decision. You must normally ask for a Mandatory Reconsideration before you can lodge an appeal with HM Courts and Tribunals Service.

For more information about this, see factsheet 74, *Challenging welfare benefit decisions*.

If you need independent advice, contact Age UK Advice or one of the independent *Useful organisations* listed. In **Wales**, contact Age Cymru Advice and in **Scotland**, contact Age Scotland.

## 9 DWP Guidance

For UC, 'new style' JSA, 'new style' ESA and PIP, guidance is at:

[www.gov.uk/government/publications/advice-for-decision-making-staff-guide](http://www.gov.uk/government/publications/advice-for-decision-making-staff-guide)

For most other benefits in this factsheet, guidance can be found at:

[www.gov.uk/government/collections/decision-makers-guide-staff-guide](http://www.gov.uk/government/collections/decision-makers-guide-staff-guide)

For Housing Benefit and Council Tax Support, guidance can be found at:

[www.gov.uk/government/collections/housing-benefit-and-council-tax-benefit-manual](http://www.gov.uk/government/collections/housing-benefit-and-council-tax-benefit-manual)

- **Settled status** – If you are an EEA citizen (except Irish citizens who do not need leave to remain in the UK) and have ‘*settled status*’, you have indefinite leave to remain in the UK and are not subject to immigration control. You can stay in the UK and be eligible for certain benefits, subject to satisfying other conditions, such as those outlined in this factsheet.
- **Pre-settled status** – If you are an EEA citizen (except Irish citizens) and have ‘*pre-settled status*’ (for example, because you have not lived in the UK for at least five years), you can stay in the UK but you are not automatically eligible for certain benefits (such as those which require you to have settled status).

In order to be eligible, you must normally demonstrate you are exercising a qualifying *right to reside* under the *Immigration (European Economic Area) Regulations 2016*.

Guidance on *right to reside* can be found within *DMG Vol 2 Ch 7 Part 3: Habitual residence and right to reside*, from paragraph 073492. For further information see:

<https://cpag.org.uk/welfare-rights/legal-test-cases/current-test-cases/eu-pre-settled-status>

<https://cpag.org.uk/welfare-rights/resources/test-case/destitute-eu-nationals-pss-can-rely-eu-charter-fundamental-rights>

If you have ‘*pre-settled status*’, you can stay in the UK for up to five years from the date you got your status, but you must apply for ‘*Settled status*’ before your pre-settled status expires to stay in the UK. For more information, see:

[www.gov.uk/settled-status-eu-citizens-families/switch-from-presettled-status-to-settled-status](http://www.gov.uk/settled-status-eu-citizens-families/switch-from-presettled-status-to-settled-status)

- **Started living in the UK after 31 December 2020** – If you moved to the UK after 31 December 2020, the only way you can be eligible for the EU Settlement Scheme is if you are a family member of an EEA or Swiss citizen and that person was living in the UK by 31 December 2020. For more information see:

[www.gov.uk/settled-status-eu-citizens-families/join-EU-EEA-Swiss-family-member](http://www.gov.uk/settled-status-eu-citizens-families/join-EU-EEA-Swiss-family-member)

If the above is not applicable, you are subject to immigration control (and so not eligible for certain benefits) until you have the necessary immigration leave to remain in the UK. For more information see:

[www.gov.uk/check-uk-visa](http://www.gov.uk/check-uk-visa)

## Useful organisations

### Carer's Allowance Unit

[www.gov.uk/carers-allowance-unit](http://www.gov.uk/carers-allowance-unit)

Telephone 0800 731 0297

Provides information about Carer's Allowance and how to make a claim.

### Carers Trust

[www.carers.org](http://www.carers.org)

Telephone 0300 772 9600

Offers practical help and assistance to carers.

### Carers UK

[www.carersuk.org](http://www.carersuk.org) (England)

[www.carersuk.org/scotland](http://www.carersuk.org/scotland) (Scotland)

[www.carerswales.org](http://www.carerswales.org) (Wales)

Telephone Helpline 0808 808 7777

Information and support for carers, including information about benefits.

### Citizens Advice

England or Wales go to [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Scotland go to [www.cas.org.uk](http://www.cas.org.uk)

In England telephone 0800 144 8848

In Wales telephone 0800 702 2020

In Scotland telephone 0800 028 1456

National network of advice centres offering free, confidential, independent advice, face to face or by telephone.

### Disability Benefits Helpline

[www.gov.uk/disability-benefits-helpline](http://www.gov.uk/disability-benefits-helpline)

DWP helpline providing advice or information about any claim for DLA, PIP or AA claim you have already made:

- **Attendance Allowance (AA)**  
Telephone 0800 731 0122
- **Disability Living Allowance (DLA)**  
If you were born on or before 8 April 1948  
Telephone 0800 731 0122  
If you were born after 8 April 1948  
Telephone 0800 121 4600
- **Personal Independence Payment helpline**  
Telephone 0800 121 4433

## **Disability Rights UK**

[www.disabilityrightsuk.org](http://www.disabilityrightsuk.org)

Telephone 0330 995 0400

Information and advice about issues affecting disabled people.

## **Discretionary Assistance Fund for Wales (The)**

<https://gov.wales/discretionary-assistance-fund-daf>

E-mail: [DAF.Feedback@northgateps.com](mailto:DAF.Feedback@northgateps.com)

Telephone 0800 859 5924

Apply for an Individual Assistance Payment (IAP) or Emergency Assistance Payment (EAP).

## **Gov.uk**

[www.gov.uk](http://www.gov.uk)

Official website for government information and services. Includes information about State and private pensions.

## **Jobcentre Plus**

[www.gov.uk/contact-jobcentre-plus](http://www.gov.uk/contact-jobcentre-plus)

Telephone 0800 055 6688

Administers most benefit claims for working age people.

## **Pension Service (The)**

[www.gov.uk/contact-pension-service](http://www.gov.uk/contact-pension-service)

Telephone 0800 731 0469

Future Pension Centre 0800 731 0175

Details of state pensions including forecasts and claiming your pension.

## **Settled**

<https://settled.org.uk/en/>

Organisation for EEA citizens wanting advice and support about the EU Settlement Scheme. Contact them by completing a form on their website, or if it is urgent calling between 10am and 5pm, leave a clear message with name and contact details, and someone will get back to you:

07511 214684 (Bulgarian)

07511 214701 (Italian)

07511 214678 (Slovak/Czech)

The numbers below are manned intermittently. Leave a clear message with name and contact details and someone will get back to you:

07511 214711 (French)

07511 214721 (German)

07511 214707 (Polish)

07511 214698 (Romanian)

07511 214716 (Spanish)

**Social Security Scotland**

[www.socialsecurity.gov.scot](http://www.socialsecurity.gov.scot)

Telephone 0800 182 2222

Responsible for paying ADP, CDP and SCP in Scotland.

**Tax Credits**

[www.gov.uk/browse/benefits/tax-credits](http://www.gov.uk/browse/benefits/tax-credits)

Telephone 0345 300 3900

Responsible for administering Child Tax Credit and Working Tax Credit.

**Universal Credit**

Claim [www.gov.uk/apply-universal-credit](http://www.gov.uk/apply-universal-credit)

Online account [www.gov.uk/sign-in-universal-credit](http://www.gov.uk/sign-in-universal-credit)

Helpline 0800 328 5644

**Veterans UK**

[www.gov.uk/government/organisations/veterans-uk](http://www.gov.uk/government/organisations/veterans-uk)

Telephone 0808 1914 2 18

Administers the armed forces pension schemes and compensation payments for those injured or bereaved through service.

## Age UK

Age UK provides advice and information for people in later life through our Age UK Advice line, publications and online. Call Age UK Advice to find out whether there is a local Age UK near you, and to order free copies of our information guides and factsheets.

### Age UK Advice

[www.ageuk.org.uk](http://www.ageuk.org.uk)

0800 169 65 65

Lines are open seven days a week from 8.00am to 7.00pm

### In Wales contact

#### Age Cymru Advice

[www.agecymru.org.uk](http://www.agecymru.org.uk)

0300 303 4498

### In Northern Ireland contact

#### Age NI

[www.ageni.org](http://www.ageni.org)

0808 808 7575

### In Scotland contact

#### Age Scotland

[www.agescotland.org.uk](http://www.agescotland.org.uk)

0800 124 4222

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