

Factsheet



Extra money if you have a child with a disability

Make Every **£** Count

The information and benefit rates in this leaflet are correct at April 2009

Extra money if you have a child with a disability

This factsheet tells you about the benefits that you might be able to claim for a disabled child and for yourself if you are looking after a disabled child.

Section 1 of this factsheet gives you detailed information about **Disability Living Allowance** - this is the main benefit you can claim if your child has a disability and needs more help than other children of the same age or has problems walking out of doors. You will also find information about:

- **Motability** and other help available with getting around
- **Carer's Allowance** – for carers looking after a disabled person
- **Working Tax Credit** – for working people on low incomes (with or without children);
- **Child Tax Credit** – for families with children
- **Employment and Support Allowance** – for people who are not well enough to work
- **Jobseeker's Allowance** – for people who are unemployed or work part-time and have to sign on as unemployed
- **Income Support** - for people who do not work or work part-time and do not have to sign on e.g. certain carers
- **Housing Benefit** – for help with rent
- **Council Tax Benefit and Council Tax Reductions** – for help with council tax
- **Health Benefits** – help with health costs and fares to hospital
- **Healthy Start and Health in Pregnancy Grant**– help for expectant mothers and young children
- **Social Fund** – grants and loans to meet the costs of 'one-off' items
- **Education Benefits** – help with the costs of education
- **Child Trust Fund** – investing in your child's future.

Section 2 looks at

- **Children away from home** - tells you what happens to benefits if your child is away from home, for example, is in hospital or being 'looked after' by the local authority.
- **When a child reaches 16** – tells you what benefits a young person can claim in their own right.

Claiming benefits can be quite complicated. The information in this factsheet is intended as a general guide. If in doubt, seek advice from one of the organisations listed at the end of the factsheet. There are special rules for asylum seekers, people subject to immigration control and some other people from abroad. Please seek advice before making a claim for benefit.

SECTION 1

DISABILITY LIVING ALLOWANCE

What is Disability Living Allowance?

Disability Living Allowance (DLA) is a tax free cash benefit worth up to £119.45 per week. It is paid to help meet the extra costs of bringing up a child with a disability. It is not means-tested so you can claim DLA whatever your income or savings.

DLA has 2 parts - one part for **care** needs and the other for **mobility** needs. Either or both of these parts can be paid. There are 3 different rates payable for care and 2 different rates for mobility. You can only be paid one rate from each part that your child qualifies for.

DLA is paid on top of any other income. If your child is awarded DLA then you could get **more** child tax credit, housing or council tax benefit, or you may start to qualify for one of these benefits.

Who can claim?

To claim DLA your child must have had the care or mobility problems for the past three months. Also, your child's disability must be likely to last for at least the next 6 months.

A claim can be made for a child with a physical disability (including sight, hearing or communication difficulties) or for a child with a learning disability or mental health problem - even if the cause of the problem has not yet been diagnosed. Your child does not need to attend a special school or to have a statement of special educational needs to be able to qualify for DLA.

Children with developmental delay, ADHD, autistic-spectrum disorders and Asperger's Syndrome have all made successful claims for DLA – what matters is the effect that their condition has on their care and supervision needs.

If there is more than one disabled child living in your household, a claim can be made for each of those children.

There is no lower age limit for claiming the care part of DLA. The higher rate of the mobility part can be paid from 3 years; the lower rate can be paid from 5 years.

Once in payment, DLA can continue for as long as your child still qualifies. Payments are made to the parent or guardian of a child under 16.

The care part

The care part is paid at one of 3 weekly rates, with no lower age limit:

Lowest rate – (£18.65) is paid if:

- your child needs help with personal care for a “significant portion” of the day; for example, just in the morning, or just in the evening or for about an hour a day; **OR**
- is aged 16 or over and finds it difficult to cook a normal main meal for one person if s/he has all of the ingredients.

Middle rate – (£47.10) is paid if:

- throughout the day, your child needs frequent help with personal care **or** regular supervision to make sure s/he is safe or that no-one else will come to harm or be put in danger because of your child; **OR**
- during the night, needs help with personal care **or** another person to be awake at some time, to make sure that s/he is safe or that no-one else will come to harm or be put in danger because of your child.

Highest rate – (£70.35) is paid if:

Your child needs help during the day **and** night.

If your child has a terminal illness, special rules apply and these mean that s/he may qualify for the highest rate automatically. (See page 7)

“**Supervision**” may be needed because your child has a physical or learning disability or a mental health problem; for example, if s/he becomes confused or forgetful, has falls or fits, might harm her/himself, or sometimes needs medical help urgently.

“**Personal care**” is help with anything to do with your child’s body and how it works. It includes things like getting out of bed, dressing and undressing. It can include help to overcome impaired hearing or sight or provide motivation.

To get the care part, the personal care or supervision needs of a child under 16 must be more than the needs of a child of the same age who does not have a disability.

If your child needs any of the following kinds of help because of a disability, s/he may be able to get DLA Care. Make sure that details of these needs are included on the claim form.

Does your child need extra help with?

| | | |
|-------------------------|------------------------------------|--------------------------------|
| dressing or undressing | using the toilet | getting into or out of chairs |
| taking showers or baths | taking medication, applying creams | understanding |
| washing and drying | changing dressings | developing daily living skills |

| | | |
|----------------------------|--------------------|-----------------|
| eating or drinking | using a wheelchair | walking indoors |
| getting into or out of bed | using toys | using stairs |
| speaking | hearing | seeing |

Does your child have to follow?

| | |
|---------------------------------|------------------------------|
| a special play-programme | a special exercise programme |
| a special educational programme | regular physiotherapy |

Does your child need to be watched because s/he?

| | |
|---|--|
| is unsteady, loses balance or is prone to falling or tripping | cannot see or hear well |
| acts impulsively | has behaviour which could put themselves or others at risk |
| is at risk of injury (e.g. s/he has fits) | harms his/herself |
| has poor awareness of danger | |

Does your child need?

| | |
|---|---|
| prompting or encouragement to do things | things to be checked after s/he has done them |
|---|---|

This is a list of examples you may find helpful. There may be others that you can include - make sure that you put them on the claim form.

It doesn't matter if your child does not actually receive care or supervision; the test is whether s/he **needs** it. If your child only manages to do things more slowly or with more difficulty than others of the same age, s/he may qualify.

The mobility part

Highest rate - £49.10 (not paid until a child is aged 3 or over)

Your child should get the higher rate if, because of physical disability s/he:

- is unable to walk; **or**
- is virtually unable to walk – taking into account the distance, speed, the length of time and the manner of your child's walking. Any walking that your child can do which causes severe discomfort, for example, pain or breathlessness, should be ignored; **or**
- has had both legs amputated at, or above, the ankle, or your child was born without feet; **or**

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- is both blind and profoundly deaf; **or**
- the effort of walking could cause your child's health to get worse or the effort of walking could be dangerous.

Your child should also get the higher rate if s/he:

- has a severe learning disability that causes severe behavioural problems **and**
- satisfies the conditions for the highest rate of DLA for care.

Lowest rate - £18.65 (not paid until a child is aged 5 or over)

Your child may qualify for this if s/he is able to walk, but because of a mental or physical disability, needs guidance or supervision when walking outdoors. Your child can get it if they can walk in places they know well, but needs help in places that they do not know very well.

To get this rate, the help needed for a child under 16 must be more than is needed by an average child of the same age who does not have a disability.

If your child has any of the following problems they may be able to get DLA mobility. Make sure that details of these needs are included on the claim form.

Because of a learning disability, mental health problem or physical disability, your child needs help when out of doors because s/he :

| | |
|---|---|
| cannot walk | has dizzy spells or similar attacks after walking a short distance |
| gets tired or short of breath after walking only a short distance | stops frequently when walking |
| cannot walk again for some time after walking a short distance | has to take medication after walking or to help her/him to continue walking |
| walks very slowly | puts her/his health at risk when walking |
| walks in a very strange way | walks only with pain |
| has falls or fits walking outdoors | has panic attacks out of doors |
| is unaware of danger, or has no road sense. | feels disorientated out of doors |
| | cannot see or hear very well |
| is easily confused | cannot follow directions |
| needs encouragement to walk. | could hurt other people or damage property |

This is a list of examples you may find helpful. If there are other reasons that your child finds it difficult to walk out of doors make sure that you put them on the claim form.

How do I claim Disability Living Allowance?

Phone the DWP Benefit Enquiry Line on free phone 0800 882200 and ask for claim form **DLA1 Child**. If your child is under 16 you will need to fill in the form and sign it on your child's behalf.

You can also claim DLA on-line. You need to register with the Government Gateway and your claim can then be securely stored and submitted via any computer.

See www.dwp.gov.uk/eservice.

What is the claim form like?

The DLA form is a self-assessment claim pack. It asks you to describe your child's difficulties. When completing the claim pack, remember that your child can qualify even if s/he does not get all of the care s/he needs. Do not underestimate or downplay how much looking after your child needs, or how much difficulty your child has getting around.

The form asks about your child's illnesses and disabilities and for details of professionals involved in your child's care.

It then goes on to ask for detailed information about the needs arising from your child's illness or disability. It asks about problems getting around out of doors and the help your child needs with personal care and supervision.

There is also a statement for completion by someone who knows your child well and the effects of his/her illness or disability. Although this person can be a friend, it often helps to ask someone who is seen as more independent to complete the statement - such as a GP, OT, social worker, health visitor, etc.

It is crucial that you put **as much information as possible** to give a full picture of your child's difficulties and need for care and/or supervision.

Special rules for children who are terminally ill

If your child has a terminal illness, claims can be made under a fast-track. Your child does not have to wait for three months to qualify for DLA and will get the highest rate of the care part of DLA whether or not help is needed with personal care or supervision. The mobility part will be paid only if s/he qualifies for it in the usual way.

You will need to tick the special rules box on the claim form and enclose a certificate called a DS1500, which you get from your family doctor or hospital specialist.

What if DLA is awarded but at a low rate or the claim is unsuccessful?

If you are unhappy with the decision, you have **one month** from the date on the decision letter to challenge the decision. You can ask for the claim to be looked at again (known as a **reconsideration**) or you can appeal. It is often useful to supply supporting evidence from someone who knows about your child's disability, such as a doctor, teacher, health visitor, physiotherapist or social worker.

If you want to challenge a decision see leaflet 9 in our pack '**extra money for people with ill health or disabilities**' available on www.hertsdirect.org/benefits for more information. You can get advice from a support group, your health visitor or your local Citizens Advice Bureau.

What if your child's condition deteriorates?

If your child is not getting the highest rates for care and mobility, you can ask for the claim to be looked at again at any time. However benefits can go down as well as up so you should not attempt this if you think your child might lose the award. If your child is already getting middle rate for care for example, because of their daytime care needs, it won't make any difference to the claim if their daytime needs increase. You would have to show that they had night-time needs to get the higher rate. Get in touch with the disability contact and processing unit at Blackpool (address at end) and supply as much supporting evidence as possible. This is called a **supersession**.

OTHER HELP WITH GETTING ROUND

The following help with getting around is also available:

- **Motability** – This is a scheme to help you use the mobility component to pay for a car, by leasing or buying it through hire purchase. You can also use it to buy a wheelchair on hire purchase. To qualify for this help you must be getting the highest rate of the mobility part of DLA and have 12 months or more of the award remaining. Contact Motability on 0845 456 4566.
- **Exemption from car tax** – You can apply for this if your car is used for the benefit of the disabled person who is getting the higher rate mobility part of DLA. Anyone receiving DLA higher rate mobility should automatically be sent a VED exemption certificate to use when applying for a 'tax exempt disc' from the Vehicle Licensing Agency.
- **The Disabled Person's Parking Badge (Blue Badge Scheme)** – You can apply for a blue badge from Hertfordshire County Council which will help with parking (see telephone numbers at the end of this factsheet).
- **The Disabled Person's Railcard** – The card allows a person accompanying a disabled child to travel at a reduced rate. You can get a leaflet from your local railway station. More information is also available on www.disabledpersons-railcard.co.uk

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CARER'S ALLOWANCE

You can get carer's allowance if you are aged 16 or over and look after a child who gets the middle or the higher rate of the care part of DLA. You must also look after the child for at least 35 hours a week.

Carer's allowance is paid at a basic rate of £53.10 per week. The basic rate may increase if you have a dependant partner.

If you work, you cannot earn more than £95 per week. Your earnings are calculated after tax and national insurance have been taken off, as well as what you pay someone to look after your child so you can work.

You cannot get carer's allowance if you are a student studying for 21 hours a week or more. Usually, homework and private study are not included in the calculation of this 21 hours.

If you get carer's allowance and also claim income support, income-based jobseeker's allowance, income-related employment and support allowance (ESA), housing or council tax benefit, the allowance counts as income but you get a carer premium included in the calculation of these benefits. The premium can increase the amount you get by up to £29.50 each week (see page 13).

You cannot be paid carer's allowance if you are getting more money from a bereavement benefit, retirement pension, contributory ESA or incapacity benefit. However, you can get the carer premium paid with means-tested benefits if all that stops you getting carer's allowance is that you are receiving one of these benefits.

To claim carer's allowance ask for a claim form from the Benefits Enquiry Line on 0800 882200 or via www.dwp.gov.uk/carersallowance.

For more information see the Money Advice Unit's booklet '**extra money for carers**' available from 01438 737555 or on www.hertsdirect.org/benefits.

TAX CREDITS

Working Tax Credit

Working tax credit is a benefit paid to workers on low wages. It is available to:

- people, with children, who work at least 16 hours per week
- certain people with disabilities who work at least 16 hours per week
- people aged 25 or over who work at least 30 hours per week
- certain people aged 50 or over who work at least 16 hours per week

It can include extra amounts for certain childcare costs of up to 80% of costs up to £175 for one child or £300 for two or more children. These are paid to the main carer alongside child tax credit.

Child Tax Credit

Child tax credit is an allowance paid to people with children whether they are working or not. It is paid to the main carer alongside child benefit. There is no capital limit but the amount you get depends on annual income. CTC can be paid to you if you have gross annual income of up to around £58000 per year (£66000 if you have a child under one) and more in some cases. For couples, it is the joint income that counts.

You can receive an extra credit worth up to £2,670 a year for a child who is getting DLA or is registered blind. If your child is getting the higher rate of DLA care you will also get a severely disabled child element which is worth up to £1,075 annually. You can get these extra amounts for each child living with you who qualifies.

If you tell the Tax Credits Office (TCO) within three months of the date of the decision awarding DLA to your child, the disability elements can be backdated to the date which the DLA is paid from. If you tell the TCO more than three months after the DLA decision date, you can only get the extra amounts backdated for a maximum of three months.

How do I claim tax credits?

There is one form for both credits available from the Tax Credit Helpline on 0845 300 3900.

For more information about tax credits see our 'extra money for families' pack available on www.hertsdirect.org/benefits or go to www.hmrc.gov.uk or www.cpaq.org.uk

EMPLOYMENT AND SUPPORT ALLOWANCE

If you have limited capability for work due to illness or disability you may be able to get employment and support allowance (ESA). If you have paid enough national insurance contributions you may get contributory ESA. ESA is worth £64.30 for the first 13 weeks (£50.95 if you are under 25) and may increase after this depending on your level of incapacity. If you have not paid enough contributions, or are entitled to extra benefit to top up your contributory ESA, you may be able to get income related ESA. There are special rules for people aged under 20 (25 in some circumstances) which mean they may get contributory ESA without paying national insurance contributions.

ESA claimants need to attend work focused interviews and undergo a work capability assessment. If you are awarded ESA and are severely disabled, you should be placed in the 'support group' and get a higher rate of ESA. If not, you will be placed in the 'work-related activity group' and have to do work focused activity (e.g. such as attend re-training courses) as a condition of getting benefit.

If you were getting incapacity benefit, or income support on the basis of incapacity, prior to the introduction of ESA in October 2008, you will stay on these benefits until transferred across to ESA at some point in the future.

For more information see leaflet 10 in our pack 'extra money if you are ill or disabled' on www.hertsdirect.org/benefits.

Claim ESA by phoning your local jobcentre plus contact centre on 0800 055 6688 or via www.dwp.gov.uk/eservice.

JOBSEEKER'S ALLOWANCE

If you become unemployed and are looking for work, you can claim jobseeker's allowance (JSA). If you have paid enough national insurance contributions you may get contribution based JSA worth £64.30 (£50.95 if you are under 25). If you have not paid enough contributions, or if you are entitled to extra benefit to top up your contribution based JSA (eg because you have a disability or a mortgage), you can claim income based JSA. If you work less than 16 hours a week but are still looking for full time work you may still be able to get some JSA.

For more information about JSA see factsheet 9 'in and out of work' on www.hertsdirect.org/benefits.

Claim by phoning your local jobcentre plus contact centre on 0800 055 6688 or via www.dwp.gov.uk/eservice.

INCOME SUPPORT

You can claim income support if you are aged 16 to 60 and are not required to look for work, for instance certain carers and certain lone parents with young children. If you are a lone parent you can only claim income support until your youngest child is 12 and then you will be expected to switch to JSA and look for work. This will be reduced to 10 in October 2009 and 7 in October 2010. However none of these changes apply to the parents of disabled children.

To claim income support you must not be working or work for less than 16 hours a week. If you have a partner s/he must work for less than 24 hours a week. You and your partner's income and savings are taken into account when working out your benefit. You must have no more than £16,000 in savings. If you have money from a personal injury award though, get advice as this can be ignored.

Claim by phoning 0800 055 6688 or via www.dwp.gov.uk/eservice.

If you are unsure whether to claim jobseeker's allowance or income support - seek advice.

PENSION CREDIT

If you are aged 60 or over you may be able to get a means-tested benefit called pension credit. This has 2 parts:

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- the guarantee credit, which provides a minimum level of income to all people aged 60 or more and
- the savings credit which rewards people aged 65 and over who have modest incomes and have some savings for their retirement.

You can get three months backdating of pension credit without having to show any special reasons.

Claim by phoning the pension service on 0800 99 1234 or visit www.thepensionservice.gov.uk

For more information see our factsheet 6 '**extra money for people aged 60 and over**' on www.hertsdirect.org/benefits.

HOUSING BENEFIT

Housing benefit provides help with your rent if you are on a low income.

Since 7 April 2008 there has been a new way of working out new claims for housing benefit for tenants renting accommodation from a private landlord. This is called Local Housing Allowance. However, if you live in council accommodation or other social housing these changes should not affect you.

COUNCIL TAX BENEFIT

Council tax benefit is one form of help with the council tax. There are others – see below.

You can get a claim form for housing and council tax benefit from the office of your district or borough council. Both benefits have a £16,000* savings limit (unless you are getting the guarantee credit part of pension credit). If you are under 50 you can get up to 6 months backdating of housing or council tax benefit but will need to show good cause for your late claim. If you are aged 60 or over you can get up to three months backdating and do not have to show any special reasons.

If you have a disabled child, or if you are a carer, make sure the local council's housing and council tax benefit section knows about it when you claim or when DLA or CA is awarded.

For more information on housing or council tax benefit and the new local housing allowance see factsheet E5 '**extra money for your housing costs**' on-line at www.hertsdirect.org/benefits.

HOW MUCH MEANS TESTED BENEFIT WILL I GET?

If you are getting a mean tested benefit, the amount you get depends on a number of factors including your income, age and whether anyone is ill or disabled or a carer.

Most people's income support, income based JSA and income related ESA should only include amounts for adult claimants and partners. Some people who have been claiming income support or income based JSA for a while, and have not yet claimed child tax credit,

still have amounts for children included. These payments will continue up until the time they are transferred over to child tax credit.

For housing benefit and council tax benefit, the amount you get can vary according to the number of children you have, whether those children are disabled and whether you are a carer, as well as the level of rent, local housing allowance or council tax.

Extra amounts may be added to the calculations, including the following:

The carer premium (all means tested benefits)

The carer premium is included if you are getting, or treated as getting, carer's allowance. Entitlement to this can increase your income support, income based JSA, income related ESA, housing or council tax benefit by up to £29.50 per week or mean that you might be able to get one of these benefits for the first time. Two carer premiums are awarded if you have a partner and you are both getting carer's allowance for looking after two disabled people.

The disabled child premium (in housing/council tax benefit and for those on income support/income-based JSA that still includes amounts for children)

If you have a child who is registered blind or gets any rate of DLA, you should get an extra amount of £51.24, called a disabled child premium, included in the calculation of your benefit. You can get a disabled child premium for each child living with you who qualifies.

The enhanced disability premium for children (in housing/council tax benefit and for those on income support/income-based JSA that still includes amounts for children)

This premium is included if your child receives the highest rate of the care part of disability living allowance. It is worth up to £20.65 per week and is included in addition to the disabled child premium.

OTHER HELP

Child benefit

You can claim this as soon as your child is born and it is paid at a flat rate of £20.00 for the oldest child and £13.20 for all other children. So long as your child is in non-advanced education, child benefit remains in payment until they reach their 20th birthday. However, once your child reaches 16, some families may be better-off if the young disabled person claims benefits in their own right and you give up the child benefit and child tax credit - see page 24.

Extra help with your rent

If you are getting housing/council tax benefit but it does not pay all of your rent or council tax, you can ask the district or borough council to pay you extra by asking for a **discretionary housing payment**. You need to show that you require financial assistance to help meet your housing costs (including council tax) and that you have good reasons for getting extra help. Coping with the needs of a disabled child or being made worse off by the new local housing

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allowance could be a reason. Claims should be made in writing to your district or borough council and some councils have special forms for doing this. See factsheet E5 '**extra money for your housing costs**' on-line at www.hertsdirect.org/benefits.

Other help with Council Tax

If your home has been adapted for your child, you may be able to have your council tax bill reduced by one band. This is called the disability reduction scheme. The adaptation must be of major importance to the disabled person and be one of the following:

- a second kitchen or bathroom for a disabled person's use or
- a room (other than a kitchen, bathroom or toilet) which is set aside mainly for a disabled person's use or
- the home has been adapted to make enough space for a wheelchair to move around in.

You may also get other help with your council tax. For more information contact your local council or see our factsheet **E5 'extra money for your housing costs'** available at www.hertsdirect.org/benefits.

Help with health costs and hospital fares

Children under 16, or under 19 if in full time non-advanced education, are entitled to free prescriptions.

Adults who get income support, income-based jobseeker's allowance, income-related employment and support allowance or the guarantee element of pension credit can get help with health costs such as prescriptions, dental treatment, sight test and glasses.

You will also get help if your gross income is **below** £15,276 and you are getting

- working tax credit and child tax credit **or**
- working tax credit with a disability element or severe disability element **or**
- child tax credit

If you do not get one of the above benefits or you get tax credits, but your income is higher than £15,276 you may still receive full or partial help with these costs depending on your income. Apply on form **HC1**, available from chemists, doctor's surgeries or the hospital's general office or by phoning the Benefits Enquiry Line on 0800 882200.

If you are entitled to help with health costs or fares on low income grounds, you will be sent a certificate to show at the appropriate office. You can phone the NHSBSA helpline on 0845 850 0030 for more information.

You can also get help with fares or petrol costs to get to hospital for treatment or if you need to accompany a child to hospital.

Healthy Start Scheme & Health in Pregnancy Grant

The **Healthy Start Scheme** helps low income pregnant women and families with children under four by giving vouchers for fresh fruit and vegetables as well as milk and formula for babies. The vouchers are worth £3.10 each. Free vitamin supplements will also be supplied.

To qualify, your family must be on income support, income-based jobseeker's allowance, income-related employment and support allowance or child tax credit (no WTC) with annual income which does not exceed £16,040. Pregnant women under eighteen years old can qualify without being on these benefits.

Pregnant women and children aged one to four will receive one voucher per week for each child/pregnancy. Babies under one will receive two vouchers.

Health professionals working with pregnant women and families with young children have to countersign the applications for Healthy Start.

Families can claim on form HS01 available from GP surgeries, health centres, ante natal clinics and children's centres or by phoning 08701 555 455. You can claim on-line or get more information on www.healthystart.nhs.uk.

From April 2009 all pregnant women can claim a one-off **Health in Pregnancy Grant** of £190 from the 25th week of the pregnancy. It does not matter how much income or savings you have but you must have received appropriate health advice from a health professional eg midwife. This is in addition to any Surestart Maternity Grant that you might get.

You can claim by completing the HIPG form which your doctor or midwife should have or you can phone the HIPG helpline on 0845 366 7885. You should get your completed form back to the HIPG office within 31 days of your midwife or doctor signing it. For more information see www.direct.gov.uk.

The Social Fund

If you need one-off help to pay for essential items you may be able to get help from the social fund which is administered by job centre plus.

Community Care Grants

Community care grants are for people getting income support, income-based jobseeker's allowance, income-related employment and support allowance or pension credit. You can claim for things like furniture, clothing or bedding. Families with disabled children have some priority. Community care grants can also cover travelling expenses if you are visiting your child in hospital and accommodation charges if you have to stay overnight.

Claim a community care grant by phoning 0845 8500 032.

Surestart Maternity Grant

This is a one off payment of £500 to help with expenses arising from the birth of a child.

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You can apply if you are getting one of the following:

- income support
- income-based jobseeker's allowance
- income-related employment and support allowance
- pension credit
- working tax credit including disability or severe disability element
- child tax credit at a rate greater than family element* (£547.50 per year or £1095. if you have a child under one) **and**
 - you are expecting a baby or have had a baby in the last 3 months or are adopting a child under 12 months old **and**
 - you have taken advice on maternal health or the health and welfare needs of the new baby.

If your claim for a maternity grant is refused while you are waiting for a decision on a claim for a qualifying benefit, you should re-claim a maternity grant within three months of being awarded the qualifying benefit.

Claim a maternity grant by phoning 0845 8500 032.

Further information about the social fund is available on www.hertsdirect.org/benefits

The Family Fund and Charities

The Family Fund aims to help families caring for a severely disabled child under the age of 16. It can provide help for anything that is needed. For example the Trust can help with the costs of holidays, household equipment, furniture, transport expenses, play equipment or even driving lessons for a carer.

Any payment you get will not affect benefits such as income support.

You can get an application form and more information from the Family Fund Trust, 4 Alpha Court, Monks Cross Drive, York, YO32 9WN or www.familyfund.org.uk or phone 0845 130 4542/01904 621115.

There are other charities that you can apply to for help. Voluntary organisations, support groups or social workers may have details.

Help with the cost of education

HCC education benefits

Hertfordshire County Council runs an education benefits scheme that offers financial help to low income families with the cost of some education items. The scheme offers:

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🌐 www.hertsdirect.org/benefits

- **free school meals** for families getting income support, income-based jobseeker's allowance, income-related employment and support allowance, guarantee element of pension credit, CTC (no WTC) and gross annual income for tax credit purposes is not over £16,040. From May 1 2009 families can also get free school meals if they receive WTC during the four weeks after they cease work or reduce their hours to less than 16 per week (WTC 'run-on').
- **help with music fees**
100% for families getting income support, income-based jobseeker's allowance, income-related employment and support allowance, guarantee element of pension credit or CTC and your gross annual income for tax credit purposes is not over £16,040
50% if receiving WTC, CTC (of more than £547.50 per year or £1,095 if you have a child under one), housing benefit or council tax benefit

If you are in receipt of any of the above benefits you may also be able to get help with the following costs:

- SaverCard
- TrainCard
- Assisted transport (limited availability)
- Cycle training fees

Claim education benefits on-line at <http://www.hertsdirect.org/scholearn> or on a form available from your child's school, or telephone the HCC Education Helpline on 01438 737370 (or 01923 471370 from 01923 and 0208 numbers).

Education Maintenance Allowance (EMA)

EMAs are paid to 16-20 year olds who are in full time non-advanced education (including E2E schemes) Payments will be in the following range:

- £10 per week if parental income £25,522 - £30,810
- £20 per week if parental income £20,818 - £25,521
- £30 per week if parental income below £20,818 or young person is on an E2E course

Further information and application forms available from 0808 1016219

Child trust fund

This is a payment of around £250 paid to children born on or after September 1st 2002, to be paid into a CTF account which can't be touched till the child reaches 18. The payment is £500 for children in families who get CTC where household income is not greater than £16,040. From April 2010 there will be an additional £100 a year for disabled children (£200 for those who are severely disabled).

For more information see www.childtrustfund.gov.uk or phone the helpline on 0845 302 1470.

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Warm Front Grant

You may get a Warm Front Grant to help towards improvements in insulation, room heating and water heating up to the value of £3,500 if you receive DLA or attendance allowance or are on a low income and getting certain benefits or tax credits.

For more information contact 0800 316 2805 or go to www.warmfront.co.uk.

Hertfordshire County Council

Children Schools and Families

Your local Children, Schools and Families (CSF) office will help you and your child with advice and information about services that are available locally. They also have a register for children with additional needs and can carry out an assessment of your child's social and welfare needs. You can also ask for a carer's assessment if you are caring for a disabled child. Contact numbers are at the end of this factsheet.

Disability Information Bureau

You can also get advice and information about disability related issues from HCC's Disability Information Bureau. Telephone 01438 737444 or 01923 471444, if you are calling from an 0208 or 01923 number. Service available Monday to Friday 10am-3pm. If you prefer, you can send an e mail enquiry to disability@hertscc.gov.uk.

SECTION 2

CHILDREN AWAY FROM HOME

Some benefits can be affected when your child is away from home, for example if s/he is in hospital, at a residential school or on a short-term break.

It is important to tell the Department for Work and Pensions, the local authority benefits office and Tax Credit Office whenever your child is away from home. If your child is in hospital or a local authority funded home, they are often seen as having their needs met by government funds. If you continue to receive certain benefits it may be decided that you have been overpaid and asked to pay the money back. If this happens seek advice and help.

NHS Hospital Stays

Child benefit

Child benefit is unaffected for the first 12 weeks of a child's stay in hospital and can continue after that as long as you regularly give or spend money on behalf of your child. For example you could give pocket money, buy CDs, magazines, clothing etc.

Child dependant's additions

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If you are getting an addition for your child with benefits like incapacity benefit or carer's allowance*, this will continue as long as you still get child benefit.

* Claims made since April 2003 will not include any child dependant's additions – these are now paid as part of the child tax credit.

Disability living allowance – care and mobility

Both the mobility and care parts stop after a child under 16 has been in hospital for **12 weeks**. If your child goes in and out of hospital regularly, any stays that are separated by less than **28 days** are added together when deciding what date benefit will stop. This is sometimes known as the 'linking rule'

Example

Adam has a chest infection and goes into hospital for 6 weeks. He is at home for 2 weeks before another infection means a stay in hospital for 10 weeks. His DLA will stop 6 weeks after he is admitted into hospital for the second time (i.e. the 2 stays in hospital are added together because they are separated by less than 4 weeks. Benefit stops after a total of 12 weeks in hospital).

If your child is still in hospital after 12 weeks, DLA can be paid for any day spent at home; for instance if s/he comes home for a weekend break. The day your child leaves hospital and the day s/he returns will be counted as days at home.

You cannot be paid DLA for the first time if you claim when your child is in hospital. Benefit can be awarded but it is not paid until s/he leaves.

Motability

If your child is in hospital and the mobility part of DLA is used to pay for a car or wheelchair under the mobility scheme, this can continue until the agreement ends.

Carer's Allowance

If your child is in hospital you can continue to get carer's allowance for up to 12 weeks in any 26 week period. Carer's allowance will also stop if your child's DLA care stops because s/he is in hospital.

If your carer's allowance stops, the carer premium continues to be included in the calculation of means-tested benefits for a further 8 weeks.

If your child comes home from hospital and receives DLA middle or higher care again, carer's allowance can be paid for any week that you look after them for 35 hours or more. A week runs from midnight on Saturday until midnight the following Saturday. Any time spent preparing for the child's visit and clearing up afterwards can help to make up the 35 hours.

Tax credits

As long as the child is normally living with you, child tax credit should not be affected by a temporary stay in hospital.

Income Support

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If you are still getting amounts for your child in your income support this should continue while s/he is in hospital as long as you have regular contact with your child. Otherwise payments could stop after 12 weeks.

If a child getting DLA is included in your claim for IS or income-based JSA, entitlement to the disabled child and enhanced disability premiums is not affected by DLA stopping, so long as the child continues to count as a member of your family. However, these premiums will stop once your child has been a patient for 52 weeks.

Housing benefit and council tax benefit

If your child is in hospital you can continue to get any housing benefit which includes an amount for that child if the admission is temporary. Your entitlement to the disabled child and enhanced disability premium should not be affected if your child has been a patient for more than 52 weeks, so long as s/he continues to count as a member of your family. For council tax benefit the allowance for the child should continue for as long as the admission is regarded as temporary by the local authority.

‘Looked after’ children

This information applies to children who are ‘looked after’ by the local authority (Children, Schools and Families in Hertfordshire). It does not apply to families whose children are living away from home under any private arrangements or who are away from home solely to receive education.

There are different rules depending on which benefit it is, how long your child is away from home, where they stay and whether they come home during the week. The rules are complicated so it is best to get advice before arranging for your child to have a break.

If your child is going to be ‘looked after’ you should tell the Department for Work and Pensions, Tax Credit Office and local council benefit offices as soon as possible to avoid being overpaid benefit. If you can, keep copies of letters you send and make a note of the date letters are sent or of any phone calls in case there is a problem later on.

Child benefit

Child benefit usually stops after your child has been ‘looked after’ by a local authority for more than 8 consecutive weeks. It can carry on after the first eight weeks if your child comes home for at least two consecutive nights every week. If your child is not able to come home this often, you can still get child benefit if s/he comes to stay for at least a week, plus any extra nights they are at home at the end of that 7 day’s period.

If your child is ‘looked after’ solely because of their disability, child benefit will continue for 12 weeks. It is paid indefinitely if you give money to your disabled child or regularly spend money on her/his behalf.

If you are getting an addition for your child with a non-means-tested benefit, this will continue as long as you still get child benefit.

See form CH194A available from www.hmrc.gov.uk for further information.

Disability living allowance

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If your child is being 'looked after' by the local authority, the mobility part will continue to be paid, as any short or long stays in care don't affect entitlement to it. However, it may become payable to someone else, such as a foster carer, because it is supposed to follow the child.

The care part of DLA is affected by stays in special accommodation like a local authority care home and will usually stop after 28 days. This can include residential homes, whether they provide education or not, if the child is also 'looked after'. A 'linking rule' means that any stays which are separated by less than 28 days are added together when working out when the care part of DLA stops. You can still get it for any days that are spent at home.

Example

Yasmine lives at home with her parents. She has 2 full days of respite care every weekend, leaving home on Friday and returning on Monday. Only Saturday and Sunday count as stays in 'special accommodation'. She can carry on like this for 14 weeks (2x14=28 days) before her DLA care component is affected. After this the care component will not be paid for the days that she is in respite unless she breaks the link by spending 29 days at home. The next time Yasmine goes into respite, after a 29 day break, her care component will be paid for another 28 days.

Remember, Yasmine will still be able to get paid DLA care for all the days when she is at home

If your child goes into foster care s/he will still be able to get DLA. The local authority and DLA Unit will decide who gets the payment on the child's behalf. The payment could remain with the parent or may be changed to the foster carer or other appointed person.

Carer's allowance

Carer's allowance will stop if your child's DLA care stops because of the rule described above. It will also stop if you cease caring for your child for 35 hours or more a week. If your child comes home from residential care, carer's allowance can be paid again for any week where you care for them for 35 hours or more. A week runs from midnight on Saturday to midnight the following Saturday. You can include any time spent preparing for or cleaning up after the child's visit towards the 35 hours.

Example

Becky's mother Jill used to get carer's allowance for her but this has stopped because Becky is in residential care. Becky comes home on Thursday for a long weekend and returns to care the following Tuesday. Jill will be able to get carer's allowance for the week ending on Saturday because she has spent 35 hours caring for Becky. She will also get carer's allowance for the following week because she spent Sunday and Monday caring for Becky.

Income support, jobseeker's allowance and employment & support allowance

If your child is 'looked after' by the local authority, the carer premium will continue to be included in your benefit for 12 weeks.

However, at the end of this period, if your only dependant child has gone into care you may no longer be able to claim income support as a lone parent or carer. You may need to register as unemployed and claim income based jobseekers allowance instead. If you are incapable of work due to ill health or disability you may be able to get ESA. Get advice if this happens.

Housing and council tax benefit

If your child is 'looked after', your housing and council tax benefit may need to be re-calculated. You will need to inform the district or local council who pay the benefits when your child is being 'looked after' and when your child is back at home.

If you continue to receive income support, income-based jobseeker's allowance or income related ESA while your child is away from home, your housing benefit and council tax benefit will not change. However, if you stop getting any of these benefits your housing benefit and council tax benefit may be reduced, which means you will have to pay more rent and council tax. The change will happen from the week after your child leaves your home.

If your child comes home for a week, or part of a week, inform the housing and council tax benefit section at your local council so that benefit can be increased for the whole of that week.

Tax credits

If your child is being "looked after" by the local authority you cannot claim child tax credit for that child unless s/he has been placed in the accommodation because of a disability. The rules are similar to those for child benefit above.

You must notify the Tax Credits Office within one month of the change if your child is no longer living with you

Foster Carers

Child benefit

If you are a foster parent and the local authority has placed a child with you, you will not be able to claim child benefit or child tax credit for that child. However you can claim child benefit if you are fostering a child privately.

Disability living allowance

DLA continues for a child who is placed in foster care. If you are the foster parent you will need to speak to your social worker and the DLA Unit that pays the benefit about arranging payments to be made to you on behalf of the child. The DLA Unit will decide who gets the payment. This could be the parent or the foster carer or other appointed person.

Carer's allowance

Foster carers can claim carer's allowance for looking after a foster child who gets DLA Care. Your fostering allowance shouldn't count as earnings.

Income support/income-based jobseeker's allowance/income-related ESA/housing and council tax benefits

If you are claiming any of these benefits your fostering allowance is usually ignored as income. Fostering is not counted as 'work' if you are claiming income support, income-related ESA or income-based JSA.

Tax and tax credits

If you have a foster child placed with you by the local authority you cannot claim child tax credit for them, although you may be due CTC for children of your own. If you are fostering you may be entitled to working tax credit, as fostering is classed as work by HMRC. This means that many foster carers, especially if no-one in the household has another paid job, can choose between claiming WTC or income support. Seek specialist advice about this.

If you are fostering, there is extra tax relief for foster carers, which is £10,000 per year, plus an additional amount of £200 per week for a child under 11 or £250 per week for a child of 11 or over. If your total income from fostering is below those figures, you won't have any tax to pay on your fostering income. That also means that your income from fostering for WTC purposes is classed as nil, which means a higher amount of WTC could be due to you.

For more information see factsheet '**extra money if you foster or adopt**' on www.hertsdirect.org/benefits

Residence order, special guardianship and adoption allowances

Child benefit, DLA and carer's allowance

If you are receiving a residence order, special guardianship or adoption allowance for looking after a child, it does not affect any of these benefits and you can include the child in the claims in the usual way.

Housing and council tax benefits

You can claim these benefits and get all of the usual allowances and premiums for the child for whom the residence order, special guardianship or adoption allowance is paid. However, the payments count as income up to the amount of the child's personal allowance and disabled child premium, if any. Above that level they are ignored.

Income support/income based JSA/income-related ESA

If your income support or JSA does not include any amounts for children, or you are getting income-related ESA, the allowances are ignored in full.

If your income support or JSA still includes an element for children, you should get all the usual allowances and premiums for the child for whom the adoption allowance, residence order or special guardianship allowance is paid. However, the payments count as income up to the amount of the child's personal allowance and disabled child premium, if any. Above that level they are ignored.

Tax credits

You can claim child tax credit for the child and any adoption allowance, special guardianship allowance and residence order allowance does not count as income for tax credits

WHEN A CHILD REACHES 16 YEARS OLD

Once your child reaches 16 s/he may be able to claim employment and support allowance in her/his own right if s/he has limited capability for work due to ill health or disability for at least 28 weeks, even if still at school or college.

If your child claims incapacity benefit or ESA you will lose entitlement to child benefit and child tax credit. Any additions to other benefits for that child will also stop.

You should therefore get individual advice about whether overall you will be better off if your child claims in their own right or remains as part of your claim.

For further information on benefits for young disabled people aged 16 or over see leaflet 5 in our information pack '**extra money if you are ill or disabled**' or seek further advice.

CHALLENGING DECISIONS

If you are unhappy with a decision about your benefits you can usually ask for it to be looked at again (**revision**) or you can formally **appeal** against the decision to an independent tribunal. If you are successful, any change is normally backdated to the time of the original wrong decision. There are strict time limits if you want to challenge a decision. If you miss the time limit, **which is usually one month from the date of the decision letter**, you can only put in a late challenge in exceptional circumstances.

Tax credit decisions can sometime be revised eg if there is a change of circumstances, if the Tax Credit Office has made a mistake or if they think the award is wrong. However, unless you are simply reporting a change of circumstances, it is generally better to request an appeal if you are unhappy with a decision. You should do this within 30 days of the date the decision was sent out to you. You can only put in a late challenge in exceptional circumstances.

For more information about challenging decisions see leaflet 9 in our '**extra money if you are ill or disabled**' pack.

USEFUL ADDRESSES

- Hertfordshire County Council Children Schools and Families Customer Services Centre: 01438 737500 or 01923 471500 – if you are calling from an 01923 or 020 8 number
Hertfordshire County Council Adult Care Services Customer Services Centre: 01438 737400 or 01923 471400 if calling from an 01923 or 020 8 number
- Blue Badge Offices: Contact the Call Centre on the numbers listed above
- Disability Benefits Centre, Olympic House, Olympic Way, Wembley, Middx HA9 0BR (020 8795 8400) – (function may be moving to Glasgow sometime over next 2 years)
- Disability Contact and Processing Unit (DCPU), Warbreck House, Warbreck Hill, Blackpool, FY2 0YE. (0845 7123456)
- Carers Allowance Unit, Palatine House, Lancaster Road, Preston, Lancs PR1 1HB (01253 856123)
- Child Benefit Centre (Washington), Newcastle Upon Tyne, NE88 1BR (08701 555501)
- Benefit Enquiry Line: 0800 882200
- Tax Credits Helpline: 0845 300 3900
- Jobcentre plus offices: see your local telephone book for the address and telephone number of your local office.
- Carers in Hertfordshire, The Red House, 119 Fore Street, Hertford, SG14 1AX
Tel: 01992 586969 [www. carersinherts.org.uk](http://www.carersinherts.org.uk)
- Citizens Advice Bureaux:
For details about your local Citizens Advice Bureau contact the Customer Services Centre at Hertfordshire County Council on 01438 737555 or 01923 471555 if you are calling from an 01923 or 020 8 number. You can also access information from www.hertfordshirecab.org.uk
- Community Legal Advice:
For legal help and information and details of other advice agencies in Hertfordshire, contact the Community Legal Advice helpline on 0845 3454345 Mon - Fri 9 am. - 6.30 pm. (8 pm from July 09) /Sat 9 am-12.30 pm or visit the website at www.communitylegaladvice.org.uk
- Carers Direct: this is a new service recently launched as part of the government's New Deal for Carers and includes guidance on the different stages of caring, information for claiming benefits, advice for young carers and contact details for local authorities at www.nhs.uk/carersdirect. You can also phone freephone 0808 802 0202.

This information is for guidance only and is not an authoritative statement of the law

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