

Leaflet

2

Carer's Allowance

The information and benefit rates in this leaflet are correct at April 2008

What is carer's allowance?

Carer's allowance (CA) is a weekly benefit you can get if you are looking after a disabled person for at least 35 hours a week. The disabled person must be getting attendance allowance or either of the two highest rates of disability living allowance (care).

You can get CA if you are married or single, a man or a woman, or retired. You do not have to be a relative of the disabled person or live at the same address. You do not need a national insurance contribution record to get CA. Your savings and your income are ignored (although there is an earnings rule – see below). Your partner's income (including earnings) has no effect on your right to CA. However CA taxable and counts as income for means tested benefits.

How much do I get?

From April 2008 the weekly rate is £50.55. Sometimes you can get an extra £30.20 for a dependant adult. If you have dependant children you can claim for them by claiming child tax credit. However if you have been receiving CA continuously since before April 2003 you will continue to receive additional amounts for your dependant children as part of your CA claim. (For further information regarding tax credits see our factsheet 3 – 'families and benefits')

Will I get CA?

To qualify for CA, you must satisfy the following conditions:

- be aged 16 or over when you first claim
- look after someone getting either the middle or higher rate of the care part of disability living allowance, or attendance allowance (at any rate), or constant attendance allowance for at least 35 hours a week
- not be in full time education of 21 hours or more a week
- not earn over £95.00 per week - earnings are counted after deductions have been made for national insurance, income tax, half of contributions to a personal pension, and sometimes part of the costs of childcare or care for the person you look after while you work
- be resident in the UK and have been living in the UK for at least 26 weeks in the 12 months before you claim (time spent in other EU countries may count towards the 26 weeks – seek advice)
- have no restrictions on your right to stay in the UK. There are some exceptions to this rule - seek further advice if you think the rule applies to you.

Can I have time off from caring and still get CA?

Once you are getting CA you can have:

- up to 12 weeks 'off' in any 6 months if you are in hospital or if the person you care for is in hospital. Your CA will stop if the disabled person's disability living allowance or attendance allowance stops after 4 weeks;
- up to 4 weeks 'off' in any 6 months for holidays.

You cannot have more than 12 weeks 'off' in any 6 months.

If the person you are caring for dies, you can get CA for up to eight weeks following their death (or possibly longer if you were getting CA since before 28th October 2002).

What about my national insurance contributions?

You will get a national insurance credit for each week that you get CA. This can help you to get other benefits such as retirement pension. Since April 2002 people getting CA have been able to build up a state second pension.

If you cannot get CA but you are looking after someone who gets attendance allowance, constant attendance allowance or the middle or higher rate of the care part of disability living allowance, the home responsibilities protection (HRP) scheme can help to protect your right to a retirement pension. Some people may have to make a claim for HRP and there are time limits for doing this. For further information, call H.M. Revenue and Custom's national insurance advice line – phone 0845 302 1479. Carers getting HRP will also now be able to build up a state second pension.

There are special rules for carers who fall ill and need to claim incapacity benefit or it's replacement, employment and support allowance (see leaflet 4 in this pack). Normally, you must have paid national insurance contributions in one of the 3 tax years before the year in which your incapacity starts. Carers are treated as though these contributions have been paid if they have received CA at any time during the tax year before the year in which they claim.

Does CA affect other social security benefits?

You cannot get CA while you are getting at least the same amount from the following benefits: (this is known as the 'overlapping' benefits rule)

contribution-based jobseeker's allowance
maternity allowance
incapacity benefit

state pension
widowed mother's/parent's allowance
bereavement allowance

If your husband or wife gets an addition for you as their dependant as part of their social security benefit, this may stop if you claim CA.

If you claim CA and have no, or very little, other money coming in you may be able to claim pension credit (if you are aged 60 or over) or income support to top up your weekly income. You may also be able to claim housing/council tax benefit to help pay for your rent and

council tax. CA is treated as income for these means tested benefits but you will usually be better off by up to £27.75 per week as you will get an extra amount called a carer premium/ additional amount added into the calculation.

If you cannot get CA because you get another higher benefit instead, it might still be worth claiming if you get income support, pension credit, income-based jobseeker's allowance, housing benefit, or council tax benefit. This is because you may get **extra** benefit due to the carer premium.

For example – George looks after his wife Antonia, who gets attendance allowance. He has a state pension of £90.70 per week and she gets £54.35. This is all topped up by pension credit of £44.30. George applies for carer's allowance. He won't get it, because his pension is higher than the CA, but simply by applying, he has got proof that he is a carer. They can then get £72.05 pension credit, an extra £27.75 per week.

If the person you are caring for gets income support, pension credit, income-based jobseeker's allowance, housing benefit or council tax benefit in their own right and this includes a severe disability premium, they will lose this premium if you are paid CA. However if you cannot be paid CA because of the overlapping benefit rules, the person you care for won't lose their severe disability premium. Get advice before claiming CA in these circumstances.

How do I claim?

You cannot get CA until the person you look after has been awarded attendance allowance or disability living allowance at the appropriate rate. Often, it can take several weeks or more to process a claim for attendance allowance or disability living allowance. However, if you claim CA within three months of the person you care for getting their decision about these benefits, you will be paid CA from the same date as their benefit started. If you claim later than this, your claim can only be backdated for three months.

You can claim CA by completing the claim pack DS700 which you can get by phoning the Benefit Enquiry Line on 0800 882200. Send the completed form to the CA Unit, Palatine House, Lancaster Road, Preston, Lancashire, PR1 1NS.

You can also download the form from www.direct.gov.uk/carers and, in some circumstances, you can submit a claim form over the internet.

Will I have to attend a work – focused interview?

If you make a claim for CA, and you are aged between 18 and 60, the department for work and pensions (DWP) can offer you a work-focused interview with a personal adviser at a jobcentre plus office. You do not have to attend, but it is available to you if you would like advice about possible part-time employment or training either now or later if your responsibilities change.

However, if you or your partner are claiming other benefits as well as CA you may be required to have a work-focused interview as a result of your claim for those benefits. If this is the case jobcentre plus will contact you.

What can I do if I am unhappy with a decision?

If you are unhappy with any decision about CA, AA, DLA etc you can ask for the decision to be revised or appeal to a tribunal – see leaflet 9 in this pack for more about challenging decisions.

Further help and advice

Your local Citizens Advice Bureau can advise you about CA. For details about your local Citizens Advice Bureau contact the Customer Services Centre at Hertfordshire County Council (HCC) on 01438 737555 *or* 01923 471555 if you are calling from an 01923 or 020 8 number or go to [_www.hertfordshirecab.org.uk](http://www.hertfordshirecab.org.uk)

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 a.m. - 6.30 p.m.) or visit the website at www.communitylegaladvice.org.uk

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