

Factsheet



Benefits for young people

Make Every **£** Count

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

BENEFITS FOR YOUNG PEOPLE

This factsheet looks at how you can get income support, jobseeker's allowance, the new employment and support allowance, housing benefit and other types of cash help if you are a young person, especially if you are 16 or 17 years old.

Most 16 and 17 year olds cannot get means-tested benefits. Young people are expected to be supported by parents, and be in education, employment or training. However, sometimes you can qualify for benefit, using special rules that only apply to 16 and 17 year olds (and some 18 to 20 year olds who are still in non-advanced education).

See page 11 for when someone can claim benefits for you. Once you reach 18, the normal rules for adults usually apply.

Which benefits can you get?

Income support is only paid to people who don't have to sign-on as unemployed (such as single parents, some people who are unfit for work, carers etc). **Jobseeker's allowance** (JSA) is paid to unemployed people. Employment and Support Allowance (ESA) is paid to people who are unfit for work and made their claim for benefit after October 27th 2008.

The rules can be complicated - so if in doubt seek further advice.

Connexions is a good place to go for help and advice.

- Benefits are mainly paid by **jobcentre plus**. You will have a personal adviser at jobcentre plus who will talk to you about jobs and money, even if you are a lone parent or disabled and don't have to sign on. See page 5 for more about this.
- Since October 2008, employed 16-17 year olds have been entitled to a national minimum wage of £3.53 per hour.
- The rate of the national minimum wage for 18-21 year olds is currently £4.77 per hour.
- There are special rules for 16/17 year olds who are in care or who leave care - see page 13.

INCOME SUPPORT (IS) for those not in school or college

If you have officially left school or college (which couldn't happen until after 26th June 2009 if you are 16), and are aged 16 or 17, you might be able to get income support, ESA or jobseekers allowance. In order to get **income support**, you must have £16,000 or less in savings and be either not working or working for less than 16 hours a week **and** you must be:

- pregnant, **and** there are 11 weeks or less before your baby is due **or** you can't work because of your pregnancy;
- a single parent/foster parent;
- unfit for work due to illness or disability (or you have an appeal about that waiting to be heard) – if your claim was made before October 27th 2008 (if made after that date – see ESA instead);
- looking after a child under 16 while his/her parent/guardian is temporarily away or ill;
- looking after a member of your family who is temporarily ill;
- getting carer's allowance;
- looking after a disabled person (this means someone who has applied for or got attendance allowance or either middle or higher rate care of disability living allowance);
- registered blind;
- a 'person from abroad' entitled to benefit under special 'urgent cases' rules;
- a refugee learning English (see below);
- required to attend court as a defendant or witness;
- a disabled worker.

If you are still in care or have left care since October 1st 2001 different rules apply – see page 13.

INCOME SUPPORT for young people in full-time non-advanced education

To get income support under these rules, you have to be in full-time education (which includes people on E2E courses). This means that your course is at least 12 hours a week and is non-advanced (up to and including 'A' level, BTEC, NVQ Level 3 or equivalent).

You can only claim income support in your own right whilst studying if you are aged 16 to 19 and :

- a parent;
- disabled (getting any rate of disability living allowance for example – however, since October 2008, new claimants will be getting ESA instead – see below) ;
- a refugee who is learning English (on a course for more than 15 hours a week) during your first year in the UK. You will be able to get income support for up to 9 months;
- someone who has limited leave to enter or remain in the UK and there is a temporary interruption to your funds from abroad;
- an orphan with no-one acting in place of your parents;
- living away from your parents or anyone acting in place of your parents and they can't support you as they are:

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- sick or disabled, *or*
 - in prison, *or*
 - unable to come to Britain because of immigration laws;
- If you are in non-advanced education and aged 16 to 20, you can also claim if you are living away from your parents or anyone acting in place of your parents because:
 - you are in physical or moral danger, *or*
 - you are **estranged** from your parents or anyone acting in their place, *or*
 - there is a serious risk to your physical or mental health;
- or*
- you are aged 18 to 20, having been in care and now living away from your parents e.g you are still with your ex foster carers or living on your own

19 and 20 year olds can qualify under these rules, but only if they start the course (or are accepted on it or enrolled) **before** their 19th birthday.

Estranged from your parents means you can't live with them and don't want to live with them or they feel the same about you. You can be estranged even if they are giving you some financial support. See page 15 about estrangement.

You are treated as still being in education (or training) until the next of 4 'terminal' dates after your course has ended - August 31st, February 28th, May 31st and November 30th. The earliest that you can leave school is 26th June 2009 for the 2008/9 academic year. So if you leave school then, and were getting income support whilst at school, you will continue to get it until August 31st if you are still entitled to claim. You could also make your first claim during the summer holidays if you begin to fit into any of the categories listed above. However, if you get a job or stop being estranged, for example, income support will stop. From September 1st you may be entitled to income support or jobseeker's allowance under one of the other categories (see below).

If you claim income support in your own right, any benefits that your parents get for you, such as child benefit and child tax credit, will stop.

If you live with your partner, then your right to benefits will change as his or her circumstances are taken into account too.

If you are in advanced education, you might still be able to claim in some circumstances e.g if you are a lone parent.

How much income support?

The amount of income support you get depends on your age and circumstances. Income support tops up your income to set amounts. There is just one basic allowance for single people - £50.95 a week – if you are aged 16-24.

You will get extra amounts called "premiums" if you are a carer or if you are disabled.

You no longer get extra amounts of income support if you have a child or children. You will have to claim **tax credits** instead, as well as income support for yourself.

If you have income from a training allowance, such as on a pre-E2E course, this will count against any income support that you are due. So if you get a £30 allowance, you will get £20.95 per week income support.

Education Maintenance Allowances (EMAs) don't count as income when they work out your (or your family's) IS.

See page 12 for more on EMAs.

How do I claim income support?

You don't have to register for a training place, contact connexions/careers or 'sign on' as unemployed to claim income support. But you will probably be called in for a Diagnostic Interview at your local jobcentre plus office. This can be done over the phone. You might then have a further 'Learning-Focused' interview at Connexions, but this can be waived or put off.

To claim income support, contact your local jobcentre plus office; the number is in your local telephone directory.

The diagnostic interview should take place within 4 days. If you are in urgent need of benefit, an emergency interview can be booked and this should take place within 24 hours. When an emergency interview cannot be booked, the jobcentre should consider giving you an interim payment or a crisis loan. Get advice if you need money urgently.

If you're 18 or over most claims for benefit are now made by phone. Telephone the jobcentre plus contact centre on 0800 055 6688 and tell them you want to make a claim for income support. An adviser should contact you within 24 hours.

'Work Focused' Interviews

If you and your partner, if you have one, are 18 or over you will normally be told to attend a 'work focused interview'. This requirement to attend an interview may be 'waived' or 'deferred' if it is considered that it would not be of any use to you (for example, because you are severely disabled and unlikely to be working). Seek advice if this applies to you.

JOBSEEKER'S ALLOWANCE (JSA)

If you don't get income support or ESA, you may be able to claim jobseeker's allowance, which is the benefit for people who have to sign on as unemployed. Jobseeker's allowance has two parts: **contribution-based** and **income-based**.

Contribution-based jobseeker's allowance is paid if you have worked and paid National Insurance contributions over the 2 previous tax years. Contribution-based jobseeker's allowance is only paid for a maximum of 6 months. There are very few 16-17 year olds who qualify for this.

Income-based jobseeker's allowance is means-tested and is only paid if you meet certain rules and your income and savings are below certain levels.

You cannot get jobseeker's allowance if you are in full-time non-advanced education (studying for 16 or more hours a week, doing 'A' levels, BTEC or equivalent) but some part-time students can qualify (see page 8).

Income-based jobseeker's allowance for 16 and 17 year olds

If you are 18 or over, you can claim JSA without any special rules applying.

There are four ways that you might get income-based jobseeker's allowance if you are 16 or 17.

1) You can claim if you are:

- Laid off or on short term working (for up to 13 weeks);
- Enlisting in the armed forces within the next 8 weeks;
- One of a couple with a child.

2) You might be able to get income-based jobseeker's allowance for 20 weeks after you have left school, college or a training scheme like E2E where your parents could get child benefit for you. This is known as the **child benefit extension period**. For example, if you leave school or college in June 2009, you can claim JSA under this rule until late November 2009 (20 weeks on from the date you officially left school) **but** only if you also meet the rules set out below:-

- you have to register for work or training at the careers/connexions service **and**
- have no parents or anyone acting as your parents; *or*
- you live away from your parents or anyone acting as parents, and immediately before age 16 you were in custody (there are special rules for care leavers and people in care - see page 13); *or*
- you live away from your parents or anyone acting as your parents because of physical or sexual abuse, or because you need special accommodation for your disability, or you are

under supervision of the Probation Service (there are special rules for care leavers and people in care - see page 13); *or*

you are married and your partner can claim, e.g. because s/he is aged 18 or over or has a child; *or*

- you live away from parents or people acting as parents because you are **estranged** from them. See pages 4 and 15 for more about estrangement.

3) You can claim income based jobseeker's allowance **after** the child benefit extension period if you have been discharged from youth custody and you are in one of the groups entitled during the child benefit extension period. Jobseeker's allowance will be paid for up to 8 weeks from the date of your discharge.

4) If you do not fall into any of the above groups, you may still get jobseeker's allowance on a discretionary basis. This is known as **JSA (severe hardship)**. Decisions on severe hardship are made by special staff at jobcentre plus, who have to check with a central office in Sheffield if they intend to refuse your claim. You don't have the right to an independent appeal if you are refused money under 'severe hardship' but if you think they were wrong to turn you down, you can complain and ask them to look at the decision again.

You should insist on your right to make a claim for JSA (severe hardship) and not be turned away by reception staff at jobcentre plus, as sometimes happens.

To get a payment, you will need to be looking for work or training.

Factors taken into account when deciding whether you are in severe hardship include:

- what money you've got;
- if you are homeless or at risk of being homeless;
- if you have any health problems, are pregnant or vulnerable;
- if you are trying to get a job or training;
- if anyone else can support you.

If you think anything else is important, tell them!

JSA (severe hardship) can also be claimed if you live with your parents but they are not able to support you e.g. because they are on benefits too.

One problem that often crops up is that jobcentre plus sometimes ask you to get a letter from your parents that confirms that you can't live at home. Or they may ask for permission to contact your parents. In fact, that shouldn't happen, as their own rules say that a parent **doesn't** need to be contacted.

JSA (severe hardship) is normally paid in arrears. If payment is due immediately, the jobcentre plus office can make a payment over the counter. If you need money urgently, you should apply for a crisis loan from them (but this has to be paid back when your benefit starts).

JSA (severe hardship) usually lasts for 2 to 8 weeks at a time, depending on your circumstances. After that time, the jobcentre should look at your case again and make a new decision about whether you are still in severe hardship. They can keep your claim going.

If there is not enough information to decide your claim, they can make an interim decision to pay you for 1 or 2 weeks. If you are turned down, you can ask for a revision or reclaim if you can get more evidence of your severe hardship. Seek further advice if this happens to you.

Part time students

You can still get JSA if you are unemployed but studying part-time. You have to meet certain rules. Your course has to be less than 16 hours a week and you have to convince jobcentre plus that you are looking for and available for work. You will have to promise that you will give the course up if a suitable job or training place comes up.

How do I claim income-based jobseeker's allowance?

If you are 16 or 17, you must register with the Connexions service for work and training; they will fill out a referral form for you to take to jobcentre plus.

If you are 18 or over, you can deal directly with jobcentre plus but you will be directed to use a call centre to lodge your claim (0800 055 6688).

Couples

There are special rules for couples who are unemployed. If you are *both* available for work, then you will *both* have to sign-on as unemployed and seeking work. This doesn't apply if one of you is sick or you have a child. If you are part of a couple where one of you is unemployed and the other is in education or training, seek advice.

How much jobseeker's allowance will I get?

Contribution-based jobseeker's allowance if single is £50.95 if aged 16-24.

Income-based jobseeker's allowance is worked out in the same way as income support using the above figures - see page 4.

Passport to other Benefits

If you qualify for income-based jobseeker's allowance you will get the same 'extras' that income support brings e.g. free prescriptions etc.

Living with your boyfriend or girlfriend?

If you are a young person living with your boyfriend or girlfriend, then get advice about claiming, because jobcentre plus will treat you as a couple. The amount you get if you are a couple can vary according to how old you are, whether you have children and on what basis you are getting benefit. Seek advice.

Income support/JSA/ESA - passport to other benefits

If you get income support, income-based JSA or income-related ESA you can also get:

- free school meals;
- free NHS prescriptions;
- free NHS dental treatment;
- free eye tests and vouchers towards the cost of glasses;
- 'Healthy Start' vouchers for fruit, veg and milk if you are pregnant or have a child under 4
- free travel to hospital for NHS treatment;
- access to grants and loans from the social fund.

ARE YOU ILL OR DISABLED?

If you are incapable of working because of ill-health or disability, you may be claiming incapacity benefit for young people (IBY), which might be being topped up by income support. This will only apply if you claimed before October 27th 2008. After that date, you would be claiming ESA instead – see page 10.

Claimants aged under 25

People incapacitated before the age of 20 and some others aged under 25 can get incapacity benefit (IBY) or ESA (see page 10) without having a national insurance record. You will get benefit if you are 16 or over **and**

- under 20, or aged 20-25 in certain circumstances (see below), **and**
- been incapable of work for 196 days before the claim, **and**
- satisfy residence/presence conditions, **and**
- not in full time education (i.e 21 hours a week or more of supervised study). If you are under 19, any part of the course that is only appropriate for a disabled person of a similar age is ignored. There are no restrictions for students aged 19 or over.

If you are on IBY it can be very difficult to work out whether you should be getting an income support 'top-up'. It depends on your age, level of disability, length of time on benefit etc. It is best to get detailed individual advice.

Because IBY is sometimes higher than income support, or because ESA is being paid to them without a means-test, some disabled young people will not have an automatic right to free prescriptions and other health benefits. You may still qualify on the grounds of low income, or because of their medical condition however. In addition, if you are getting IBY/ESA and you pay rent, you will find that you may not get full housing benefit. If you live with your parents, and they get housing benefit, you may be expected to make a 'non-dependant contribution' towards the rent once you are 18 depending on your circumstances.

If you are aged 16-19 and receive ESA or IBY and/or income support in your own right, your parents can no longer claim child benefit or child tax credit for you. You should seek individual advice before claiming.

EMPLOYMENT AND SUPPORT ALLOWANCE (ESA)

If you want to claim benefits because you are unfit for work, and this started after October 27th 2008, you will have to claim ESA instead of income support.

The rules about savings, effect of EMA, couples, passport to other benefits etc are the same as for income support.

To claim ESA, you need to fill in a claim form and submit it with a sick note from your doctor. You can claim over the phone - 0800 055 6688.

You will then have up to 13 weeks in the 'assessment phase' of ESA, where you will get £50.95 a week if you are under 25. During those first 13 weeks, if you are still unfit for work, you will be assessed as having a 'limited capacity for work' or not. If jobcentre plus think you are fit for work, you will be told to claim JSA instead. You can appeal that decision.

If jobcentre plus accept that you have a limited capability for work, they will then decide whether you should do 'work-related activity' or not (e.g. going on training schemes etc). After the 13 week assessment phase, the weekly benefit goes up to £64.30 plus either £25.50 or £30.85 a week, depending on whether you are in the work-related activity or support groups. You might get extra premiums too.

If you are unable to work for six months, you will be told that you have qualified for the contributory version of ESA even though you haven't got a national insurance record. This may not mean that much to you in practice as the amounts are the same but you won't automatically get some of the 'passported' benefits listed below.

If you are 16 or over, even if still at school or college and living at home, you can apply for ESA in your own right, but your parents lose child benefit and any child tax credit they get for you. Get advice if you are in this position.

DISABILITY LIVING ALLOWANCE

This is a benefit for people under 65 who have a physical or mental disability. There are two parts; for care and mobility .

Disability living allowance should be claimed if any of the following applies to you:

- you need help with personal care; **or**
- you need supervision to make sure you are safe; **or**
- you cannot cook a main meal without help (this only applies to people aged 16 or more); **or**
- you have difficulty walking; **or**

- you have severe behavioural problems; **or**
- you need guidance/supervision when walking outdoors in unfamiliar places.

When you are 16, you can start claiming disability living allowance in your own right. It is worth between £18.65 and £119.45 per week.

How to claim DLA

DLA can be claimed by telephoning the Freephone number : 0800 882 200, or by completing the tear-off slip in leaflet DS 704 or by going on line at www.dwp.gov.uk/eservice.

GOING TO WORK OR TRAINING

If you get a job or training place, your right to benefits will change. If you are getting a training allowance for example, you might still be entitled to an income support 'top-up' to that allowance. If you work less than 16 hours per week, you can still try to get income support or jobseekers allowance, but it is likely that the wages you get will put you over the limit to get those benefits. Any wages have to be declared, as you can only earn £5 per week before your JSA is reduced (this 'disregard' is £20 for people getting income support because they are lone parents or carers). If you are ill or disabled and doing 'permitted work' your earnings may be treated differently - seek further advice.

Even if you lose your IS/JSA/ESA, you could still get some housing benefit if you are working, depending on what you earn and what your rent is. See our factsheet '**in and out of work**'.

If you (or your partner if you have one) are disabled or have children, then you will also be able to claim **tax credits** if you are working. The **child tax credit** should already be in payment to you if you are a parent, and it should be altered once you are working. You might also get **working tax credit** (WTC), depending on what you earn and the hours you work. WTC can include help with child care costs too if you are working and paying for certain types of child care. See our '**extra money for families**' pack.

OTHER HELP

Your parents or someone acting as your parent can normally claim **child benefit** for you whilst you are under 20 and in full-time non-advanced education (up to and including 'A' level, BTEC or equivalent). Your course is full time if it lasts more than 12 hours a week. Also, if they qualify for child tax credit, housing benefit or council tax benefit, they will get extra benefit for you whilst they are still getting child benefit for you. Your parents can get or re-claim child benefit (and any of the other allowances listed above) if you are on an E2E course or go back into non-advanced education after a gap, so long as you are under 20. The child benefit payments carry on from the date that a young person leaves education or training until the next 'terminal date' (last day of February, May, August or November).

The earliest date you can leave school in the 2008/9 academic year is 26th June 2009, so child benefit would be paid until August 31st (the next terminal date).

Your parents, or someone acting as your parent, can also claim child benefit and other benefits for you, such as child tax credit, for up to 20 weeks after you have left school, college or an E2E course, if you are looking for work or a training place and are registered with connexions or the careers office. This is known as the **child benefit extension period**.

Remember - **If you claim benefits in your own right, any benefits which your parents get for you, eg child benefit, will stop.**

EMAs are Education Maintenance Allowances for **16-19 year olds** who continue education beyond Year 11. Payments range from £10 per week for students with parental income of under £30,810 and £30 per week for those with income below £20,817. There will also be up to £500 in 'bonuses' for attendance/attainment. If your e2e course started on or after 30 June 2008, you'll get the maximum £30 weekly EMA payment, regardless of your household income. Contact 0808 101 6219 for details.

Adult Learning Grants are worth up to £30 a week for people aged 19 or over who return to education. Contact the Learndirect advice line on 0800 100 900 for more information.

Care to Learn is the name of a childcare scheme for young parents still in school or colleges or in training, such as Entry to Employment, apprenticeships and NVQ's. It can fund up to £160 per week including care in school holidays. More information from the Care to Learn helplines:-

for Providers and Advisers 0845 602 2005; for Young Parents 0845 600 2809.

For more information about **maternity** see our '**extra money for families**' pack. For more information about childcare see 'paying for childcare fees'. These are both available on www.hertsdirect.org/benefits.

SOCIAL FUND

Jobcentre plus can help you with one-off payments to meet special needs, emergencies or crises. There are **grants** that can be paid to help you set up on your own, for example, or buy baby items. There are also **loans**, which you have to repay out of your benefit. These are sometimes available to you when you are waiting for your first benefit payment to come through – this is called a crisis loan.

For more information about the social fund, see www.hertsdirect.org/benefits

HOUSING BENEFIT

If you have to pay rent or board and lodging, and you are not living with a close relative, you may get housing benefit, even if you don't get income support, ESA or jobseeker's allowance. You will have to prove what your income is. Working people can get housing benefit too.

If you are a full-time or part-time student, you will only get housing benefit in very limited circumstances - such as if you are a lone parent, disabled or getting income support/JSA/ESA.

If you live in privately rented accommodation your housing benefit could be restricted to the typical rent for a room in a shared house, even if you rent a flat on your own. This means that housing benefit might not cover all your rent. There are exceptions to this rule, eg if you live in a council flat, a housing association flat, if you have been in care, if you are a couple, if you are disabled or if you have children.

If you move into privately-rented accommodation, you will have your housing benefit worked out using a **local housing allowance** figure instead of the actual rent. The LHA is based on a flat-rate figure so you might get more LHA than the rent you pay – it's unlikely, but if it happens, you can keep the difference. However, the Government is proposing to change these rules next year so that no one will get more LHA than they pay in rent. The LHA will normally be paid to you, not your landlord.

You can claim housing benefit on a form from your district or borough council. For more information about housing benefit see www.hertsdirect.org/benefits. People who are under 18 and still in care can't get housing benefit, even if they can get income support. See below for more about young care leavers.

HELP FROM CHILDREN, SCHOOLS & FAMILIES SERVICE

Your local Children, Schools and Families Services team may be able to offer practical advice and assistance, including financial help under the Children Act.

What benefits can I claim if I'm being 'looked after'?

Children, Schools and Families will assist care leavers and those still in care. But there are some young people who are looked after, or who have just come out of care, who are still able to claim benefits.

16 or 17

The only 'looked after' young people or care leavers who are able to claim income support or ESA are those who are ill or disabled or lone parents. Otherwise, Children, Schools and Families will be the people who pay you.

If you are unfit for work or you have a child living with you, then you can claim ESA or income support as soon as you are 16. It doesn't matter where you are living – in a home, home on trial, on your own or in foster care. It also doesn't matter whether you are still studying or not. You can still claim income support or ESA but you will **not** get any housing benefit. Children, Schools and Families will assess any help you need with housing costs.

Non-means tested benefits such as incapacity benefit, child benefit and disability living allowance can be claimed by looked-after young people. If you have a child of your own living with you, you will be able to get child tax credit too if you are aged 16 or over. You will have

to meet the rules of who can claim in exactly the same way as other claimants.

Leaving school?

If you are in care, have left school and are fit for work, then you will have to get your money from Children, Schools and Families, not jobcentre plus. Your social worker should be helping you with living expenses instead.

If you can't get income support, ESA or jobseekers allowance, you will not be able to get community care grants from the social fund either. Your social worker will help you with grants for setting-up home instead.

Even if you want to have nothing to do with social workers, you will still need them in order to get your money from CSF until you reach 18.

Your pathway plan

The County Council will agree with you what financial support you need and record this in your 'pathway plan'. Priority should be given to accommodation and maintenance and include support for education, training or work – travel, materials and equipment, help to set up in independent living, clothing, leisure, childcare costs. You should get no less than you would have got in benefits.

You will not get any housing benefit to pay your rent even if you are getting income support. Once you come out of care at 18 though, you will be able to claim even if your social worker is still giving you some money from 'after care' funds. Tell the people who pay your housing benefit that you have been in care – this will mean that they won't restrict your benefit like they do for most other young people.

Under 16

The only benefits that you might be able to claim in your own name before you are 16 are child benefit, Healthy Start vouchers for your child and the new £190 Health in Pregnancy Grant (see MAU '**extra money for families**' pack. You get child benefit if you have a child living with you, even if that child is being 'looked after' too. From April 2009, it's worth £20.00 per week for the oldest child and £13.20 for others. It doesn't matter if you are at school, in foster care or in a home – what counts is that your child is living with you.

If you are disabled and under 16, you might be getting a benefit called disability living allowance (often just called DLA). If you are getting this, it will be paid to an adult on your behalf. After you reach 16 though, it can be paid straight to you. DLA is paid if you need someone to help you look after yourself or you need help getting around. It is a hard benefit to claim, so ask a social worker for help.

18 or over

Once you are 18, you are in exactly the same position as any other young person. This means that you can claim benefits without any of the special rules that apply to 16/17 year olds. You can claim jobseeker's allowance if you are a part-time student (less than 16 hours per week) as long as you are still available for work. If you are still in non-advanced education, aged 18-20, you might get income support instead of JSA; see below and page 3.

ESTRANGEMENT

One of the ways that you can get income support if you are aged 16-20 and still at school or college is if you can prove that you are 'estranged' from your parents or people acting as your parents. The course you are on has to be full-time - this means at least 12 hours per week - and non-advanced. Advanced courses are degrees, NVQ level 4 or above, HND and similar. A-levels, despite their name, are non-advanced.

The same definition of estrangement applies to 16-17 year olds who are claiming JSA and who are living away from home during the child benefit extension period (the 20 week period after leaving school).

'Estranged' is an odd word. It means that you and your parents are not getting on, and this is so bad that you can't live with them anymore. But you might still be in touch with them, to let them know that you are OK for example. They might even still be helping you out with money or food.

You have to show that you are estranged *and* that you have to live apart from your parents or people acting as parents.

This can be difficult to prove, especially if your parents say that they would have you back home. Jobcentre plus staff might try to contact your parents to confirm your story. If you can get a letter of support from a social worker, advice worker, connexions adviser or someone else who has been helping you, this can help convince the jobcentre. The letter needs to say why you are estranged **and** why you can't live at home. Jobcentre plus staff have been told by their headquarters that they shouldn't need to contact your parents. You shouldn't be forced to give more information than you are happy to give.

If you are 16 or 17 and still in care, it is impossible for you to prove estrangement, as the County Council has a legal duty to support you. If you are 18 -20 though, you can use the 'estrangement' route to get benefit whilst you are still in education, if you are estranged from your own parents, as the County Council is no longer acting as your parent.

See below for a few examples of the type of situations where income support may or not be paid on the grounds of estrangement.

Examples

- Lee is 16 and still at school, doing GCSEs. He has left home after months of arguing with his father and stepmother. He goes to stay with his friend Kam, and Kam's mother. He wants to stay at school and go on to college. He can get income support as he is estranged from his parents. He is entitled to income support until his 21st birthday if he stays in non-advanced education. If he moves into a flat of his own, he could get housing benefit too. Even whilst with Kam's mum, he could get some housing benefit to help towards his keep. However, if she is on benefits herself, she will have to declare the 'rent' he pays her.
- Jasmine is 17. She left home when she was 14 and went into foster care, where she still lives. She is not in contact with her parents at all. She is doing 'A' levels. She can't get

income support because she is not estranged from the people acting as her parents, which is Children, Schools and Families. When she leaves care at 18 though, she could then get income support (until her 21st. birthday if necessary), and housing benefit, so long as she is still doing her course. Or she could get JSA and housing benefit if she is unemployed. This applies even if she stays on with her ex-foster carers.

- Lucy is 15, still at school and pregnant. Her parents have kicked her out and she is staying with a friend's family. She can't get income support until she is 16. Then, she can get benefit because of estrangement, and then later because she is a parent. She will get income support for herself, child tax credit and child benefit for the baby, plus a surestart maternity grant of £500, the £190 Health in Pregnancy grant and £3.10 per week Healthy Start vouchers. These will be paid even if she stays on at school (and she could get Care to Learn money to pay for childcare, and an EMA too if she stays on after Year 11).
- Natalie is 18 and doing a full time NVQ Level 4 course. Her parents have kicked her out and she is living rough. She can't get income support because, although she is estranged, her course is seen as advanced education. She can't get JSA because the course is more than 16 hours a week.
- Theo is 17. He is doing an OND catering course at college for 20 hours a week. He lives by himself in a hostel. He sees his parents occasionally but can't live with them because they can't accept that he is gay. He is estranged so can get income support for himself, EMA and housing benefit to meet the rent in the hostel. He is thinking about moving into a flat with his 19 year old boyfriend Freddie, who is working. If Theo does, he won't be able to get income support or housing benefit any more because Freddie would be seen as able to support him (although they might qualify for some HB on the basis of Freddie's wages).
- Alison is 17 and doing a BTEC diploma course in car mechanics at college. She moves out from living with her dad because he doesn't like her boyfriend. She moves in with her unemployed 20 year old boyfriend and his parents. If she is living as a couple with him, then she can't get income support in her own right but her boyfriend could get JSA for them as a couple. If they are not living as a couple, she could try and apply for income support in her own right because she is estranged but the jobcentre might argue that the people she is living with are 'acting in place of parents'.
- Karim is 17 and left school at Easter 2009 (he could have left in summer of 2008). In June 2009, he leaves home and goes to live with a friend's parents. Karim is looking for a job but needs money to pay for his food etc. He can't get income support, even though he is 'estranged' from his parents, because, after the May 31st 2009 'terminal date' he is no longer classed as being in education. He might be able to get jobseeker's allowance though, because in June he is still in the 20 week child benefit extension period and is estranged from his parents. After that has ended, he might get JSA on the grounds of severe hardship so long as he signs-on and contacts connexions etc.
- Navjot is 16 and has lived with her grandmother for 5 years because her parents live abroad. She leaves school in June 2009 and hasn't got a job to go to. After falling out with her grandmother, she goes to stay with her friend's parents in July 2009. Because she is classed as still being at school until August 31st 2009, she can get income support

in July and August if she can show that she is 'estranged' from her grandmother. Her grandmother is the person who has been acting as her parent. In September 2009, she might be able to claim jobseeker's allowance instead, for up to 20 weeks (counted from the date she left school) and then possibly JSA on the grounds of severe hardship after that.

- Nolene is 18. Her father died 3 years ago and her mum left home last year, to return to Jamaica. Nolene shares the rent with her 24 year old brother. She has been working in a shop but is now going back to college to do full time A levels. So long as she is enrolled on the course by her 19th birthday, she can get income support but will need to prove 'estrangement' from her mum. She will also get housing benefit for her half of the rent. Once she finishes the course or reaches 21 though (whichever comes first), her right to income support (and therefore housing benefit) will stop.

All of these are just examples - your circumstances might be different but you might still be 'estranged'.

In all of the examples described above, the parents or guardians of the young people concerned would lose their child benefit, child tax credit etc if the young person claims income support or jobseeker's allowance.

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.

FURTHER INFORMATION/ADVICE

For general information about benefits for young people, see www.direct.gov.uk/en/YoungPeople/Money/FinancialHelpForYoungPeople/DG_10027506 and www.direct.gov.uk/en/YoungPeople/Money/FinancialHelpForYoungPeople/DG_4020069 if you are in education or training.

Your local Citizens Advice Bureau, careers officer, connexions personal adviser or social worker can advise you further.

Contact connexions on freephone: **0800 389 3258**
or E-mail: enquiries@connexions.hertsc.gov.uk
www.connexions-hertfordshire.co.uk - or write to

Connexions
FREEPOST NATE742,
Hertford SG14 1BR

For details about your local Citizens Advice Bureau look at www.hertfordshirecab.org.uk or contact Customer Services at Hertfordshire County Council (HCC) on 01438 737400 or 01923 471555 if calling from an 01923 or 020 8 number. You can also access further information from the HCC website at www.hertsdirect.org.

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 (8pm from July 09) /Sat 9 am -12.30 pm or visit the website at www.communitylegaladvice.org.uk

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🌐 www.hertsdirect.org/benefits