

BBC Radio Shropshire Factsheet

CARER'S ALLOWANCE

Please note: the information in this leaflet is for general advice only. It is not legal advice. The author recommends that you seek advice based on your personal circumstances before acting.

Advice leaflet SD4 is available from the Department for Work & Pensions

Carer's Allowance (CA) is:

- For looking after a severely disabled person (see below for what this really means).
- Not based on national insurance paid nor is it means tested.
- For people who are not able to work (or who cannot work for many hours) due to their caring responsibilities.

So Carers Allowance is for the CARER to claim, not the person who needs the care.

Conditions you must meet to be paid Carers Allowance:

- You are over 16 (the upper age limit has been abolished).
- You are not in full time education (of at least 21 hours per week).
- You are in the UK.
- You provide at least 35 hours a week (it doesn't have to be on every day of the week) caring for a 'severely disabled person'.
- A 'severely disabled person' means someone who receives: 'AA' Attendance Allowance (at any rate) 'CAA' Constant Attendance Allowance (at or above the normal rate with an Industrial injuries, War or Service pension) or 'DLA' Disability Living Allowance care component (which must be at middle or higher rate) **you should still claim CA if the disabled person is still waiting to hear about AA, DLA or CAA.**
- You do not have earnings of more than £82 per week after allowable deductions such as tax, NI, ½ of any pension contribution and any necessary in work expenses
- You do not have any of the overlapping benefits listed below (it may still be worth claiming if you do)

To qualify you have to show that you are providing the 35 hours personal care per week for one person. If you care for more than one person you won't get more than one Carers Allowance and you will have to show that you are providing at least 35 hours per week care for one of the people you look after. You cannot 'add together' the care given to more than one person to make up the required 35 hours.

HOW TO CLAIM

You should claim Carers Allowance (and any other benefits you think you may get as a result – see ‘extra money’ later in this leaflet) even if the person you are looking after has only just claimed Attendance Allowance or Disability Living Allowance for themselves. Your claim to Carers Allowance will be turned down but if you then claim again within 3 months of the letter saying that Attendance Allowance or Disability Living Allowance (which must be the CARE component and which must be at least middle rate) has been awarded your new claim will be linked back to the original – which may mean you get paid arrears.

Claiming Carers Allowance can be done in two ways and it depends on the age of the person applying:

If you are of working age the claim form DS700 can be ordered via the Jobcentre Plus call centre on 0845 6023805. Carers were at one time required to attend a meeting with an adviser at the local Jobcentre as a condition of claiming but this is no longer a requirement where just Carers Allowance is being claimed.

Note that if you are claiming other benefits as well you may still be required to attend one of these meetings as a condition of claiming.

Only one adviser meeting is needed where you claim another benefit as well as Carers Allowance. If attending would cause a problem tell the Dept for Work & Pensions why, they may be able to make other arrangements.

If you are not of working age – for example a pensioner who may want to claim Carers Allowance to boost the amount of Pension Credit they get, then you can get claim form DS700 directly from:

Carers Allowance Unit, DWP Palatine House, Lancaster Road, Preston, Lancashire PR1 1NS telephone 01253 856123.

In addition, Carers Allowance became the first benefit that can be claimed over the DWP website **without the need to print off and sign the form** so if anyone has access to the internet you can try this on www.dwp.gov.uk (follow the links for ‘services and benefits’ then disabled people and carers. The BBC is not responsible for the content of external websites)

If you are getting any other benefits you should tell them that you have claimed Carers Allowance

HOW MUCH IS PAID?

- CA is normally paid at a standard rate (currently £45.70 from April 2005)
- It may be at a non-standard rate if another benefit is in payment and that benefit is less than the rate of CA.
- It may not be payable at all if an 'overlapping benefit' (which are State Pension, Incapacity Benefit, Jobseeker's Allowance – contribution based, Widow's and Bereavement Benefits, training allowance or Maternity Allowance) is being paid – **but see below – it may still be worthwhile claiming**
- An increase may be payable for a spouse – but this is subject to earnings and pension income rules
- There is no longer any increase for children on any new claim – Child Tax Credit took over all benefit increases for children so make sure this is being claimed if it is appropriate. Note that CA is a taxable income against Tax Credits so it needs to be declared to them.
- **Payment of CA will be made for an extra 8 weeks if the person being cared for dies. This is providing all other conditions of entitlement other than the caring requirement continue to be met.**

When do I get paid?

CA is paid either weekly or 4 weekly into the bank

Am I allowed any breaks?

Breaks from caring are allowed – but they have limits. Generally speaking, temporary breaks of up to 12 weeks can be ignored if at least 8 of those 12 weeks were because of hospital treatment (for either the carer or the person needing care) The Carer will need to have served a qualifying period of up to 22 weeks. There must be no more than 12 weeks break in a ½ year and no more than 4 of them must be for holidays.

For Carers Allowance purposes, a week runs from Sunday to Saturday, so bear in mind that if you have a short break of a few days in any week you may still satisfy the caring for 35 hours requirement over the other days in that week and there will therefore be no actual break counted. Remember this if you need to arrange respite care – a week's break starting at a weekend may be counted as a break, but if it starts midweek instead you may not be treated as having a break in the week of going in – or the week of coming out either!

In more detail, when breaks occur it means that if you go into hospital, you can carry on getting CA for up to 12 weeks.

If the person you are caring for goes into hospital then effectively you will lose your Carers Allowance once they have been in for 4 weeks. (If there are repeated spells in hospital then these may link together to total 4 weeks) This is because the Attendance or Disability Living Allowance, on which Carers Allowance depends, stops after 4 weeks in hospital.

Seek advice from the Carers Allowance unit of DWP (01253 856123) if this affects you.

If I claim Carers Allowance, will it affect my other benefits – or the benefits of the person I am looking after?

If you are actually **paid** Carers Allowance then you may need to think about the possible knock on effects of receiving it.

The effect on the person needing care may be:

- If they are getting Income Support or the Guaranteed Pension Credit and if they live alone then they should be getting an extra amount in their allowance called the 'severe disability premium' – which is actually awarded to help pay for care if there is no-one already getting the Carers Allowance. If someone does therefore end up being paid Carers Allowance the severe disability premium will stop and you will need to tell the department that deals with the disabled person's benefits.
- There is a similar effect on their assessment for Housing Benefit and Council Tax – but providing the disabled person continues to get Income Support or Guaranteed Pension Credit they will still get their help with rent and council tax.

If the Carers Allowance is not payable because of another 'overlapping benefit' then the severe disability premium can still be paid.

The effect on any benefits you get may be:

- If you are getting the Guaranteed Pension Credit (which is a means tested top up to basic pension) then an extra premium is added to your entitlement – which means you get more. Ask the Pensions Service about this 'severe disability element' on your award.
- If you are getting Income Support or the income based Jobseeker's Allowance (or if you are a member of a couple and your partner is getting these) then the amount of Carers Allowance paid is taken off as an income but in return, CA causes an increase in the amounts of these benefits as an extra 'premium' is paid. Pension Credit, Housing and council tax benefit calculations do likewise.
- Contributory Jobseeker's Allowance, Incapacity Benefit, Maternity Allowance, Retirement Pension, Bereavement Benefits, Incapacity Benefit in youth, Youth Training/ Training / Employment Training Allowance, Employment Rehabilitation, Industrial Injuries Death Benefit, Disablement Benefit or War Pension all 'overlap'

with Carers Allowance. The contributory benefits would normally be paid instead of CA but CA could be awarded as an 'underlying' entitlement, meaning you do qualify; you are a carer but cannot be paid the allowance. Don't let this put you off claiming the carers allowance as the underlying entitlement can work to your advantage (and to the advantage of the person that you are looking after) – the examples at the end of this leaflet will help you to see why.

Can I get any extra money as well as Carers Allowance?

In some circumstances all you may be able to get is the Carers Allowance but it is always worth thinking about other benefits that might be available to you:

- You might be able to claim Income Support as a carer but this is a means tested benefit and so will look at how much income you have coming in and at how much you have saved. If you are a member of a couple then what your partner does may affect this too. Don't let this put you off claiming, Income Support is a lot more than Carers Allowance and can guarantee entitlement to other things as well. Income Support may help with mortgage costs and although there is a qualifying period attached to this it is much shorter for carers than for others. Make a claim even if you think your income or capital is too much – because mortgage help might bring you into entitlement and if you don't claim then the qualifying period never begins to count down.
- Carers can choose to be jobseekers if they wish and could claim income based Jobseeker's Allowance, which should work out the same as Income Support – the major difference is that for this benefit you have to make yourself available for work and show that you are actively seeking work in return for the benefit.
- **For help with housing costs consider Housing Benefits and Council Tax, you should get this anyway if you are entitled to Income Support or income based Jobseeker's Allowance but even if you are not you should approach your local Council to make a claim.**
- **Reductions in council tax may be possible but there are a lot of conditions attached to this. Firstly, there may be a reduction appropriate for the severely disabled person themselves, based on what level of benefits they receive and what medical evidence a doctor may be willing to provide or based on whether or not there have been any alterations to the property due to the person's *substantial and permanent disability*.**
- **In some cases, the carer themselves may not count for Council Tax purposes 'invisible' when considering the household. There are a lot of other conditions attached to this last one so a carer must check with the local Housing Benefit Department to see if they are all met.**

Does the carer use their car to transport the disabled person around?

If the disabled person gets the **higher rate of Mobility Component** with their Disability Living Allowance then the car user may be able to get a disabled person's car badge. Contact your local Social Services office for more information. Please remember that it is an offence to display the badge if the disabled person is not or has not been in the car.

Car tax exemption

Again, if the disabled person gets the **higher rate Mobility Component** of Disability Living Allowance then they may be exempt from car tax on their car – or on another nominated car used for their purpose.

The Law says you would have to show that the car was used 'solely by or for the purposes of the severely disabled person' – but if you can show that the vehicle is used substantially for the disabled person then you should be OK.

Contact the DVLA on 07870 240 0010 for information on how to claim this.

What changes affect Carers Allowance?

If you think any changes in your personal circumstances may affect your benefit then tell the paying office – don't assume that just because you tell your local office everyone involved will be told.

In particular make sure you tell the Carers Allowance unit if you no longer provide at least 35 hours per week care, if you have any breaks in caring you must tell the DWP, if you do any work (or if you have a partner for whom you claim and they do any work) then tell them this also. If the person you look after goes into residential or nursing care, or goes into hospital you need to tell the DWP of this. You also must tell them if the person you look after dies.

What about my future pension if I cannot work and pay my National Insurance?

Carers are not usually working and paying National Insurance and so need to think about safeguarding their State Pension. It may be worth claiming Carers Allowance just for this reason.

- For every complete week (Sunday to Monday) spent entitled to CA the carer will get a credit to their National Insurance account **but** for this to count for pension entitlement purposes you would need a complete year containing 52 weeks worth of these credits. CA will also earn something towards second state pension which may boost a person's entitlement to basic state pension. It remains to be seen if the recommendations in the Turner report which applied to improving the position of retired carers through these provisions actually get adopted.

- If no Carer's Allowance is paid because of another 'overlapping' benefit – such as Incapacity Benefit – then a National Insurance credit may be given for that benefit instead. If this applies to you, check with the people paying the other benefit to see if you get National Insurance credits with that benefit.
- Where a carer has provided care and never claimed Carer's Allowance or any other benefits, or if there are no National Insurance credits with your other benefits ask the Pension's Service (0845 60 60 265) about 'Home Responsibilities Protection' which may be able to help with pension entitlement. This works by reducing the number of years needed to get a full state pension – but again only a full tax year of home responsibilities protection can count towards pension.

There are some informative leaflets available from the Department for Work & Pensions on these matters – ask for leaflet CF411 covering home responsibilities protection and particularly leaflet PM9 which gives advice on all of these aspects for carers and parents.

Useful phone numbers:

Attendance Allowance & Disability Living Allowance (new claims) 0121 6262000

General enquiries 08457 123456

Carers Allowance 01253 856123

Benefits Enquiry line 0800882200

Pensions Service 0845 6060265 (0845 6060285 for textphone)

Shropshire County Council main switchboard 0845 6789 000

Carers UK 0808 8087777

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