

## Welfare Benefits

### Introduction

This is a brief guide which is intended to summarise State Welfare Benefits to which you may be entitled following an injury or fatality. You may be entitled to more than one benefit especially if you have a low level of savings or a low income.

The State Benefit regime is very complex and this guide should be seen to be no more than an overview of the main relevant areas. This issue, as well as many others, will be considered during your free initial interview with Moore Blatch Resolve.

### Who can claim benefits?

Most people in the UK are likely to qualify for some kind of welfare benefit or tax credit at one time or another, but most of them miss out because they do not know what they can claim.

### What types of benefit might I be able to claim?

Benefits and tax credits are to support people in need. There are different types of benefit for different types of need. If you think you may be able to get any of the benefit described, you can get more detailed leaflets from the Department for Work & Pensions (DWP) and Her Majesty's Revenue and Customs (HMRC) explaining:

- How they work;
- Whether you qualify;
- How much they are worth.

### If you have a low income

If you have a low income you can claim several benefits that can give you a basic amount to live on. At the outcome, you will need to pass a "means test" and so you will have to give details of all of your income and savings. If you live with a partner or you are husband and wife, their income and savings are also taken into account when deciding if you can get these benefits.

### Income Support

This is available to people on low income that do not have to look for work before they can receive benefit, such as:

- Carers of disabled people;

- Lone parents with children under 12

To claim you must be under 60 years old and not working, or working less than 16 hours a week. If you have a partner who lives with you, you can claim income support if they too are not working or working less than 24 hours a week.

### **Working Tax Credit**

This is to help to top up low earnings. You may qualify if:

- You have a child or are disabled and you or someone you live with as your partner works for 16 hours or more a week;
- You are over 50, have been on benefits and then start working for 16 hours or more a week;
- You (or your partner) are over 25 and work for at least 30 hours a week.

### **The Social Fund**

This is a system of funds and grants to help cover unexpected costs or payments for certain events, such as funeral or maternity expenses or furniture or household equipment.

### **Housing Benefit and Council Tax Benefits**

These are paid by your local authority and can help pay your rent or council tax if you have a low income, whether or not you are working.

### **Mortgage Interest Costs**

Some or all of the interest on your mortgage may be paid for you if you have a mortgage on your home and you qualify for income support, pension credit or income based job seekers allowance. The mortgage interest costs will normally be paid direct to your bank or building society you have your mortgage with. There is normally a waiting period before you can receive such benefits.

### **If you have Children to Support**

There are several benefits you may be able to claim:

- You can normally claim child benefit for your child or children, regardless of your earnings;
- If your income is below a certain level, you may also qualify for child tax credit;
- If you or your partner works 16 hours or more a week and you are on a low income, you may be able to claim working tax credit, which can include an amount towards the cost of child care;

- If your child is disabled, you may be able to claim disability living allowance for them, and carers allowance for looking after them;
- If you look after a child whose parents have both died, or if one has died and the other is in prison, you may be able to claim guardians allowance.

### **If you are unemployed**

You can claim jobseekers allowance if you are able to work but do not have a job or you work less than 16 hours a week. There are two types of jobseekers allowance:

- Contribution based;
- Income based (means tested).

You may qualify for contribution based benefits if you have paid National Insurance contributions in recent years. If you are on low income, you may get income based jobseekers allowance based on your circumstances and income either on its own or contributory based jobseekers allowance. To qualify for benefit you must prove to the Job Centre that you are looking for work and you must be available for work.

### **If you are ill and cannot work**

If you are off work sick you may qualify for:

- Statutory sick pay (and possibly contractual sick pay from your employer) for the first 28 weeks;
- Incapacity benefit (on top of any contractual sick pay you receive from your employer) if you are still ill and cannot work after 28 weeks;
- If you are self-employed or unemployed you cannot receive statutory sick pay, but you may be able to claim incapacity benefit while you are sick if you have paid National Insurance contributions within the last 3 years.

On 27 October 2008, **Employment and Support Allowance** replaced incapacity benefit and income support paid on incapacity grants for new customers. Existing incapacity benefit and income support customers will initially continue to receive their existing benefits as long as they satisfy the entitlement conditions.

Essential to employment and support allowance are new medical assessments which examine what people can do rather than what they cannot do and identify what personal support they might need. People claiming employment and support allowance will be expected to take appropriate steps to help prepare for work, including attending a series of work focus interviews with a personal adviser.

### **If you have been injured at work**

As well as statutory sick pay, incapacity benefit or employment and support allowance, you may be able to claim industrial injuries disablement benefit if you;

- Have an accident, or;
- Suffer from a list of diseases caused by you work.

You must have been an employee when you were injured or when you contracted the disease and the injury or disease must have happened because of your work.

### **If you have a disability**

Depending on how long the illness or disability lasts and how your disability affects you, you may qualify for:

- Disability living allowance if you are under 65, or;
- Attendance allowance if you are 65 or over.

Disability living allowance is for people who have mobility problems or need help with personal care or both.

Attendance allowance is for people who need help with personal care only.

You can claim disability living allowance or attendance allowance whether or not you work. These allowances are not treated as income for the purposes of deciding whether you qualify for other means tested benefits.

If you were injured or became ill due to service in the armed forces, you may also be able to claim a war pension or financial help from the Armed Forces Compensation Scheme.

### **After the death of a relative**

If your husband, wife or civil partner dies and they have paid National Insurance contributions in the past, you may be able to claim a lump sum bereavement payment of £2,000.

If you have children and you are under pension age, you may qualify for a widowed parent's allowance.

If you were 45 or over, but under pension age when your husband, wife or civil partner died, and you are still under pension age, you may get a bereavement allowance for up to a year after they died.

If your husband, wife, civil partner died as a result of service in the armed forces, you may qualify for a war widowers pension or financial help from the Armed Forces Compensation Scheme.

If you are on a low income you may also qualify for other means tested benefits and a funeral grant from the social fund.

### **Conclusion**

It is impossible to set out in any great detail all the facts relating to welfare benefits in this short document. However, we hope we have given you some initial information. If you have further concerns or questions then please do not hesitate to contact us.