

BENEFITS AND LEARNING DISABILITY**[YOUNG PEOPLE: *aged16/18*]****A brief guide**

A brief introduction to the Social Security Benefits available to young disabled adults (and their carers). Does not cover those who are in work.

HEADLINE

From 16 disabled young people can claim at least two benefits:

- **Personal Independence Payments (PIP).**
 - replacing Disability Living Allowance
- AND**
- **Universal Credit**
 - (some may still be on Employment & Support Allowance)
 - There are issues if still in school, see below.

1. PERSONAL INDEPENDENCE PAYMENTS (PIP)

DLA will cease at 16, with the young person invited to claim Personal Independence Payments (PIP) instead. You are usually contacted at about 15 years 7 months.

At this point the DWP will decide whether the young person can be claiming in their own right, or if an appointee is needed.

PIP is split into two components – DAILY LIVING and MOBILITY – both can be claimed at the same time.

Although there are a lot of similarities between PIP and DLA, PIP uses a different assessment criteria and claiming process.

- **DAILY LIVING COMPONENT**

The Daily Living Component is paid at 2 rates – **STANDARD & ENHANCED** so it covers a wide range of needs. These are outlined in a list of 10 *Activities*. Each activity – such as dressing or being able to communicate appropriately – is broken down into levels of difficulty, with higher difficulty giving higher *points*. The points are totted up; with 8 points getting you the standard rate and 12 points gets the enhanced rate.

The **standard** rate is for people who a limited ability to carry out the tasks of daily living, such as washing, dressing, engaging with people, budgeting; the **enhanced** rate is paid where you have a severely limited ability to carry out these daily living tasks.

● MOBILITY COMPONENT

Difficulties with 'mobility' is split into two broad types:

PLANNING & FOLLOWING A JOURNEY where you are able to walk but need help planning the journey, or to have someone with you. Examples would be those with a learning disability, visual impairment, behavioural problems, communication difficulties or having fits. AND/OR MOVING AROUND which focuses on significant walking problems.

You are assessed over both types of mobility and awarded the **standard** (8 points) or **enhanced** rate (12 points).

SPIN-OFFS: People in receipt of the standard mobility rate can get a blue parking badge, many on the enhanced mobility rate are entitled to a blue badge, free car tax and some can use the allowance to obtain a car via "Motability".

TO CLAIM: Ring 0800 917 2222 to start your PIP claim.

APPEALS If you are unhappy with a PIP decision you must first ask the DWP to look at your case again ("mandatory reconsideration"). The DWP will issue a fresh decision. If you are still unhappy you have the right of independent appeal. In each case you must appeal within 1 calendar month of the date of the last decision.

2. UNIVERSAL CREDIT

From 16 it is possible for the young person to also claim Universal Credit. There are additional rules/issues if staying in education. Many claim Universal Credit once 18 /out of education.

MAIN POINTS

- New claims are for Universal Credit, Existing claimants may still be on Employment & Support Allowance but will be moved over to Universal Credit in the next few years;
- Unlike PIP, Universal Credit claims (and all communication) are on-line, although there is a helpline to call-0800 328 5644;
- Universal Credit can be claimed whilst still **in education**, but it will mean that the parents/guardians have to give up their benefits they receive on behalf of that young person – see below;
- Once the young person leaves school Universal Credit can be claimed without the additional rules;
- It is not paid to anyone with £16,000 or more in savings/capital;
- The young person must either be fit for – and available – for work OR have only a *limited capability for work*.

'limited capability for work'

Universal Credit is paid to anyone who passes the 'Work Capability Assessment' (WCA). Initially the claim form has to be accompanied by a Fit note from your GP; then the assessment is via a form called a UC50.

STILL IN EDUCATION?

Universal Credit can be claimed while at special school and by some in mainstream education, but s/he must pass the WCA **AND** also be eligible to PIP. Also you need to bear in mind the effect on the benefits of the parent/carers.

Entitlement to Universal Credit also triggers entitlement to:-

- * Free school lunches
- * 16-19 Bursary paid by the school/college.

PARENTS/CARERS

(PIP is unaffected by the following)

The issue here is whether the household is better off by the young person claiming Universal Credit, or whether it is better to just keep the child as a dependent for the parents/carers benefits.

This is because, by claiming Universal Credit, the young person will no longer be your dependent, so any benefits you claim for them will have to be given up. For most that will only be Child Benefit, so the gain will be more than the loss. However some parents/carers may also be claiming Child Tax Credit/Universal Credit or enhanced rates of Housing Benefit/Council Tax Support, so the loss may be greater.

If you get more than just Child Benefit for your child you may want to **get advice** to ensure that you are overall better off by him/her claiming Universal Credit, also bearing in mind the free school lunches and 16-19 Bursary.

TO CLAIM UNIVERSAL CREDIT: go online at <https://www.gov.uk/universal-credit/how-to-claim> or call 0800 328 5644 (textphone: 0800 328 1344)

3 CARERS ALLOWANCE

This is for a carer who looks after someone on any rate of PIP Daily Living (or the higher or middle rate of the Care Component of DLA). The carer has to be aged 16 or over and not in full time education. S/he can work while claiming, but there is an earnings limit (changes annually: £123 pw 2019/2020).

CLAIM: call 0800 731 0297 or online: www.gov.uk/apply-carers-allowance.

4 INCOME RELATED EXTRA HELP FOR CARERS

Many carers who are on a low income and have low savings may also get one or more of the following:

- * Income Support, or JSA (income-based), or ESA (income-related), or Universal Credit, or
- * Pension Credit (over pension age), and
- * Rent Rebate (Housing Benefit - HB), and
- * Council Tax Support (CTS - these vary from area to area)

Getting Carers Allowance triggers an addition on the above benefits, called the 'carers premium' [or 'element' or 'addition'].

There will also be entitlement to the carer's premium if the only reason Carers Allowance is not in payment is if the carer is already on another "overlapping" benefit (e.g. Retirement Pension).

To get the carers premium with your benefits contact the DWP, Pension Service (for Pension Credit) or the Benefits Section of the Local Council (for HB/CTS).

5. OTHER HELP – Whatever your income or savings

COUNCIL TAX DISABILITY REDUCTION

If the disabled young person's home has been adapted/ added to, or simply there is a room whose use has changed in a way that enhances their wellbeing, the Council Tax payer may be entitled to a DISABILITY REDUCTION. This could mean a lower overall Council Tax bill.

Apply for a disability reduction/discount at your local Council Tax Section.

6. AT EIGHTEEN /LEAVES SCHOOL

Once the young person is 18 or leaves school s/he continues to claim PIP (and the carer can continue to claim Carers Allowance) and then claim Universal Credit if not done so already.

Also: COUNCIL TAX DISCOUNT

A discount can reduce the gross Council Tax by up to a half. Certain categories of Carers are entitled to a discount, as are households where there is an adult who is "severely mentally impaired".

Once your child reaches 18 (and appears in the council tax register) you should definitely see if you are eligible to a Discount.