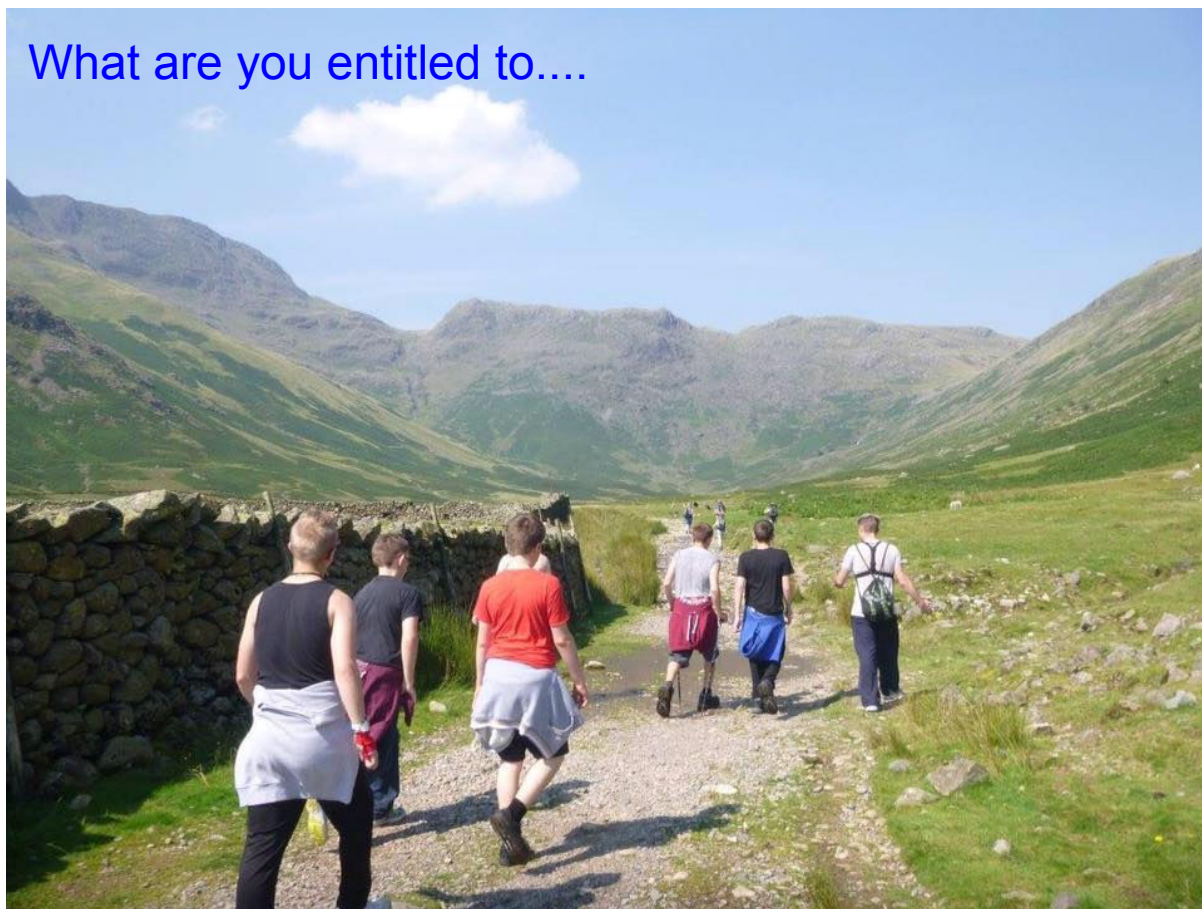




## Benefits and Grants

What are you entitled to....



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## Disability Living Allowance for a child under the age of 16

Claiming Disability Living Allowance for a child under the age of 16

Finance

contact a family  
for families with disabled children

### **Claiming Disability Living Allowance for children**

Information for families in England, Northern Ireland, Scotland and Wales



[http://www.cafamily.org.uk/media/744270/claiming\\_dla\\_for\\_children.pdf](http://www.cafamily.org.uk/media/744270/claiming_dla_for_children.pdf)

**We advise anyone wanting to claim for a Child's DLA contacts us first for help and assistance completing the form.**

#### **Key tips for completing a DLA form**

- Get medical evidence from all Paediatricians, GPs, ADHD Nurses, School Nurses
- Get reports from Occupational therapists, Educational Psychologists
- Get School observation reports using Specialist Resource Bases, Short Stay Schools for Norfolk, Autistic Spectrum Disorder Specialist support assistance team

Make sure you send photocopies and put your child's reference number on the top of each one submitted. Keep a copy of your completed form. This has a number of benefits, such as providing all the information relevant to your claim should you need to appeal against a decision or ask for a review. It will also help when the benefit award period ends and your claim is renewed, since you have to fill in a renewal form giving almost the same information all over again

Do not print the form off the government website ring up Disability Living Allowance Telephone: 0345 712 3456 and ask for a form to be sent to you

**Section 20:** Get someone from School (Senco or Teaching assistant) or after school clubs, or clubs to fill this page in as it will have more validity.

**Section 50:** get help from the SENCO at school, any Teaching Assistants get them to complete this and also back it up with a report

**Section 51:** get help from the SENCO at school, any Teaching Assistants get them to complete this and also back it up with a report

Yes  Please continue below. No  Go to question 41.

Tell us how often they need help each day and how long it takes each time.

They need encouragement, prompting or physical help to:	How often each day?	How long each time?
have a wash	<input type="text"/>	<input type="text"/> minutes
clean their teeth	<input type="text"/>	<input type="text"/> minutes
wash their hair	<input type="text"/>	<input type="text"/> minutes
get in or out of the bath	<input type="text"/>	<input type="text"/> minutes
get in or out of the shower	<input type="text"/>	<input type="text"/> minutes
clean themselves in the bath or shower	<input type="text"/>	<input type="text"/> minutes
dry themselves after a bath or shower	<input type="text"/>	<input type="text"/> minutes
check their appearance	<input type="text"/>	<input type="text"/> minutes

If you want to tell us why they need help, how their needs vary or anything else you think we should know, use the box below.

For example, when they are in the bath they need telling repeatedly what to do and how to do it.

Whenever it says how often each day “they need encouragement, prompting, or physical help to” for ADHD, ASD, ADD individuals putting once in this box indicates that throughout the day you have just said “can you have a wash please” be mindful that this might not grasp the true extent of negotiations and prompting that actually goes on.

The National Autistic Society has also provided some good advice:-

The DLA criteria does relate to autism. Everyone claiming DLA for a child has to fill in the same generic claim form which can be off-putting because some of the questions can appear to only relate to physical disability. Where the form asks what help the child needs, this not only means physical help, but also non-physical help such as prompting, encouraging, reminding, explaining and supervising.

Don't just tick the boxes. Always write an explanation about why you have ticked the boxes to indicate that your child needs help in a certain area. Include as much detail and as many examples as possible.

What counts is the care that the child needs that is 'substantially in excess' of the care needed by non-disabled children of the same age, so you need to focus on how the care you provide is different to what other parents have to do.

Keep a diary. Some parents find it useful to keep a diary for a few days detailing the help they give their child, including how long it takes to do daily tasks. This can be helpful when answering the questions about how long activities like washing, dressing or eating take to complete.

Be accurate. It can be upsetting to explain all the things that your child needs help with, but it's important to give an accurate picture of their care needs.

Don't assume that the person making a decision about your claim will know anything about autism. Explain all the extra care that your child needs as if explaining to a person who knows nothing about autism and nothing about your child. Don't be afraid of repeating yourself.

Remember that you are filling out the form for a good reason. People with autism have a disability and can be entitled to disability benefits.

## **DLA High Rate Mobility based on Severe Mental Impairment**

ASD Helping Hands have been successful in winning an appeal based on Severe Mental Impairment law and case law.

In CDLA/1034/2014 Higher rate mobility component: whether child had “severe impairment of intelligence and social functioning” **They reported that he needed constant supervision and sometimes restraint when outside. In addition, that he had no awareness of danger and was scared of loud noise and traffic which made his behaviour even more unpredictable.**

In order to be awarded the higher rare mobility component on the grounds of severe mental impairment someone needs to satisfy a number of entitlement conditions.

**Section 73(3) of the Social Security and Benefits Act 1992 states that a person can be awarded the higher rate mobility component on the grounds of severe mental impairment if:**

“(a) He is severely mentally impaired; and  
(b) he displays severe behavioural problems; and  
(c) he satisfies both the conditions mentioned in section 72(1)(b) and (c) above”[an award of the highest rate of the care component]

Regulations 12(5) and 12 (6) of the Social Security (Disability Living Allowance) Regulations 1991 clarify the meaning of the above provisions.

Regulation 12(5) provides that:

“A person falls within subsection 3(a) of Section 73 of the Act (severely mentally impaired) if he suffers from a state of arrested development or incomplete physical development of the brain, which results in severe impairment of intelligence and social functioning.”

**Disability Living Allowance case law has accepted that because autism is a disorder of brain development, children with a diagnosis of autism or autism spectrum disorder will satisfy the condition of ‘arrested development’ or ‘incomplete physical development of the brain’. Global development delay could also be accepted as being ‘arrested development or incomplete physical development of the brain’. ( see CDLA/1678/1997)**

Regulation 12(6) provides that:

“A person falls within subsection (3)(b) of section 73 of the Act (severe behavioural problems) if he exhibits disruptive behaviour which -

(a) is extreme,  
(b) regularly requires another person to intervene and physically restrain him in order to prevent him causing physical injury to himself or another, or damage to property, and  
(c) is so unpredictable that he requires another person to be present and watching over him whenever he is awake”.

Important to note the above Regulations must have regard to his behaviour both indoors and outdoors. As regulation 12(6)(c) requires, the issue of unpredictability must be such that the presence of another watching over him must be “**whenever** he is awake” and so **wherever** he is awake

**R (DLA) 1/00 and CDLA/2414/2012 on “the ability to function in real life situations” or “useful intelligence” invites active consideration of a person’s language difficulties when considering their social functioning for the purposes of regulation 12(5).**

## Draft appeal letter

From: [insert name] (Appointee)  
[insert address]

To:  
HM Courts and Tribunals Service  
Social Security and Child Support Appeals  
Administrative Support Centre  
PO Box 14620  
Birmingham B16 6FR

[insert date]

Ref: [insert child's full name] NINO: [insert national insurance number]  
Reference number: [insert appeal reference number]

I would like to request that the tribunal takes into account the following submission in favour of my child [insert name] being awarded High Rate Mobility (DLA) under the 'Severe Mental Impairment' Criteria.

### Severe Mental Impairment Criteria

**Test 1:** [insert child's name] is entitled to the higher rate care component of DLA.

**Test 2:** [insert child's name] has an Autistic Spectrum Disorder which under Disability Living Allowance case law has been accepted that Autism is a disorder of brain development therefore [insert child's name] satisfies the condition of 'arrested development' or 'incomplete physical development of the brain'

Although [insert child's name] intelligence IQ is above 55 we have evidence to suggest that he finds it exceedingly difficult to use his intelligence in everyday situations.

[insert child's name] has significant difficulty in applying his intelligence in the 'real world' due to his Autistic Spectrum Disorder.

[insert information from any reports noting lack of understanding of danger when outdoors, serious accidents]

[insert proof from medical professionals letters that child is not able to use the intelligence they do have to help themselves in life]

[insert proof from medical professionals letters that child has difficulty in applying his intelligence to his world around him, for example lacks the understanding of facial expression, cues, or social awareness which requires constant explanation and reassurance from familiar adults to avoid confrontation or lashing out to those around him]

[insert observation reports about lack of understanding of danger and needs to be watched constantly both in the home and when out]

[Get proof that the child does not understand danger in a way appropriate to their age or in comparison with their peers]

[insert child's name] also is said to have 'Severe impairment of social functioning' as a result of his Autistic Spectrum Disorder he has difficulty in social situations. – [Get proof of lack of social understanding/awareness]

**Test 3** [Insert child's name] 'exhibits disruptive behaviour' which 'is considered to be extreme' –

For this part give examples about the extreme and disruptive behaviour. All behaviour is relevant, not just how the child is when outdoors.

Give examples of:

- Running out into the road
- Making loud noises
- Hitting out at people
- Throwing or breaking things
- Getting very upset
- Refusing to move
- touching hot or sharp objects
- putting harmful objects in their mouth
- scratching or biting themselves repeatedly
- banging their head or harming themselves in other ways.

You will need to provide proof from professional reports/letters etc

**Test 4** [Insert name] regularly requires myself to intervene and physically restrain him, to prevent them causing physical injury to themselves or another, or damage to property.

For this part give examples of when and how you have to restrain the child. Again it is not just things that happen outdoors that count. Give examples from at home and school as well.

You will need to provide proof from professional reports/letters etc

**Test 5** [insert name] behaviour is so unpredictable that I have to be present and watching over them whenever he is awake.

You will need to provide proof from professional reports/letters etc

Give examples where he has caused harm to himself, other people or objects

Explain why someone needs to be with the child all of the time, and explain what dangerous thing could happen if they were left in a room on their own.

### **Extra information to be considered**

Add any relevant further information from professional reports

### **Conclusion**

I believe that due to my [son/daughter's – delete as appropriate] autistic spectrum disorder diagnosis that he meets the criteria for 'severe mental impairment' thus allowing [him/her delete as appropriate] to be awarded high rate mobility for Disability Living Allowance following the above.

Yours Sincerely,

[Insert parent names]

## **Personal Independent Payment (aged 16+)**

Claiming Personal Independence Payment for a child aged 16+

Finance

contact a family  
for families with disabled children

### **Personal Independence Payment and other benefits at 16**

Information for parents of disabled children in England, Scotland and Wales



[http://www.cafamily.org.uk/media/741263/pip\\_guide.pdf](http://www.cafamily.org.uk/media/741263/pip_guide.pdf)

**We advise anyone wanting to claim for Personal Independent Payment contacts us first for help and assistance completing the form.**

#### **Key tips for completing a PIP form**

- Get medical evidence from all Paediatricians, GPs, ADHD Nurses, School Nurses
- Get reports from Occupational therapists, Educational Psychologists
- Get School observation reports using Specialist Resource Bases, Short Stay Schools for Norfolk, Autistic Spectrum Disorder Specialist support assistance team

Make sure you send photocopies and put your child's reference number on the top of each one submitted. Keep a copy of your completed form. This has a number of benefits, such as providing all the information relevant to your claim should you need to appeal against a decision or ask for a review. It will also help when the benefit award period ends and your claim is renewed, since you have to fill in a renewal form giving almost the same information all over again

Do not print the form off the government website ring up DWP - Personal Independence Payment claims Telephone: 0800 917 2222 and ask for a form to be sent to you



Look at the descriptors below and model your answers accordingly

### Mobility Activities

You need to score at least 8 points for Standard rate or 12 points for Enhanced rate

Activity	Points
<b>1. Planning and following journeys</b>	0
a. Can plan and follow the route of a journey unaided	
b. Needs prompting to be able to undertake any journey to avoid overwhelming psychological distress to the claimant	4
c. Cannot plan the route of a journey	8
d. Cannot follow the route of an unfamiliar journey without another person, assistance dog or orientation aid	10
e. Cannot undertake any journey because it would cause overwhelming psychological distress to the claimant	10
f. cannot follow the route of a familiar journey without another person, an assistance dog or an orientation aid	12
<b>2. Moving Around</b>	
a. Can stand and then move more than 200 metres either aided or unaided	0
b. Can stand and then move more than 50 metres but no more than 200 metres, either aided or unaided	4
c. Can stand and then move unaided more than 20 metres but no more than 50 metres	8
d. Can stand and then move using an aid or appliance more than 20 metres but no more than 50 metres	10
e. Can stand and then move no more than 1 metre but no more than 20 metres either aided or unaided	12
f. Cannot either aided or unaided – (i) stand; or (ii) move more than 1 metre	12

## Daily Living Activities

<b>Activity</b>	<b>Points</b>
<b>1. Preparing food</b>	
a. can prepare a simple meal unaided	0
b. needs to use an aid/appliance to be able to either prepare or cook a simple meal	2
c. Cannot cook a simple meal without using a conventional cooker but is able to do so using a microwave	2
d. Needs prompting to be able to either prepare or cook a simple meal	2
e. Needs supervision or assistance to either prepare or cook a simple meal	4
f. cannot prepare and cook food	8
<b>2. Taking Nutrition</b>	
a. Can take nutrition unaided	0
b. Needs – (i) to use an aid or appliance to be able to take nutrition; or (ii) supervision to be able to take nutrition; or (iii) assistance to be able to cut up food	2
c. Needs a therapeutic source to be able to take nutrition	2
d. Needs prompting to be able to manage a therapeutic source to take nutrition	4
e. Needs assistance to be able to manage a therapeutic source to take nutrition	6
f. Cannot convey food and drink to their mouth and needs another person to do so	10
<b>3. Managing therapy or monitoring a health condition</b>	
a. Either – (i) does not receive medication or therapy or need to monitor a health condition; or (ii) can manage medication or therapy or monitor a health condition unaided	0
b. Needs either – (i) an aid or appliance to be able to manage medication; or (ii) supervision, prompting, or assistance to be able to manage medication or monitor a health condition	1
c. Needs supervision, prompting or assistance to be able to manage therapy that takes no more than 3.5 hours a week	2
d. Needs supervision, prompting or assistance to be able to manage therapy that takes more than 3.5 but no more than 7 hours a week	4
e. Needs supervision, prompting or assistance to be able to manage therapy that takes more than 7 but no more than 14 hours a week	6
f. Needs supervision, prompting or assistance to be able to manage therapy that takes more than 14 hours a week	8

#### **4. Washing and bathing**

a. Can wash and bathe unaided	0
b. Needs to use an aid or appliance to be able to wash or bathe	2
c. Needs supervision or prompting to be able to wash or bathe	2
d. Needs assistance to be able to wash either their hair or body below the waist	2
e. Needs assistance to be able to get in or out of a bath or shower	3
f. Needs assistance to be able to wash their body between the shoulders and waist	4
g. Cannot wash and bathe at all and needs another person to wash their entire body	8

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#### **5. Managing toilet needs or incontinence**

a. Can manage toilet needs or incontinence unaided	0
b. Needs to use an aid or appliance to be able to manage toilet needs or incontinence	2
c. Needs supervision or prompting to be able to manage toilet needs	2
d. Needs assistance to be able to manage toilet needs	4
e. Needs assistance to be able to manage incontinence of either bladder or bowel	6
f. Needs assistance to be to manage incontinence of both bladder and bowel	8

---

#### **6. Dressing and undressing**

a. Can dress and undress unaided	0
b. Needs to use an aid or appliance to be able to dress or undress	2
c. Needs either: (i) prompting to be able to dress, undress or determine appropriate circumstances for remaining clothed; or (ii) prompting or assistance to be able to select appropriate clothing	2
d. Needs assistance to be able to dress or undress their lower body	2
e. Needs assistance to be able to dress or undress their upper body	4
f. Cannot dress or undress at all	8

---

#### **7. Communicating verbally**

a. Can express and understand verbal information unaided	0
b. Needs to use an aid or appliance to be able to speak or hear	2
c. Needs communication support to be able to express or understand complex verbal information	4
d. Needs communication support to be able to express or understand basic verbal information	8
e. Cannot express or understand verbal information at all even with communication support	12

---

### **8. Reading and understanding signs, symbols and words**

- |   |   |
|---|---|
| a. Can read and understand basic and complex written information either unaided or using spectacles or contact lenses                               | 0 |
| b. Needs to use an aid or appliance, other than spectacles or contact lenses, to be able to read or understand basic or complex written information | 2 |
| c. Needs prompting to be able to read or understand complex written information   | 2 |
| d. Needs prompting to be able to read or understand basic written information   | 4 |
| e. Cannot read or understand signs, symbols, or words at all  | 8 |
- 

### **9. Engaging with other people face to face**

- |  |   |
|--|---|
| a. Can engage with other people unaided  | 0 |
| b. Needs prompting to be able to engage with other people  | 2 |
| c. Needs social support to be able to engage with other people   | 4 |
| d. Cannot engage with other people due to such engagement causing either –<br>(i) overwhelming psychological distress to the claimant; or<br>(ii) the claimant to exhibit behaviour which would result in a substantial risk of harm to the claimant or another person | 8 |
- 

### **10. Making Budgeting Decisions**

- |   |   |
|---|---|
| a. Can make complex budgeting decision unaided                                  | 0 |
| b. Needs prompting or assistance to be able to make complex budgeting decisions | 2 |
| c. Needs prompting or assistance to be able to make simple budgeting decisions  | 4 |
| d. Cannot make any budgeting decision at all                                    | 6 |
-

## Grants for Disabled Children- some sources for grants



### **Family Fund - <https://www.familyfund.org.uk/FAQs/are-we-eligible-to-apply>**

Helps families across the UK who are raising a disabled or seriously ill child or young person aged 17 or under

You can apply to Family Fund if:

- You live in England, Northern Ireland, Scotland or Wales
- You are the parent or carer of a disabled or seriously ill child or young person aged 17 or under
- You have permanent legal residency in the UK and have lived in the UK for the last six months.
- You have evidence of entitlement to one of the following: Universal Credit, Child Tax Credit, Working Tax Credit, Income-based Jobseeker's Allowance, Income Support, Incapacity Benefit\*, Employment Support Allowance\*, Housing Benefit and Pension Credit.

If you do not receive any of the above, you can still apply, but we will need some extra information about your household income. Depending on what money you have coming into your home we may not be able to help as we have to prioritise helping those on lower incomes. If you are not in receipt of any of the above benefits, you will need to provide additional information and evidence of your whole household income and we will contact you after you have applied.

As a parent or carer, you know what your child or family might need to help them. We will look at any grant request that relates to the needs of a disabled or seriously ill child, young person and their family. This might be furniture, clothing, bedding, kitchen appliances, sensory toys, computers or tablets, a family break, or maybe something to help with college for 16 and 17 year olds

### **Disability Grants UK - <http://www.disability-grants.org/grants-uk.html>**



A wealth of different disability grants available across the UK

**Cerebra also offer grants for those with Autism - <http://w3.cerebra.org.uk/help-and-information/grants/>**

**Caudwell Children - <http://www.caudwellchildren.com/apply-support/>**

**Merlin's Magic Wand - <https://www.merlinsmagicwand.org/>**

**East Coast Truckers Charity - <http://www.eastcoasttruckers.co.uk/>**

## Carers Allowance

Carers allowance is for people who regularly spend at least 35 hours a week caring for a severely disabled person.

- ★ You do not have to be related to, or live with, the disabled person.
- ★ You can get carer's allowance even if you have never worked.
- ★ You are not prevented from getting carer's allowance if you are disabled yourself and also need care.

If you are entitled to carer's allowance, a 'carer premium' is included in the calculation of any means-tested benefit you receive; a similar 'carer element' is included in Universal Credit.

Carer's allowance is not means tested and does not depend on national insurance contributions. It is taxable and counts as income for tax credits. Carer's allowance gives you Class 1 national insurance contribution credits.

### To qualify

- ★ You must regularly spend at least 35 hours a week caring for a person who receives one of the following qualifying benefits
  - Disability living allowance care component at middle or highest rate only
  - Attendance allowance at either rate
  - Personal independent payment daily living component at either rate
  - Constant attendance allowance paid with industrial injuries/war pensions schemes
  - Armed forces independence payment
- ★ You must be aged 16 or over
- ★ You must not be in full-time education (more than 21 hours a week)
- ★ If you work, you must not earn more than £110 a week
- ★ You must not be subject to immigration control and must pass the UK residence and presence tests

### How to claim

Make a claim online <https://www.gov.uk/carers-allowance/how-to-claim>

Before you apply make sure you have:

- ★ both you and your partner's National Insurance number (if they have one)
- ★ your bank or building society details

You also need details of the person you care for. You need their:

- ★ date of birth and address
- ★ National Insurance number or Disability Living Allowance reference

### If you're studying or working

You will also need your:

- ★ employment details including dates and how much you were paid
- ★ course details if you're studying
- ★ latest payslip, or P45 if you've recently finished work

You can backdate your claim by up to 3 months

## Universal Credit – how will you be affected

'Universal credit' is a single integrated means-tested benefit payable to people of working age who are on a low income. It does not depend on your national insurance contribution and is not taxable. You can claim it if you are looking for work, if you are unable to work through sickness and disability, if you are a lone parent, if you are caring for someone or if you are working and your wages are low. You can claim it to cover just your needs if you are a single person or those of your partner and/or children if you have a family.

Universal Credit replaces the following individual benefits:-

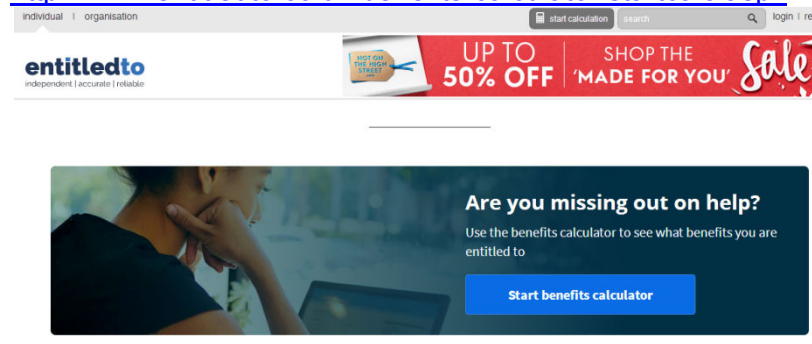
- Child tax credit
- Housing benefit
- Income-related Employment Support Allowance
- Income-based Jobseekers allowance
- Income Support
- Working Tax Credit

Having Universal Credit may entitle you to

- Budgeting advances
- Free prescriptions and dental treatment
- Housing grants
- Free school meals
- Help with hospital fares

### Use Benefit Calculators to assist

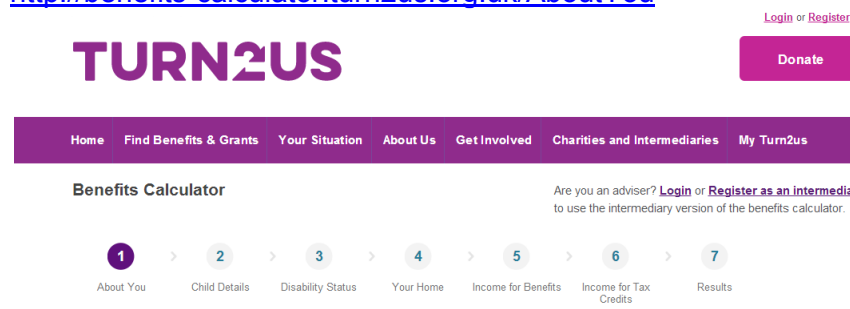
<http://www.entitledto.co.uk/benefits-calculator/startcalc.aspx>



The screenshot shows the homepage of the 'entitledto' website. At the top, there is a navigation bar with 'individual' and 'organisation' tabs, and a search bar. Below the navigation bar is a red banner with the text 'UP TO 50% OFF' and 'SHOP THE MADE FOR YOU Sale'. The main content area features a dark blue banner with the text 'Are you missing out on help?' and 'Use the benefits calculator to see what benefits you are entitled to'. A blue button labeled 'Start benefits calculator' is positioned at the bottom right of the banner.

Or

<http://benefits-calculator.turn2us.org.uk/AboutYou>



The screenshot shows the 'About You' page of the 'TURN2US' website. The page has a purple header with the 'TURN2US' logo and a 'Donate' button. Below the header is a navigation bar with links for 'Home', 'Find Benefits & Grants', 'Your Situation', 'About Us', 'Get Involved', 'Charities and Intermediaries', and 'My Turn2us'. The main content area is titled 'Benefits Calculator' and includes a progress indicator with seven steps: 1. About You, 2. Child Details, 3. Disability Status, 4. Your Home, 5. Income for Benefits, 6. Income for Tax Credits, and 7. Results. A note at the bottom right of the page asks if the user is an adviser and provides links to 'Login' or 'Register as an intermediary' to use the intermediary version of the calculator.

### How do you qualify?

You and your partner (if you are making a joint claim) must meet the following basic conditions

You must

- Be aged 18 or over (or aged 16-17 in certain cases)
- Be under the qualifying age for pension credit
- Be in Great Britain
- Not be subject to immigration control
- Not be in education
- Have accepted a claimant commitment

You must also meet both the financial conditions

- You (and you partner if making a joint claim) must not have capital of more than £16,000
- Your (and your partners income) earning or other income are not too high for universal credit to be payable

*If you are a member of a couple you must normally make a 'joint claim' for universal credit. In a joint claim you and your partner must usually meet the basic qualifying conditions. However, you and your partner may still be entitled to Universal Credit as joint claimants if just one of you:*

- *Has reached the qualifying age for pension credit*
- *Is in education*

*You are considered to be one of a couple if you are married (include same-sex marriages), in a civil partnership or cohabiting*

*If you are in a couple you may claim universal credit as a single person if your partner*

- *Has not reached the age of 18 (and does not qualify as a 16-17 year old)*
- *Is not in Great Britain*
- *Is a prisoner*
- *Is a member of a religious order and fully maintained by that order*
- *Is subject to immigration control excluding them from Universal Credit*

### Aged 16 or 17

You may qualify for Universal Credit if one of the following applies:

- You have limited capability for work
- You have a 'fit note' and are waiting for a work capability assessment
- You have a regular and substantial caring responsibilities for a severely disabled person
- You are responsible for a child under 16
- You have a partner who is responsible for a child or qualifying young person and they meet the other basic qualifying conditions
- You are pregnant and it is 11 weeks or less before the week in which your baby is due
- You have had a baby within the last 15 weeks
- You do not have parental support (see below)

No parental support (this does not apply to children and young people looked after by the local authority) means you have no parent or you cannot live with your parents because you are either estranged from them or there is serious risk to your physical or mental health or



you would suffer significant harm if you lived with them or you are living away from your parents and neither parents are able to support you financially because:-

- Have a physical or mental impairment
- Are detained in custody
- Are prohibited from coming to Great Britain

To qualify for 'Universal Credit' you must meet certain work-related conditions (known as requirements) which vary according to your circumstances (these will be explained below) these are recorded in a 'claimant commitment' (which is a record of the requirements you are expected to meet in order to continue receiving universal credit in full. The Department of Work and Pensions decides the way in which you can accept the commitment i.e. online, phone or in writing)

### **There are four sets of requirements**

- **Work focused interview requirement** – *you will need to participate in one or more work-focused interviews*

*A work focussed interview has the following functions*

- *To assess your prospects and assist or encourage you to obtain or stay in paid work*
- *To identify any activities you could undertake or training, educational or rehabilitation opportunities which might make it more likely that you could obtain or stay in paid work*
- *To identify current or future work opportunities relevant to your needs and abilities*
- *To ascertain whether you are in gainful self-employment or are in the start up period of such employment*

*Paid work means work done for payment or in expectation of payment. It does not include work done for a charitable or voluntary organisation or as a volunteer where the only payment you receive is towards expenses*

- **Work preparation requirement** – you take action to improve your chances of getting paid work (or more paid work or better-paid work)

*This can include:*

- *Attending a skills assessment*
- *Improving your persona presentation*
- *Taking part in training or an employment programme*
- *Undertaking work experience or a work placement*
- *Developing a business plan*

- **Work Search requirement** – you take all reasonable action, and 'any particular action' specified by the DWP, to obtain paid work (or more paid work or better-paid work)

*This can include:*

- *Searching for work*
- *Making job applications*
- *Creating and maintaining an online profile*
- *Registering with an employment agency*
- *Seeking references*

*If you are offered a job interview and do not take part in it, you will be treated as not having complied with the work search requirement*

*You will need to attend regular 'work search interviews' these will normally take place fortnightly and are designed to check your progress and ensure that you are meeting your requirements.*

*To satisfy the work search requirement you must normally spend a minimum amount of time each week taking action to obtain work. This will usually be at least 35 hours a week however this can be reduced if you are a carer*

*Less any time that the DWP agrees you can spend carrying out*

- Paid work*
- Voluntary work*
- Work preparation*
- Temporary childcare responsibilities*
- A domestic emergency*
- Funeral arrangements*
- Other temporary circumstances*

#### *Reducing the hour requirement*

*To reduce the amount of hours because you are a carer you must show*

- You are responsible for a child under 16*
- You are the parent of a child with caring responsibilities for them, but not the responsible carer*
- You have caring responsibilities for someone who has a physical or mental impairment*
- You are the responsible foster parent*

*if you are the 'responsible carer' for a child under the age of 13 you may restrict the number of hours to the number the DWP considers compatible with the child's normal school hours including travel to and from school.*

*You do not have to search for work that is more than 90 minutes travel from your home each way*

*If you have been in another job recently for an agreed period you can limit your work search to work of a similar nature and rate of pay as the previous job*

*If your 'physical or mental impairment' has a substantial adverse effect on your ability to carry out work of a particular nature or in a particular place you cannot be expected to search for such work or in such place. If you have medical evidence i.e. a letter from your GP) confirming that you cannot carry out certain work or work in certain places you will have to provide this.*

- **Work availability requirement** – which you are available to for work. To be available for work, you need to be able and willing to take up paid work (or more paid work or better-paid work) immediately. You must also be able and willing to attend a job interview immediately.

#### Exceptions to the 'immediately' clause

##### *Carers –*

*The DWP can allow you up to one month to take up paid work and up to 48 hours to attend a job interview, so that you can make alternative carer arrangements if'*

- *You are the 'responsible carer' of a child under 16*
- *You are the parent of a child with caring responsibilities for them, but are not the responsible carer*
- *You have caring responsibilities for someone who has a physical or mental impairment*

##### *Volunteers*

- *The DWP can allow you up to one week to take up paid work and up to 48 hours to attend a job interview, if you are carrying out voluntary work. You must be able and willing to take up the work or attend the interview on being given notice for the agreed period*

##### *Working towards a notice period*

- *If you are leaving a job and are contractually obliged to provide your employer with notice, the DWP can treat you as available for work until the notice period has expired. You must be able and willing to take up paid work once the notice period has expired and attend an interview given 48 hours notice*

## How much will you get? – calculating Universal Credit

The amount of Universal Credit you are paid depends on your circumstances. It is worked out by comparing your basic financial needs with your financial resources for each monthly 'assessment period' if you are single, only your needs and resources are relevant. If you are claiming jointly with your partner, the needs and resources of both of you are relevant.

### **Step 1 - Work out your maximum amount**

Your maximum amount is made up of a 'standard allowance' and 'elements' paid to cover different needs.

#### **Standard Allowance Rates**

Single Claimant

Aged under 25 - £251.77

Above 25 - £317.82

Joint Claimants

Aged under 25 - £395.20

Aged above 25 - £498.89

The elements are:

- **Child element** (can be paid up until the 1<sup>st</sup> September following their 19<sup>th</sup> birthday if they are enrolled on approved training or a course of full time (12 hours) non advanced education)

This element is paid for each child under 16 for whom you are responsible

A higher rate of £277.08 for your first child and then £231.67 for subsequent children

#### **Disabled Children**

An additional amount is included for each child who is disabled

Receiving high rate care DLA /Enhanced daily living component PIP - £367.92

Receiving any other rate of DLA or PIP - £126.11

- **Housing costs element**

Owner-occupiers - If you own your home, the housing costs element may cover mortgage interest on loans secured on your property. There is normally a ceiling of £200,000 on the amount of loan that can be covered; this does not apply in the case of any loan taken out for the purpose of adapting your property to the needs of a disabled person.

There will normally be a 'qualifying period' of nine months before the element can be included in your universal credit award. You will not be entitled to the element if you are in paid work.

Private tenants - If you are a private tenant, your housing costs element will depend on where your home is situated and the number of rooms you are deemed to need in the same way as the current housing benefit scheme.

Deductions will be made from the element if you have non-dependants living with you. A non-dependant is someone who lives with you who is not your partner, a child or young person for whom you are responsible, a joint tenant, boarder, lodger or sub-tenant. Typically,

an adult son or daughter will be considered to be a non-dependant. The rules are similar to those in the current housing benefit scheme.

**Social housing tenants** - If you are renting social housing (from your local authority or from a housing association), your housing costs element may be reduced if the property you rent is considered to be under occupied. For guidance on this, see Factsheet F57 - the bedroom tax. Deductions will be made from the element if you have non-dependants living with you. If you are in 'specified accommodation' (eg a refuge if you are fleeing domestic violence or accommodation where care, support or supervision is provided to you), your housing support will continue to be met through housing benefit rather than universal credit

**Discretionary housing payments** - You may be able to get 'discretionary housing payments' (DHPs) if your universal credit does not cover all your housing costs and your local authority accepts that you require some further financial assistance.

- **Work capability elements**

If you receive ESA Work Related Activity Group - £126.11 a month

If you received ESA Support Group - £315.60 a month

The tests for these are the same as those for the work capability assessment for employment and support allowance (the 'limited capability for work' and 'limited capability for work-related activity' assessments).

- **Carer element**

If you receive Carers Allowance you are entitled to £150.39 a month you also apply if you would be considered for Carers Allowance but your earnings are too high. You do not need to have made a claim for carers allowance for you to be entitled to this element

- **Childcare costs element**

This is paid if you pay for certain types of childcare in order to stay in work

- Must be provided by a registered childminder
- Cannot be provided by a close relative of the child
- Cannot be provided by a foster parent

For each monthly assessment period 85% of the relevant childcare costs can be met up to a maximum of £646.35 for one child or £1,108.04 for two or more children

- **Work Condition**

- You must be in paid work or have been offered paid work
- There is no set hours you need to work

Childcare condition

- You must be paying charges for the childcare of a child or young person for whom you are responsible
- The charges must be for childcare arrangements that enable you to take up paid work or continue in paid work
- You continue to be covered if you have recently left your job

## **Step 2: add up your earnings during the assessment period**

The calculation of your earnings is based on a net figure after tax, national insurance contributions and any contribution you make to an occupational or personal pension scheme have been deducted.

Employer-paid benefits (such as statutory sick pay or statutory maternity pay) are treated as earnings.

In some circumstances, you may be allowed to keep some of your earnings up to a certain limit before your universal credit is affected; this is known as the 'work allowance' (see 7 below). Earnings in excess of the work allowance that applies in your case will reduce your universal credit by 65 pence in the pound.

### Income other than earnings

If you have income other than earnings, such as other benefits, these will usually be taken into account in full, so that your universal credit is reduced pound for pound. Some benefits are disregarded in full, for example disability living allowance, attendance allowance and personal independence payment.

### Capital and savings

Universal credit has a 'lower capital limit' and an 'upper capital limit'. If you have savings or capital over the upper limit of £16,000, you cannot get universal credit. This figure applies if you are claiming as a single claimant or as a couple. If you have savings or capital at or below the lower limit of £6,000, your universal credit is unaffected.

If your capital is between these limits, it is treated as generating a monthly income of £4.35 for each £250 (or part of £250) above the lower limit of £6,000. For instance, if you have capital of £6,300, it is treated as generating a monthly income of £8.70.

## **Step 3: if you are entitled to a work allowance, deduct this from your earnings**

Some of your earnings may be disregarded by applying a 'work allowance'. This will only apply if you or your partner:

- are responsible for one or more children or qualifying young people
- have a limited capability for work (ESA Support Group)

There are two different rates:

- 'lower work allowance' of £192
- 'higher work allowance' of £397

The lower work allowance will apply if a housing costs element is included in your maximum amount. If a housing costs element is not included in your maximum amount, the higher work allowance will apply instead. In each case, the same rate will apply whether you are a single claimant or claiming jointly with your partner.

If your work allowance is greater than your earnings, all your earnings are disregarded

#### **Step 4: add up your other income during the assessment**

The following benefits are taken into consideration

- Bereavement allowance
- Carers allowance
- Employment and support allowance
- Incapacity benefit
- Industrial injuries benefits
- Jobseekers allowance
- Severe disablement allowance
- Widowed mothers allowance
- Widowed parents allowance
- Widows pensions

Retirement Pension will also be considered including

- Income from an occupational pension, personal pension, or retirement annuity contract
- Income from an overseas pension
- Civil list pension
- Payments made by a former employer due to early retirement on health or disability grounds
- Payments made at regular intervals under an equity release scheme
- Payments made under the financial assistance scheme
- State pension

Maintenance payments made by your spouse or civil partner or former spouse or civil partner under a court order or an agreement for maintenance – this does not include child support allowance

#### **Step 5: apply earnings and income deductions to your maximum amount**

Please take note of the Benefit Cap in force for the UK – This is a cap on the total amount of benefits, including universal credit that you can claim

The benefit cap for Norfolk and Suffolk is:

£1,116.67 a month if you are a single person (with no children)

£1,666.67 a month in all other cases

In some cases the implementation date will be delayed until the next assessment period.

Benefits that are taken into account when calculating the cap include:

- bereavement allowance and widowed parent's allowance
- carer's allowance
- child benefit
- employment and support allowance
- jobseeker's allowance
- Maternity allowance
- 

The benefit cap will not apply if you, your partner or a dependent child are getting certain benefits, including attendance allowance, disability living allowance or personal independence payment. It will also not apply if the higher level of the work capability element has been included in your universal credit award (see section 5 above).

The benefit cap will not apply if your monthly earnings after tax and national insurance (or combined earnings before tax if you are in a couple) are at least £430.

You are also exempt from the cap if:


- anyone in your household is entitled to carers allowance
- a carer element is included in your universal credit award
- anyone in your household is entitled to guardian's allowance

There is a 'grace period' of nine consecutive months when you will not be capped, if you were working for a year and your earnings (or combined earnings) for each month were at least £430. This grace period normally starts from the day after you finished working, regardless of when your universal credit award starts. For example, if you finish work on June 21<sup>st</sup> 2016 and claim universal credit in September 2016, your nine months starts from June 22<sup>nd</sup> 2016.



## Keep in touch

Find out more about how we can help you and your family, and how you can get involved with our work. Just fill in this form and post it back to us



Title  
First Name  
Surname  
Address (line 1)  
Address (line 2)  
Address (line 3)  
Town  
Postcode  
Telephone number  
Mobile number  
Email address

ASD Helping Hands would like to keep you informed about our services, upcoming news, events and fundraising activities. We will look after your data as set out in our privacy and data protection policy.

If you prefer not to receive information by post, please tick this box

If you prefer not to receive information by telephone, please tick this box

We'd like to keep in touch by email, if you are happy with this, please write your email address in the space provided above

What is the date of birth of the person you are contacting us about?

□□ / □□ / □□

**Please return this form to:**

Room 219 Breckland Business Centre  
St Withburga Lane  
Dereham  
Norfolk  
NR19 1FD

We would like to tailor our communication with you to ensure they are relevant to your interests.

What is your connection with autism?  
(Please tick all that apply)

I am autistic

I am the parent/carer of someone on the Autistic Spectrum

Someone in my family is diagnosed with autism

I know someone who's autistic

I am a professional working in the field of autism

I have another connection with autism  
Please Specify \_\_\_\_\_

I have no connection with Autism

“ASD Helping Hands will support all service users affected by an Autistic Spectrum Disorder (ASD) regardless of age or what stage of life they are at. We aim to offer guidance, practical advice and support whether you are personally affected or you are an associated family member, carer, friend or professional. We will actively champion the rights of all people affected by ASD’s and aim to make a positive difference to their lives while delivering a service that is accessible, reliable and trustworthy.”

The organisation is for all affected by the Autistic Spectrum, this covers a wide variety of difficulties. We believe that all families and individuals have the right to good quality information, support and guidance in order to promote empowerment to allow positive choices to be made, enabling access to the same opportunities as everybody.

Currently working across Norfolk and Suffolk

### **ASD Helping Hands**

219 Breckland Business Centre  
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Autism Helpline: 01362 853018  
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Website: [www.asdhelplinghands.org.uk](http://www.asdhelplinghands.org.uk)

ASD Helping Hands is a voluntary organisation and relies on voluntary income to support its work, including the development of resources like this one for parents and carers

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