

## Citizens Advice Bureaux

**Craven:** St Andrews Church Hall, Newmarket Street, Skipton Tel: 01756 700210  
Mon, Wed, and Thurs 10.30am – 2.30pm

**Hambleton:** 277 High Street, Northallerton Tel: 0845 122 8689  
Mon, Wed and Thurs 10am – 1pm (walk in) advice, Mon, Wed and Thurs 10am– 4pm telephone advice,  
Tues – appointments only

**Harrogate:** Victoria Park House, 18 Victoria Avenue Tel: 01423 567150 (advice), 503576 (appointments)  
Mon 9.15am – 3pm, Tues 9.15am – 12.30pm, Wed 9.15am – 3pm, Thurs 9.15am – 3pm,  
Fri 9.15am – 12.30pm, Tues 4pm – 7pm appointments only

**Richmondshire:** 23 Newbiggin, Richmond Tel: 01748 823978 (advice)  
Mon and Tue, 1pm – 4pm, Thurs and Fri 10am – 1pm

**Ripon:** 5 Duck Hill Tel: 01765 603297  
Mon, Tues, Thurs, Fri 10.30am – 3pm and Tues 5pm – 6pm, Wed – specialist appointments only  
Rural Outreach Home Visiting Service Tel: 01765 643464

**Ryedale:** Community House, Wentworth Street, Malton Tel: 01653 692740  
Mon, Wed and Fri 9.30am – 1pm, Drop in & telephone, Tues 9.30am – 1pm telephone only, Thurs 9.30am – 3pm,  
telephone only, Fri 1pm – 3.30pm essential appointments only

**Scarborough:** 62 Roscoe Street Tel: 01723 368710  
Mon, Tues and Thurs 10.30am – 3.30pm drop in  
24 hour telephone advice line 08451 202930 based at Filey

**Selby:** The rear of 4 Park Street Tel: 08451 203718  
Mon – appointments, Tues – open door from 1pm, Wed – open door from 9.30am,  
Thurs – pm and early evening appointments, Fri – open door from 9.30am  
Telephone advice line 08451 203718  
Mon – Wed 9.30am – 12 noon and 1pm – 3.30pm, Thurs 12noon – 2.30pm and 4.30pm – 7pm,  
Fri 9.30am – 12 noon and 1pm – 3.30pm

**Whitby:** Church House, Flowergate Tel: 01947 605157  
Tues and Thurs 10am – 12.30pm and 1.30pm – 3.30pm by appointment  
24 hour telephone advice line 08451 202930

**York:** 3 Blossom Street Tel: 01904 623648. To book appointments 01904 623550  
Mon and Tues 9.30am – 3.30pm open door, 9.30am – 2.30pm appointments, Wed 4.30pm – 7pm open door,  
4.30pm – 5.30pm appointments, Thurs 9.30am – 11.30am open door and appointments, Fri 9.30am – 12.30pm  
open door, 9.30am – 2.30pm appointments  
Telephone advice 0870 126 4850 (24 hours)

**Citizens Advice Bureaux have outreach offices in many other places.  
Please ring your nearest bureau to find out if there is one near you.**

# Benefits For People Over 60

**April 2007 – April 2008**

Written by  
**welfare benefits**  
**unit**  
Serving  
York & North Yorkshire

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Charity No. 519099

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## INTRODUCTION

This guide is written and produced by the Welfare Benefits Unit and funded by North Yorkshire County Council and the City of York Council.

The Welfare Benefits Unit works closely with Citizens Advice Bureaux and Age Concerns in York and North Yorkshire, who can give advice to individuals. The Welfare Benefits Unit produces information on benefits for both advice workers and the general public.

This guide is available, free of charge, to all residents in North Yorkshire. If you would like the guide in another format, such as large print, please write to the address below.

If you have any comments or suggestions about the guide, or you would like to order a copy, write to us at:

Welfare Benefits Unit  
FREEPOST YO1 75  
YORK YO1 6ZA

This guide has been written specifically for those aged 60 or over. If you are under 60, some of the details are different; seek advice.

The benefit rates increase every April and if you are reading this after April 2009, contact us for an up-to-date copy of this guide.

If you have any further queries, contact your local Age Concern or Citizens Advice Bureau (addresses given at the back of this booklet).

### Scarborough Borough Council

PO Box 148, Town Hall, St. Nicholas Street, SCARBOROUGH  
YO11 2ZH

Tel: 0800 083 0428

### Selby District Council

Civic Centre, Portholme Road, SELBY YO8 4SB

Tel: 01757 292 155/156 or 01757 705 101

### City of York Council

City Finance Centre, Library Square, YORK YO1 7DU

Tel: 01904 613 161

In Person only for Acomb and West of City:

Community Services Acomb Office, 50 York Road, Acomb,  
York YO24 4LZ

<b>North Yorkshire Adult and Community Services - Customer Service Centre:</b>	<b>0845 034 9410</b>
Textphone	01609 533 195
<b>City of York Customer Advice Centre</b>	<b>01904 554 141</b>
Textphone	01904 554 120
Emergency Duty Team (out-of-hours)	<b>01904 762 314</b> <b>0845 034 741</b>

## District Councils' Housing Benefit and Council Tax Benefit offices

### Craven District Council

Town Hall, High Street, SKIPTON BD23 1AH  
Tel: 01756 706 288

### Hambleton District Council

PO Box 121, Civic Centre, Stone Cross, NORTHALLERTON  
DL6 2YP  
Tel: 01609 767 168

### Harrogate Borough Council

Scottsdale House, Springfield Ave, HARROGATE HG1 2HR  
Tel: 01423 55 66 77

### Richmondshire District Council

Swale House, Frenchgate, RICHMOND DL10 4JE  
Tel: 01748 829 100

### Ryedale District Council

Ryedale House, MALTON YO17 7HH  
Tel: 01653 600 666

## STATE PENSION

State Pension can be paid once you reach pensionable age, or you can defer it in order to receive an increased amount or lump sum payment.

Pensionable age is 60 years for women and 65 years for men. Pension age for women will increase gradually to 65 years between 2010 and 2020.

State Pension is not means-tested. If you are entitled to a State Pension any other income or savings do not affect the amount that you get. However, State Pension does overlap with some benefits (e.g. Carer's Allowance) and you cannot usually receive two of them at any one time. State Pension is taxable.

### Work and State Pension

You can carry on working after pensionable age and receive your State Pension. Your earnings will not affect the amount of State Pension you receive. Earnings (above a small earnings disregard) affect your entitlement to means-tested benefits such as Pension Credit, Housing Benefit and Council Tax Benefit.

### Contribution Conditions

Entitlement to State Pension depends on payment of National Insurance contributions. Entitlement and the amount of pension you get will depend on:

- National Insurance contributions paid or credited, **and**
- the number of tax years in which the contributions have been made ('qualifying years'), **and**
- the number of tax years the contributions are based on (working life).

If you, or your spouse/civil partner, do not meet the full contribution conditions you may be able to receive a reduced rate of State Pension. You must have at least a quarter of the qualifying years you would need for a full pension.

You can pay class 3 National Insurance contributions if you have an incomplete contribution record (eg. you have been abroad or in prison). Check your pension forecast to decide whether to make extra payments by ringing the State Pension Forecasting Team on 0845 300 0168 (textphone 0845 300 0169), or go online to [www.direct.gov.uk](http://www.direct.gov.uk)

## CATEGORIES OF STATE PENSION

There are two main types of State Pension – Category A and Category B. There is also a third State Pension called Category D that applies to people over age 80 who are not entitled to either a Category A or B pension.

To be entitled to a State Pension you have to:

- have reached pensionable age, **and**
- meet the National Insurance contribution conditions, **and**
- make a claim.

Category A and B pensions overlap, the higher pension amount will be paid.

### Category A State Pension

A Category A pension is usually based on your own National Insurance contributions.

You may be able to claim an addition on your pension for an adult dependant. Some widows, widowers, surviving civil partners, divorcees or former civil partners can claim a

### Age Concern North Yorkshire

33 High Street, NORTHALLERTON DL7 8EE

Tel: 01609 771 624

### Age Concern North Yorkshire

Community House, 75 Allhallowgate, RIPON HG4 1LE

Tel: 01765 606 872

### Age Concern Scarborough & District

39 Aberdeen Walk, SCARBOROUGH YO11 1BD

Tel: 01723 379 058

also at:

9 High Street, Eastfield, SCARBOROUGH YO11 3LL

Tel: 01723 581 838

Market Vaults, Market Street, SCARBOROUGH

Whitby Coliseum, Victoria Place, WHITBY YO21 1EZ

### Age Concern Selby District

50 Micklegate, SELBY YO8 4EQ

Tel: 01757 704 115

### Age Concern York

Norman Collinson House, 70 Walmgate, YORK YO1 9TL

Tel: 01904 627 995 or 621 020

## SOCIAL SERVICES

Social care services help you live independently and safely in the community. You may be assessed as needing support such as adaptations to your home, personal care or day services.

## PLACES TO CONTACT

### The Pension Service

The Government department dealing with State Pensions and Pension Credit. Provides information and processes claims.

Tel: 0845 60 60 265

Textphone: 0845 60 60 285

[www.thepensionservice.gov.uk](http://www.thepensionservice.gov.uk)

### Veterans Agency

The Veterans Agency, within the Ministry of Defence, provide information, help and advice to members of the services, ex-members of the services and their families

Tel: 0800 169 2277

Textphone: 0800 169 3458

[www.direct.gov.uk](http://www.direct.gov.uk)

### Citizens Advice Bureaux

See the back cover for addresses.

### Age Concerns

#### Age Concern Knaresborough

Cliff House, Hilton Lane, KNARESBOROUGH HG5 8BX

Tel: 01423 864 956

#### Age Concern North Craven

Cheapside, SETTLE BD24 9EW

Tel: 01729 823 066

#### Age Concern North Yorkshire

Claremont House, 25 Victoria Avenue,  
HARROGATE HG1 5QQ

Tel: 01423 502 253

Category A pension based on their late or former partner's contribution record.

### Category B State Pension

A Category B pension is based on the contributions of your spouse or former spouse.

#### Category B pension for a wife

Your husband must have satisfied the contribution conditions and you must both be over pensionable age. Your husband must be entitled to a Category A pension.

- If your husband was receiving an increase on his State Pension for you before you reached pension age this will be replaced by the Category B pension. It is normally paid at the same rate as the increase (ie. £54.35).

#### Category B pension for widows, widowers or surviving civil partners

Your late spouse or civil partner must have satisfied the contribution conditions or have died from an industrial disease. If you are a widow you usually must have reached pensionable age when your husband died. If you are a widower or surviving civil partner both you and your wife or civil partner must have reached pensionable age.

### Category D State Pension

If you are not entitled to a Category A or Category B State Pension you will become entitled to a Category D pension when you reach 80 years old. This is not based on National Insurance contributions. You must be resident in Great Britain and have been resident for 10 of the past 20 years.

## STATE PENSION AMOUNTS

<b>Category A</b>	<b>£90.70</b>
Addition for adult dependent	<b>£54.35</b>
<b>Category B</b> for wife	<b>£54.35</b>
<b>Category B</b> for widows, widowers and former civil partners	<b>£90.70</b>
<b>Category D</b>	<b>£54.35</b>

Category A and B basic rates can be **reduced** if the National Insurance contribution record is not complete.

The amounts can be **increased** by:

1. **Additional state pension** built up through the State Earnings-Related Pension Scheme (SERPS) or the State Second Pension (S2P). Under SERPS employees with earnings over a specified limit built up additional pension provision. The S2P scheme widened this provision to include low and moderate earners, disabled people and carers to be credited with extra provision.
2. **Graduated retirement benefit** based on National Insurance contributions made between 1961 and 1975.
3. **Incapacity addition** if you received an age addition on Incapacity Benefit.
4. **Age addition** of 25 pence if you are aged 80 or over.
5. **£10 Christmas Bonus**.

You cannot apply for any services provided by the local authority nor for heating costs. Any grant will be reduced by savings you have over £1,000.

These grants are discretionary and will only be paid to you if the Social Fund officer approves your application and if there is enough money in the budget to pay you.

Claim by calling the Social Fund application line on 0845 608 8671. Include as much information about your circumstances as possible on the form.

## Warm Front Grants

The Warm Front Grant cover things like heating and insulation for your home.

You may get a grant if you are age 60 plus and you are in receipt of Pension Credit, Housing Benefit or Council Tax Benefit. You also qualify if you get other benefits such as Attendance Allowance, Disability Living Allowance or a War Disablement Pension.

For more information contact EAGA Partnership, Warm Front Team, on 0800 316 6011. They will tell you if you are likely to qualify and put you in touch with your local installer.

## Winter Fuel Payments

The Winter Fuel Payment is payable to all households where there is someone aged 60 or over.

You do not have to be claiming a State Pension or any other benefit. There is no limit on the amount of savings or income you can have.

The amount payable depends on who you live with and whether you receive Pension Credit or income-based Jobseeker's Allowance. In 2008-2009 the minimum amount is £150, the maximum is £400.

If you live in a care home different rules apply.

If you are claiming benefits you do not have to claim the Winter Fuel Payment; it will be paid automatically. If you do not claim any benefits and you have not received a Winter Fuel Payment before, contact the Winter Fuel Payment helpline on 08459 15 15 15 (textphone 0845 601 5613). All claims must be made by March 2009 for the winter of 2008/2009.

## Community Care Grants

If you are on Pension Credit (or you expect to be when you come out of a care home or hospital), you can apply to the Social Fund for a Community Care Grant for items you need (eg. clothing, furniture, minor repairs to your home). You will not have to pay this back. You need to show how the grant will help you live independently in the community.

You can also claim travelling costs to hospital if you are visiting a relative.

## DEFERRED PENSION PAYMENT

You can choose to delay claiming your State Pension. If you do, you can get either a higher weekly State Pension or a one-off taxable lump sum payment.

To get an extra weekly amount (1% for every 5 weeks delay) you must put off claiming for at least 5 weeks. You can claim a lump sum payment if you have put off claiming your lump sum payment for at least 12 months.

For more information see leaflet SPD1 from the Pension Service, telephone 0845 731 3233 (textphone 0845 604 0210) or at [www.direct.gov.uk](http://www.direct.gov.uk)

### How do I claim?

You should receive a claim form about four months before your 60th (women) or 65th (men) birthday. It is best to return it immediately as it can take time to sort out your National Insurance contribution record. If your form does not arrive, ask the Pensions Service for one (see page 40 for details).

If you want to know how much your pension will be, based on your current contribution record, you can ask for a pension forecast from the State Pension Forecasting Team on 0845 300 0168 (textphone 0845 300 0169) or at [www.direct.gov.uk](http://www.direct.gov.uk). You can ask for the forecast whatever your age; it can help you decide, for example, whether to continue paying the married woman's reduced stamp or whether to pay some National Insurance contributions voluntarily. In situations like these, you may need to seek advice (see the back page for addresses).

Pensions are usually paid by credit transfer into a bank or similar account, or by a Post Office card account. You can choose to be paid by direct credit transfer either four-weekly or quarterly in arrears.

## SOCIAL FUND

### Payments for Funeral Expenses

The Funeral Payment helps to cover the cost of a basic funeral and certain fees and travel expenses. The amount of the payment can be reduced in certain circumstances. The Department for Work and Pensions may recover any payment from the deceased's estate.

To qualify for a payment you must be on means-tested benefits such as Pension Credit, Housing Benefit or Council Tax Benefit.

You must be responsible for the funeral and the decision maker must accept this responsibility as reasonable. If it is your partner who has died it will be accepted that you are responsible. In other cases help may be refused if there are other close relatives not on benefit, even if there has been no recent contact with the deceased, providing they were not actually estranged.

Claim by contacting Jobcentre Plus on 0800 055 66 88 (textphone 0800 0 23 48 88) or the Social Fund application line on 0845 608 8671. Claim forms can also be printed from [www.direct.gov.uk](http://www.direct.gov.uk)

### Payments for Cold Weather

If the average temperature is, or is forecast to be, below freezing point for seven days in a row, you are entitled to a payment of £8.50 towards the extra cost of fuel if you are 60 or over and on Pension Credit. There is no savings limit. Payment will be sent to you automatically; you do not have to make a claim.

## Health costs if you are on a low income

If you are on a low income and have capital of £16,000 or less you may be able to get help under the Low Income Scheme. If you live in a care home the capital limit is £21,500. Claim on form HC1 before you need treatment. If you have already paid for treatment or for glasses you can apply for a refund within 3 months. You will need an NHS receipt.

If you receive Working Tax Credit or Child Tax Credit you may be entitled to help with health costs. You will be sent an exemption certificate automatically.

## How do I claim?

You can usually get a claim form from your doctor, dentist, optician or chemist. You can also ring the Department of Health's publications line on 08701 555 455.

## PENSION CREDIT

**Pension Credit** is for people aged 60 and over. It consists of two parts:

- **Guarantee credit** ensures that no-one aged 60 or over lives on less than a set amount. This is £124.05 for a single person and £189.35 for a couple. Extra amounts will be paid on top of this if you qualify for the severe disability addition, you are a carer or you have relevant housing costs (eg. a mortgage or home repairs loan).
- **Savings credit** is payable to those aged 65 or over who have modest savings and income above the savings credit threshold. For example, if you have savings over £6,000 or income from an occupational pension. The maximum amount of savings credit you can get is £19.71 for a single person or £26.13 for a couple.

Savings credit can be paid on top of guarantee credit or on its own if you do not qualify for guarantee credit.

### Example

Irene is a single pensioner aged 67. She has a total income of £95 a week. She will receive a guarantee credit top-up of £29.05 to take her income up to the guarantee credit level of £124.05. Her income is £3.80 more than the savings credit threshold of £91.20 for a single person. This will entitle her to savings credit of £2.28 a week (60% of £3.80), giving her a total income of £126.33 a week.

**Example**

Freda and Trevor are both over 65. They have a total weekly income of £150 a week. They will receive guarantee credit top-up of £39.35 a week to bring them up to the guarantee credit level of £189.35. Their income is £4.20 more than the savings credit threshold of £145.80 for a couple and will entitle them to savings credit of £2.52 a week (60% of £4.20), giving them a total income of £191.87 a week.

**Pension Credit figures****Standard minimum guarantee**

Single	£124.05
Couple	£189.35

**Additional amounts**

Severe disability addition	£50.35 (per qualifying person)
Carer addition	£27.75 (per carer)

**How do I claim?**

Most claims are made by ringing the Pension Credit application line – 0800 99 1234 (textphone 0800 169 0133). You can also download a claim form from [www.direct.gov.uk](http://www.direct.gov.uk)

**Changes in Circumstances**

Once an initial decision has been made there are some changes that can affect your Pension Credit award (eg. an increase in earnings). If you or your partner are aged 65 or over Pension Credit may be awarded for an Assessed Income Period of up to 5 years. During this period you do not

**HEALTH COSTS**

This is an outline of the help available to people aged 60 or over. If you suffer from a particular disability, you may want to check whether that entitles you to free treatment. There is also a special scheme for war pensioners.

**Prescriptions and sight tests**

These are free if you are over 60 (men and women).

**Health costs if you are on Pension Credit guarantee credit**

If you are on Pension Credit guarantee credit you are entitled to:

- free NHS dental treatment
- vouchers for glasses
- help with fares to and from hospital

Your voucher for glasses will not cover the full cost; check the value of your voucher with the optician.

You are entitled to help with the cost of travelling to hospital if you are a patient or accompanying a patient who could not travel alone. You must travel by the cheapest means of transport which it is reasonable for you to use. When you arrive at the hospital ask the reception for a refund. You must provide evidence of your Pension Credit entitlement.

You may also be able to get a Community Care Grant to cover travelling expenses if you are visiting a relative (see page 38).

52 weeks. Returning home for a short period (24 hours is usually enough) breaks the period of absence and a new period begins when you re-enter hospital.

Any partner living in your home may be able to claim these benefits in their own right. If your home is left empty it may be exempt from Council Tax – contact your local authority.

have to inform the Pension Service of any changes in your retirement provision (eg. capital, pensions). As a result, your Pension Credit award will not change even if your income or savings increase. There are limited circumstances in which the assessed period will end, such as you get married.

If you are not given an Assessed Income Period you will need to report all changes of circumstances that could affect your entitlement.

When you receive Pension Credit you will be given information about which changes must be reported.

## HOUSING BENEFIT

Housing Benefit helps you pay your rent if you have a low income. You must have £16,000 or less in savings. If you are on Pension Credit guarantee credit you will qualify regardless of the amount of savings or capital you have.

If you are on Pension Credit guarantee credit or a similar level of income, you will get the full help available.

- You may not get all your rent covered if you have other adults living with you. However, if you or your partner are on any level of Disability Living Allowance care component, Attendance Allowance or registered blind, then no deductions are made for other adults living in the household.
- Certain things are not covered by Housing Benefit (eg. charges for meals or fuel).
- If you are a private tenant, the amount of rent included in your Housing Benefit calculation may be less than you actually pay.
- If you are a private tenant and you come under the Local Housing Allowance scheme (introduced April 2008), the amount of rent included in your Housing Benefit may be up to £15 a week more than you actually pay.
- A carer premium and/or severe disability premium may be included in your Housing Benefit calculation.
- For each £1 you have above Pension Credit guarantee credit level, you lose 65p in Housing Benefit.

It is important to remember to tell the Housing Benefit section when any changes happen to you or your partner.

unless separated by 29 days or more 'out' of hospital. For Attendance Allowance and Disability Living Allowance the day you enter hospital and the day you leave are both counted as days 'out'. Payments are only 'suspended' – you do not have to prove entitlement again when you leave hospital. Just ask the Disability Benefits Centre to resume paying you.

### Carer's Allowance

Carer's Allowance stops when the person you look after stops being paid Attendance Allowance or Disability Living Allowance care component. Contact the Carer's Allowance Unit when the person you look after goes into hospital and again when they come out.

Carer's Allowance will stop after the carer has been in hospital for 12 weeks. However, it can stop sooner if the carer has had any weeks off from caring in the last 26 weeks. For example, if you have had one week off caring in the last 26 weeks, Carer's Allowance will stop after 11 weeks in hospital.

- **Note:** the carer addition/premium on means-tested
- benefits can continue to be paid for eight weeks after
- entitlement to Carer's Allowance stops.

### Help with Housing Costs

Help with housing costs through Pension Credit, Housing Benefit and Council Tax Benefit stops when you have been absent for 52 weeks. Help with housing costs will stop sooner if it becomes clear you will be away from home for longer than

## BENEFITS IN HOSPITAL

If you are in an NHS hospital you will continue to receive your full entitlement to State Pension, Incapacity Benefit and Severe Disablement Allowance for an indefinite period (as long as you continue to satisfy the conditions of entitlement for these benefits).

### Income Support and Pension Credit

Income Support and Pension Credit may be paid in full for 52 weeks.

If the severe disability premium or addition is included in your benefit calculation this will stop when your Attendance Allowance or Disability Living Allowance ends (usually after 4 weeks, see below). However, if you are a member of a couple the severe disability premium or addition will continue in payment at the single person's rate if one or both of you are in hospital.

If you are a member of a couple you will have to claim separately if you are **likely** to be separated for substantially more than 52 weeks.

Your Income Support will not include the disability premium, enhanced disability premium or higher pensioner premium after 52 weeks in hospital.

### Attendance Allowance and Disability Living Allowance

Attendance Allowance and Disability Living Allowance are not paid to adults after 28 days in hospital. If you have a Motability agreement this can continue to be paid while you are in hospital. For the purpose of deciding how long you have been in hospital, separate stays are added together,

### How do I Claim?

Your claim for Pension Credit can include a claim for Housing Benefit. You can also apply for Housing Benefit direct to the Local Authority, whether or not you receive Pension Credit.

## COUNCIL TAX AND COUNCIL TAX BENEFIT

Council Tax is a property-based tax. Usually the resident of the property will be liable to pay the Council Tax. Where more than one person is liable for the Council Tax bill, they are liable for their own proportion of the bill but can also be held responsible if the others do not pay. This is known as joint and several liability.

### HOW CAN I PAY LESS COUNCIL TAX

#### Discounts

If you live alone you will get 25% discount on your Council Tax bill. You will also get a 25% discount if only one person is treated as living in the house because the others do not count as residents (eg. someone who is severely mentally impaired or in hospital).

If no one lives in the house or the house is treated as having no residents, you will get a 50% discount on the bill. However, your local authority can reduce or remove the discount in some cases (eg. if you have a second home). If your house is empty it may be exempt from Council Tax.

#### Disability Reduction Scheme

Council Tax can be reduced if the house is occupied by someone who is permanently and substantially disabled and has been provided with another bathroom, kitchen or other room or has sufficient space to move a wheelchair around. Council Tax for properties in bands B to H will be reduced by one banding rate. Band A properties will be reduced by one-sixth of your bill.

upper capital limit **and** insufficient income to meet the cost of the care home. A legal charge is placed on the property, Social Services then pays the care home fee, and this is repaid either when you die or the property is sold.

### TEMPORARY OR 'RESPITE' CARE

#### Benefits

Attendance Allowance or Disability Living Allowance care component can be paid for stays of up to 28 days in care. However, be aware that separate stays close together may be 'linked', stopping payment of Attendance Allowance or Disability Living Allowance care during respite care when the total days exceed 28 days.

If you do get paid Attendance Allowance or Disability Living Allowance care in respite or temporary care you can keep it for your own use, you do not have to contribute it towards the cost of your care.

The amount of Pension Credit you receive is usually the same as when you are at home.

#### Social Services Capital Limit

The Social Services maximum capital limit for temporary care is £22,250, the same as for permanent residential care.

Social Services only count the income and savings belonging to you, the person in temporary or 'respite' care – not those of your spouse, civil partner or partner.

#### Treatment of property

The value of your house is ignored during temporary care.

single, and £8.15 for couples. You can also keep 50 per cent of an occupational or private pension if you pay that amount to your spouse or civil partner who lives in the community.

### Nursing care

The National Health Service (NHS) funds care provided by a registered nurse in care homes. Social Services fund personal care and accommodation. Resident's benefits are **not** affected.

The registered nursing element is paid at £101 per week.

### Treatment of property – permanent care

Pension Credit and Social Services must ignore the value of your house while your spouse or partner lives there, and also while a relative who is age 60 or over, or disabled, lives there.

Pension Credit can ignore the value of your home while it is for sale, for at least 26 weeks. A longer period can be allowed at the Department for Work and Pensions' discretion if more time is needed to sell the house.

Social Services must ignore the value of your property for the first 12 weeks of your permanent stay in care. After this they will count the value of your house even though it has not yet been sold. They may then loan you the money to pay for your care home, and re-claim it from you once your house is sold. You can receive Attendance Allowance or Disability Living Allowance care component during the time Social Services are loaning you the money.

Deferred payment agreements are available if you are in a care home and do not wish to sell your home (for whatever reason), or face a delay in selling it **and** have less than the

### Second Adult Rebate

Some Council Tax payers, who are not themselves on a low income, may still get a rebate because they live with other adults who are on a low income. You may be able to get up to a 25% discount under the Second Adult Rebate scheme. Contact your local authority for more information.

### Council Tax Benefit

You can claim Council Tax Benefit if you have a low income and £16,000 or less in savings. The savings limit does not apply if you receive Pension Credit guarantee credit.

The rules for awarding Council Tax Benefit are similar to Housing Benefit. If you are on Pension Credit guarantee credit, or a similar level of income, you will get the maximum help available.

- You may not get full help from Council Tax
- Benefit if you have other adults living with you.
- However, if you or your partner are on any rate
- of Disability Living Allowance care component,
- Attendance Allowance or registered blind, then
- no deductions are made for adults living in the
- household.

For each £1 you have above your Pension Credit guarantee credit level you lose 20p in Council Tax Benefit.

**How to claim:** Your claim for Pension Credit can include a claim for Council Tax Benefit. Otherwise contact your local authority for a claim form.

## INCAPACITY BENEFIT

Incapacity Benefit is for people unable to work because of illness or disability.

Long-term Incapacity Benefit will stop when you reach pension age (60 for women or 65 for men). You may then be able to claim State Pension instead.

You can continue to receive short-term Incapacity Benefit for up to 364 days after pension age, but you cannot get State Pension at the same time.

Incapacity Benefit is taxable, except for the short-term lower rate. It counts as income for means-tested benefits such as Pension Credit, Housing Benefit and Council Tax Benefit.

- Employment and Support Allowance is a new
- benefit for people with limited capability for
- work because of illness or disability. It is due to
- be introduced in October 2008. It will replace
- both Incapacity Benefit and Income Support
- paid on the grounds of incapacity, for new
- claimants.

having £6 a week tariff income. However Social Services will treat you as having nil tariff income.

### Benefits in permanent care

**Attendance Allowance and Disability Living Allowance care component** are normally payable for a maximum of the first 28 days in care. If you pay your own fees, they remain payable.

**Disability Living Allowance mobility component** continues to be paid when in a care home.

You also keep £10 a week of any **War Pension or Armed Forces Compensation**.

**Pension Credit** is also payable in care. Pension Credit is calculated using a standard minimum guarantee plus any additional amounts you are entitled to, just as if you were living in the community. You will no longer be treated as part of a couple, except in limited circumstances when your partner is sharing a room with you.

### Working out what you pay

When working out how much you have to pay for your care, Social Services can only count your own income and savings. You should not be jointly assessed with anyone else, not even your spouse or civil partner.

If you are publicly funded you must contribute most of your income to pay for your care, except £21.15 a week personal expenses allowance.

Social Services will disregard your Disability Living Allowance mobility component, £10 a week War Pension/Armed Forces Compensation, and certain charitable or voluntary payments. There is also a savings disregard if you are aged 65 or over allowing up to £5.45 for a resident assessed as

## CARE HOME FUNDING

### GENERAL RULES FOR PERMANENT RESIDENTS

If you are a resident in a care home you must usually pay towards the cost.

Depending on your income and savings you may be able to claim Pension Credit to help meet the cost of care. Benefits do not cover the full cost of care. Many people who need help with care home fees get it from Social Services. If you have capital of £22,250 or less Social Services will normally pay the remaining charge if they assess you as needing care.

If you choose a home that charges more than Social Services will normally pay, a **third party** other than your spouse or civil partner (eg. relatives or a charity) will have to pay the difference. You, the resident, can only pay the extra from **your** own income if Social Services are funding you while you wait for your property to sell.

If your income and savings are too high you will have to fund the cost of your stay in the care home.

If you are a permanent resident in a care home and the NHS pays for the total cost of your care, the rules are different to those given here. See the section on benefits in hospital.

### 'Tariff income' from capital

You will be treated as having extra income (called tariff or deemed income) if you have capital above £10,000 for Pension Credit or £13,500 for Social Services.

You will be treated as having £1 a week income for each £500 or part £500 over the threshold for Pension Credit; £1 a week for each £250 or part £250 for Social Services. So if you have £13,000 you will be treated by Pension Credit as

## TAX CREDITS

There is no upper age limit for claiming tax credits. Child Tax Credit gives financial help to people who have children. Working Tax Credit is for claimants who are in work but on a low income. Her Majesty's Revenue and Customs is responsible for administering tax credits.

### CHILD TAX CREDIT

Child Tax Credit is a payment to support families.

You can claim it if you are responsible for a child or young person who normally lives with you. You can claim for a child up to 31 August following their 16th birthday or up to age 20 if the young person is in full-time non-advanced education or unwaged work-based training. You do **not** have to be working to get Child Tax Credit.

The amount of Child Tax Credit you receive depends on the number of children you are responsible for and your income.

### WORKING TAX CREDIT

Working Tax Credit gives financial help to working people on low incomes. People with children, or over 50 returning to work after a period on benefits, or those with an illness or disability, have to work at least 16 hours a week; all others need to be aged 25 or over and work at least 30 hours.

The amount of Working Tax Credit depends on your circumstances. For example, the number of hours you work or if you are disabled. If you have children you may qualify for help towards the cost of childcare.

## How do I claim?

You claim both Child Tax Credit and Working Tax Credit on the same TC600 form. TC600s can be issued from Jobcentre Plus and Revenue enquiry centres.

Alternatively you can telephone 0845 300 3900 (textphone 0845 300 3909) or download a claim form from [www.hmrc.gov.uk](http://www.hmrc.gov.uk)

## How to claim?

Claim by calling Jobcentre Plus on 0800 0 55 66 88 (textphone 0800 0 23 48 88) or by ringing the Benefit Enquiry Line (see page 21). You can also claim online at [www.direct.gov.uk](http://www.direct.gov.uk)

## CARER'S ALLOWANCE

Carer's Allowance is a benefit for people who regularly spend 35 hours or more a week caring for a person who gets either Attendance Allowance or Disability Living Allowance care component at the middle or higher rate.

**Carer's Allowance** is £50.55 a week.

To qualify your average earnings must not be over £95 a week. Do not count income tax, National Insurance contributions, half of any contributions you make towards a personal or occupational pension scheme. Also deduct certain care costs for the person you are caring for or childcare.

You must not study for 21 hours or more a week.

Carer's Allowance overlaps with State Pension so you will not receive Carer's Allowance if you have a basic State Pension which is worth more. However, you will be entitled to a carer premium or addition as part of any means-tested benefit you receive such as Pension Credit or Housing Benefit.

The **carer addition** or **premium** is an extra amount of Pension Credit guarantee credit, Housing Benefit or Council Tax Benefit for carers who qualify for Carer's Allowance. The carer addition/premium is worth up to £27.75 a week. Carers entitled to Carer's Allowance are also able to earn £20 a week without it affecting these benefits.

Carer's Allowance is taxable and is taken into account as income for means-tested benefits.

Carer's Allowance continues in payment for 8 weeks if the person you are looking after dies.

## BENEFITS IF YOU ARE DISABLED

### ATTENDANCE ALLOWANCE

Attendance Allowance is for people who need help with personal care or need supervision. It is paid if you claim when aged 65 years or over. If you are under 65, see Disability Living Allowance on page 21.

There is no upper age limit for claiming Attendance Allowance. To get it, you have to show that you need help with personal care, or you need somebody to supervise you to make sure there is no danger to you or to anyone else. You do not actually have to get help or supervision, but must show you require it. If you first claim when you are aged 65 or over you cannot claim any benefit for help with getting around.

**Help with bodily functions:** You have to need frequent help with your bodily functions. This means help during the day with things like getting up, washing, dressing, going to the toilet, eating and drinking, hearing and seeing. At night, it means you need help with things like being turned in bed, or getting up to go to the toilet.

**Supervision:** To show that you need supervision during the day, you will need to show that somebody needs to be around to avoid danger for yourself or others. At night, you will need to have somebody awake to watch over you.

**Terminally ill** means suffering from a progressive disease from which death may 'reasonably be expected' in the next six months. You will qualify for the higher rate of Attendance Allowance immediately without having to show that you require help with bodily functions or supervision. Your doctor will be asked to confirm the nature of the

illness. Another person can apply on behalf of someone who is terminally ill, without their knowledge or consent.

**Six months qualifying period:** You must have needed help for at least six months before payment will begin, but you can send in your claim during the six month waiting period. Those who are terminally ill do **not** have to complete the qualifying period. Nor do those reclaiming within two years of last receiving Attendance Allowance.

**Rates of Attendance Allowance:** If you need help by day **or** by night, but not both, you get the lower rate. If you need help **both** by day **and** at night, or are terminally ill, you get the higher rate. The higher rate is £67.00 a week and the lower rate is £44.85 a week.

- **Remember:** Attendance Allowance is **not**
- counted as income when calculating Pension
- Credit, Housing Benefit or Council Tax Benefit.
- In fact it can give you increased entitlement
- to those benefits, so remember to notify
- the relevant local offices if you are awarded
- Attendance Allowance. They will check if
- you are entitled to extra money as a severely
- disabled person.

**Note:** Attendance Allowance may stop being paid if you have a stay in a care home or hospital (see pages 28 and 32).

### How do I claim Attendance Allowance?

You can get a claim form from the Disability Benefits Centre for North Yorkshire by ringing 0113 230 9000 (textphone 08457 22 44 33) or from the Benefit Enquiry Line (see page 21).

## Motability, road tax and Blue Badge

If you get the **higher rate** of mobility component, you can use the money towards leasing a car under the Motability Scheme if you wish. You need at least a 12 month award to do this. For further details contact the Motability scheme by ringing 0845 456 4566 (textphone 01279 632 273) or visit their website [www.motability.co.uk](http://www.motability.co.uk). You will also be entitled to free road tax from the Vehicle Licensing Agency and a Blue Badge from Social Services to help with parking.

### Where can I go for help?

Your local Age Concern or Citizens Advice Bureau will be able to help and advise you. There is a full list of names and addresses at the back of this guide.

- you are both deaf and blind and you need someone with you when you are outdoors, **or**
- you are severely mentally impaired, have severe behavioural problems and you qualify for the highest rate of Disability Living Allowance care component.

You qualify for the **lower rate** of £17.75 a week if you are physically **or** mentally disabled and need guidance or supervision from another person when walking outdoors on routes you are not familiar with.

You must have had difficulty with getting around for at least three months, and be likely to continue to do so for six months or more. If you are terminally ill (see page 23) you do not have to satisfy the 3 month test, however you must complete the mobility section of the form as the mobility component is not awarded automatically.

### How do I claim Disability Living Allowance?

You can get a claim form from the Disability Benefits Centre for North Yorkshire by ringing 0113 230 9000 (textphone 08457 22 44 33) or from the Benefit Enquiry Line (see page 21).

You can also claim online at [www.direct.gov.uk](http://www.direct.gov.uk)

### How will it affect my other benefits?

Disability Living Allowance will **not** reduce your Pension Credit, Housing Benefit or Council Tax Benefit. In fact it can give you an increased entitlement to those benefits, so notify the local office dealing with your claims if you are awarded any Disability Living Allowance.

You can also claim online at [www.direct.gov.uk](http://www.direct.gov.uk)

- The **Benefit Enquiry Line (BEL)** is a benefits helpline for people with disabilities, their carers and representatives. BEL is part of the Department for Work and Pensions. They offer confidential advice and information on benefits and how to claim them. They can also send out leaflets and claim packs.
- Tel: 0800 88 22 00, Textphone: 0800 24 33 55
- 8.30am – 6.30pm, Monday – Friday;
- 9am – 1pm Saturday

## DISABILITY LIVING ALLOWANCE

Disability Living Allowance is for people with a physical or mental illness or disability who need:

- help with personal care, or supervision to avoid danger, **or**
- help with getting around outdoors, **or**
- help with both of these.

You can only get Disability Living Allowance if you first need help with personal care or supervision, or have difficulty getting around before you are aged 65. Once it is awarded it will continue to be paid irrespective of age, provided you continue to meet the other qualifying conditions.

## Disability Living Allowance: care and mobility

Disability Living Allowance has two separate components:

- a care component, paid at three different levels
- a mobility component, paid at two levels.

### care component

£67.00: higher rate

£44.85: middle rate

£17.75: lower rate

### mobility component

£46.75: higher rate

£17.75: lower rate

You can claim one or both components.

**Three months qualifying period:** Except for the terminally ill you must have needed care or had walking problems for three months, and you must be likely to satisfy the conditions for at least a further six months.

## Can I get the care component of Disability Living Allowance?

You can qualify for the lower care component (£17.75) if you need help with personal care for part of the day **or**, if you are 16 or over and you could not prepare a cooked main meal for yourself if the ingredients were provided.

Middle and higher care components are awarded if you have day or night care or supervision needs.

**By day**, you must:

- need frequent help throughout the day with bodily functions such as washing, dressing, eating or using the toilet, **or**
- need continual supervision to avoid substantial danger to yourself or others.

**By night**, you must:

- need prolonged or repeated attention in connection with your bodily functions, **or**
- need watching over in order to avoid substantial danger to yourself or others.

**Terminal illness** means an illness which is likely to limit life expectancy to six months or less. If you have a terminal illness you should qualify for the higher rate care component immediately, regardless of the amount of care you need.

## How much care component will I get?

If you need help or supervision both day **and** night, or you are terminally ill, you will get the higher rate of £67.00.

If you only need help or supervision during the day **or** the night you will get the middle rate of £44.85.

If you only need help during part of the day or you cannot prepare a meal for yourself you will get the lowest rate of £17.75.

## Can I get the mobility component of Disability Living Allowance?

The mobility component is paid if you have difficulty with walking. You must claim before age 65. Once payable there is no upper age limit.

You qualify for the **higher rate** of £46.75 a week if:

- you are unable to walk, **or**
- you are virtually unable to walk, **or**
- the exertion required to walk would constitute a danger to your health, **or**
- you have had both legs or feet amputated or were born without legs or feet, **or**