

Know your rights, know your benefits

A guide for young people in and from care

The National Care Advisory Service (NCAS) is the national advice, support and development service focussing on young people's transition from care.

For further information and resources please email ncas@catch-22.org.uk or go to www.leavingcare.org

Acknowledgements:

NCAS would like to thank the West Midlands Care Leavers Participation Forum, Yorkshire and Humber Care Leavers Participation Forum and the London Borough of Merton Children in Care Council for helping developing this booklet.

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June 2010



WHY ARE SO MANY PEOPLE
TELLING ME DIFFERENT THINGS?
I WISH I KNEW MY RIGHTS.

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people out

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Introduction

This booklet aims to help care leavers understand the support available within the benefit system. The type of benefits you can claim depends on your circumstances.

Special benefit rules apply to care leavers. In general, local authorities are responsible for supporting young people in and from care up to the age of 18 by paying for accommodation and living costs. The only 16 and 17 years olds in and from care that may be able to claim benefits are young parents and disabled young people.

After 18 the local authority may still give care leavers further financial support, but they are not expected to be their main source of income. Like all young people they would get their income from work, education grants and, if they are eligible for benefits, they are expected to claim these to help support themselves.

What leaving care support should I receive?

Your local authority should make sure that you have a **personal adviser**, who should keep in touch with you and support you to achieve the things that are set out in your pathway plan.

The **pathway plan** is a document which identifies your needs and how the local authority will help you meet these. This can include financial assistance especially with education, employment, and training.



How do I make a benefits claim?

Your leaving care **personal adviser** should help you with your initial claim. This may involve:

- helping you with phone calls;
- registering the initial claim;
- coming along to Jobcentre appointments;
- completing forms; and
- providing supporting documents and letters.

Some leaving care services have specialist welfare right advisers that can help you with benefits applications.

You will need identification documents and a bank account for the benefits to be paid into. Your personal adviser should help you to get these if needed.

Paper claims – If you prefer it is possible to arrange with Jobcentre Plus to do a paper rather than a telephone claim.

Free calls from a mobile – From January 2010 you will not be charged for calls to 0800 benefit claim numbers from a mobile if your mobile contract is with O₂, Orange, Tesco Mobile, T-mobile, Virgin Mobile and Vodafone.



Looking for work?

Jobseeker's Allowance (JSA) gives young people who are unemployed money to live on.

Who can make a claim?

If you are 16-17 years old, you can't claim Jobseeker's Allowance, as your local authority should pay for your maintenance. If you are over 18 you can get Jobseeker's Allowance if you are:

- available for and actively seeking work,
- working or studying for less than 16 hours per week on average.

You will need to be available to go to job interviews, or attend appointments at short notice.

The Jobcentre has programmes that give extra support to find work. Care leavers can ask to access these straight away and don't have to wait to qualify for the extra support.

How do I apply for JSA?

You can apply online at www.direct.gov.uk/jsaonline, by phoning **0800 055 6688** or ask at your Jobcentre to make a paper claim.

Benefit sanctions

Young people who leave a job without a good reason or are dismissed may be subject to a benefit sanction of up to 26 weeks. This means that during that time, they may not be able to claim Jobseeker's Allowance, but may be able to claim Income Support at a reduced rate.

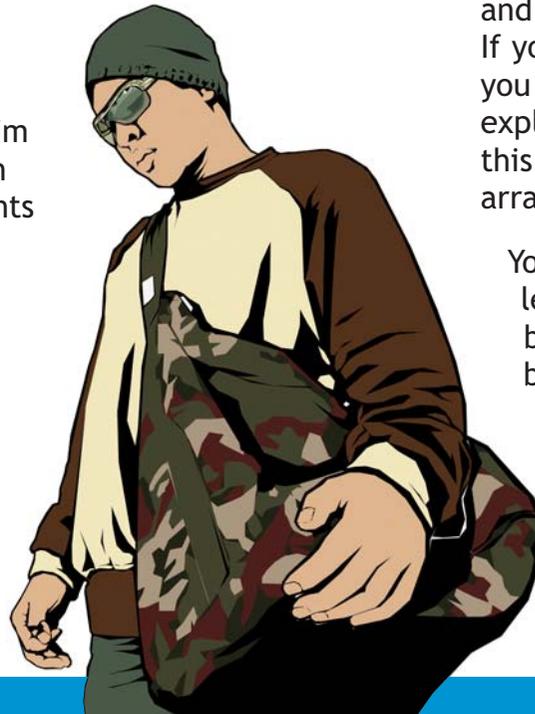
Are you studying?

Further education

- Care leavers over 18 can claim Income Support and Housing Benefit if they are studying non-advanced education (below degree level) on the grounds of being 'estranged from their family'. You will have to start or be enrolled/accepted onto the course before your 19th birthday and can claim until you turn 21.
- If you are under 19 you can claim Education Maintenance Allowance and it is not counted when calculating your benefit.
- If you are over 19 you can claim an Adult Learning Grant but it will affect any other benefit.
- Lone parents and sick and disabled young people can in some circumstances continue to claim income-based benefits whilst studying full-time in further education, even if they start the course after their 19th birthday.

University

- If you attend higher education you can get student funding (student loans and grants), and usually won't be able to claim benefits. But, some part-time students on low incomes, parents and disabled students may still get benefits.
- Your local authority may also give extra support through the leaving care service. You should get a Higher Education Bursary, accommodation during the vacations and they often help with other costs. Talk to your personal adviser to find out more.



Need help paying your rent?

Housing Benefit can help pay for your all or part of your rent.

Who can make a claim?

You could qualify if you are out of work or on a low wage. Care leavers must be over 18 to claim.

How to claim?

If you're not claiming any state benefit, contact your local council to claim Housing Benefit. If you do claim a benefit through Jobcentre Plus, they will take details of your Housing Benefit claims at the same time and pass this on to your council.

Local Housing Allowance – Shared room rate exemption

The Local Housing Allowance (LHA) is the name of housing benefit payments for private rented accommodation, for example a flat with a private landlord. LHA will be paid to you and you will be responsible for paying your landlord rent. If you think it will be difficult to manage your rent payments you can request to have LHA paid straight to your landlord by explaining why you are unable to pay directly. You could discuss this with your personal adviser who will help you decide what arrangements are best for you.

Young people under 25 are entitled to rent payments at the level of the cost of a room in a shared house. Care leavers between 18 and 21 are exempt from this 'shared room rate' but once you turn 22 you can only get this amount. Bear this in mind if you are moving into a new home and think that you will continue to claim benefits after 22.

Need help paying your council tax?

You can get **Council Tax Benefit** or a reduction in council tax through **Second Adult Rebate**.

Who can make a claim?

- Like **Housing Benefit** you can qualify for **Council Tax Benefit** if you are out of work or on a low income.
- If you have savings of over £16,000 you can't normally get **Council Tax Benefit**.

How to claim

If you're not claiming any state benefit, contact your local council to claim **Council Tax Benefit**. If you do claim a benefit through **Jobcentre Plus**, they will take details of your **Council Tax Benefit** claim at the same time and pass this on your council.

When you go back to work, work more hours or earn more money, some of your benefits may stop. To help you pay your rent or council tax you may get an extra four weeks of **Housing and Council Tax Benefit**. These are called 'extended payments'. Ask your council for more information.



Need help setting up your first home?

Community Care Grant

If you get or make a claim for **Income Support**, **income-related Employment and Support Allowance**, or **income-based Jobseeker's Allowance**, you can apply for a **Community Care Grant** to help with the cost of living independently. How much you get depends on what you need. To claim contact **Jobcentre Plus**.

Setting up home allowance (leaving care grant)

Most local authorities provide financial support for care leavers moving into more independent living to buy some of the items that are essential when a person sets up in a new home. How much you will receive should be set out in the financial policy of the local authority responsible for your support. Ask your leaving care service for more details.

If you start saving in advance this will help you buy the things you want.

Need help in an emergency?

A **Crisis Loan** is an interest free loan for something you need in an emergency. You can apply if money is not available from anywhere else, and the loan is the only way to stop serious damage or risk to you or your family's health and safety. You will have to pay the money back, but you will not be charged interest. To claim contact **Jobcentre Plus**.

Are you a parent?

You could be entitled to...

All pregnant women over the age of 16 can get a **Health in Pregnancy Grant**. The money is to help you with your extra costs in the run up to your baby's birth.

Income Support helps people on a low income. It's for people who don't have to sign on as unemployed. Unlike many other benefits you can claim this aged 16 or 17 if you are responsible for a child. Income Support can be claimed from the day the baby is born if you are 16 and 17 or 11 weeks before the due birth date if you are over 18.

Healthy Start Vouchers are weekly vouchers, which can be used to buy liquid milk, infant formula or fresh fruit and vegetables in general retail outlets.

If you have been working (even, for example, a weekend job) you could be entitled to either **Statutory Maternity Pay** from your employer or **Maternity Allowance** from the state. It depends on the length of time you have been employed, and the amount of money you have been earning.

Sure Start Maternity Grant is a one-off payment to help with the costs of a new baby. You do not have to pay it back.

Child Benefit is a tax-free payment that you can claim for your child. If you are still in care you can get Child Benefit if your child is living with you, for example with a foster carer, even if that child is also in care.

Child tax credits are payments you can claim if you have a child. The lower your income, the more tax credit you can get.

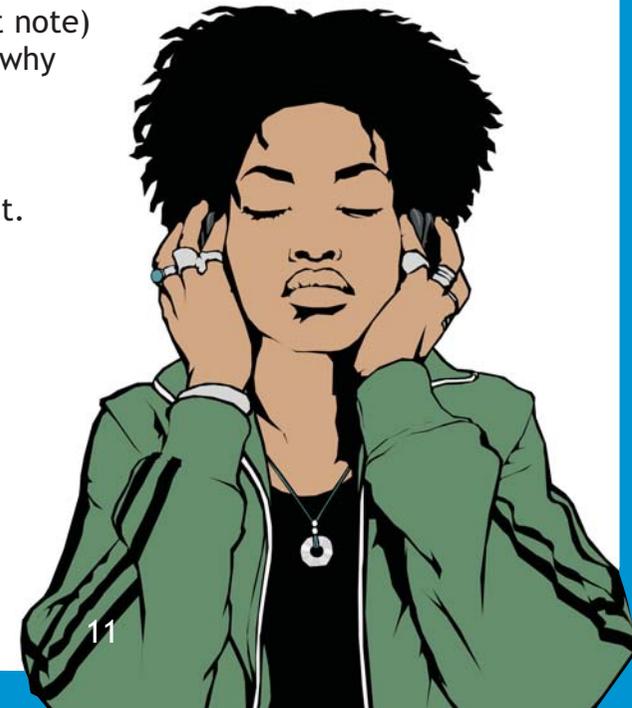
Are you ill or disabled?

Care leavers who are ill or disabled may be able to claim certain benefits when 16 and 17. Once you turn 18 the same rules that apply to other young people apply to you.

Employment and Support Allowance (ESA) is a benefit for sick or disabled people who cannot work.

Who can make a claim?

- Normally, you cannot claim Employment and Support Allowance unless you have paid National Insurance contributions. But, there are special rules for 16-19 year olds (and some people aged up to 25) that allow you to claim – these are called the 'youth provisions'.
- You can claim ESA when you are 16 and 17, but you can't get Housing Benefit as your local authority should still provide or pay for your accommodation.
- You will need a medical certificate (called a fit note) from your GP showing why you can't work, or have a condition that exempts you from the medical assessment.



Disability Living Allowance is a benefit for people under 65 who need someone to help them look after themselves or need help getting around.

Who can make a claim?

You can claim Disability Living Allowance if you:

- need help with personal care;
- need supervision to make sure you are safe;
- cannot cook a main meal without help (this only applies to people aged 16 or more);
- have difficulty walking;
- have severe behavioural problems; or
- need guidance/supervision when walking outdoors in unfamiliar places.

If you are under 16 your Disability Living Allowance will be paid to an adult on your behalf, but when you are 16 it can be paid straight to you.

Disability Living Allowance has two components 'care' and 'mobility'. Each are paid at different rates depending on what your needs are.

For more information

Call the Benefit Enquiry Line: 0800 88 22 00

Textphone: 0800 24 33 55

Are you seeking asylum?

You will be able to claim benefit once you have been granted 'refugee status', 'humanitarian protection' or 'discretionary leave'. People in these categories will cease to be asylum seekers.

Many care leavers who have come to the UK on their own seeking asylum get 'discretionary leave to remain' until 17½ and when this expires it affects rights to benefits. You must apply for an extension of discretionary leave to remain before it expires to be able to claim benefits.

Talk to your personal adviser or a benefit specialist to make sure your claim is ok.



Useful websites and organisations

www.direct.gov.uk

The latest news and information on benefits will be available on this national website. You can search for individual benefits and use the 'benefits adviser' interactive tool that can help you find out what benefits and tax credits you may be entitled to.

www.leavingcare.org

The latest news and information on all issues relating to transitions from care and care leavers are available on NCAS website.

www.getreadyforadulthood.org

This webpage for young people in or leaving care gives you information and advice to help prepare you for adult life.

Benefit Enquiry Line

A telephone advice and information service you can call if you are sick or disabled or if you are caring for someone and acting on their behalf.

T: 0800 88 22 00

Textphone: 0800 24 33 55

Citizens Advice Bureau

Helps people resolve their legal, money and other problems by providing free advice.

T: 0870 84080808

E: enquiry@cabline.org

W: www.citizensadvice.org.uk

Shelter housing advice helpline

Shelter provides a free, national telephone advice line staffed by trained housing advisers.

T: 0808 800 4444

(8am–midnight 7 days per week, Freephone)

E: info@shelter.org.uk

W: www.shelter.org.uk

Turn2us

Helps people access the money available to them – through welfare benefits, grants and other help.

Free phone: 0808 802 2000

W: www.turn2us.org.uk

Voice

A children's advocacy organisation for children living away from home or in need that provides a national helpline.

Free phone: 0800 800 5792

E: help@voiceyp.org

W: www.voiceyp.org

