



I want to work

A guide to benefits and work for people with a learning disability

With a foreword by Anne McGuire, Minister for Disabled People,
Department for Work and Pensions



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Foreword

I am very pleased to welcome you to this guide. It will tell you about how your benefits may be affected if you get a job.

You might also want to read 'I can get a job'. This is a guide for people with a learning disability about the steps you need to take to get a job.

This guide is important because coming off benefits is something that a lot of disabled people worry about. It is possible to get a job and be better off than you would be on benefits. You can also try a job and get your benefits back if it doesn't work out. But not enough people know about this.

The Government knows that not enough people with a learning disability have a job at the moment. I am committed to making sure that people with a learning disability have a better chance to get a job while I am in Government.

If you decide that you want to get a job, I wish you the very best of luck. You deserve the chance to earn a good wage and achieve your ambitions.



Anne McGuire

Minister for Disabled People
Department for Work and Pensions

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Introduction

This guide is to help you find out more about how doing paid work could affect your benefits.

Understanding how all the different benefits work can be complicated. You might like to ask someone to help you go through this guide.

Having a paid job can be great. It can help you learn new skills, grow in self-confidence and have more money to live on.

Understanding more about how paid work may affect your benefits can help you plan for the way of working that is best for you.

A lot of the information in this guide has come from **Salford Welfare Rights Service** and **Salford Supported Employment**. We are very grateful that they have agreed to share their knowledge and experience to help us make this guide.

Remember – being on benefits does not stop you working. You may find that you are better off if you are able to do paid work.

Please note that there is another guide that you might find useful together with this one. It is called 'I can get a job' and it could help you think about working.

You can find out how to get a copy of this in the appendix at the back of this guide.

Your benefits now

There are many different types of benefit and you may be getting more than one.

You may be getting Incapacity Benefit or Severe Disablement Allowance.

If this is not enough to live on you may also get Income Support.

On top of these benefits you may also be getting Disability Living Allowance.

If you have children you should claim Child Tax Credit. You can get Child Tax Credit both in and out of work.

Make sure you know which benefits you are getting now so that you can use this guide to check how working may affect them. To make sure that you are getting all the benefits you are entitled to, you can get an Independent Benefits Check from the:

- Welfare Rights Service
- Citizens Advice Bureau.

You can find out how to contact these organisations in the appendix at the back of this guide.

Your benefits if you work

If you do voluntary work or do paid work of less than 16 hours per week you may be able to stay on the benefits you get now.

If you work 16 hours or more this is full-time work and you may be able to claim Working Tax Credit.

You can get Disability Living Allowance even if you work full time.

Returning to your benefits if your job ends

You can come off your benefits for a while to try a job or training. If the job does not work out, you can get the same benefits as before.

The rules about this are called **linking rules**.

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If you stop work or training within **8 weeks** of coming off your benefits for any reason you can go back on to your benefits at the same rate.

If you stop work or training within **104 weeks** of coming off benefits you can go back on to your benefits at the same rate.

To get this 104-week protection:

- Before you start work, you must have been getting benefits because you were incapable of work for at least 28 weeks.
- You must start work or training within one month of coming off your benefit.
- You will not get this protection if your benefit stopped because you had a personal capability assessment (PCA) and Jobcentre Plus decided you were capable of working. The PCA is the test that is used to decide whether you are capable of work.
- You do not have to apply for the 104-week protection. You will get this automatically.

This protection covers these benefits:

- Incapacity Benefit
- Severe Disablement Allowance
- Income Support (with a disability premium)
- Housing and Council Tax Benefits (with a disability premium)
- Income Support Mortgage Interest.

Disability Living Allowance

It is important to remember that you can get Disability Living Allowance even if you are working full time.

This is because Disability Living Allowance is paid to you because, as a disabled person, you need support with things like personal care or getting around (mobility).

If the sort of work you do shows that you need less support, then your Disability Living Allowance may be reduced or stopped.

If your Disability Living Allowance is reviewed, you may get a higher rate of Disability Living Allowance if going to work means your care or mobility needs have increased. Your Disability Living Allowance should only reduce if you now need less care.

When you start work you should tell the Disability Benefits Unit in writing. If you have a support worker ask them to write a letter to describe the support you still need.

If your Disability Living Allowance is reduced or stopped you should get advice quickly from the Citizens Advice Bureau or Welfare Rights Service.

You can find the contact details for the Disability Benefits Unit in the appendix at the back of this guide.

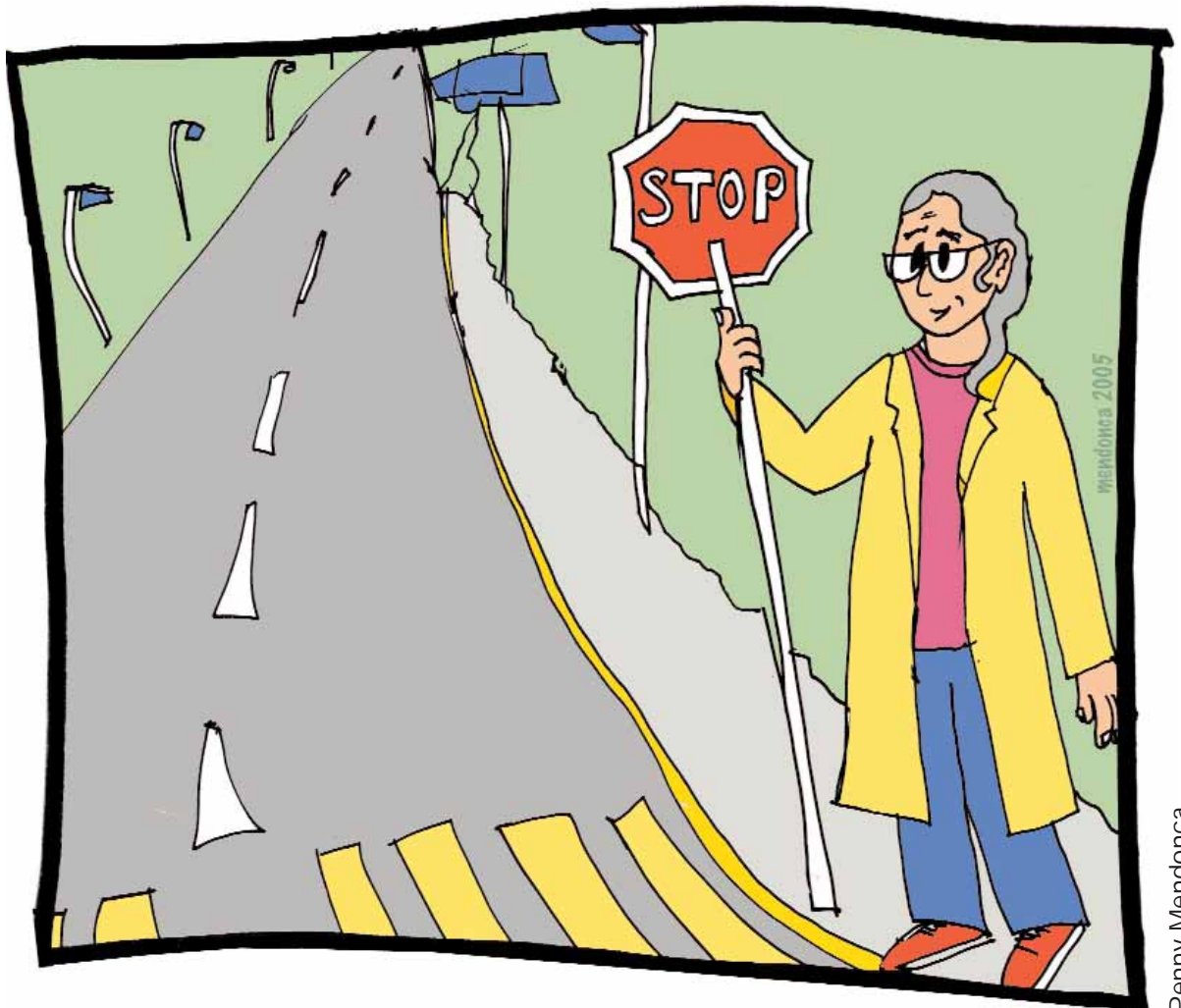
Work and staying on benefits

This section tells you about the sort of work you can do that means you can still get:

- Incapacity Benefit
- Severe Disablement Allowance
- Income Support.

You can stay on your benefits if you do:

- voluntary work
- permitted work
- work as a local authority councillor.



Penny Mendonca

Mary is doing voluntary work as a lollipop lady. She does not lose any of her benefits while she is doing voluntary work. It might be good experience to help her get paid work in the future.

Voluntary work

Voluntary work is when you work for an organisation like a charity, but only get paid expenses for things like your lunch and travel. There are no limits on the hours you can do.

Doing voluntary work does not affect your benefits as long as you only get expenses.

Permitted work

Permitted work can be any kind of paid work as long as it fits the rules.

You can **stay on** these benefits when you do permitted work:

- Incapacity Benefit
- Severe Disablement Allowance
- Income Support
- National Insurance Credits for Incapacity.

Permitted work may **reduce** these benefits if you earn more than £20 a week:

- Income Support
- Housing Benefit
- Council Tax Benefit.

There are 4 types of permitted work:

1. Permitted work lower limit

You can earn up to £20 a week.

There is no time limit on how long you can do this for.

2. Supported permitted work

Supported permitted work means that someone whose job it is to provide or find work for people with a disability supports you.

You can earn up to £86 a week. There is no time limit on how long you can do this for.

This person does not have to work alongside you. For example, it could be that you meet up regularly to talk about how your work is going.

This support must be more than the ordinary support given by an employer.



Penny Mendonca

Ali, on the left, is supported at work by his job coach, Sam. Sam helps him learn the skills for the job.

For example, the type of person who gives you this support can be:

- an employment support worker
- another worker involved in your care.

3. Permitted work higher limit (52 weeks limit)

This is work without support. You can work up to 16 hours per week and earn up to £86 per week. You can do permitted work higher level for up to 52 weeks. You will then be expected to be ready for full-time employment.



Penny Mendonca

Now Ali needs much less support, and Sam only drops by once a month. Ali will soon be able to work without any support from Sam.

4. Permitted work higher limit (unlimited time)

This is for people who are what the Jobcentre Plus call 'PCA Exempt'. This means that because of your disability you do not have to go through the test to count as incapable of work.

People who are exempt from the Personal Capability Assessment can undertake the permitted work higher limit but without any time limit.

How to apply for permitted work:

- You need to fill in a short form to do permitted work.
- You must tell the Jobcentre Plus that you are starting work as soon as possible as your benefits may be affected.

How the amount you earn will affect your benefits

If you get **Incapacity Benefit** or **Severe Disablement Allowance** you can earn up to £86 a week and they won't be affected.

If you get **Income Support with a disability premium** you can earn up to £20 a week without it affecting your Income Support.

For every pound you earn over the £20 a week you will lose a pound of your Income Support.

If you get **Housing Benefit** and **Council Tax Benefit**, these may be reduced if you earn more than £20 a week and you do not get Income Support.

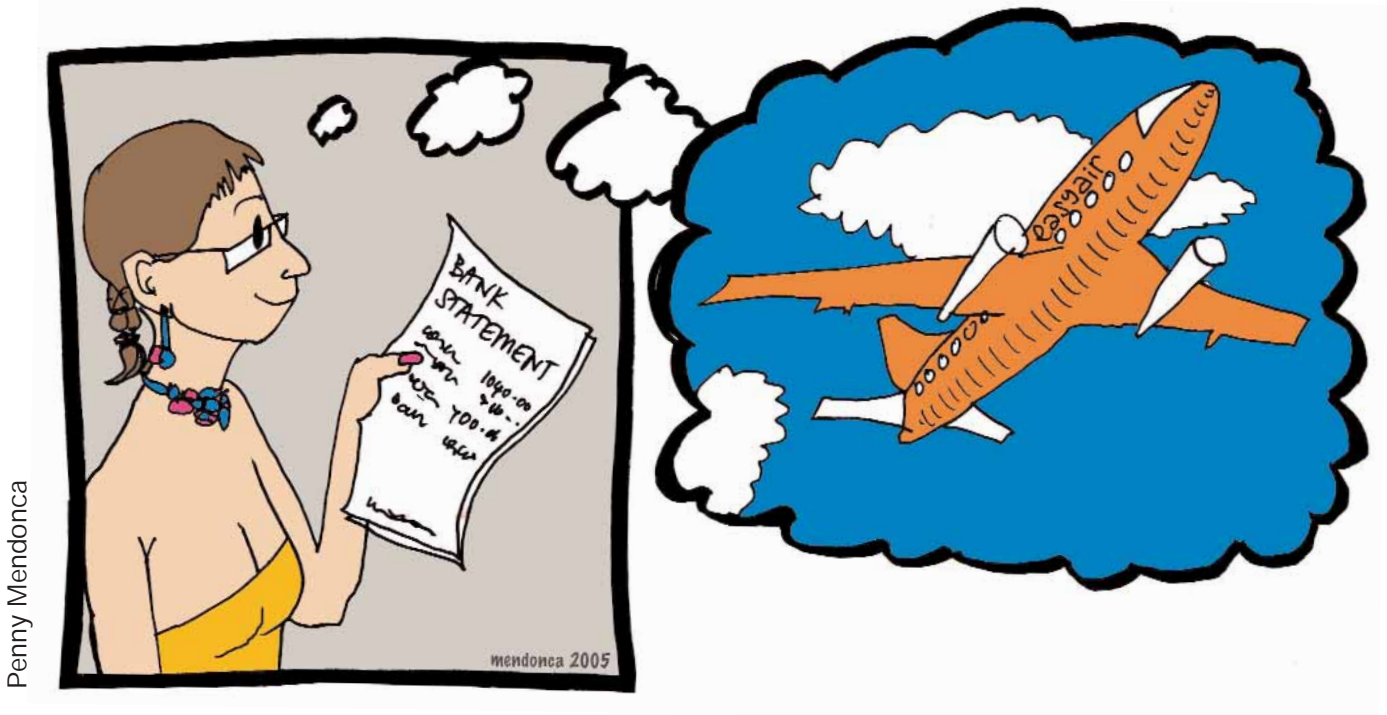
Other types of work

You are also allowed to try out self-employment (test-trading) for up to 26 weeks. This must be organised with a self-employment provider and arranged by an advisor at Jobcentre Plus. You are usually expected to work 30 hours per week.

You are also allowed to try an unpaid work trial with an employer which is approved by and arranged through Jobcentre Plus.

Working for 16 hours or more a week

Working for 16 hours or more a week will affect your benefits. But if you do work full time you could be better off.



Livie works full time and so now has more money than when she was on benefits – money she can spend on things like holidays!

Your Council Tax Benefit and Housing Benefit will get less or stop, depending on how much you earn.

An adviser at JobCentre Plus or an independent advice service can help you work out if you would get more money from working than you are getting from your benefits.

You will be able to claim Working Tax Credit if you work 16 hours a week or more.

Working Tax Credit

This is to help people who are on a low wage. As a disabled person, there is an extra amount you can claim for. To claim Working Tax Credit as a disabled person you must **either** get Disability Living Allowance **or** have been getting any of these benefits at any time in the last 6 months before you start work:

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- Incapacity Benefit
- Severe Disablement Allowance
- Income Support with a disability premium
- Housing Benefit or Council Tax Benefit with a disability premium.

If you do not qualify as a disabled person you can get Working Tax Credit if:

- you are responsible for a child
- you are aged 25 or over and work for more than 30 hours a week
- you are aged over 50 and have been unemployed for 26 weeks or more and work for 16 hours a week or more.

How much Working Tax Credit you get depends on your pay and the number of hours you work a week.

- There is an extra amount if you work 30 hours a week or more.
- If your Working Tax Credit includes a disability element or you get Child Tax Credit and you earn less than £15,050 a year you can get free prescriptions.

If you have children who need childcare when you are at work, Working Tax Credit can include money towards this.

The childcare must be provided by a registered or approved childcare provider, like after school clubs or a registered child minder.

How to claim

You need to fill out a form from the Tax Credit Office. The notes in the forms will help you. The form will ask you about how much money you received last year. If this year's income is different you need to tell the Tax Credit Office straight away. This is so you get the right amount of Tax Credit.

Other help with moving into work of 16 hours or more

If you are coming off benefits and into work of 16 hours or more each week there is money you can claim to help you. The work must be expected to last 5 weeks or more.

Housing Benefit and Council Tax Benefit Extended Payments

If you have been getting any of the following benefits for at least 26 weeks you can carry on getting Housing and Council Tax benefit for the first 4 weeks that you are in full-time work:

- Incapacity Benefit
- Severe Disablement Allowance
- Income Support
- Jobseeker's Allowance.

To get this you must tell your local authority and JobCentre Plus office within **4 weeks** of starting your full-time job.

You should claim again for Housing and Council Tax benefits at the end of the 4 weeks. You may still be entitled to some help if your wages are low enough.

Help with your mortgage interest

If you have been getting help with your mortgage interest this may carry on at the same rate for the first 4 weeks that you are in full-time work. You must have been claiming Income Support or Jobseeker's Allowance for 26 weeks.

Job Grant

If you have been getting any of these benefits for at least 26 weeks before you move into full-time work you can claim a Job Grant:

- Income Support
- Incapacity Benefit
- Severe Disablement Allowance
- Jobseeker's Allowance.

If you are single or part of a couple without children you can get £100. If you are a single parent or part of a couple with children you can get £250.

To get a Job Grant you must tell JobCentre Plus that you have started full-time work within **3 weeks** of starting your job.

Return to Work Credit

You can only get this if you live in a Pathways to Work area. If you get a job for 16 hours or more per week and your earnings are less than £15,000 per year, you can get an extra £40 per week for up to 52 weeks.

Before starting the job you must have been getting any of these benefits for at least 13 weeks:

- Income Support
- Incapacity Benefit
- Severe Disablement Allowance.

You need to claim the Return to Work Credit within 5 weeks of starting work.

Work and paying for your care

Supporting people services

If you get any amount of Housing Benefit you will receive full housing-related support costs. If your Housing Benefit stops because your income is too high then you will have a Fairer Charging Assessment. You may have to pay towards the costs of your day care, community support and housing costs.

Benefits for the person who cares for you

If your carer gets Carer's Allowance for looking after you, this will not be affected when you start work as long as you still get Disability Living Allowance at the middle or high rate of care. Your carer's other benefits should not be affected.

If you live in your carer's home and they get Housing or Council Tax Benefit this may be reduced. They will need to tell the local authority.

Direct Payments

Direct Payments for your care and support are not affected if you do any kind of work and are paid a wage.

Independent Living Fund

This is not affected if you do any kind of work and are paid a wage.

Living in residential care

If you live in residential care, your benefits, savings and any other income you have is looked at when your local authority decides how much they will pay towards the costs of your care.

If you start to do any kind of work and get wages you will need to ask your local authority to do a new assessment. They will look at any wages you have after tax and National Insurance contributions have been taken off.

They will also take in to account half of any amount you pay towards a pension.

Any Working Tax Credit you get will also be taken into account.

Appendix

Useful contacts

Government helplines/websites

The Disabled People and Carers Service (DCS)

This service is part of the Department for Work and Pensions (DWP), which is responsible for a range of benefits and services. You can get more information about the DWP on its website: www.dwp.gov.uk

The DCS has 11 Disability Benefit Centres around the country. It also runs the Benefits Enquiry Line and Carer's Allowance Unit.

You can contact the Disability Benefits Unit for advice about any type of disability benefit.

Disability Benefits Unit

Government Buildings
Warbreck House
Warbreck Hill
Blackpool
Lancashire FY2 0YJ

Telephone: 0845 7 12 34 56

Contact details for the Benefits Enquiry Line and the Carers Allowance Unit are listed below.

Benefits Enquiry Line

The Benefits Enquiry Line is a confidential telephone service for people with a disability and their carers. This line gives general information and advice about the type of benefits available and can also give you advice when you are filling out disability benefit forms.

9th Floor, Victoria House
Ormskirk Road
Preston
Lancashire PR1 2QP

Helplines

England, Scotland and Wales:
0800 88 22 00
Textphone: 0800 24 33 55

Northern Ireland:

0800 22 06 74
Textphone: 0800 24 37 87

Carer's Allowance Unit

Department of Work
and Pensions
Palatine House
Lancaster Road
Preston
Lancashire PR1 1HB

Telephone: 01253 856 123

Textphone: 01772 89 94 89

DirectGov

This website provides details
of benefits available for people
with a disability.

Website: www.direct.gov.uk

HM Revenue and Customs

Deals with Child Tax Credit
and Working Tax Credit

England, Scotland and Wales

Telephone: 0845 300 3900

Textphone: 0845 300 3909

Northern Ireland

Telephone: 0845 603 2000

Textphone: 0845 607 6078

Website: www.hmrc.gov.uk

JobCentre Plus

There is no national telephone
number for JobCentre Plus.

If you know your postcode,
you can also use the website
to find your nearest local centre.

If you don't have access to the
internet, the Benefits Enquiry
Line can put you in touch with
your local branch.

Website:

www.jobcentreplus.gov.uk

**National Minimum Wage
Helpline**

Helpline: 0845 600 0678

Non-government organisations

Citizens Advice

You can find your local Citizens Advice Bureau in the phone book. Or call 020 7833 2181 for your nearest centre or log on to the website.

Website:
www.adviceguide.org.uk

Community Legal Service Direct

Community Legal Service Direct can give you free initial advice from a qualified legal adviser for help with benefits, tax credit, and housing.

The CLS website has many useful factsheets and has a National Directory of Quality Marked Advice providers (Please note that it doesn't cover all agencies).

Telephone: 0845 345 4345

Website: www.clsdirect.org.uk

DIAL UK (Disability Information Advice Line)

DIAL UK is a national organisation which has a network of approximately 130 local Disability Information and Advice Line services run by and for disabled people.

The website gives details of your nearest DIAL service. Or you can call the Head Office number and ask for details of your nearest centre.

DIAL UK
St Catherine's
Tickhill Road
Doncaster
South Yorkshire DN4 8QN

Head Office telephone number (covers England, Wales and Scotland): 01302 310 123

Textphone (Please use voice announcer): 01302 310 123

Website: www.dialuk.info

Disability Alliance

The Disability Alliance produces publications about benefits.

Disability Alliance
Universal House
88-94 Wentworth Street
London E1 7SA

Telephone and Minicom:
020 7247 8776

Email: office.da@dial.pipex.com

Website:
www.disabilityalliance.org

Learning Disability Helpline (run by Mencap)

Helpline: 0808 808 1111
Textphone: 0808 808 8181

Website: www.askmencap.info

NHS Low Income Scheme

For help with NHS prescriptions, dental treatment, sight tests, glasses and contact lenses and travel to hospital for NHS treatment call:

Helpline: 0845 850 1166

Further information on voluntary work

CSV

Head Office
237 Pentonville Road
London
N1 9NJ

Telephone: 020 7278 6601

Email: information@csv.org.uk

Website: www.csv.org.uk

Do-it.org.uk

To find a list of volunteering opportunities close to where you live, log onto their website and type in your postcode.

3rd Floor, 2-3 Upper Street
Islington
London
N1 0PQ

Telephone: 020 7226 8008

Website: www.do-it.org.uk

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Volunteering England

General enquiries
Volunteering England (London)
Regents Wharf
8 All Saints Street
London N1 9RL

Telephone:
0845 305 6979

Email: information@volunteeringengland.org

Website:
www.volunteering.org.uk

To find out how to get more copies of this guide and the 'I can get a job' guide:

Email: valuing.people.info@dh.gsi.gov.uk

Or go to the website:
www.valuingpeople.gov.uk/employment.htm



Thanks to Salford Supported Employment



Care Services Improvement Partnership **CSIP**

Valuing People
Support Team