

**Carers are people who look after family members, relatives, friends or neighbours who cannot manage at home without help.**

**This might be because of a disability or an illness or because they are older and frail. It might be because they have a baby or a child who has a disability or illness.**

**If you are a carer, the care you give might range from doing the shopping once a week to 24-hour nursing care.**

**This booklet is designed to provide information, which will help you obtain your maximum welfare benefit entitlement, and to let you know where you can obtain more detailed information in Surrey.**

**The information in this booklet has been compiled by the staff at Surrey Welfare Rights Unit and is correct at April 2024**

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# Carer's Allowance

## Do You Qualify?

Are you aged over 16? **YES**

Do you pass the UK residence and presence test? **YES**

Are you spending at least 35 hours a week caring for one person?  
**YES**

Is the person you care for in receipt of Attendance Allowance, middle or higher rate care component of Disability Living Allowance, standard or enhanced daily living component of Personal Independence Payment or Constant Attendance Allowance?  
**YES**

If you are studying, are you in education that is under 21 hours per week?  
**YES**

You are not earning more than £151 per week?  
**YES**

There is no-one else receiving Carer's Allowance or the carer element of UC for looking after the same person that you care for?  
**YES**

**If you have answered YES to all these questions you are entitled to claim Carer's Allowance (CA).**

## How to claim

There are several ways of making a claim for Carer's Allowance. You can claim:



- online: <https://www.gov.uk/carers-allowance>
- by printing off and filling in the [DS700 form](#) or the [DS700SP form](#) if you get a State Pension, and sending it to  
The Carer's Allowance Unit  
Mail Handling Site A  
Wolverhampton  
WV98 2AB

You can also get a printed form by contacting the Carer's Allowance Unit  
[cau.customer-services@dwp.gsi.gov.uk](mailto:cau.customer-services@dwp.gsi.gov.uk)

Telephone: 0800 731 0297  
Textphone: 0800 731 0317  
Monday to Friday 8:00am to 6:00pm

If the person you are claiming for is still waiting for their Disability Living Allowance (DLA), Personal Independence Payment (PIP) or Attendance Allowance (AA) decision then still make a claim to maximise your payment period. You should ask the CA unit not to decide the claim whilst waiting for the disability claim to be determined. If you were actually entitled to Carer's Allowance (CA) before you claimed, it can be backdated for up to three months from the date you claimed.

You can get help with form filling from the agencies listed at the back of this booklet. Always ask if they do home visits if it is difficult for you to take time off from caring. Your benefit is paid directly into a bank or building society or Post Office account.

## Weekly Benefit Entitlement

**From April 2024**                      £81.90

## Carer's Allowance – rules of entitlement

### Age

- You must be at least 16 when you claim Carer’s Allowance (CA).

## UK residence and presence test

- You must be physically present, and ordinarily resident, in Great Britain to claim CA, and have been present for at least 104 weeks in the last 156 weeks on the date you make a claim.
- There are special rules about claiming if your right to reside in Great Britain is subject to any limitation or condition. If you are unsure about whether you may be affected, please seek advice from a local Citizens Advice office or one of the other advice agencies listed at the end of this booklet.

## Caring for someone for at least 35 hours per week

- You do not need to be related to the person for whom you care, nor do you have to live with them.
- CA is paid on a weekly basis and, during each week, you must be caring for someone for at least 35 hours. The CA “week” runs from Sunday through to Saturday, and it is within this “week” that the 35 hours must be counted. You cannot average the hours from one week with another.

**Example:** Rachel spends the following time caring for Neelam:

- |          |                    |          |
|----------|--------------------|----------|
| • Week 1 | Sunday to Saturday | 30 hours |
| • Week 2 | Sunday to Saturday | 39 hours |
| • Week 3 | Sunday to Saturday | 34 hours |
| • Week 4 | Sunday to Saturday | 38 hours |

*She is only able to claim CA for weeks 2 and 4. She cannot average the hours to make 35 hours in each week.*

- You must care for **one** person for at least 35 hours – if you care for more than one person, you cannot add the hours together to make a total of 35 hours. However, you do not have to spend some time *every* day caring for someone as long as the total hours in each CA week is 35.

**Example:** Helen looks after her neighbour during the day from Monday to Friday while the neighbour’s daughter is at work. The daughter looks after her mother

at weekends and at night. Helen can claim CA if she spends at least 35 hours caring for her neighbour.

- The care must be “regular and substantial” but this is not defined. Time spent getting ready for a disabled person to visit, or clearing up after they have gone, can count towards the 35 hours if it is directly related to the disabled person.

**Example:** Rashid is severely disabled and comes home each weekend. He is on a special diet and is also incontinent. He can have angry outbursts and objects have to be removed before his visit to ensure his safety. The time spent by his mother, Seema, buying and cooking his special food, making the house safe, and washing his laundry, can count towards the 35 hours.

Seema spends 3 hours on Friday getting things ready for Rashid. She collects him at 6 pm on Friday afternoon, and takes him back on Monday morning. Seema spends Monday morning clearing up. These additional hours count towards the 35 hours.

## **Caring for someone in receipt of a qualifying disability benefit**

The person for whom you care **must** be receiving one of the following benefits:

- Attendance Allowance at either the Higher Rate of £108.55 or the Lower Rate £72.65
- Care component of Disability Living Allowance at either the Higher Rate of £108.55 or the Middle Rate of £72.65.
- Daily Living component of Personal Independence Payment at either the Enhanced Rate of £108.55 or the Standard Rate of £72.65.
- Constant Attendance Allowance of £88.70 per week or more, paid as part of a war or industrial disablement pension.
- Armed Forces Independence Payment.

The lower rate of the DLA care component, or the mobility component of either DLA or PIP **do not** count as qualifying benefits for CA.

If the person for whom you care does not receive Attendance Allowance (AA), Personal Independence Payment (PIP) or Disability Living Allowance (DLA), they may be eligible to make a claim for:

- AA if they have reached state pension age
- DLA if they are under 16

- PIP if they are aged between 16 and state pension age

Forms for AA can be obtained by phoning the Attendance Allowance helpline on 0800 731 0122; DLA forms can be obtained from the DLA Helpline on 0800 121 4600; for PIP claims, phone 0800 917 2222.

The basic qualifying condition for these benefits is that a person must be so disabled that s/he needs attention or supervision from another person (DLA and AA) or help participating in everyday life (PIP). The help must be needed more often than not on a weekly basis, so four days out of seven. The help must be with daily living activities such as getting in and out of bed, washing, dressing, eating, getting to and from the toilet, getting in and out of a chair, understanding verbal or written communication, and other such “hands on” care. **Help needed with shopping, cleaning, gardening or other “household” tasks usually does not count.** However, if the *person* needs close personal contact from another person to enable *them* to perform a household task *themselves* this contact can sometimes count.

## Personal Independence Payment (PIP)

Claimants of working age who want to make a claim for a disability benefit now claim PIP. DLA claimants whose claims are due for renewal or who notify of a change in their circumstances, and young people reaching age 16 will be invited to make a PIP claim instead of having their DLA renewed or reviewed. If a PIP claim is not made DLA will stop anyway. Most DLA claimants will be invited by DWP to claim PIP at some point. PIP is non-means-tested and has two components, Daily Living and Mobility. Both components each have two rates, “standard” and “enhanced” and awards are determined by a points-based assessment around specific activities.

Either rate of Daily Living component

- is a qualifying benefit for Carer’s Allowance;
- is a qualifying benefit for the Severe Disability Premium (paid as part of legacy benefits such as Income-related ESA) **if** the disabled person lives alone (or is treated as living alone) and no one is receiving CA for looking after them. See note under How does your Carer’s Allowance affect other benefits.

Most claimants will be invited to a medical assessment interview; this may be face-to-face or a telephone assessment as part of the PIP process.

Children will continue to claim and receive DLA up until their 16<sup>th</sup> birthday as long as they continue to meet the criteria.

## Full time education

You (the Carer) must not be in full time education. Full time education is defined as more than 21 hours per week of supervised study e.g. attending lessons or seminars. It does not include study at home or meal breaks.

## Earnings and work

There is no limit on the number of *hours* a Carer may work and claim CA, but there is a limit on the *earnings* from work, either as an employed person or from self-employment. If you earn more than £151 per week after allowable expenses, you will not be eligible to claim CA for the following week. The level of the earnings will affect Carers who balance periods of caring and work, for instance claiming CA for a child who is home for school holidays.

*What counts as earnings?*

- Wages
- Any bonus or commission including tips
- Holiday pay
- Pay in lieu of notice
- Maternity and sick pay
- Allowances for attending meetings as a local councillor.

Allowable expenses:

- National Insurance contributions
- Income tax
- Half of any contribution towards an occupational or personal pension
- Expenses incurred “wholly and exclusively” in connection with your work e.g. travel expenses *during* your work. Fares or travel expenses *to and from work* are not allowable expenses.
- A maximum deduction of 50% of the care costs for the disabled person or a child under 16 when the Carer is unable to care for them because they are working. The care costs must not be paid to a close relative (parent, son, daughter, brother, sister or partner) of the Carer or disabled person. The paid Carer does not need to be registered.

Seek advice from one of the organisations listed at the end of this booklet if you need help with working out your wages.

## **There is no one else receiving Carer's Allowance for looking after the same person that you care for**

Carer's Allowance is only paid to one Carer for looking after a disabled person, even if two or more people share the care. If you cannot claim Carer's Allowance (because someone else is already claiming) you may be able to get Carer's Credits to help you meet the National Insurance criteria for State Retirement Pension. See section What if I don't receive Carer's Allowance?

## **Carer's Allowance – Overlapping Benefits**

Carer's Allowance is known as an "earnings replacement benefit" and is intended to compensate you because you are caring for someone and therefore cannot work full-time. **Usually, you cannot receive more than one "earnings replacement benefit" at a time. Always seek advice if you are unsure what the rules allow.**

You cannot usually receive more than one of the following:

- Carer's Allowance
- New style Jobseekers Allowance
- Contribution-based or new style Employment and Support Allowance
- Maternity Allowance
- State Retirement Pension
- Widow's Pension
- Widowed Parent's Allowance

If you are in receipt of a contributory benefit such as State Retirement Pension, then this can be topped up by any balance of non-contributory benefit that is due.

### ***Example***

*Jane, 69, looks after her brother; he is 63 years old and in receipt of PIP daily living. Jane is in receipt of State Retirement Pension of £24.15 per week based on her NI contributions, this is less than a full pension. She can claim Carer's Allowance and the £24.15 is topped up by £57.75 Carer's Allowance giving the total of £151 per week (the normal weekly rate of CA in 2024/25).*

Benefits you can receive which do not affect Carer's Allowance are:

- Personal Independence Payment

- Attendance Allowance
- Industrial Injuries Benefits and Reduced Earnings Allowance
- Child Benefit
- Child Tax Credit
- Guardian's Allowance
- Bereavement Support Payment
- Disability Living Allowance

## How does your Carer's Allowance affect other Benefits?

If you are claiming

- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Income Support
- Pension Credit
- Housing Benefit

**and** are receiving Carer's Allowance (*or would be if it were not overlapping with another benefit*), you will be entitled to the Carer Premium (Carer's Addition when paid as part of Pension Credit) worth £45.60 from April 2024 each week. This will be included in the calculation of your means-tested benefits.

If Carer's Allowance is in payment it is taken into account as income for means-tested benefits, so you will be better off each week by £45.60.

However, if the person **you are caring for** lives alone or only with other people in receipt of a qualifying benefit, and is receiving any of the means-tested benefits above, they will no longer qualify for the **Severe Disability Premium, (Severe Disability Addition when paid as part of Pension Credit)**, currently worth £81.50 a week, while you are in receipt of Carer's Allowance.

### Note

The Severe Disability Premium or Addition may seem a greater financial benefit than the Carer Premium, but it is paid to the disabled person, not the Carer. You must consider your own individual circumstances and seek expert advice before deciding whether or not to claim Carer's Allowance. If you do not claim Carer's Allowance, you will have to look at whether or not you might need National Insurance credits or whether you will have to be available for work in order to qualify for another benefit.

## Carers and Universal Credit

Universal Credit (UC) is a means-tested benefit for working age people, it is replacing Income Support, income-based Jobseekers Allowance, income-related Employment and Support Allowance, Housing Benefit, Child Tax Credit and Working Tax Credit. Most new means tested benefit claims made by someone who is working age will be a claim for Universal Credit rather than a claim for one of these six “legacy” benefits.

UC is paid once every calendar month, in arrears. Each adult in a claim for UC has to agree a Claimant Commitment. Carers who meet the conditions for Carer’s Allowance (even if they choose not to make a Carer’s Allowance claim) will not be required to look for work or attend work-focussed interviews, but they still have to have an agreed Claimant Commitment in place.

If a Carer works and does not receive payments of CA, as long as they meet all the other Carer’s Allowance criteria, they won’t have to meet any claimant commitment conditions even if they earn over the CA earnings limit; (see Earnings and Work section). A partner in your UC claim will have to meet their own Claimant Commitment conditions.

If you are entitled to CA or would be entitled apart from your earnings being above the CA earnings limit £151 per week, then your UC calculation will have an additional Carers Element included which is £198.31 per calendar month. This means that the Carer Element is included in the UC maximum amount even if you cannot receive Carer’s Allowance because you are earning too much.

### Claiming CA and Universal Credit (UC)

Under the legacy benefit system, a claim for Carer’s Allowance can affect the benefits of the person you are caring for if they receive a Severe Disability Premium (or addition) with their means-tested benefits.

If you are in receipt of Universal Credit and your entitlement includes a Carer element, the person you care for will not be entitled to the Severe Disability Premium/Addition as part of any legacy means-tested benefits they may receive. This is the case even if you aren't actually being paid Carer's Allowance.

UC does not have a severe disability element so a claim for CA does not affect the cared for persons UC **but**



**Note:** If the person you are caring for has a Universal Credit award including transitional protection of the severe disability premium/addition, the transitional payment should continue in their UC award as long as they qualified for it on the day after their award was made, seek further advice if you have any questions.

**Note 2:** If you are entitled to or in receipt of only a small amount of Universal Credit, and you are thinking about claiming Carer's Allowance seek advice before you do this. For some claimants, the income from CA may mean you are no longer entitled to UC and you may lose passported benefits, such as, free school meals. Ask one of the Advice Agencies at the end of this booklet.

### **Further Points**

- Two carers elements are included in the UC calculation where both you and your partner satisfy the conditions for Carer's Allowance e.g. you are each caring for a different disabled child or adult.
- If you are not claiming a means-tested benefit because your income is too high, the addition of the Carer premium/addition/element into your applicable/maximum amount may now bring you into entitlement. Always check.
- With legacy benefits if you stop getting, or stop being treated as getting, Carer's Allowance, your entitlement to the Carer premium/addition continues for a further 8 weeks.
- With UC, if you stop caring because the person you care for dies then you can continue to receive the Carer Element for that assessment period and the next two assessment periods.

### **Severe Disability Premium and Carer premium for couples**

If you are in receipt of one or more of the legacy benefits, and you are a couple, and you both receive a qualifying disability benefit then ask one of the advice agencies at the end of this booklet for a benefit check. This group of claimants can be the most financially disadvantaged if they elect to move onto UC. There may be additional premiums or additions you might be entitled to but the rules are complex and advice on this is strongly recommended before making any claim for UC.

## Changes of Circumstance

Whether you are acting on behalf of another person as their appointee or you are claiming a benefit yourself, you must:

- claim within the time limits **and**
- give as much information as possible to enable benefit to be correctly decided **and**
- notify the Department of Work and Pensions (or whichever statutory agency is paying you benefit) of any change that might affect your benefits or the benefits of the person you are acting for. If you are unsure what changes should be reported, seek advice.

The disclosure does not have to be in writing. If you are claiming UC via an online claim, you should be able to notify them of the relevant changes via your journal. If your claim is managed by telephone you would need to phone UC to notify them of the changes.

Your benefit award letter should contain the addresses of the agencies you are dealing with, e.g. the Disability Benefits Unit or the Carer's Allowance Unit. Alternatively, contact your local advice agency for the relevant addresses. If you phone, make a note of the department, the date/time and the name of the person you speak to and what they told you.

### What to notify – examples

- Deterioration or improvement in the condition of someone claiming PIP, DLA or AA.
- Changes in your family, for example a young person leaving school, someone moving in to look after you, a marriage or cohabitation, the birth of a new baby, or a child of the family moving in or out.
- The increase, loss or reduction of any other welfare benefit.
- For means-tested benefits, any changes to income or capital.
- Changes in earnings and working hours.
- Time spent in hospital, residential care or short-term break.

If there has been a change to the care or mobility needs of the person you care for, they can ask for their PIP/DLA/AA decision to be looked at again.

If the change is an improvement in their condition, there is a duty to notify this to the Disability and Carer's Service. If they have experienced a deterioration in their condition or disability, they can ask for a review of their award (known as

a supersession). The whole award can be looked at again so further supporting evidence to show the deterioration will be required. A change in needs for a working-age DLA claimant will result in a new claim for PIP needing to be made. Seek advice from your local Citizens Advice office as DWP Decision Makers can reduce the level of an award and/or the time for which the award will run.

## Caring and Working

### Universal Credit

Carers may still be able to receive UC if they work. Net earnings will be taken into account in the calculation. Net earnings are gross earnings minus income tax, national insurance and 100% of pension contributions. Recognised Carers do not have to work and there is no minimum number of hours that need to be worked as part of a Claimant Commitment. Ask an advice agency for a benefit check.

### Working Tax Credit

UC replaced Tax Credits for new claimants from Autumn 2018. However, if you are in receipt of Child Tax Credit you may be able to claim Working Tax Credit if you start work. That is because a Tax Credits claim is already in place. The worker must be engaged in a minimum number of hours of paid work in order to qualify for Working Tax Credit; this is either 16, 24 or 30 hours. People who qualify for Working Tax Credit normally working for 16 hours a week are claimants who are aged 60 or over, workers who qualify for the disability element as part of their award, and lone parent households.

Couple households with dependent children normally have to be in work for at least 24 hours a week. These hours can be worked by one person or shared between the couple as long as one of them is normally working at least 16 hours.

Exceptions to the 24-hour rule apply in a couple household with dependent children where one person is normally working 16 hours and the other person is either

- **entitled to Carer's Allowance;** or
- **incapacitated and** in receipt of certain benefits; or
- **an inpatient in hospital;** or

- in prison

If none of the above apply, the criteria for a Working Tax Credit award are that the claimant must be over 25 years of age and is normally working a minimum of 30 hours a week.

Changes of circumstances which increase the level of an award will only be paid for a one-month past period.

As with Child Tax Credit, Working Tax Credit is based on your (and your partner's) previous tax year income and circumstances. Therefore, if your current tax year income changes by more than £2,500 or your personal circumstances change, the award can be amended during the current tax year.

## Backdating

Backdating of benefits is difficult and restricted to very short periods, usually for either one or three months. Some benefits cannot be backdated at all. In some cases you have to show that there are good reasons for the late claim. The usual restrictions on backdating are lifted when an award of a qualifying benefit (such as AA, DLA or PIP) gives an entitlement to an additional premium or benefit. UC can only be backdated in extremely limited circumstances so it is very important to claim on time.

## Civil Penalties

This could apply to you if you fail to take reasonable care of your claim and knowingly let a change of circumstances result in an overpayment of more than £65. These penalties can be given by either the DWP or the Housing Benefit teams within local councils, although local councils have to actively apply to the DWP for permission to implement penalties.

The decision maker must be satisfied that you have negligently made an incorrect statement or representation or have negligently provided the wrong information or evidence and have not attempted to correct the error.

Civil penalties cannot apply if you have been charged with an offence or cautioned about the overpayment. The decision to impose a civil penalty is discretionary and is an appealable decision.

## **Overpayments**

Overpayments of UC are always recoverable even if the DWP have failed to take account of any changes notified to them.

For other benefits, if you misrepresent or fail to disclose any facts affecting them, the law allows any overpayment of benefit to be recovered from you.

For benefits other than UC you may have correctly told the Department of Work and Pensions (DWP) or the Local Authority (LA) about a change of circumstances and they did not act on this information. If an overpayment of benefit has been caused by a DWP/LA error, it may not be a recoverable overpayment.

If the DWP/LA decides that there has been a recoverable overpayment, you should seek advice as soon as you can. The time limit for requesting a revision or an appeal is one month from the date of the decision.

The Decision Maker at the DWP or the LA deals with a revision of your claim; a First-tier Tribunal hears your appeal.

Even if your appeal is unsuccessful the Secretary of State for Work and Pensions has a final discretion to waive recovery of the DWP overpayment depending on the circumstances and if recovery would cause hardship.

## **Fraud**

If the agency that pays your benefit considers that you deliberately and dishonestly misrepresented the facts or failed to disclose them, you could be accused of fraud and prosecuted for a criminal offence in the Magistrates or Crown Court. In this case, you must seek legal advice urgently.

## **Who to notify**

You, or anyone acting on your behalf, should notify all the relevant offices that pay your benefits of any changes that could affect the payments. This disclosure does not have to be in writing, but it is always a good idea to have a record of any phone call, what department you called, what you said and who you spoke to. Claimants of UC can notify changes via their journal or by phone.

Your award letter should contain the addresses of the agencies you are dealing with, e.g., the Disability Benefits Unit or the Carer's Allowance Unit. Alternatively, contact your local advice agency for the relevant addresses.

## Revisions

### What to notify - examples

- Deterioration or improvement in the condition of someone claiming DLA, PIP or AA.
- Changes in your family, for example a young person leaving school, someone moving in to look after you, a marriage or cohabitation, the birth of a new baby, or a child of the family moving in or out.
- The increase, loss or reduction of any other benefit.
- For means-tested benefits, any changes to income or capital.
- Changes in earnings and working hours.
- Time spent in hospital, residential care or on a short-term break.

### How to appeal benefit decisions

Most benefit awards made by DWP and HMRC are subject to a **mandatory reconsideration** process before you are able to appeal directly to His Majesty's Courts and Tribunal Service on an SSCS1 form (DWP) or SSCS5 form (HMRC). An appeal will not usually be accepted unless you include a copy of the **mandatory reconsideration notice** with your appeal request. HB decisions and some ESA decisions are not subject to the mandatory reconsideration process. There are time limits for all appeals so act as quickly as possible.

If there has been a change to the care or mobility needs of the person you care for, they can ask for their DLA/AA/PIP decision to be looked at again.

If the change is an improvement in their condition, they have a duty to notify this to the Disability and Carers Service. If they have experienced a deterioration in their illness or disability, then they can ask for a review of their award (known as a supersession). The whole award can be looked at again so further supporting evidence to show the deterioration will be required. Notifying a change in needs for a working age DLA claimant will result in a new claim for PIP needing to be made. Seek advice from your local Citizens Advice office as decision makers can reduce the level of an award and/or the time for which the award will run.

## Taking a break from caring

### What happens to your benefits when you have a break from caring?

The Carer's Allowance rules allow breaks in care of up to a maximum of 12 weeks within a 26-week period without affecting Carer's Allowance. Of those 12 weeks, up to 4 weeks (28 days) can be for a temporary break in caring such as having a holiday or the person you care for taking a break in residential care. The remaining 8 weeks allow the Carer or the disabled person to receive medical or other treatment as an in-patient in hospital. While you are entitled to CA (or would be apart from your earnings are too high) the Carers Element should still be included in your UC maximum amount.

### **What happens if you, or the person you care for, go into hospital?**

If you, the Carer, go into hospital, your entitlement to Carer's Allowance will stop after 12 weeks. It may stop sooner if you have been in hospital or had a previous break in caring within the last 26 weeks.

If the person you are caring for is over age 18 and they go into hospital their entitlement to PIP or AA will stop after 28 days and entitlement to Carer's Allowance will also stop at this time. Carer's Allowance may stop sooner if the person cared for had a previous hospital stay within 28 days of the new admission as these periods in hospital will be linked to form a continuous inpatient period.

If you care for someone under 18 their DLA or PIP can continue to be paid whilst they are in hospital as long as they meet the other qualifying conditions. The usual 12-week time off from caring rule applies unless you are still providing care to the child/young person in hospital, in which case your Carer's Allowance/means-tested Carer additions can also continue.

You **must** report changes immediately in writing to the Carer's Allowance Unit. It is also important that the AA, PIP or DLA Unit is told that the disabled person/child is in hospital, otherwise the authorities may decide that any benefit paid after these periods must be paid back. It is a good idea to keep a copy of your letter.

If the person cared-for is in hospital and they are in receipt of other benefits then those agencies should also be informed of their admission.

### **What happens if the person you care for takes a break in residential care?**

If you are away from caring the 28-day rule applies.

If you have had more than 28 days away from caring in the past 26 weeks (six months) you are not entitled to Carer's Allowance for any week you are not caring for the disabled person for at least **35** hours (see Carer's Allowance rules of entitlement). However, odd days or weekends only are unlikely to affect your benefit as a weekend straddles two different benefit weeks.

### **What happens if the person you care for dies?**

Entitlement to Carer's Allowance and the means-tested Carer premiums/additions/elements are extended for eight weeks after the death of the person being cared for (apart from UC, which is explained separately below). The eight weeks will run from the Sunday following the date of death or from the date of death if that was a Sunday. Entitlement for the full 8 weeks is subject to other rules; for example, if the Carer starts gainful employment or full-time education, entitlement will end. Also, payment of certain other benefits, for example, Employment and Support Allowance, can reduce or stop payment of Carer's Allowance. Claimants whose partner has died should check with an advice agency to see if they would be entitled to bereavement benefits. The eligibility conditions for bereavement benefits has changed significantly.

For Universal Credit, the Carer element remains part of the maximum amount for the remainder of the assessment period when the death occurred, and for the next two assessment periods (i.e. calendar months).

### **What happens if my disabled child is at boarding school?**

If your child is away at boarding school and the cost is being met, or could be met, by the local authority, you will not be able to receive Carer's Allowance once your child has spent 28 days away from home. Two or more periods separated by 28 days or less will be linked together towards the 28-day limit. However, if your child comes home every weekend, and you care for him/her for 35 hours each week it may be possible to continue to receive your Carer's Allowance. If your child comes home less frequently, or only during the school holidays, you can ask for your Carer's Allowance to be reinstated during any week that you look after him/her for at least 35 hours. You will need to notify DLA/PIP so that payment of the qualifying benefit at a daily rate can be reinstated for the days at home.

#### ***Example:***

*Jamie is aged 11 and goes to a boarding school in Somerset. The arrangement is that he will come home every third weekend and during the school holidays. He starts at school on 6 September. Jamie's mum, Lesley, receives Carer's*



*Allowance as Jamie is in receipt of DLA Middle Rate Care Component. Jamie's first weekend home is Friday 24 September and he will return to school on Monday morning 27 September. Jamie has been at school for 17 days, as the day he started (6<sup>th</sup> September) the day he comes home (24<sup>th</sup> September), the days at home (25<sup>th</sup> and 26<sup>th</sup> of September) and the day he returns to school (27<sup>th</sup> September) are not counted as days he is at school for benefit purposes.*

*Jamie next comes home on Friday 15 October for half term and returns to school on Monday 25 October.*

*Jamie's right to be paid DLA care stops on 9th October as he has been in publicly funded accommodation on 10th October for 28 days. Lesley's right to receive Carer's Allowance stops the same week. Lesley can ask for Jamie's DLA to be paid between 15 October and Monday 25 October inclusive. She is therefore able to receive Carer's Allowance for 3 weeks as long as she has cared for Jamie for 35 hours during each of the benefit weeks he is at home – she can count time spent preparing for him to come home and clearing up afterwards in the 35 hours. If Jamie comes home at Christmas for at least 28 days this linking rule will be broken, and a new 28-day period can start again.*

## **What happens when the person I care for goes into residential care permanently?**

If the person you have been caring for goes into residential care permanently you will lose your carer's benefits apart from the benefit run-on described above. If the cared-for person returns home temporarily you may receive benefits during the time they are with you, on a pro-rata basis. It is important to notify the change of circumstances to the relevant agencies as soon as possible.

It is a good idea to seek advice from one of the agencies listed at the end of the booklet and to look at the information in the next section "What happens when I am no longer caring?"

## **How do I get paid Carer's Allowance for the weeks I am caring if it is not every week?**

You can report this online, by writing to the Carer's Allowance Unit, Mail Handling Site A, Wolverhampton, WV98 2AB, or by telephone 0800 731 0297 stating your National Insurance number. Ask them to send you Form DS700. It is helpful the date and weeks you wish to be paid Carer's Allowance.

<https://www.gov.uk/carers-allowance-report-change>



## What benefits could I claim when I am no longer caring?

This depends on your circumstances. If you have reached state pension age you may be entitled to **State Pension**. You may also be entitled to **Pension Credit** if you have low or no other income.

Since the introduction of Universal Credit, most working age claimants have to claim UC if they need means-tested financial support. This includes “mixed age” couples where one partner is over state pension age and the other is working age.

### Universal Credit

Universal Credit is a means-tested benefit for people on a low income who are in or out of work. It replaces Income Support, income-based JSA, income-related ESA, Housing Benefit, Child and Working Tax Credits.

Universal Credit payments include rent support and support for any dependent children.

Existing benefit claimants will **not** have to make a new Universal Credit claim until they are invited to do so or unless their circumstances change. The DWP has started the process of “managed migration” onto UC. This means that when a claimant is invited to claim UC they will need to do so in order to continue to receive financial support. DWP currently hope to have completed the process by the end of 2028. Some people may find that it happens to them over the next couple of years.

If your caring role has ended, this is likely to affect your Universal Credit. If you have stopped your caring role because you have become ill or disabled and submit a fit note then Universal Credit can assess your Limited Capability for Work. If you are not unwell, and you have stopped your caring role, you will be asked to look for work, attend work-focussed interviews and undertake work related activities.

### New-Style Employment and Support Allowance

If you are unwell and have given up your caring duties because of your own condition, you may be able to claim new-style Employment and Support Allowance (ESA). This used to be called contribution-based ESA. You will be entitled to receive ESA if you have sufficient NI contributions. (There are

concessions for people who were receiving carers allowance for the whole of the previous tax year seek advice if this might apply to you.) It is not means-tested. You will need to have a fit note signed by a doctor or medical practitioner. If you are undertaking any paid work then seek advice as this work would have to be within the Permitted Work rules.

There is an initial 13-week assessment period when you will be paid £90.50 per week if you are 25 or over, £71.70 if you are under 25 years of age. During this initial period you will usually be invited to attend a medical assessment to determine if you have limited capability for work, the “Work Capability Assessment”. The first decision made is whether or not you have limited capability for work and qualify for ongoing ESA payments. A second decision is made about whether or not you should be expected to carry out work-related activity whilst receiving benefit. A local Citizens Advice office can tell you more about ESA.

If you receive new-style ESA, this will count as income if you also claim Universal Credit.

### **New-Style Jobseeker's Allowance**

(NS) Jobseeker's Allowance is available for those people who are working less than 16 hours a week and who are available for and actively looking for work. If you have stopped your caring role and are now looking for work, you may be able to claim new-style Jobseeker's Allowance (JSA) depending on your NI record. It is not means-tested but does count as income if you also claim Universal Credit.

## **Carer's right to a State Retirement Pension**

Since December 2018 the state pension age for both men and women has been increasing and it reached age 66 in October 2020. The government plans to increase the pension age to 67 and then 68. You can find out your exact pension age by contacting one of the advice agencies at the end of this booklet or via the website [www.gov.uk/calculate-state-pension](http://www.gov.uk/calculate-state-pension)

## Am I getting any protection for my State Retirement Pension when I am a Carer?

If you are receiving Carer's Allowance you receive National Insurance credits which may help towards your entitlement to a State Retirement Pension and other benefits including new style JSA or new style ESA. These credits may mean that your partner may qualify for Bereavement Benefits.

Unless you are also working and paying National Insurance contributions it is necessary to have 52 credits in each complete tax year in order to have a full year's contribution record for benefit purposes. For each week you are receiving Carer's Allowance you are getting one credit. Therefore, if you don't receive Carer's Allowance for any week of a full tax year you will not receive 52 credits. However, you may be able to pay voluntary contributions (Class 3) for any missing weeks. A UC award also provides Class 3 Credits.

***Example:** Jamila gave up work last March to look after her son Ilias who had a serious car accident which has left him brain-injured. Jamila claims Carer's Allowance on 15 May and doesn't think she will return to work for a long time. She will receive about 47 credits during this tax year – 5 credits short of the required amount. She will probably get a letter from the Contributions Agency at some stage "inviting" her to pay an amount of voluntary contributions to meet this shortfall. If she pays this amount she would have a full contribution record for this tax year.*

*If Jamila claims UC at some point, to top-up her Carer's Allowance income, she will get class 3 NI credits for any week she does not receive CA, for example if her son goes to a residential school.*

## What if I don't receive Carer's Allowance?

Carers who are not entitled to be paid Carer's Allowance and who are not paying national insurance or receiving a NI credit with another benefit claim may be able to receive **Carer's Credits**. The criteria are:

You care for someone for at least 20 hours per week, **and**

- they receive Attendance Allowance, **or**
- they receive DLA care component at middle or higher rate, **or**
- they receive the daily living component of PIP; **or**
- they receive Constant Attendance Allowance, **or**

- the need for care has been certified. This means that the need for 20 hours of care per week has been confirmed by a health professional and accepted by the DWP without a qualifying benefit being in payment.

You can claim on <https://www.gov.uk/carers-credit>

## What happens to Carer's Allowance when you reach state retirement age?

Carers over retirement age are eligible to claim and receive Carer's Allowance, but may find that it "overlaps" with their State Pension (see section on State Pensions). It is likely that there are two main groups of Carers over retirement age who can benefit from claiming Carer's Allowance. They are:

- Carers who are in receipt of a small state pension who may be able to "top-up" their pension to the level of Carer's Allowance.
- Carers in receipt of means-tested benefits (Pension Credit, Council Tax Support or Housing Benefit) who will be able to claim a Carer Premium as part of their means-tested benefit claims (see section on Carer Premium).

## How do I qualify for full State Pension?

If you reached State Pension age **before April 2016** the qualifying conditions for a full State Pension were that you had either paid or been credited with National Insurance for a total of 30 years.

Carer's who reach State Pension age on or **after 6 April 2016** will claim new State Pension.

- Claimants need 35 qualifying years to get the full amount of new State Pension, although NI paid before this date will affect the amount paid – see below.
- You will need at least 10 'qualifying years' on your National Insurance record to get **any** State Pension. These can be from before or after 6 April 2016, and they don't have to be 10 consecutive years. Those people who have between 10 and 35 years contributions will be paid new State Pension pro-rata. (There are complicated rules for women who paid reduced rate NI who may not need the full 10 years – seek advice)
- Under new State Pension, how much you get will usually be based on **your own** National Insurance record only.

You can request a personalised statement of what you can expect to receive under the new State Pension based on your work history and National Insurance contributions or credits to date, see later in this booklet.

You can get a Pension Forecast here

<https://www.gov.uk/check-state-pension>

## **What happens to the National Insurance years before the introduction of Carer's Credit?**

Up until 6 April 2010 you may have had your contribution record protected for State Pension and Bereavement Benefits by receiving Home Responsibilities Protection (HRP). You can find out more about HRP at

<https://www.gov.uk/home-responsibilities-protection-hrp>

## **How can I claim State Pension?**

If you live in the UK you can make a claim

- by visiting the website online  
<https://www.gov.uk/contact-pension-service/claim-state-pension>
- by phone or by post - if you're within 4 months of reaching State Pension age or you have reached State Pension age contact the Pension Service on 0800 731 7898. They can send a form if you would like to claim in writing.

Those reaching pension age before 6<sup>th</sup> April 2016 can find information here about how to claim - <https://www.gov.uk/state-pension/claim-a-delayed-deferred-state-pension>

- There is a form that can be downloaded called a BR1 which can be sent to Pension Service 8, Post Handling Site B, Wolverhampton WV98 1AF
- If you would prefer to telephone:  
Telephone: 0800 731 7898  
Textphone: 0800 731 7339
- You can write to The Pension Service 9, Mail Handling Site A, Wolverhampton, WV98 1LU.

The MoneyHelper service is available for general advice or guidance on all pension issues covering state, company, personal and stakeholder schemes. It  
Surrey Welfare Rights Unit

is a part of the Money and Pensions Service (MaPS) which is an arms-length body of the Department for Work and Pensions (DWP). MaPS replaced the 3 previous providers of government-sponsored financial guidance – the Money Advice Service, the Pensions Advisory Service and Pension Wise. It provides free and impartial debt advice, money guidance and pension guidance to members of the public.

The helpline is open from 9.00-17.00 Monday to Friday

Pensions Helpline: [0800 011 3797](tel:08000113797)

Or via Webchat Monday to Friday 9.00-1700 Monday to Friday

<https://www.moneyhelper.org.uk/pensionschat>

## Council Tax

### Council Tax liability and Carers

If you live alone, the standard 25% single person reduction applies to your Council Tax liability. Certain adults can be disregarded which could mean other discounts could also apply.

A Carer is disregarded for Council Tax purposes if s/he is providing care or support (or both) to another person:

- on behalf of an official or charitable body, **or**
- is employed by the person being cared for to provide care and support and was introduced by a charitable body, **or**
- is caring for someone in receipt of certain benefits (see below).

This section provides information on the last category i.e. for Carers who are unpaid and not employed.



## Caring for someone in receipt of certain benefits

The Carer must:

- be resident in the same dwelling as the person being cared for **and**
- be providing care for at least 35 hours per week on average **and**
- **not** be the partner of the person being cared for or, if the person needing care is under 18, not be the child's parent **and**
- be caring for someone entitled to
  - either rate of AA; **or**
  - higher or middle rate care component of DLA; **or**
  - either rate of the daily living component of PIP; **or**
  - an Armed Forces Independence Payment; **or**
  - an increase in Constant Attendance Allowance under the Industrial Injuries or War Pensions Scheme; **or**
  - the highest rate of Constant Attendance Allowance payable on top of full rate disablement benefit paid for an industrial injury.

More than one person living in the dwelling can count as a Carer. If you have other people living with you then check with an advice agency to see if they are also “invisible” for Council Tax purposes.

### **Example**

*Phoebe lives with her Mum and her two brothers who are still at school. Phoebe has just left college. She is 20 and gets PIP at the standard rate for both Daily Living and Mobility. Her Mum gets sent a new Council Tax bill at the full rate as Phoebe is no longer disregarded as a student. Mum completes the Council's Carer discount form and a revised 75% bill is issued as Phoebe is the sole liable person for council tax.*

## **Severely mentally impaired**

If you live with the person you care for, or if they live with you, they may be “invisible” for Council Tax purposes on the grounds of severe mental impairment. They have to suffer from “*a severe impairment of intelligence and social functioning (however caused) which appears to be permanent*”, **and** be in receipt of one of the following: Daily Living component of PIP; middle or higher rate care component of DLA; AA; Employment and Support Allowance; a disability premium or would have been entitled had they claimed before

reaching state retirement age. You need to obtain a certificate of confirmation from a registered medical practitioner.

If your home is considered to only have one resident living in it, then the Council Tax bill will be reduced by 25%. If your home is considered to have no residents (because everyone is “invisible”) then your bill will be reduced by 50%.

### **If you live away from home because you are caring**

If there is no-one living in your home which was your sole or main residence and you are living elsewhere in order to care for someone who needs it because of old age, disability, illness, alcohol or drug dependence or mental illness your former home is exempt from Council Tax with no time limit.

If you now live in the home of the person you care for as your main residence, your presence may affect their Council Tax liability.

### **Disability Reduction Scheme**

You can get a reduction on your Council tax bill if you or someone living in your house is “*substantially and permanently disabled*” and one of the following applies:

- You have a second bathroom or kitchen needed by that person
- You have a room (not a bathroom or kitchen) that is needed by and predominantly used by that person
- Your home has enough space for that person and their wheelchair to be used indoors.

If this scheme applies, your Council Tax bill will be reduced by one band, unless your home is Band A, when your bill will be reduced by 1/6th.

These discounts reduce your Council Tax liability irrespective of your means. If you think that you are entitled, notify your Borough or District Council and ask them to backdate the discount to when you were first entitled. There is no limit to the backdating of a discount.

## **Council Tax Support**

Council Tax Support replaced Council Tax Benefit; the Government stated that people over pension age had to be protected up to their previous entitlement.

In Surrey the 11 district and borough councils have each designed their own scheme for people of working age.

Council Tax Support is separate from the Council Tax discount scheme, see above. It is a means-tested support to help low income households pay their Council Tax.

If Council Tax liability has been reduced by any of the discounts you may still be entitled to claim Council Tax Support to help with the costs of the remaining payment. If your local Council Tax Support scheme does not provide sufficient financial support then you can ask for a Discretionary Payment to top-up the shortfall. Seek advice about claiming.

## **Help to pay your rent**

### **Universal Credit Rent Support and Housing Benefit**

If you are liable to pay rent you can claim Rent Support as part of a claim for Universal Credit (UC). How much you receive will depend not only on what income you have but also whether you have a social housing landlord or a private sector landlord and how many bedrooms you have.

If you are still in the legacy benefit system or if you are a Carer over pension age who rents you may already be receiving Housing Benefit to help you pay your rent. If you and your partner are both over pension age you can also make a new claim for Housing Benefit to help with rent payments.

The Rent Support and Housing Benefit rules help households where a non-resident Carer needs to sometimes stay overnight. The Local Housing Allowance, which is the banding of allowable rent in the local private sector, is restricted according to the prescribed needs of your household. Similarly, social housing sector tenants could be penalised by the 14% or 25% under-occupancy charge (bedroom tax) if they are considered to have spare bedrooms. Where there is a proven need for a non-resident carer to stay overnight to care for a disabled claimant or a claimant with a long-term health need (whether they are an adult or a child) then the bedroom “count” can be increased by one bedroom.

Need will be proven by the receipt of Attendance Allowance or middle or higher rate of DLA care component or the daily living component of PIP. If the UC or HB claimant is not in receipt of the qualifying benefit then evidence of the requirement and proof that night care is needed could be accepted instead. In addition, the requirement will only be considered to have been met if the

disabled person reasonably requires, and has in fact arranged, that one or more people who do not occupy as their home the dwelling to which the claim or award for HB relates should:

- Be engaged in providing overnight care for the person;
- Regularly stay overnight at the dwelling for that purpose; and
- Be provided with the use of a bedroom in that dwelling additional to those used by the persons who occupy the dwelling at their home.

The rules also allow a bedroom for a disabled child who normally would be expected to share (because they were under 10 or the same sex as a second child under 16). This applies to both social or private rented sector households. Also, couples who are unable to share a bedroom because of disability can now have a second bedroom, used by one of the couple, included in the calculation.

### **Claiming and backdating**

If you are claiming Rent Support as part of a UC claim then you will need to provide the relevant information to the DWP. If you are claiming Housing Benefit then you need to contact your local borough or district council to make a claim. Unless the claim is as the result of an award of a qualifying benefit, the maximum backdating of UC or HB is one month for working age claimants.

### **Backdating following the award of a qualifying benefit**

A qualifying benefit is a benefit that can trigger extra elements or premiums payable with UC or Housing Benefit. Examples of qualifying benefits are PIP, Attendance Allowance, or Carer's Allowance. You may become entitled to Housing Benefit for the first time, or to an increase in an existing award. However, it may be weeks or months after making a claim for the qualifying benefit that you get the decision.

If the award of the qualifying benefit triggers an increase in an existing UC or Housing Benefit claim, you can have the increase in benefit backdated to the date of claim of the qualifying benefit.

If the award of the qualifying benefit means you become entitled to UC or Housing Benefit for the first time, you cannot have automatic backdating of benefit to the start date of the qualifying benefit.

You should make a claim for UC or Housing Benefit at the time of the claim for the qualifying benefit and ask the DWP or local council to "stockpile" your claim.

This means asking them to delay making a decision until you hear about the claim for a qualifying benefit. The local council should not refuse to accept a claim in these circumstances. If they do, seek advice. If the DWP or local authority go ahead and make a decision and refuse you benefit you can ask for an anytime revision once the qualifying benefit has been decided. You should seek advice if this happens.

## **Discretionary Housing Payments**

Each local council has a cash limited budget available to top up any benefit you receive to help you pay your rent. This is a discretionary fund and has to be applied for separately from UC Rent Support or Housing Benefit.

## **Help to pay the mortgage**

### **Housing Costs with a means-tested benefit**

Since April 2018 any DWP help you could receive for mortgage interest will be in the form of a loan. This is a significant change to the previous help with mortgage interest scheme. To be eligible for a loan you must be entitled to UC (before 3 April 2023 you could also must have had no earned income to be eligible), Income Support, Income based JSA, Income related ESA or Pension Credit. A debt to the DWP will accrue in a separate loan account. The DWP will place a charge on your property to enable them to recover what you owe, assuming there is sufficient equity in the property.

Before agreeing to the loan claimants must take third party advice, arranged by the DWP, about the loan agreement and alternative options that might exist.

The rules are very complex and your local Citizens Advice office can provide further information but not financial advice. Seek expert help if you have a mortgage and need help with repaying the loan.

## **Benefit Cap**

The benefit cap is the maximum amount of benefit a non-working household can receive. It only applies to working-age households. Households where the claimant is entitled to Carer's Allowance will be exempt from the Benefit Cap, as

are households where there is an ESA claimant who is in the Support Group, or if a claimant, their partner or their dependent child/young person, is in receipt of PIP/DLA/AA. Those claiming UC will also be exempt from the cap if the claim includes the Carer Element.

The caps for outside Greater London are currently set at £283.71 pw or £1229.42 pcm for single person households and £423.46 pw or £1835.00 pcm for couples and households with dependent children. Where the total benefit entitlement exceeds the cap the amount of Housing Benefit or Universal Credit payable will be reduced to keep the amount of benefit payable within the appropriate cap. Certain benefits are not taken into account for the benefit cap – see further advise.

## **NHS Health Benefits**

Some people are exempt from NHS charges. This includes anyone getting Income Support, income-based JSA, income-based ESA, Pension Credit (Guarantee Credit) and some people who get Working Tax Credit, Child Tax Credit or Universal Credit. Your award letter should tell you more. You can also get a full or partial reduction of charges if you have “low income” and have savings below £16,000. If you are entitled under the low income scheme you can apply using an HC1 form which you can get at hospital, Jobcentre Plus offices or by calling 0300 330 1343. You may also be able to download the form or apply online at the [nhs website](https://www.nhs.uk). The low income calculation can be explained to you by any of the agencies set out at the end of this booklet.

## **What are the Health costs which I may be exempt from, or receive a reduction?**

NHS prescriptions  
NHS dental treatment and dentures  
Sight tests, glasses and contact lenses  
Wigs and fabric supports  
Free milk and vitamins  
Travel costs to and from hospital where you receive treatment.

### **Travel costs – What can you claim for?**

A person qualifies if they are attending a health service for NHS treatment, or a disablement services centre. It does not matter that the hospital may be private as long as you are receiving free, NHS treatment. Payment should be claimed at the hospital where you receive treatment.

You are expected to use the cheapest form of transport available and you can claim for the following:

- normal public transport fares
- estimated petrol costs
- road and toll charges in England may be taken into account when calculating the amount of a person's NHS travel expenses by private car
- a reasonable contribution to a local voluntary car scheme
- taxi fares, but only if there is no alternative for all or part of the journey, or you cannot use public transport because of a disability.

**The travelling costs of a companion, or carer, will also be paid if it is necessary for you to be accompanied on medical grounds.**

### **How to claim at the hospital**

You should ask at the hospital each time you go for treatment. You will be asked to show that you are entitled to have these costs refunded.

Any of the following counts as proof:

- An HC2 certificate
- Award letter showing entitlement to the qualifying benefit
- A letter showing that a person gets any of the above benefits paid directly into a bank, building society or Post Office account
- An HC3 certificate, if you have to pay some of the costs

Some hospitals and clinics do not have cashier facilities in which case you would need to apply for a refund of the travel costs you have incurred

### **Can I get a refund if I have already paid my health charges?**

If you have paid a charge you can, in certain circumstances, obtain a refund. Most refunds should be claimed **within 3 months** of paying the charge using . [https://www.nhs.uk/NHSEngland/Healthcosts/Documents/HC5\(T\).pdf](https://www.nhs.uk/NHSEngland/Healthcosts/Documents/HC5(T).pdf)

Claims may be accepted outside this time if there is a “good cause” for the lateness.

If you think you may be entitled to free prescriptions but do not yet have a certificate, ask the pharmacist for a form FP57 when you pay the charge (you cannot get the form later).

For reduced cost sight tests, free sight tests or if you have paid for glasses, complete form HC5 (O) and send it, with your receipt and optical prescription, to the local health authority.

For dental treatment complete HC5 (D), wigs and fabric supports complete HC5 (W), get a receipt and return to the address on the form(s).

You can order a form online if you do not have access to a printer;

<https://applications.nhsbsa.nhs.uk/LISWebAppStaticData/begin.do>

For travel costs, the same rule applies but you can also obtain an HC5 (T) from the NHS hospital. Send the form back to the hospital where you were treated and they should refund your costs. The form also explains how you can claim your fare if you have been treated in a private hospital because your local NHS hospital sent you there.

HC1 <https://www.nhsbsa.nhs.uk/sites/default/files/2024-01/HC1%20%28V6%29%20Claim%20Form%20-%20Digital%20ready%2008.2023.pdf>

HC5 (T) [https://assets.nhs.uk/nhsuk-cms/documents/HC5T\\_V9\\_online\\_-\\_07.2022.pdf](https://assets.nhs.uk/nhsuk-cms/documents/HC5T_V9_online_-_07.2022.pdf)

HC5 (D) [https://assets.nhs.uk/prod/documents/HC5D\\_V10\\_online\\_10.2018.pdf](https://assets.nhs.uk/prod/documents/HC5D_V10_online_10.2018.pdf)

HC5 (W) [https://assets.nhs.uk/prod/documents/HC5\\_W\\_wigs.pdf](https://assets.nhs.uk/prod/documents/HC5_W_wigs.pdf)

NHS order form online, <https://applications.nhsbsa.nhs.uk/LISWebAppStaticData/begin.do>

## Care Act 2014

### Carer's right to an assessment

The Care Act 2014 and the Children and Families Act 2014 came into effect in April 2015. These acts strengthen the rights and recognition of Carers in the social care system.

This legislation entitles Carers and the people they care for to an assessment of needs regardless of income. An assessment identifies care and support needs and must provide information and advice about services aimed at meeting those needs.

Any Carer who appears to have needs for support should be offered an assessment by social services whether or not the person cared-for has had a community care or needs assessment. If the Carer has been refused help in the past it may be worth asking again for an assessment as the criteria for getting help are different under the Care Act.



Carers will be entitled to support if they meet the eligibility criteria. The rights to an assessment and possibly services for young carers and the parents of disabled children are provided by the Children and Families Act 2014.

If both the Carer and the cared-for agree, a combined assessment of needs can be undertaken.

If there are shared caring responsibilities by one or more people, including a child under 18, each person can have a Carer's assessment. The Carer does not have to live with the cared-for nor be caring full-time to qualify for a Carer's assessment.

## Acting on behalf of another person

### Appointees

The Secretary of State can appoint someone to act on behalf of another person for the purpose of claiming a benefit. For example, the mother of a child under 16 will usually be their appointee for claiming Disability Living Allowance. However, the child is the claimant of the DLA and the benefit belongs to them. An application to be the appointee must be made in writing to the DWP. If a 16-year-old continues to need an appointee, the appointee will act for all benefits apart from Housing Benefit, for which a separate appointment must be made with the local authority.

### Agents

On reaching 16, if the young person is mentally capable, they make their own claim but can still ask someone to be their agent to help with claiming benefits if they are physically disabled. Elderly or incapacitated people often ask a neighbour or family member to be their agent.

### Power of Attorney

A Power of Attorney can be created by anyone who is mentally capable of managing their own affairs but this area of law is complicated and it is important to **take legal advice** first. The person giving the power is the donor. The person receiving it is the attorney. A donor can appoint more than one person as attorney.

This is considered good practice as two or more appointments can be a useful safeguard against fraud or improper acts. “Joint Attorneys” must act together. “Joint and Several Attorneys” are interchangeable but each one’s signature or action is equally binding or valid. Granting a power does not deprive the donor of the right to act on his or her own behalf.

## **Responsibilities of the Attorney**

If paid, the attorney is required to act reasonably. If unpaid, they are required to act reasonably and as if conducting their own affairs. In either case the attorney is required to act in good faith, informing the donor of any conflicts of interest and keeping separate, up to date accounts of the donor’s affairs. Solicitors’ fees vary for this service.

## **Types of power of attorney**

- **General** – a blanket authority where the attorney can sign most legal documents but there is a danger of unlimited scope for irresponsible acts. This power becomes invalid when the donor begins to become mentally incapable of handling their finances.
- **Limited** – this only applies to specific authorised acts, e.g. to enter contracts for buying and selling of property. The wording must be legally watertight.
- **Trustee** – limited to one year for trustees of property, wills or trusts. A solicitor is necessary to create this type of power.
- An **enduring power of attorney** made before 1 October 2007. This can provide authority for an attorney to look after a client’s financial affairs both before and after s/he loses the mental capacity to do so her/himself.
- Since 1 October 2007, a **lasting power of attorney**. This can provide authority for an attorney to look after a client’s financial affairs both before and after s/he loses the mental capacity to do so her/himself. A donor can make a Lasting Power of Attorney about:
  - decisions about her/his property and other financial affairs **and/or**
  - decisions about her/his personal welfare, for example, relating to her/his care from social services.

In order for **lasting power of attorney** to be valid each one has to be registered with the Public Guardianship Office, there is a fee payable for each form. Some donors are exempt from paying these fees.

See the address list at the end of the booklet for contact details of The Office of Public Guardian.

## Receivership

This is necessary where no power exists or if registration of the enduring power has been rejected. Receivers are appointed by an order of the Court of Protection or via a direction of the Public Trustee, depending on the nature of the estate. The Public Guardianship Office has full details of application procedures, fees and duties in their booklet; see address list. In certain cases it may not be necessary for a receiver to be appointed. This would usually be if the mentally incapacitated person has assets of less than £16,000 and no income other than social security benefits. Such cases can usually be dealt with by making an application to the Public Trustees for directions that will allow for the limited assets to be dealt with.

## Safeguarding

### In an emergency dial 999

A child or adult may be vulnerable because of age, illness, disability or injury. We all have the right to live a life free from violence, fear and abuse, to be protected from harm and exploitation and to say “No” to things we do not understand. Tell-tale signs of abuse include unexplained injury, withdrawal into themselves, signs of fear or distress, self-neglect and financial exploitation including theft or fraud.

If you suspect that a child or vulnerable person is being abused in any way don't ignore it. You should phone one of the following contact numbers to report your suspicions and get help and support:

- Surrey Multi Agency Safeguarding Hub (MASH):  
9am to 5pm, Monday to Friday  
Phone: 0300 470 9100  
Fax: 01483 519862  
Email: [mash@surreycc.gov.uk](mailto:mash@surreycc.gov.uk)
- Surrey County Council Emergency Duty Team

01483 517898 between 5pm and 9am and 24 hours at weekends  
Email: [edt.ssd@surreycc.gov.uk](mailto:edt.ssd@surreycc.gov.uk)

- Surrey County Council  
Adult social care 0300 200 1005  
Monday to Friday 9-5pm  
Email: [asc.infoandadvice@surreycc.gov.uk](mailto:asc.infoandadvice@surreycc.gov.uk)
- Surrey County Council  
Children's social care 0300 470 9100  
Monday to Friday 9am to 5pm,  
Email: [cspa@surreycc.gov.uk](mailto:cspa@surreycc.gov.uk)
- Surrey County Council  
General enquiries 03456 009 009  
(9am to 5pm, Monday to Friday, 9-5pm excluding bank holidays)  
Email: [contact.centre@surreycc.gov.uk](mailto:contact.centre@surreycc.gov.uk)
- Surrey Police Switchboard 101  
24 hours a day, seven days a week  
<https://www.surrey.police.uk/contact/af/contact-us/>
- Action on Elder Abuse helpline 0800 0699 784  
24 hours a day 7 days a week  
[office@thenationalcareline.org](mailto:office@thenationalcareline.org)
- Contact the Office of the Public Guardian if you have concerns about an attorney, deputy or guardian for someone, for example about the misuse of money or decisions that are not in the best interests of the person they're responsible for.

#### **Office of the Public Guardian**

<https://www.gov.uk/government/organisations/office-of-the-public-guardian>

Telephone: 0300 456 0300

Monday, Tuesday, Thursday, Friday 9am to 5pm

Wednesday 10am to 5pm

Email: [customerservices@publicguardian.gov.uk](mailto:customerservices@publicguardian.gov.uk)



## SURREY CITIZENS ADVICE OFFICES

The Old Library  
Church Road

### **Addlestone**

KT15 1RW

Tel: 0808 812 7087

Website:

<https://www.citizensadvice.org.uk/local/runnymede-spelthorne/>

Ash Centre

Ash Hill Road

### **Ash**

GU12 5DP

Tel: 0808 812 7087

Website:

<https://casws.org.uk/>

The Horseshoe

### **Banstead**

SM7 2BQ

Tel: 0808 278 7945

Website:

<https://www.carbs.org.uk>

Surrey Heath House

Knoll Road

### **Camberley**

GU15 3HD

Tel: 0808 278

7936Website:

<https://www.citizensadvice.surreyheath.org.uk/>

1<sup>st</sup> Floor

Caterham Valley Library

Stafford Rd

### **Caterham**

CR3 6JG

Tel: 0808 812 7087

Website:

<https://catd.org.uk/>

Village Way

### **Cranleigh**

GU6 8AF

Tel: [0808 812 7087](tel:08088127087)

Website:

<https://casws.org.uk/>

Lyons Court

### **Dorking**

RH4 1AB

Tel: [0808 812 7087](tel:08088127087)

Website:

<https://citizensadvice.molevalley.org.uk/The>

Old Town Hall

The Parade

### **Epsom**

KT18 5AG

Tel: 0808 278 7963

Website:

<https://www.caee.org.uk/>

Civic Centre

High Street

### **Esher**

KT10 9SD

Tel: 01372 464770

Website:

<https://www.eshercab.org.uk/>

Montrose House

50 South Street

### **Farnham**

GU9 7RN

Tel: [0808 812 7087](tel:08088127087)

Website:

<https://casws.org.uk/>

New Montrose House

36 Bridge Street

### **Godalming**

GU7 1HP

Tel: [0808 812 7087](tel:08088127087)

Website:

<https://casws.org.uk/>

15-21 Haydon Place

### **Guildford**

GU1 4LL

Tel: [0808 812 7087](tel:08088127087)

Website:

<https://casws.org.uk/>

Well Lane House

Well Lane

### **Haslemere**

GU27 2LB

Tel: [0808 812 7087](tel:08088127087)

Website:

<https://casws.org.uk/>

The Georgian House

Swan Mews

High Street

### **Leatherhead**

KT22 8AE

Tel: [0808 812 7087](tel:08088127087)

Website:

<https://citizensadvice.molevalley.org.uk/>

1<sup>st</sup> Floor

Library Building

14 Gresham Road

### **Oxted**

RH8 0BQ

Tel: [0808 812 7087](tel:08088127087)

Website:

<https://catd.org.uk/>

72-74 Station Road

### **Redhill**

RH1 1PN

Tel: 0808 278 7945

Website:

<https://www.carbs.org.uk/>

Sunbury Library

The Parade

Staines Road West

### **Sunbury on Thames**

TW16 7AB  
Tel: 0808 250 5706  
Website:  
<https://www.citizensadvice.org.uk/local/runnymede-spelthorne/>

Elmbridge Community Hub  
The Old School House

72 High Street  
**Walton on Thames**  
KT12 1BU  
Tel: 0808 812 7087  
Website:  
<https://www.caew.org.uk/>

Provincial House  
26 Commercial Way  
**Woking**  
GU21 6EN  
Tel: 0800 144 8848  
Website:  
<https://www.wokingcab.org/>

## SURREY CARERS SUPPORT SERVICES

Adult carer support across Surrey is being provided by Action for Carers (Surrey) via a Carers Information Centre 0303 040 1234 or by SMS 07723 486730 or via email: [CarerSupport@actionforcarers.org.uk](mailto:CarerSupport@actionforcarers.org.uk). Services provided include advice, information and access to other information to support carers in their caring role.

Surrey Young Carers is available to support **carers who are children or young people under the age of 18 who provide regular and on-going care and emotional support to a family member who is physically or mentally ill, disabled or misuses substances**. They seek to help young carers to achieve their best at school, have fun, discover new interests and make new friends.

### Action for Carers Surrey

Astolat, Coniers Way, Astolat, Coniers Way,  
Guildford, GU4 7HL

Tel: 0303 040 1234

Text: 07714 075993

[CarerSupport@actionforcarers.org.uk](mailto:CarerSupport@actionforcarers.org.uk)

[syc@actionforcarers.org.uk](mailto:syc@actionforcarers.org.uk)

### Surrey Young Carers

Guildford, GU4 7HL

Tel: 01483 568269

Text: 07723 486730

[www.surrey-youngcarers.org.uk](http://www.surrey-youngcarers.org.uk)

## OTHER ORGANISATIONS

### Age UK Surrey

The Clockhouse Community Centre,  
Chapel Lane,

Milford,

Surrey

GU8 5EZ

Tel: 01483 503414

Text: 07593 139560

[enquiries@ageuksurrey.org.uk](mailto:enquiries@ageuksurrey.org.uk)

### Office of the Public Guardian

PO Box 16185

Birmingham

West Midlands  
B2 2WH  
Tel: 0300 456 0300  
[customerservices@publicguardian.gov.uk](mailto:customerservices@publicguardian.gov.uk)

**Carers UK**  
20 Great Dover Street  
London  
SE1 4LX  
Tel: 0207 378 4999  
Advice: 0808 808 7777,  
Monday to Friday 9-6pm  
[advice@carersuk.org](mailto:advice@carersuk.org)  
[www.carersuk.org](http://www.carersuk.org)

**Alzheimer's Society**  
Helpline Tel: 0333 150 3456 Use  
website to find local services:  
[www.alzheimers.org.uk](http://www.alzheimers.org.uk)