



A Basic Guide to Benefit Eligibility

Benefits are grouped in to 3 categories - means-tested, non means-tested and contributory. This guide will take you through each of the groups and provide a basic guide to the eligibility criteria for the benefits in each category.

Means-tested Benefits – are benefits that you are entitled to if you have low or no income or are unable to work. The amount you get depends on any income, savings or other capital you have.

In most cases, if you are making a new claim for a means-tested benefit, it will come under the Universal Credit system.

You cannot normally make a new claim for any of the following benefits, known as ‘legacy benefits’:

- child tax credit
- housing benefit (HB)
- income-related employment and support allowance (ESA)
- income-based jobseeker's allowance (JSA)
- income support (IS)
- working tax credit

There are some exceptions to making legacy benefit claims, but you must be in receipt of a Severe Disability Premium, and have an award of one of the benefits listed above.

To be entitled to the Severe Disability Premium, you must receive either the Daily Living component of Personal Independence Payment (PIP), the middle/ high rate of Disability Living

Allowance (DLA), or Attendance Allowance (AA). You must also live alone, and no one can be claiming Carer's Allowance or the Carer's Element of Universal Credit for looking after you.

This can be quite complicated, so if you would like more information on legacy benefits and the Severe Disability Premium, please contact the Assent Benefits Service.

If you currently claim one of the legacy benefits above, and receive the Severe Disability Premium, you will not have to transfer over to Universal Credit.

If you do not receive the Severe Disability Premium and claim a legacy benefit, you will at some point be migrated over to Universal Credit. If you have a change in your circumstances before you are asked to migrate, this may also trigger your legacy benefit being transferred to Universal Credit.

Universal Credit

Universal Credit (UC), is the means-tested benefit that has replaced all six legacy benefits listed above.

If you are making a claim for benefits for the first time, it will be for UC. As with the other means-tested benefits, what you receive will depend on any savings, income or capital you have. If you have savings of over £16,000 you will not be able to claim.

To claim UC you must be over 18, and under state pension age. Some exceptions may apply, so if you are 16-17 or over state pension age please get in touch. You must reside in Great Britain, and be habitually resident (have a right to reside), and not be subject to immigration control. You must also not be in education – although there are also some exceptions to this, so if you are a student looking to claim please contact the Assent Benefits Service.

As UC has replaced 6 benefits, it is made up of several different components, which are referred to as Elements. These are:

- Standard Personal Allowance
- Child Element
- Limited Capability for Work, and Limited Capability for Work Related Activity
- Carer Element
- Childcare Costs Element
- Housing Element

Claims for UC are made online, you will need your National Insurance number and a working email address to complete an application. You will manage your claim through an Online UC Journal. This is where you can communicate with your job work coach, see a breakdown of your entitlement, when you will get paid and anything you need to do towards keeping your claim active. You can also report changes in your circumstance through this journal.

If you have a condition that affects your ability to work, it is extremely important that this is included in your initial application for UC. You may be asked to submit evidence of this such as a PIP entitlement letter or letter/ medical certificate from your GP. The DWP will then ask you to complete a Work Capability Assessment. The outcome of this is that you will either be found to be fit for work, or placed within one of the Limited Capability for Work Elements.

Online UC claims are made here: <https://www.gov.uk/apply-universal-credit>

If you have any questions about UC that have not been answered, please contact the Assert Benefits Service.

Non Means-tested Benefits - are benefits that can be claimed regardless of any income, savings or other capital you may have. Each of the following benefits has its own eligibility criteria:

- Disability Living Allowance (DLA) / Personal Independence Payment (PIP)
- Attendance Allowance (AA)
- Carer's Allowance (CA)
- Lower rates of Maternity Allowance

Disability Living Allowance, Personal Independence Payment and Attendance Allowance are benefits for people who have mental or physical disabilities, difficulties or conditions that affect their daily living or mobility.

Personal Independence Payment (PIP) is the benefit that has replaced Disability Living Allowance for people who are aged 16-64. To be eligible for PIP you must be within the age range, have had your condition(s) for at least 3 months, and expect to continue to have this condition(s) for at least 9 months after claiming.

The initial PIP claim is made by calling the DWP PIP claim line on 0800 917 2222. You will then be sent a questionnaire to complete. Once the DWP have received your questionnaire you will be invited to attend an assessment.

If you are between 16-64 and have a current claim for Disability Living Allowance, you will be invited by the DWP to migrate to PIP. Once you receive your letter inviting you to make this switch you must complete this, otherwise your DLA will stop and you will not receive any money. Claims for DLA can still be made on behalf of a child under 16 who has a long-term disability or illness.

Attendance Allowance has similar eligibility criteria to PIP and DLA, but is for people who are aged 65+.

Carer's Allowance is for people who spend 35 hours or more per week caring for someone else. The person they care for must receive Attendance Allowance, the daily living component of PIP, or the middle/ high care component of DLA.

Contributory Benefits - are benefits that depend on your National Insurance Contributions in what is called the 'relevant tax years'. Any savings or capital you have is irrelevant. If you have never made any National Insurance Contributions, either through employment, or making voluntary payments, you will not be able to claim any of the following benefits:

- Bereavement Benefits
- 'New-style' ESA
- 'New-style' JSA
- Higher rates of Maternity Allowance
- Retirement or State Pension

If you're not sure about your National Insurance record, you can check it on the gov.uk website: <https://www.gov.uk/check-national-insurance-record>

If you have the correct amount of National Insurance Contributions, 'New Style' ESA and JSA can be claimed in combination with other benefits including UC, income-related ESA or income-based JSA. If you are able to claim the 'New Style' ESA or JSA, this benefit will also continue to pay towards you National Insurance record whilst you are not in employment.

If this guide has not answered your benefit question, please get in touch with the Assert Benefits Service for further information.