

INCOME SUPPORT

Universal credit has now been fully rolled out and you cannot normally make a new claim for any of these benefits, known as legacy benefits:

- child tax credit
- housing benefit
- income-related employment and support allowance
- income-based jobseeker's allowance
- income support
- working tax credit

You must claim [universal credit](#) instead.

1. Who can get income support?

Income support is paid to certain people who are not expected to look for work. These include carers and certain lone parents. It is intended to provide for basic living expenses and can be paid on top of other benefits such as carer's allowance. You can also get money to help with mortgage payments.

To get income support you must:

- be aged between 16 and under the qualifying age for pension credit
- be someone who is allowed to claim income support
- have no income or be on low income
- not have capital/savings above a certain limit
- usually not be in full-time work (less than 16 hours for you and less than 24 hours for your partner if you have one)
- pass the "habitual residence" test and have the right to reside.

2. Allowed to claim income support

Only certain people are allowed to claim income support. You may be able to get IS if you are:

- entitled to statutory sick pay (SSP)
- appealing against a decision that you are capable of work following a personal capability assessment (PCA).

- caring for someone and either you are getting carer's allowance, or the person you are looking after gets attendance allowance (AA) or constant attendance allowance, the middle or highest rate of disability living allowance (DLA) care component, personal independence payment or armed forces independence payment.
- you are a lone parent and responsible for a child under 5. You may be required to attend work-focused interviews if your child is aged between 1 to 2 years old. If your child is aged between 3 and 5 years old you may be asked to attend work-focused interviews and undertake work related activity as a condition of entitlement to the full amount of benefit.
- pregnant and incapable of work because of your pregnancy or due to have your baby within the next 11 weeks or have had a baby within the last 15 weeks.

2.1 Incapable of work

Before the introduction of employment and support allowance (ESA) on 27 October 2008 you could get income support if you were sick/disabled and unable to work. Existing claimants remain on the income support for the present but will begin to be transferred over to ESA from October 2010.

At some point between October 2010 and March 2014, if you are on income support because of sickness or disability, you will be reassessed under the new Work Capability Assessment instead of the personal capability assessment. If you are found to have a limited capability for work in this assessment, you will be moved (migrated) onto ESA.

3. The Habitual Residence tests

To claim income support you must

- be present in the UK
- be habitually resident and
- have the right to reside.

Present means physically present in the UK. There are specific rules that may allow you to be treated as present during a temporary absence.

The term "right to reside" is not defined but is dependent on your immigration status and nationality. You might have a right to reside under United Kingdom rules, European Union law or because you are a British citizen.

The habitual residence test is a test to see if you normally live in the United Kingdom, the Channel Islands, the Republic of Ireland or the Isle of Man. The test will be applied if you have been living abroad.

There is no legal definition of 'habitual residence'. Relevant factors are where you normally live, where you expect to live in future, your reasons for coming to this country, the length of time spent abroad before you came here, and any ties you still have with the country where you have come from.

4. How much is income support?

The amount of income support you can get will depend on your circumstances. You can view the current rates for income support and other welfare entitlements [here](#).

Income support assessments are based on a combination of:

- personal allowances - See 4.1 below.
- premiums - (paid if you or your partner have a disability, care for a disabled person or have reached the qualifying age for pension credit) See 4.2 below.
- housing costs - generally this is help with the payment of mortgage interest plus other allowed costs. If you find work and are on income support your housing costs can continue for four weeks.

4.1 Personal allowances

These are paid to you for the people in your household. The amounts paid depend on your age, whether you are single, a lone parent or part of a couple (whether married or living together or a civil partner).

Your household only includes your partner. Anyone else living with you such as a friend or other relative may be able to make their own claim for income support.

You may get the following personal allowances from April 2019:

- single and under 25 – £57.90 (from April 2019)
- single and age 25 and over – £73.10 (from April 2019)
- lone parents age 18 and over - £73.10 (from April 2019)
- couples age 18 and over - £114.85 (from April 2019)

If you have a child or young person living with you then you may be able to get child tax credit. See our guide to child tax credits [here](#).

Some people, already on income support are getting personal allowance payments for their children. These will eventually be phased out and replaced by child tax credit.

4.2 Premiums

You can get extra amounts in the form of premiums if you satisfy certain conditions.

You can get any or all of the following premiums if you satisfy the rules for them:

- carer premium
- disabled child premium
- enhanced disability premium
- family premium
- severe disability premium.

In addition to these premiums you can get one of the premiums listed below. If you qualify for two of the premiums on this list you will get the one which pays you the most:

- family premium lone parent rate

- disability premium
- pensioner premium.

Carer premium

You or your partner must be entitled to carer's allowance, even if you are not actually paid it because you receive another benefit. This premium is payable for each person who qualifies.

Disability premium

You must be under the qualifying age for pension credit and one of the following applies to you or your partner:

- are registered as blind, or taken off that register in the past 28 weeks
- are getting one of the following qualifying benefits:
 1. attendance allowance
 2. disability living allowance (DLA)
 3. long-term incapacity benefit (IB)
 4. severe disablement allowance (SDA)
 5. the disability element or severe disability element of working tax credit
 6. war pensioner's mobility supplement
 7. constant attendance allowance
 8. personal independence payment
 9. armed forces independence payment
 10. you are the claimant and you have been incapable of work or entitled to statutory sick pay during the qualifying period of 52 weeks (or 28 weeks if you are terminally ill) and still be incapable of work.

If you have a partner you will be paid a higher couple rate of this premium.

Disabled child premium

You must:

- have claimed Income Support before April 2004
- have a dependent child or qualifying young person under age 20 and one of the following applies:
 1. they are getting disability living allowance, personal independence payment or armed forces independence payment
 2. they are registered blind.

The premium is paid for each child who qualifies.

Enhanced disability premium

You or your partner must satisfy one of the following:

- be in the employment and support allowance support group
- be under the qualifying age for pension credit and receiving the high rate care component of disability living allowance, the personal independence payment enhanced rate of the daily living component or armed forces independence payment.

If you have a partner you will be paid the couple rate of this premium.

Family premium

You must have a dependent child or qualifying young person under age 20.

You may get this premium if you are already on income support. You cannot get this premium if you are making a new claim for income support.

Family premium lone parent rate

This premium is paid instead of ordinary family premium. You may get it if you have been on income support since before 6.4.98.

You cannot get this premium if you are making a new claim for income support.

Pensioner premium

You or your partner must be the qualifying age for pension credit or over. If you have a partner you will be paid a higher couple rate of this premium.

Severe disability premium

You or your partner must satisfy all of the following:

- be receiving the care component of disability living allowance (middle or higher rate), attendance allowance, daily living component of the personal independence payment or armed forces independence payment
- live alone (there are exceptions to this rule)
- no one else must be getting carer's allowance for looking after you.

There is a couple rate if both of you qualify.

5. Capital

You cannot get benefit if your capital or savings (or you and your partner's capital or savings) is above £16,000. Your benefit will be reduced if your capital or savings (or you and your partner's capital or savings) is above £6,000 (£10,000 if you live permanently in a care home).

5.1 Tariff income

If your capital is between the lower and upper limits, a 'tariff income' is assumed: one pound a week for every £250 (or part of £250) above the lower limit is included as your income.

For example, if you have capital of between £6,250.01 and £6,500, £2 a week is included as your income. Each time capital gets into the next block of £250 (even by as little as one penny) an additional £1 is included as income.

6. Disregarded earnings

Some of your earnings are not taken into account when working out means tested benefits. This is normally £5 if you are single or £10 if you have a partner. You will have £20 of your earnings disregarded if you qualify for the disability premium, the carer premium or are a lone parent.

6.1 Other benefits

Some benefits are not taken into account when working out means tested benefits. These include child benefit, attendance allowance and disability living allowance, personal independence payment or armed forces independence payment.

7. How to claim income support

You use form B16 if you are self employed and form A1 for all other cases. You can get these forms from your local Department for Work and Pensions office or Jobcentre Plus office. You can download form A1 at www.gov.uk/government/publications/income-support-claim-form

You can also phone the following:

Tel: 0800 055 66 88

Textphone: 0800 023 48 88

Welsh language: 0800 012 18 88

Lines are open from 8:00 am - 6:00 pm, Monday to Friday. Charges may apply to calls from mobile phones, but the contact centre will call the customer back if requested.

8. Students and young people

You cannot now claim income support on grounds of disability or incapacity unless your claim began before 27.10.08.

If you are a disabled student you may be able to get employment and support allowance. For more information on this contact an adviser here on 01736 759500.

You may also be able to get IS in certain other circumstances, including if you are a lone parent.

If you claim as a full time student your eligible student loan will be taken into account, regardless of whether you claimed it or not. Tuition fees and certain grants are ignored.

If you have a partner who is not a student he or she may qualify for income support if they are in one of the qualifying groups allowed to claim income support.

Disability Rights UK Student Helpline

For further information on the above and the support that is available for disabled students, please contact the [Disabled Students Helpline](#):

Tel: 0330 995 0414

Tues 11am-1pm & Thurs 11am-1pm

Email: students@disabilityrightsuk.org

The helpline provides free information and advice to disabled students in England, their parents, carers and key advisers about opportunities in post-16 education and training. This includes further and higher education and apprenticeships. The helpline also provides general information on the Equality Act as it applies to education and give advice on UK students' entitlement to welfare benefits.

8.1 Part time students

If you are a part time student you can claim if you fit into one of the categories listed in section 2.

Whether your course is full or part-time usually depends on how it is classed by the institution. However, if you are on a course of government-funded further education in England or Wales it is full-time if it involves more than 16 guided learning hours a week.

8.2 Young people

You can claim income support if you fit into one of the categories listed in section 2.

9. Universal Credit

Universal credit (UC) is a new benefit which will replace the following benefits, for anyone under state pension credit age, nationwide in Great Britain from October 2013 and in Northern Ireland from April 2014:

- child tax credit
- housing benefit
- income related employment and support allowance
- income based jobseekers allowance
- income support
- parts of the social fund
- working tax credit.

Between October 2013 and 2018 income support will be abolished and will be paid as part of universal credit. If you are already getting income support you will be moved, at some point, over to universal credit.

For more information see our [Guide to Universal Credit](#).

If you need any further support or information please contact DIAL on 01736 759500 or you can refer directly to the link below:

www.disabilityrightsuk.org

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