

Benefits Series

Benefits from age 16

Date: April 2024 | Information updated regularly

Please see our website for up-to-date information: www.downs-syndrome.org.uk

If you have concerns, please ring the DSA's Benefits Adviser Helen Wild

Monday & Thursday 10am-4pm Tues & Weds 10am-12.30pm | Telephone: 0333 1212 300

When your child reaches 16 the benefit that they claim and that you claim for them as a dependent, may change.

Some families could be better off remaining on their existing benefit which includes their child.

We have explained about some of the benefit decisions you may have to make below.

Keeping your child as a dependent in your existing Tax credit or UC claim

Benefit continues for young people attending full time non-advanced education for at least 12 hours per week and should continue to the September after their 19th birthday if they are completing a course that they have either started, been offered, or enrolled on before they reached 19.

The 12 hours includes tuition, classes, and supervised study. Non- advanced education includes A level and below NVQ/SVQ level 3 and below, ordinary national diplomas and B-Tec national diplomas, courses offering life skills and training suitable for people with SEN.

Once your child reaches 16,17,18 &19 and staying on in education, you need to contact HMRC by the end of each August to let them know, otherwise the child benefit associated with them will end. You will also need to contact Tax credits on 0345 300 3900 to let them know that your child is continuing in non-advanced education. You can also notify UC through your online journal.

Appointees

If a person is unable to act for themselves from age 16, then DWP will appoint someone aged 18 or over to act on their behalf. As PIP starts from age 16, this is the time that someone is appointed.

In many cases the appointee will be a parent. Being an appointee only gives you the power to manage their benefits. It does not give you the same authorisations as power of attorney or deputyship.

It is the appointees responsibility to make timely claims and report any changes. If you are an appointee for one benefit you should be accepted as an appointee for any other benefits that you look after for that person, the exception to this is housing benefit where you will have to make a separate application. Appointments are reviewed every 8 years.

Personal Independence payment & Adult Disability Payment (Scotland)

PIP replaced Disability Living Allowance for adults aged 16 – 64. When your child approaches 16, you will receive a letter inviting you to claim PIP. Contact DLA (or the Social Security Agency in Northern Ireland) if you have not received a letter around this time.

If you live in Scotland, DLA or Child Disability Payment will continue until they reach 18 after which time, they will be invited to claim Adult Disability Payment (ADP). ADP has similar rules to PIP.

If you claim carers allowance, this will carry on if you still satisfy the caring criteria.

PIP and ADP is not means tested so savings do not affect it.

Universal Credit

You can claim UC from age 16 in very limited circumstances such as having a child yourself or being a care leaver with no parental support. You cannot normally claim UC if you are receiving full time education. Most of our members claim at around age 20 in between courses, if they have had a work capability assessment determination (WCA) through New style ESA (which is non payable).

If your son or daughter has savings of £16,000 and over, they will not be able to claim UC. Savings under £6,000 are ignored and anything between these 2 figures will affect UC on a sliding scale.

As a student you are only able to claim if you have been found to have limited capability for work **before** you commenced a course of education. You can also claim if you are a student **without** parental support.

Initially, your son and daughter will not have had or be waiting for, a work capability assessment, and if they are living with you (and are a student), they will be turned down.

Contribution credit only claims for New Style ESA

You can make a 'contribution credit' only claim for *New style ESA* so that a work capability assessment (WCA) will be carried out at around week 12.

When your child is no longer classed as 'receiving education' they should be able to claim UC straight away and have the extra work capability amount added in the first payment period rather than waiting 3 months (if they have limited capability for work related activity-LCWRA). No extra payment is made for having limited capability for work (LCW).

A contribution credit NsESA claim will not affect any child benefit or dependent benefit you currently receive as, although they are entitled, it is not payable.

Once the work capability assessment has been carried out

Someone claiming UC who has been found to have LCWRA is entitled to an extra amount within their UC and those with either LCW or LCWRA are also able to earn more money before deductions are made from their benefit (Work allowance).

16-19 bursary

This bursary is available to students in England. Students who have been claiming Universal Credit or ESA and either DLA or PIP will be entitled automatically to £1,200 a year. You need to contact your education provider for more information. This is less likely after 15 Dec 21 as the legislation changed penalising students in education.

There is also a discretionary amount for those students not in receipt of UC or ESA. In this instance it is the parents' income that would be considered.

Benefits from age 18/19

Council Tax Exemption

Once a young person reaches 18, they will be included in the council tax calculation.

Some people such as students are exempt. People can also be exempt if they are classed as having '*severe mental impairment*'. Once your young person is no longer counted as a student, they may be exempt this way.

Carers can also be exempt if they care for someone aged 18 or over (who lives with them) for at least 35 hours per week, and that person is not their partner, and they are in receipt of PIP daily living component or DLA middle or highest rate care component.

Have a look on your council website under council tax discounts and disregards/exemptions. In some cases, this can reduce your council tax liability by 25 or 50%.

NHS Charges

Prescriptions are free for those under 19 and attending full time education and for those living in Northern Ireland, Scotland and Wales. When your son or daughter reaches 19 and if they are not in receipt of Universal credit or any other means tested benefit, you should ask for a HC1 form, which will give them exemption via a HC2 certificate, from having to pay NHS charges such as dental or prescription. You need to call 0300 123 0849. You should also be able to download a form online at www.nhs.uk.

Being in receipt of DLA or PIP does not exempt a person from NHS charges. You can be fined so always check. Fines can be overturned, and fees paid can be reimbursed once someone has a HC2 certificate after applying on form HC1.

Benefits from age 21

You will continue to be eligible for PIP and may receive occasional renewal forms to complete. If you haven't claimed before, you should now be able to make a claim for Universal Credit even if in full time education as the courses are generally life skills designed to help a person into a work role.

You should supply UC with a note from your GP if you have not already done so, as you will be able to have a work capability assessment carried out and potentially be entitled to extra money.