

# Carers

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## Contents

[Introduction](#)

[Eligibility](#)

[Carer's Allowance](#)

[Labour Market regimes](#)

[When the additional amount for carers is not payable](#)

[Multiple carers](#)

[Combining caring responsibilities with work](#)

[Carer-related benefits where the severely disabled person receives the Severe Disability](#)

[Premium or Extra Amount for Severe Disability](#)

[Temporary breaks in caring](#)

[Temporary hospital breaks](#)

[Payments of additional amount for carers if breaks in care exceed allowed limits](#)

[Claimant no longer entitled to the additional amount for carers](#)

[Person being cared for dies](#)

[Change in hours](#)

## Introduction

Carers provide invaluable support for relatives, partners and friends who may be ill, elderly or disabled. In recognition of that, Universal Credit provides an additional amount for carers on a low income who provide care for at least 35 hours per week for a severely disabled person.

Many carers who want to combine caring with work feel the risk of losing their benefits is too great. The simplified structure of Universal Credit, together with the generous work allowances and the single taper will financially support carers to take steps into employment.

## **Eligibility**

Carers on a low income who provide care for at least 35 hours per week for a severely disabled person can get an additional amount for carers as part of their Universal Credit award.

A severely disabled person is defined as someone receiving one or more of the following:

- Disability Living Allowance (DLA) – middle/highest rate care
- Constant Attendance Allowance – at or above the normal maximum rate with an Industrial Injuries Disablement Benefit, or basic (full day) rate with War Disablement Pension
- Attendance Allowance (AA)
- Personal Independence Payment (PIP) (either rate of the daily living component)
- Armed Forces Independence Payment

## **Carer's Allowance**

Carers do not need to be claiming Carer's Allowance to be eligible for this additional amount for carers.

If a claimant is in receipt of Carer's Allowance they can still be eligible for the additional amount for carers as part of their Universal Credit. However, the amount they receive from Carer's Allowance will be deducted from their Universal Credit entitlement.

Where possible, carers should be advised that they can claim Carer's Allowance. Although they would not be better off financially, there are some advantages to claiming as people who receive Carer's Allowance:

- are entitled to a Class 1 National Insurance credit whereas Universal Credit claimants are entitled to a Class 3 National Insurance credit
- will receive the Christmas Bonus which is not available to Universal Credit claimants

Class 1 National Insurance credits count towards the State Pension, bereavement benefits and some other contributory benefits.

Class 3 National Insurance credits count towards the State Pension and bereavement benefits only.

The Christmas Bonus is a one-off, tax-free payment made before Christmas; it is paid to people who get certain benefits in the qualifying week. This is normally the first full week of December.

Carer's Allowance will continue to exist as a separate benefit outside of Universal Credit.

## **Labour Market regimes**

Claimants who provide regular and substantial care for at least 35 hours per week for a severely disabled person will be placed in the no work-related requirements regime. They will not be expected to look for or be available for work. This includes claimants who are entitled to the additional amount for carers and those people who care for a severely disabled person for at least 35 hours per week, but do not receive the additional amount for carers.

Claimants who have part time caring responsibilities (fewer than 35 hours per week) will be expected to look for work, but will have a tailored claimant commitment to reflect this. [See Labour Market regimes.](#)

## **When the additional amount for carers is not payable**

There are instances when eligible carers are not entitled to the additional amount for carers, this includes where:

- they already receive the additional amount for carers because they care for more than one disabled person
- someone else receives the additional amount for carers in respect of the person they care for
- another person receives Carer's Allowance for the same person that the additional amount for carers is being paid for
- the carer is receiving the additional amount of Universal Credit for Limited Capability for Work and Work-Related Activity (LCWRA) (see [table below](#))

## **Multiple carers**

Only one claimant can be paid a carer-related benefit for caring for a severely disabled person.

If the disabled person has two or more carers, each providing care for at least 35 hours a week and each eligible for Universal Credit or Carer's Allowance, only one of them would be entitled to payment of:

- the additional amount for carers; or
- Carer's Allowance only; or
- both the additional amount for carers and Carer's Allowance, depending on the claimant's circumstances

The carers would have to decide between them who would receive either the additional amount for carers or Carer's Allowance. If they cannot decide, a decision will be made by the decision maker on their behalf.

In the case of a couple claim, where both members of the couple are caring for different severely disabled people and each of them satisfy the eligibility criteria, both claimants can be awarded the additional amount for carers.

The severely disabled person does not have to be living with the claimant for them to qualify for the additional amount for carers.

## **Combining caring responsibilities with work**

Universal Credit provides support for carers and improves their opportunities to maintain their links with work.

Carers who combine caring with paid work will continue to get the additional amount for carers as part of their overall award as long as they provide care for at least 35 hours per week for a severely disabled person.

## **Claimant in receipt of an additional amount of Universal Credit for Limited Capability for Work (LCW) or Limited Capability for Work and Work-Related Activity (LCWRA)**

If the claimant is in receipt of an additional amount of Universal Credit for either the LCW or the LCWRA they cannot receive the additional amount for carers as well. They will receive the additional amount that has the highest monetary value.

The claimant will retain underlying entitlement to the non-payable additional amount, providing they continue to meet the entitlement conditions.

The monetary value, highest to lowest is:

- LCWRA additional amount
- Carer additional amount
- LCW additional amount

The table below gives details of which additional amount or amounts can be paid in situations where there are combinations of the additional amounts as detailed above. This includes single claims (claimant 1) or joint claims (claimant 1 and 2)

<b>Additional amount awarded to Claimant 1</b>	<b>and</b>	<b>Additional amount awarded to Claimant 2</b>	<b>and</b>	<b>Additional amount to be paid to Claimant 1</b>	<b>Additional amount to be paid to Claimant 2</b>
LCW				LCW	
Carer				Carer	
LCWRA				LCWRA	
LCW	Carer			Carer	
Carer	LCWRA			LCWRA	
LCW		LCW		LCW	
Carer		Carer		Carer	Carer
LCWRA		LCWRA		LCWRA	
LCW		Carer		LCW	Carer
Carer		LCWRA		Carer	LCWRA
LCW		LCWRA			LCWRA
LCW	Carer	LCW		Carer	LCW
LCW	Carer	Carer		Carer	Carer
LCW	Carer	LCWRA		Carer	LCWRA
Carer	LCWRA	LCW		LCWRA	
Carer	LCWRA	Carer		LCWRA	Carer
Carer	LCWRA	LCWRA		Carer	LCWRA
LCW	Carer	LCW	Carer	Carer	Carer
LCW	Carer	Carer	LCWRA	Carer	LCWRA
Carer	LCWRA	Carer	LCWRA	Carer	LCWRA

### **Carer-related benefits where the severely disabled person receives the Severe Disability Premium or Extra Amount for Severe Disability**

The Severe Disability Premium (SDP) (with Income Support (IS), Jobseeker's Allowance (JSA), Employment and Support Allowance (ESA) and Housing Benefit) and the Extra Amount for Severe Disability (EASD) (with Pension Credit)

are payable to eligible severely disabled claimants whose carer doesn't receive carer-related benefits.

If the additional amount for carers is awarded to a Universal Credit claimant, the SDP/EASD will be removed from the disabled person's entitlement, they are caring for.

The claimant and cared for person will need to decide who will claim the award.

### **Temporary breaks in caring**

Claimants have to report when they take a temporary break from their caring responsibilities. Short breaks from caring may not affect the claimant's Universal Credit. A temporary break could be:

- holiday for the claimant or the disabled person
- claimant or disabled person spending time in hospital
- respite care for the disabled person

A carer is allowed 12 weeks off from caring in a 26 week rolling period of which only 4 weeks can be for the carer to take a holiday or for respite care for the disabled person.

The additional amount for carers will stop if either of the following applies:

- hospital breaks and other temporary breaks add up to more than 12 weeks
- other temporary breaks add up to more than 4 weeks

### **Temporary hospital breaks**

If the disabled person is in hospital and in receipt of one of the following:

- Attendance Allowance
- Constant Attendance Allowance
- Disability Living Allowance
- Personal Independent Payment
- Armed Forces Independence Payment

The additional amount for carers will stop after:

- 1 month if the disabled person is aged 16 or over
- 3 months if the disabled person is under 16

## **Payments of additional amount for carers if breaks in care exceed allowed limits**

A claimant will not be paid the additional amount for carers in any assessment period where:

- there has been more than 12 weeks break from caring in the previous 26 weeks
- a break that lasted for more than 4 weeks ended in that assessment period

If the end date of the break is yet to be declared, then the last day of the assessment period will be treated as the end date. If the end of the assessment period is more than 4 weeks since the start date of the break the additional amount for carers will not be paid for that assessment period.

If a claimant is not entitled to the additional amount for carers for any assessment period due to exceeding the limits on breaks, the additional amount for carers will automatically be paid in subsequent assessment periods if the above no longer applies.

## **Claimant no longer entitled to the additional amount for carers**

There are a number of reasons why a claimant will no longer be entitled to the additional amount for carers, these are:

- PIP/DLA/AA ceases for the disabled person during a period in hospital.(After 1 month if the disabled person is 16+ years old and after 3 months if the disabled person is under 16 years old)
- either the claimant or the disabled person has moved away or gone abroad
- someone else now cares for the disabled person
- the disabled person no longer receives a qualifying benefit
- the number of hours the claimant is caring for the disabled person, falls below 35 hours a week
- the disabled person dies

If a claimant's caring responsibilities end within an assessment period the additional amount for carers will not be paid for the whole of that assessment period. This is due to a claimant's circumstances being taken into account at the end of the assessment period and applying to the whole assessment period. Equally, if they started caring on the last day of the assessment period, the additional amount for carers will be paid for the whole of the assessment period.

## **Person being cared for dies**

If the disabled person dies the claimant will continue to receive the additional amount for carers for the assessment period in which the bereavement occurs and the following two assessment periods.

The conditionality of the claimant will need to be reviewed as they could be excused from work related conditionality for 6 months, if they are bereaved because:

- the deceased person who they cared for was the claimant's partner
- the deceased person they cared for was their child or the child of their partner
- the deceased person they cared for was a qualifying young person for whom they or their partner were responsible for

## **Change in hours**

If a claimant reports that they are caring for a disabled person for fewer than 35 hours per week, the following will need to be considered:

- the claimant has underlying entitlement to an additional amount of Universal Credit for Limited Capability for Work (LCW) or Limited Capability for Work and Work Related Activity (LCWRA)
- the claimant is part of a couple
- to review conditionality
- to remove the additional amount for carers

[Back to contents](#)