

Benefits for Carers - Incapacity Benefit

Incapacity benefit is paid to someone who is incapable of work due to illness or disability and who is over 16 in special circumstances, or 18 and above and under 60. You must not be entitled to Statutory Sick Pay and have enough national insurance contributions to claim this benefit.

The amount you receive increases in the first year of the claim:

- short-term lower rate (for the first 28 weeks): £59.20 a week
 - short-term higher rate (from 29 to 52 weeks): £70.05 a week
 - long-term rate (paid from 53 weeks): £78.50 a week
- (rates correct to April 2007)

Long-term incapacity benefit is paid to someone who is terminally ill or is entitled to disability living allowance (DLA), high rate care component, after the first 28 weeks.

Incapacity for work is assessed using the 'own occupation test' in the first 28 weeks of incapacity. This test assesses your ability to do your own job. The 'personal capability assessment' (PCA) applies to those people who have not worked prior to claiming incapacity benefit or to those who have received statutory sick pay for 28 weeks and continue to be incapable of work (and therefore claim incapacity benefit). The PCA tests your ability to perform any type of work.

Some people are exempt from the PCA including those:

- who receive high rate care component disability living allowance
- are terminally ill
- are registered blind
- have a severe learning disability
- some other physical or mental health disability

Incapacity in youth

Some young people can claim incapacity benefit even if they have not paid enough national insurance contributions. They must be 16 or over; the period of incapacity for work began before the age of 20 (in some cases, before the age of 25); and has been incapable of work for at least 28 weeks. A claim can be made on your 16th birthday. If you are under 19 and attend school or college for less than 21 hours a week you can get incapacity benefit.

If you attend full-time education (21 hours or more a week) you may still qualify for incapacity benefit if the instruction or tuition you receive is not suitable for someone of the same age and sex as you but who does not suffer from a physical or mental disability. Therefore, if someone receives specialist education because of her/his disability, this will not be counted.

For advice on entitlement contact your local Citizens Advice Bureau or other local advice agency. Application forms are available from your local Jobcentre plus or by downloading from www.dwp.gov.uk