

## Changing circumstances and your benefits

### When hospital or care home stays can affect benefits

When circumstances change because of a stay in hospital or a care home any benefits you, or the person you are caring for receive may be affected. You **must** tell whoever pays the benefits for example - Jobcentre Plus, the Pension Service or a local authority. They will advise on any payment changes to be made. Benefits helplines are listed on page 7.

### Going into hospital – effect on benefits

**Benefits are listed in alphabetical order:**

#### Attendance Allowance

Stops after a total of 4 weeks (either in one stay, or several stays, where the gaps between stays are no more than 4 weeks each time).

If you make a first time claim of Attendance Allowance when you are already in hospital, it cannot be paid until you are discharged from hospital.

#### Carer's Allowance

If you go into hospital, your Carer's Allowance will stop after 12 weeks. However, it can be stopped sooner if you've had time off caring in the last 26 weeks. For example, if you've had 2 weeks off caring, your Carer's Allowance will stop after you've been in hospital for 10 weeks.

If the person you are caring for goes into hospital, your Carer's Allowance will stop when their Attendance Allowance, DLA care component or PIP daily living component stops.

#### Child Benefit

Child Benefit is paid for the first 12 weeks if your child goes into hospital. After 12 weeks, you can continue to get Child Benefit only if you are regularly spending money on the child's behalf (e.g. on clothing, pocket money, magazines).

If you continue to get Child Benefit you will continue to get any child dependant's addition that may still be payable with other benefits (such as Carer's Allowance), otherwise this will also end.

If you or your partner are in hospital Child Benefit normally continues to be paid.

**Child Tax Credit** - not affected

#### Council Tax Support

Check with your local council.



## **Disability Living Allowance (DLA)**

### **Adults**

Stops after a total of 4 weeks (either in one stay, or several stays, where the gaps between stays are no more than 4 weeks each time).

If you claim DLA when you are already in hospital it cannot be paid until you leave.

Once you leave the hospital you can ask the Disability Benefit Centre to restart the payment - you don't need to reapply.

### **Children**

Stops after a total of 12 weeks (either in one stay, or several stays, where the gaps between stays are no more than 4 weeks each time). However, payments may continue if parents offer a high level of care.

If you have a Motability agreement in force when you go into hospital, where payment of the mobility component stops, Motability should not seek to recover the vehicle for up to 28 days.

## **Employment and Support Allowance (ESA)**

This is paid for an indefinite period as long as the other conditions of entitlement are met.

If you are getting income-related ESA certain premiums and costs are affected:

- Your severe disability premium will stop after 4 weeks if you are in hospital and you lose your Attendance Allowance, DLA care component or PIP daily living component. If you have a partner who is not in hospital and who also qualifies for the severe disability premium, he or she will continue to receive it at a single rate.
- Your carer premium will stop 8 weeks after your Carer's Allowance stops.
- After 52 weeks you will lose the enhanced disability premium unless you have a partner who satisfies the conditions for the premium themselves. You will also lose your work-related activity or support component.
- Once you have been in hospital for a continuous period of 52 weeks, if you have no dependants living in your home, you can no longer receive ESA housing costs. If you have dependants or other people living in your home, their right to benefit depends on their own circumstances. If you are one of a couple and have been in hospital for 52 weeks, you and your partner are treated as separate claimants.

ESA can continue to be paid during a temporary absence abroad for the purpose of receiving NHS hospital treatment.

### **Guardian's Allowance**

Guardian's Allowance is paid for the first 12 weeks if the child you care for goes into hospital. After 12 weeks, you can continue to get Guardian's Allowance only if you are regularly spending money on the child's behalf (e.g. on clothing, pocket money, magazines).



### **Housing Benefit**

This is paid for up to 52 weeks as long as the other conditions of entitlement are met.

Certain premiums are affected sooner than this:

- Your severe disability premium will stop after 4 weeks if you are in hospital and you lose your Attendance Allowance, DLA care component or PIP daily living component. If you have a partner who is not in hospital and who also qualifies for the severe disability premium, he or she will continue to receive it.
- Your carer premium will stop 8 weeks after your Carer's Allowance stops. Once you have been in hospital for a continuous period of 52 weeks, if you have no dependants living in your home, you can no longer receive Housing Benefit. If you have dependants or other people living in your home, their right to Housing Benefit depends on their own circumstances. If you are one of a couple and have been in hospital for 52 weeks, you and your partner are treated as separate claimants.

### **Incapacity Benefit**

Paid as long as you continue to satisfy the other conditions of entitlement.

### **Income Support**

This is paid for an indefinite period as long as the other conditions of entitlement are met.

Certain premiums and costs are affected:

- Your severe disability premium will stop after 4 weeks if you are in hospital and you lose your Attendance Allowance, DLA care component or PIP daily living component. If you have a partner who is not in hospital and who also qualifies for the severe disability premium, he or she will continue to receive it at a single rate.
- Your carer premium will stop 8 weeks after your Carer's Allowance stops.
- After 52 weeks you will lose the disability premium, enhanced disability premium and higher pensioner premium unless you have a partner who satisfies the conditions for the premium themselves.
- Once you have been in hospital for a continuous period of 52 weeks, if you have no dependants living in your home, you can no longer receive Income Support housing costs. If you have dependants or other people living in your home, their right to benefit depends on their own circumstances. If you are one of a couple and have been in hospital for 52 weeks, you and your partner are treated as separate claimants. Income Support can continue to be paid during a temporary absence abroad for the purpose of receiving NHS hospital treatment.



## **Industrial Injuries Benefits**

Constant Attendance Allowance stops after 4 weeks. Other benefits are not affected.

## **Jobseeker's Allowance**

You cannot normally claim Jobseeker's Allowance (JSA) while you are in hospital because you will not be deemed capable of work or able to satisfy the labour market conditions.

However, if you are already receiving JSA when you go into hospital, you can be treated as being capable of, available for, and actively seeking work for up to 13 continuous weeks in any rolling 12-month period.

When your JSA stops, you may be able to claim Employment and Support Allowance instead.

JSA can continue to be paid during a temporary absence abroad for the purpose of receiving NHS hospital treatment.

## **Maternity Allowance** - not affected

## **Pension Credit**

This is paid for an indefinite period as long as the other conditions of entitlement are met.

Certain premiums and costs are affected:

- Your severe disability addition will stop after 4 weeks if you are in hospital and you lose your Attendance Allowance, DLA care component or PIP daily living component. If you have a partner who is not in hospital and who also qualifies for the severe disability addition, he or she will continue to receive it.
- Your carer addition will stop 8 weeks after your Carer's Allowance stops.
- Once you have been in hospital for a continuous period of 52 weeks, if you have no dependants living in your home, you can no longer receive Pension Credit housing costs. If you have dependants or other people living in your home, their right to benefit depends on their own circumstances. If you are one of a couple and have been in hospital for 52 weeks, you and your partner are treated as separate claimants.

## **Personal Independence Payment (PIP)**

Stops after a total of 4 weeks (either in one stay, or several stays, where the gaps between stays are no more than 4 weeks each time).

If you claim PIP when you are already in hospital, it cannot be paid until you leave.



### **Severe Disablement Allowance**

Paid as long as you continue to satisfy the other conditions of entitlement.

**State Pension** - not affected

**Statutory Adoption Pay** - not affected.

**Statutory Maternity Pay** - not affected.

**Statutory Paternity Pay** - not affected.

**Statutory Shared Parental Pay** - not affected.

**Statutory Sick Pay** - not affected.

### **Universal Credit**

If you go into hospital, your Universal Credit is not affected but can be reduced if your partner goes into hospital for more than 6 months. You will need to claim as a single person.

If one of your children or a qualifying young person goes into hospital, your award will be reduced if they go into hospital for more than 6 months.

If the person you are caring for goes into hospital, the carer element will no longer be included in your Universal Credit award once you no longer meet the entitlement conditions to Carer's Allowance.

### **War Pension**

This may be increased when you go into hospital, if the treatment is for the war injury. Constant Attendance Allowance and war pensioners' Severe Disablement Occupational Allowance stop after 4 weeks.

**Widowed Parents Allowance** - not affected

### **Working Tax Credit**

Working Tax Credits can usually be paid for the first 28 weeks of sickness or if you cease to be treated as employed and no longer qualify for Working Tax Credit.

Inform HM Revenue & Customs of such a change of circumstances to avoid unnecessary underpayment or overpayment.



### **What counts as a day in hospital?**

For Personal Independence Payment (PIP), Disability Living Allowance (DLA) and Attendance Allowance both the day you are admitted and the day you are discharged count as days out of hospital.

For all other benefits the day you are admitted is treated as a day out of hospital and the day you are discharged is treated as a day in hospital.

### **Staying in a care home – effect on benefits**

**Please note:** This can be a complicated area and we recommend that you seek advice from an expert benefits advisor to discuss your particular circumstances. Benefits entitlements will depend on a number of factors such as: is the move permanent? How is the accommodation to be funded? Is there a partner or other dependent at home? You should tell whoever pays a benefit (e.g. Department of Work and Pensions - Jobcentre Plus, the Pension Service or local authority) so that they can advise and adjust payments where necessary. You should do this before you have been in a care home for 28 days.

#### **Attendance Allowance (AA), Disability Living Allowance (DLA), Personal Independence Payment (PIP),**

All these benefits are paid for a minimum of 4 weeks after moving into a care home.

Here are some examples of possible circumstances and the effect they may have on AA, DLA or PIP payments when someone moves into a care home:

#### **Is your local council helping with your care home fees?**

You will receive AA, DLA or PIP for the first 4 weeks if you were already entitled to the benefit before moving into a care home.

#### **Are you self-funding? (Not receiving financial help from your local council)**

Your AA, DLA or PIP will continue indefinitely - as long as you remain self-funding.

#### **Are you in the first 12 weeks of a permanent stay and your property is not being counted as capital for this period? Will you be expecting to be self-funding from the 13<sup>th</sup> week – or earlier if your property has been sold?**

AA, DLA or PIP will be paid for the first 4 weeks and then stop, starting again from the 13<sup>th</sup> week.

#### **Carer's Allowance**

If you receive Carer's Allowance for looking after someone else, your benefit will stop if you or the person you are looking after, move into a care home.

If someone else gets Carer's Allowance for looking after you, their benefit will stop if you move permanently into a care home, as they will no longer be providing care.



### **State Retirement Pension**

Moving into a care home will not affect State Retirement Pension but it will be counted as income when care home costs are calculated. When your pension is used to contribute towards the cost of care, you must be left with a personal expenses allowance, currently £24.90 per week.

### **Pension Credit**

If a member of a couple's stay in a care home is seen as temporary, Pension Credit can continue for up to 52 weeks. Once a member of a couple is in permanent care, then each will need to claim benefits as a single person.

### **Housing Benefit**

If someone is in a care home on a temporary basis, it may be possible to get Housing Benefit for up to 52 weeks.

Where a stay in a care home is on a trial basis, Housing Benefit may be paid for up to 13 weeks. If the care home does not meet needs and further trial periods in other homes are needed, this benefit can be paid up to a maximum continuous period of 52 weeks or 6 months if you are receiving Universal Credits.

### **Council Tax Reduction/Support**

If no-one else remains in a property when someone moves to a care home, it is important to inform the local authority's Council Tax Reduction/Support department as Council Tax may not have to be paid. When someone is staying temporarily in a care home, Council Tax support may be paid for up to 52 weeks. You will need to contact your local council.

### **Benefits contact details:**

<b>Carer's Allowance Unit</b>	Tel: 0345 608 4321; Textphone: 0345 604 5312
<b>Disability and Carers Benefit Advice Line</b>	Tel: 0345 605 6055; Textphone: 0345 604 5312
<b>Disability Living Allowance</b>	Tel: 0345 712 3456; Textphone: 0345 722 4433
<b>Jobcentre Plus (New Claims)</b>	Tel: 0800 055 6688; Textphone: 0800 023 4888
<b>Jobcentre Plus (Existing Claims)</b>	Tel: 0345 608 8545; Textphone: 0345 608 8551
<b>Pension Credit Claim Line</b>	Tel: 0800 991 234; Textphone: 0800 169 0133
<b>Pension Service</b>	Tel: 0800 731 7898; Textphone: 0800 731 7339
<b>Personal Independence Payment</b>	Tel: 0800 917 2222; Textphone: 0800 917 7777
<b>Tax Credits Helpline</b>	Tel: 0345 300 3900; Textphone: 0345 300 3909
<b>Universal Credit</b>	Tel: 0345 600 0723; Textphone: 0345 600 0743

### **Further information:**

**Age UK Adviceline: 0800 678 1174; [www.ageuk.org.uk](http://www.ageuk.org.uk)**

*Paying for permanent residential care (Factsheet 10)*

*Paying for temporary care in a care home (Factsheet 58)*

Factsheets available online at: [www.ageuk.org.uk](http://www.ageuk.org.uk); Tel: 0800 678 1184





**Carers Direct (NHS Choices): 0300 123 1053; [www.nhs.uk/conditions/social-care-and-support-guide/](http://www.nhs.uk/conditions/social-care-and-support-guide/)**

**Carers' Resource** – contact details below

**Carers UK: Helpline: 0808 808 7777; [www.carersuk.org](http://www.carersuk.org)**

**Important note:**

This factsheet contains general information which we hope will be useful to you. Please do not rely on the information as the basis for any financial decisions.

You must contact the relevant benefits provider as soon as circumstances change for specific guidance relating to your situation.

Under provisions of the Care Act 2014, there is a duty on local authorities to signpost people to independent financial advice.

Carers' Resource does not accept any liability arising from use of this information.

If you need further information or would like to discuss any aspect of your caring role, please contact Carers' Resource:

**Harrogate 01423 500555**

11 North Park Road, Harrogate, HG1 5PD

**Bradford 01274 449660**

Unit 15, Park View Court, St Paul's Road, Shipley, BD18 3DZ

**Ripon 01765 690222**

Community House, Sharow View, Allhallowgate, Ripon, HG4 1LE

**Skipton 01756 700888**

Griffin House, Broughton Hall Business Park, Skipton, BD23 3AN

**[info@carersresource.org](mailto:info@carersresource.org)**

**[www.carersresource.org](http://www.carersresource.org)**

We can provide this information in other formats (large print, Braille and audio) and in other languages.

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