

### **Introduction**

Carer's Allowance (CA) is paid to people who regularly spend at least 35 hours per week caring for a severely disabled person.

CA is not means tested and does not depend on National Insurance contributions. However, it is taxable.

### **Criteria**

To qualify for CA the Applicant must:

- Be aged 16 or over. There is no upper age limit;
- Not be in full time education (you are treated as being in full time education if you attend a course for 21 or more hours per week of supervised study);
- Not be 'gainfully employed' i.e. not earn more than £100 per week (after deduction for tax, National Insurance contributions and half of any contribution you make towards an occupational or personal pension);
- Pass the UK residence and presence tests which means the Applicant must have been present in the UK for the last 26 out of 52 weeks. The Applicant must not be subject to immigration control;
- Regularly spend at least 35 hours a week caring for a person who receives:
  - Disability Living Allowance (care component - at middle or higher rate only); or
  - Attendance Allowance; or
  - Constant Attendance Allowance of £63.30; or
  - Constant Attendance Allowance at the basic (full day) rate with a War Disability Pension.

The Applicant must show that they are caring for one person for at least 35 hours per week. The CA benefit week runs from Sunday to Sunday. The hours of caring in any one given CA benefit week must total at least 35 hours. It is not possible to average the hours over a number of weeks.

It is only possible to get one award of CA even if the Applicant cares for more than one person. If more than one person cares for a disabled person, only one carer can claim CA.

### **Amount**

If the Applicant qualifies for CA, they will receive £58.45 per week.

It may be possible to receive additional benefit for an adult or child dependent.

### **Effect on other Benefits**

The Applicant cannot be paid CA whilst receiving the same amount from the following benefits:

- State Pension;
- Incapacity Benefit;
- Contribution-based Jobseeker's Allowance.

If the Applicant gets less than the basic CA from one of the above benefits, that benefit is topped up with CA to the amount that would have been received from CA alone.

The Applicant may be entitled to claim Income Support. However, Income Support is means tested and reduced by the amount of CA received. If the Applicant qualifies for means tested benefits, a carer premium will be added to the Applicant's applicable amount. However, if the Applicant is paid CA, the person the Applicant is caring for cannot get the Severe Disability Premium included in their applicable amount.

### **Future Changes**

From April 2013, the maximum benefit payments to many working-age households will be 'capped'. There will however be limited exceptions, including households in which someone is entitled to working tax credit or receives disability living allowance. CA will be included in the capped amount.

Applicants will still be able to claim CA when Universal Credit is introduced in October 2013 as CA is not being abolished. From October 2013, if you claim Universal Credit, this will include an extra amount if you receive CA and you will only be expected to look for work that is compatible with your caring responsibilities.

### **Further Information**

#### **To claim:**

Jobcentre Plus - 0800 055 6688  
[www.jobcentreplus.gov.uk](http://www.jobcentreplus.gov.uk)

#### **For help:**

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

The Benefits Enquiry Line - 0800 88 22 00  
[www.direct.gov.uk](http://www.direct.gov.uk)

Citizens Advice Bureau - [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)  
[www.adviceguide.org.uk](http://www.adviceguide.org.uk)

### **About Stewarts Law**

Stewarts Law is the leading personal injury law firm in the United Kingdom with expertise in claims for compensation following spinal injury, brain injury and other serious injuries. Stewarts Law is ranked number one by the two key independent guides to the legal profession, the Legal 500 and Chambers and Partners.

[www.stewartslaw.com](http://www.stewartslaw.com)

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