Once a young disabled person reaches 16, they can claim income maintenance benefits in their own right, even though they may still be at school. If previously someone acted as an agent or appointee for benefits such as Disability Living Allowance, the need for an appointee will be reviewed once the young person reaches 16 years of age.

**Employment & Support Allowance in Youth**

**Who can claim?**

This is a benefit paid to people aged 16 or over who cannot work because of a mental or physical disability. The rules are:

- You have to be aged 16 but under 20; *and*
- Have satisfied the disability conditions for six months and be likely to satisfy conditions for a further six months; *and*
- Be present and resident in Great Britain; *and*
- ESA in Youth can be claimed if you are in relevant education and under 20 *and* you study less than 21 hours a week or you study over 21 hours a week and the course that you do is one that a person of your age without your disability would not do.

**ESA has two components:**

- **Contributory allowance** – This allowance replaces Incapacity Benefit and is linked to a person’s National Insurance record.
- **Income Related Allowance** - This is a means tested component of ESA and is designed to provide for basic living expenses and housing costs for a client and their partner.

Young People who have never worked will claim the income related component.

**1st 13 weeks (assessment phase)**

During the first 13 weeks ESA is paid at a lower rate whilst the Jobcentre carries out a ‘work capability assessment’. This assessment will determine whether ESA can be paid and whether a client joins the ‘support group’ or the ‘work related activity group’ from week 14, known as the **Main Phase**.
Work Capability Assessment is used to determine entitlement to ESA. There are 3 parts to this test.

1. Limited capability for work test – This is a test that looks at physical and mental health functions. If this test is passed then a client can remain on ESA. If they fail it they will be advised to claim Jobseekers Allowance.

2. Limited capability for work-related activity test – This test determines whether a client is placed in the ‘support group’ or the ‘work related activity group’. The group that a client is based in will determine the level of ESA paid and the responsibility that they will need to meet to retain the benefit.

3. Work focused health-related assessment – If a client is placed in the ‘work related activity group’ they will be required to take part in a ‘Work focused health related assessment’. This assessment collects additional information about the things that a client can do despite their medical condition i.e. aids and adaptations that could support a move back into work.

Week 14 + (Main Phase)

After the initial assessment phase clients will join either the ‘work related activity group’ or the ‘support group’.

The work related activity group
Clients in this group must adhere to strict work related conditions in order to continue to receive the full Rate of ESA. This includes a series of 6 work-focused interviews.

The Support Group
Clients in this group do not have to undertake work related activities and will receive a higher level of ESA.

How do you claim?
To claim, telephone the Jobcentre Plus benefit claim line on 0800 055 66 88.

Disability Living Allowance (DLA)

Who can claim?
- This is a benefit for people under the age of 65 who have a mental or physical disability. The Care Component can be paid from the age of three months and the Mobility Component from the age of three years.
- If the young person was awarded DLA before they were 16 years old, the claim would be looked again as they approach 16. This is because slightly different rules apply.
- To meet the criteria for this benefit from the age of 16, a person must:
  - Reasonably require help with personal care such as walking, sitting, sleeping, washing, dressing, eating, hearing, seeing, breathing, communicating; or need supervision with these things; or need help to plan, prepare and cook a main meal for themselves;
  - Need guidance and supervision whilst walking out of doors or be unable to walk or virtually unable to walk, which looks at the speed, distance, manner and length of time it takes to walk a limited distance.

And/Or

- Need guidance and supervision whilst walking out of doors or be unable to walk or virtually unable to walk, which looks at the speed, distance, manner and length of time it takes to walk a limited distance.

How do you claim?
To claim DLA for the first time, telephone the Benefit Enquiry Line on 0800 88 22 00.
To see if you are entitled to a Higher Rate than previously in receipt of, due to a change in circumstances, telephone 08457 123456.
OTHER HELP

Disabled Students Allowance (DSA)

DSA is a non means-tested grant to cover any additional disability related costs of study, such as:
- Specialist equipment
- Non-medical helpers
- General expenditure
- Extra travel costs incurred as a result of disability (not normally for every day travel costs).

To receive this, the young person will require a needs assessment.

The Local Education Authority will advise the process for this.

An award of DSA will not affect entitlement to other benefits.

Education Maintenance Allowance (EMA)

EMA is a weekly payment worth up to £30.00 for students who are aged 16 and planning to continue in further education. The money is intended to help with the day-to-day costs when they stay on at school or college.

The amount is based on the young person’s household income (normally their parents). It is paid directly into the bank and will not affect any other benefits the family or young person may be claiming.

For more advice ring 0800 121 8989

Effect On The Young Person’s Parents Benefits

Child Benefit (CHB)

If the young person is aged 16 – 20 and gets ESA in Youth or Incapacity in Youth and Income Support, any entitlement to Child Benefit ceases and any benefit owing to the young person will be reduced by the amount of Child Benefit already paid to the parents for the same period.

Income Support

If parents are getting Income Support, Child Tax Credit or Income-based Jobseekers Allowance themselves, it is important to check how this is affected before claiming benefits for the young person. Parent’s benefits will be reduced once the young person starts to claim benefits in their own right and they may lose more than the young person gains. Seek further advice.

Local Housing Allowance/Housing Benefit/Council Tax Benefit (LHA/HB/CTB)

If parents are getting Income Support, Income-based Jobseekers Allowance, Pension Credit or Employment and Support Allowance (Income Related) as well as LHA, HB and CTB and continue to receive this after the young person claims benefits in their own right, there will be no change until that young person reaches 18. However, they may have a reduction once the young person reaches 18. Seek further advice.