

BENEFITS

Welcome to Advice Direct... the written information service from Guild Advice.

This leaflet is designed to provide you with information about benefits. The Information In This Leaflet Is For Guidance Only And Does Not Provide A Complete Statement Of All The Benefit Rules.

Can I apply for benefits?

Studying full time or part time can have a major impact on your entitlement to benefits. Students who are in full-time Higher Education are generally **not entitled** to income-related benefits. This is because your income from student support (e.g. Student Loan) is likely to be too high to receive benefits.

Whether or not you can apply for benefits will depend on the **type of course** you are studying, your **circumstances** and your level of **income**. The rules about studying are different for each benefit. This means you may not be entitled to some benefits, but others are not affected by your study.

There are certain groups of students, however, who may apply if they fall within what the Department of Work and Pensions (DWP) defines as a '**vulnerable group**'. These include:

- Lone Parents.
- Student couples with dependants.
- Students in Further Education under the age of 19.
- Disabled students who qualify for Disability Premium or Severe Disability Premium.
- Disabled students who receive DSA due to deafness.
- Pensioners.
- Students intercalating (waiting to resume course) after a period of sickness or caring.

This guide will examine some of the key benefits that students may be eligible for. If you are not able to claim benefits while studying, someone else may be able to qualify for benefits for you. For example students who **have a partner, who is not a student** and is **eligible** for benefits, may have their partner claim on behalf of the couple.

International Students (Non-EEA)

It is a condition of your stay that you support yourself & any dependents financially '*without recourse to public funds*'. These include the benefits detailed in this leaflet.

Applying for such funds could jeopardise your immigration status. Please contact Guild Advice for further information.

What can I apply for?

There are certain groups of students who may apply for benefits. This guide will focus on students who are **in Higher Education**, both **Full-Time** and **Part-Time** students.

If you are a **postgraduate research student** and have completed your registration period, you will not be registered as a full-time student as you will no longer be paying any fees. Whilst you are writing up your thesis the University will provide you with 'writing up status', which will therefore allow you to apply for benefits if you meet the eligibility requirements.

If you are in **between courses** you will not be registered as a full-time student. You can therefore apply for benefits if you meet the eligibility requirements.

Changes to Income Related Benefits-Universal Credit

Universal Credit is a new benefit that has started to replace 6 existing benefits with a simpler, single monthly payment if you are unemployed or on a low income. The introduction of Universal Credit will be on a phased basis between October 2013 and 2017.

Universal Credit will eventually replace:

- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Income Support
- Working Tax Credit
- Child Tax Credit
- Housing Benefit

At present you can make individual claims for each of the benefits listed above. However, when Universal Credit comes into place, beginning in October 2013 in specified areas, you will need to make one single claim for Universal Credit instead.

Please see Advice Direct on Universal Credit for further information.

Income Support

Income Support (IS) is a benefit for people who do not have enough money to live on. It is payable to people who are not required to be available for work (e.g. due to disability, sickness, childcare). Your income has to be below a minimum level, which is set out by the government.

If you are treated as being in relevant education or are a full time student, you usually **cannot** qualify for income support as your income level is likely to be above the minimum level. You cannot qualify for income support for the duration of your course, including vacations.

Full-Time Students

If you are a full-time student you are expected to apply for the full student support that is available to you through your Local Education Authority (LEA) (e.g. student loan). For the majority of full-time students this will therefore mean that you are not eligible for Income Support. There are certain groups of students who may be entitled to claim Income Support:

- **Loan parents** - you must be studying full-time and your youngest child must be under 16.
- **Single people with foster children** - your youngest foster child must be under 16.
- **Student couples** - you and your partner must both be full-time students with responsibility for children.
- **Partners of students** - if your partner is not a student then they may claim.
- **Disabled students** - you may be eligible to claim if you qualify for Disability Premium or Severe Disability Premium, or if you have been awarded Disabled Students Allowance through Deafness, or if you have been identified as being incapable of work (for minimum 28 weeks continuous period).

- **Refugees** - you may claim if you are doing a course of English Language for at least 15 hours a week.
- **People from abroad** - you may claim (for a maximum of 6 weeks) if you had limited leave when you came to the UK and your funding is disrupted temporarily. Please note that **very few claims** such as this are made, they can often be complicated and can take some time.

If you fall within one of these student groups eligible to apply then you simply need to meet the eligibility criteria to receive Income Support.

Part-Time Students

As a part-time student you can apply for Income Support under the normal rules, without the restrictions that apply to full-time students. You simply need to meet the eligibility criteria to receive Income Support.

Applying For Income Support

If you feel you are eligible to claim Income Support you should try to apply as soon as possible. You need to complete an application form, which you can collect from your local Social Security Office, Job Centre Plus or Department of Work and Pensions Office (DWP). Alternatively you can call the benefit enquiry line on 0800 055 66 88. **Always keep a copy** of your completed application form and any documentation.

Your completed application will be assessed and you may be required to attend an interview. If your application is successful, your income will be assessed against your 'applicable amount' (amount required for basic needs, based on your circumstances).

Housing Benefit

Housing Benefit (HB) is awarded to help you pay your rent (not mortgage). To claim housing benefit **you must** be a habitual resident (normally live in the UK and wish to settle here), occupy the property as your home, be liable to pay the rent and have a low income.

Full-Time Students

If you are a full-time student then you may be entitled to claim Housing Benefit if:

- **Income Support/Job Seekers Allowance** - if you receive either of these benefits you can receive Housing benefit.
- **Lone Parents** - you must be a lone parent of a child under 16 (or 19 if they are still in non-advanced full-time education).
- **Student Couples** - you and your partner must both be full-time students and have a dependent child.
- **Disabled students** - you may be eligible to claim if you qualify for Disability Premium or Severe Disability Premium, or if you have been awarded Disabled Students Allowance through deafness, or if you have been incapable of work (for last 28 weeks).
- **Pensioner** - you may receive Housing Benefit if you (or your partner) are aged 60 or over.

If you fall within one of these student groups eligible to apply then you simply need to meet the eligibility criteria to receive Housing benefit.

Part-Time Students

As a part-time student you can apply for Housing Benefit under the normal rules. You simply need to meet the eligibility criteria to receive Housing Benefit.

Applying for Housing Benefit

If you feel you are eligible to apply for **Housing Benefit** you must complete an application form, which you can normally obtain from your local council or on your local councils website. Your completed application (always keep a copy) will be assessed by a rent officer who will decide whether benefit can be paid. If your application is successful, you will receive your payment either directly to your landlord or through a giro.

Jobseekers Allowance

Jobseekers Allowance (JSA) is a benefit paid to individuals who are unemployed but available to work. There are two types of JSA, income-based and contribution-based. If you have paid enough National Insurance contributions you will receive contribution-based JSA. If not, you will receive income-based JSA where your level of income will be considered when awarding you benefit. In order to apply for JSA you must show that:

- you are actively seeking employment and are capable of working,
- you are able to take up employment if offered (a minimum of 40 hours each week, exceptions are carers and disabled people), and
- your course does not prevent you from taking up employment.

If you are working 16 or more hours a week you will **not** normally be eligible to apply for JSA.

Full-Time Students

If you study full-time you will **not** normally be able to apply for JSA. This includes the vacation periods (e.g. summer, Easter). The exceptions are:

- **Couples** - you are **both full-time students** with a dependent children. The person applying needs to be eligible for JSA. You may receive JSA during the summer vacation only.
- **Couples** - if **you are a full-time student** but your **partner is not**, your partner can apply for JSA for both of you if they are eligible.
- **New Deal Courses** - if you are on a New Deal course (for people 25 and over) and were receiving JSA for a minimum of 2 years prior to your course starting, you may apply for JSA.
- **Employment related course** - if the Jobcentre Plus approves that you are on an employment related course (full-time), then you may receive JSA (two weeks only).

Part-Time Students

You may be able to apply for JSA whilst studying part-time if you can show that you meet the eligibility criteria.

Postgraduates Writing Up Thesis

If you are a postgraduate research student and have completed your registration period, you will not be registered as a full-time student as you will no longer be paying any fees. Whilst you are writing up your thesis the University will provide you with 'writing up status', which will therefore allow you to apply for JSA. However, you will have to show that you are trying to find work and you are in a position to take up work if offered. You can get confirmation of your status from the University Student Services.

In between courses

You can apply for JSA if you are between courses, for example, after finishing your undergraduate degree you will no longer be a student. Therefore you could claim JSA until you start your next course. You would still have to show that you meet the eligibility criteria (e.g. looking for work).

Applying For Jobseekers Allowance

If you wish to apply for JSA you will need to visit your local Jobcentre Plus to collect a claim pack. You will have to complete a claim pack, which will include an application form and Jobsearch Plan. Once completed, you will be required to attend an interview with a new claims advisor. You will be required to agree to take certain steps to find employment.

If your application is successful you will be required to visit the Jobcentre on a regular basis to 'sign on' and show that you have been actively looking for work. Payment of JSA can be made directly to your bank account or through payments at a Post Office every two weeks.

Special Support Grant

Students, who are eligible to receive state benefits such as Income Support or Housing Benefit while they are studying, will be able to apply for a Special Support Grant. The amount you get is the same as the Maintenance Grant, but it won't reduce the Maintenance Loan you can get. The Special Support Grant depends on the student's financial situation, but the DWP will not take it into account when assessing a claim for means-tested benefits. Application is through Student Finance England.

Sources Of Help

Guild Advice, Guild of Students

Email: thearc@guild.bham.ac.uk

Visit the website at: <http://www.guildofstudents.com/support/thearc/>

Guild Advice Opening Hours (Term Time)*

Monday - Friday	10am — 4pm
<i>Drop In Clinics</i>	<i>12-2pm</i>
Saturday & Sunday	CLOSED
*Vacation Periods	12 noon – 2pm

Funding Graduation and Awards

Tel: 0121 414 7391

<https://intranet.birmingham.ac.uk/as/studentservices/funding/index.aspx>

Department for Work and Pensions (DWP)

The link below provides general information on a range of benefits.

<https://www.gov.uk/browse/benefits>

Birmingham City Council

Housing Benefit & Council Tax Benefit Department

Provides advice and information on Housing Benefit and Council Tax Benefit.

Housing Benefit & Council Tax Benefit Department

Birmingham City Council

PO Box 8267

Birmingham, B4 7XF

Telephone: 0121 464 7000, Text Phone: 0121 303 1119

Email: contact@birmingham.gov.uk website: www.birmingham.gov.uk

Citizens Advice Bureau

For free, impartial and confidential advice or to find out where your nearest bureaux is visit:

www.citizensadvice.org.uk / www.adviceguide.org.uk

Disclaimer: The information on this leaflet only provides general guidance on financial support and the law. The leaflet should not be regarded or relied upon as a complete or authoritative statement of the law. Guild Advice will not accept any liability for any claims or inconvenience as a result of the use of information on this leaflet. If you think you have a legal problem you should seek further advice.

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