



9 Your rights and benefits

The following pages are a guide to the main benefits available to families with young children. You may qualify for other benefits too. Benefits have to be claimed on many different forms, from many different offices, and the situation is always changing. The rates given here are accurate from April 2006. It's always worth checking that you're claiming everything to which you are entitled. There are many voluntary organisations that are happy to help. Don't hesitate to ask for advice. If in doubt, get a second opinion. See the box below on where to get advice.

WHERE TO GET ADVICE AND HELP

Working out what benefits and rights you are entitled to and making claims can be complicated. Get help if you need it.

- You can go to your local Jobcentre Plus, your local citizens advice bureau, library or other advice centre (see pages 149–50).
- Some local authorities have welfare officers. Phone your social services department and ask.
- Some voluntary organisations offer information and advice on benefits and rights at work, for example the National Council for One Parent Families (see page 149) and Working Families (page 147). Or you can phone Acas on 08457 47 47 47.
- You can contact the Child Support Agency National Helpline on 08457 133 133 or textphone 08457 138 924, or visit www.csa.gov.uk.

LEAFLETS GIVING GENERAL INFORMATION

Rates of benefits change every year, but you can find them in leaflet GL23 Social security benefit rates. Some other useful leaflets that you can get are:

- BC1 Babies and children.
A guide to benefits for anyone expecting a baby or caring for children.
- CSL101 Child support: For parents who live apart.
- NI17A A guide to maternity benefits.
Further information about Statutory Maternity Pay and Maternity Allowance – available from the Department for Work and Pensions website at www.dwp.gov.uk/advisers/ni17a.
- WTC1 Child Tax Credit and Working Tax Credit: An introduction.
- SD1 Sick or disabled?
A guide for people who have a physical or mental illness or disability, including children – and people who look after them.

There are also leaflets which give more information about specific benefits. You can get all these leaflets from your local Jobcentre Plus (social security office), some large post offices, your citizens advice bureau or other advice centre.

BENEFITS FOR ALL CHILDREN

CHILD TRUST FUND

What is it?

A long-term savings and investment account for children.

Who gets it?

All children born on or after 1 September 2002, provided Child Benefit has been awarded for them, they live in the UK and they are not subject to immigration regulations.

How much is it?

You will receive a voucher for £250 from the Government to start the account. If you receive the full amount of Child Tax Credit (CTC), because your household income is at or below the CTC income limit (£14,155 in 2006/07),

your child will receive a further £250. You can add up to £1,200 a year to the account and neither you nor your child will pay tax on any interest or gains you make. The money cannot be taken out by anyone but your child, and they can only do so when they are 18.

How do I claim?

All you have to do is claim Child Benefit for your child. Once this has been awarded, you will automatically be sent an information pack and voucher within a month.

For more information visit
www.childtrustfund.gov.uk
 or call 0845 302 1470.

BENEFITS FOR ALL PARENTS

PRESCRIPTIONS AND NHS DENTAL TREATMENT

Who gets them?

These are free while you are pregnant and for 12 months after you have given birth. Your child also gets free prescriptions until age 16. To claim for free prescriptions, ask your doctor or midwife for form FW8 and send it to your primary care trust. You will be sent an Exemption Certificate which lasts until a year after your due date.

How do I claim?

To claim after your baby is born (if you didn't claim while you were pregnant) fill in form A in leaflet P11 *NHS Prescriptions*, which you can get from your doctor or Jobcentre Plus.

To claim for dental treatment, tick a box on a form provided by the dentist or show your Exemption Certificate (see above).

CHILD BENEFIT

What is it?

A tax-free benefit to help parents with the cost of caring for their children. It is payable for each child from birth until at least age 16.

Who gets it?

The mother, or the person responsible for the care of a child, but you must generally be living in the United Kingdom.

How much is it?

For your first child, £17.45 per week. (If you are a single parent who has been claiming since before June 1998, you get £17.55 per week for your first child.) For other children you get £11.70 a week per child.

How do I claim?

You may get a claim pack inside the Bounty Pack which most new mothers are given in hospital. You can also get a claim pack from your Jobcentre Plus/social security office or post office. Alternatively, you can phone 0845 302 1444. Fill in the forms and send them with your baby's birth certificate to the Child Benefit Centre. The birth certificate will be returned to you. You can also apply online, or notify a change of circumstances, at www.hmrc.gov.uk/childbenefit/

Child Benefit can be paid directly into a bank, building society or Post Office® card account. It is usually paid every four weeks in arrears, but single parents and families on low incomes can choose to be paid weekly. You should start to claim Child Benefit within three months of your baby's birth, otherwise you will lose some of the benefit.

Anything else?

Child Benefit can help to protect your State Retirement Pension if you stay at home to look after your child. For every complete year that you get Child Benefit, but you don't pay enough National Insurance contributions to count towards the basic pension, you automatically get 'Home Responsibilities Protection'.

MATERNITY LEAVE

What is it?

It is 26 weeks' **Ordinary Maternity Leave** (OML) from work for any woman who is employed while she is pregnant. It doesn't matter how many hours a week you work or how long you've worked for your employer.

Also, if you've worked for your employer for at least 26 weeks by the 15th week before your baby is due, you qualify for **Additional Maternity Leave** (AML). This means you can take an additional 26 weeks unpaid leave at the end of your OML. **You must give your employer the correct notice.** See box on page 136 giving notice for OML and AML.

When can I start my leave?

The earliest you can start your leave is 11 weeks before the expected week of childbirth (this is when you are about 29 weeks). You have to use the due date on your MAT B1 certificate which your midwife or GP will give you from about 20 weeks. Find the Sunday before your baby is due (or the due date if it is a Sunday) and count back 11 Sundays from there. **It is for you to decide when you want to stop work.** You can even work right up until the date the baby is due, unless:

- you have a **pregnancy-related illness/absence in the last four weeks of your pregnancy.** In this case your employer can start your maternity leave even if you are absent for only one day. However, if you are ill only for a short time, your employer may agree to let you start your maternity leave when you had planned; or

- your baby is born before the day you were planning to start your leave. In this case leave will start on the day after the birth.

Do I have to give notice of my return?

You do not need to give any notice of return if you are going back to work at the end of your OML or AML. You simply go to work on the day that you are due back. If you want to return to work early you must give your employer 28 days' notice of the date you will be returning. If you do not give this notice and just turn up at work, your employer can send you away for 28 days or until the end of your leave, whichever is earlier. If you are entitled to AML but want to return to work after OML, you must give 28 days' notice of your return, as you are in fact returning early.

GIVING NOTICE FOR OML AND AML

To give notice of your maternity leave, tell your employer the following things, in or before the 15th week before your baby is due:

- That you are pregnant.
- The expected week of childbirth.
- The date on which you intend to start your maternity leave (if your employer asks you to, you must put this in writing).

If you want to change the start date for your maternity leave, you must give your employer notice of the new date at least 28 days before the new date or the old date, whichever is the earlier. If there is a good reason why this is not possible, tell your employer as soon as you can.

What happens when I go back?

When you go back after OML it will be to **exactly the same job**. When you go back after AML your employer must give you

- the same job; or
- only if that is not reasonably practicable, a suitable job on very similar terms and conditions.

What will I get while I'm away?

During the first 26 weeks of leave (your OML period) your *contractual rights* (i.e. any special rights that apply to your particular workplace, such as a company car or pension) continue as if you were still at work, apart from your normal pay.

During the first 26 weeks of your leave you will probably be entitled to either Maternity

Allowance or Statutory Maternity Pay (see pages 139–40). After that your leave will be unpaid. Some employers also offer extra maternity pay: you need to check your contract, or ask the human resources department or your union representative.

During the rest of your time on leave (your AML period) you will continue to be an employee, but the only **contractual rights** which will continue automatically will be:

- the notice period in your contract of employment will still apply (if either you or your employer wish to terminate your employment);
- you will be entitled to redundancy pay;
- disciplinary and grievance procedures will apply; and
- if your contract has a section which states that you must not work for any other company, this will still apply.

It might be possible to negotiate with your employer for other contractual rights to continue.

These rules do not apply to your statutory rights (i.e. rights that apply by law to all employees in this country). For example, everyone has a legal right to four weeks' paid annual leave whether they are on maternity leave or not. Also your employer must not discriminate against you by failing to consider you for such opportunities as promotion or when paying some bonuses.

If you are made redundant whilst on maternity leave, your employer must offer you any suitable alternative work that is available. If there is none, they must give you any notice and redundancy pay that you are entitled to.

RETURN TO WORK ON CHILD-FRIENDLY HOURS

What are my rights?

If you need to change your working hours because of childcare, you have the right to have your request seriously considered. Since April 2003, parents with a child 6 years old or under or a disabled child of 18 years old or under have the right to ask their employers for flexible working arrangements. Under the new right, both you and your employer will have to follow a set procedure. Also, according to the Sex Discrimination Act, employers must have a good business reason for refusing to let women work flexibly in order to look after their children.

It is not yet clear how the two rights will work together, so where possible you should carefully follow the procedure for asking for flexible work under the new right.

Under the new right, you will need to send a written request to your employer giving details of the new working pattern you want to work. Your employer can only refuse your request for one of the business reasons set out in the rules, for example, if it would have a detrimental effect on quality.

Your employer must explain why a particular reason applies in your circumstances. If your employer refuses your request, there is an appeal procedure that you must use.

If your employer does not follow the procedure, or refuses for a reason not stated in the rules, or without an explanation, or makes the decision based on incorrect facts, you can make a claim in an employment tribunal. The tribunal will not question whether your employer was justified in refusing unless you can show that your employer got the facts wrong. You must make a tribunal claim within three months of the refusal.

If you cannot use the procedure, for example, if you have not worked for your employer for long enough, you may be able to rely on your rights under sex discrimination law. You may also be able to rely on sex discrimination law even if you have used the new procedure, if you do not believe that your employer had good business reasons for refusing your request.

Your employer must seriously consider your request to change your working pattern. They will only know if they have a good reason for refusing your request by giving it a lot of thought. People often assume a job has to be done full-time or at certain fixed times of day. But, if you and your employer look carefully at your job, you may be able to work out a more child-friendly option – perhaps one that neither of you had considered before.

Does all this apply to me?

The right applies to you if:

- you are an employee;
- you are the parent, adoptive parent or foster carer of a child under six, or a disabled child under 18 (or married to, living with or the partner of that person);
- have worked for your employer for 26 weeks by the time you make your request; and
- you have not made a request in the last 12 months.

The Sex Discrimination Act 1975 applies to all employers and parents with childcare responsibilities. If you need to rely on sex discrimination law, you will need to show that you would be disadvantaged by not being allowed to work the child-friendly hours you need to. You must have a good reason for asking to work differently. Some good reasons for asking are:

- you can't find or afford full-time childcare;
- you can't find or afford childcare outside 9–5, Monday to Friday;
- you have to be there when your children come home from school;
- you are suffering from severe stress from working long hours.

What do I do next?

Before making your request, look at the job you do now and how it could be done differently. You will then need to make your application in writing. Your application must:

- state that this is an application for flexible work and that you are applying as a parent or as someone with parental responsibility;
- state the working pattern you are asking for and the date you want it to start;
- explain how you think the new working pattern may affect the employer and how you think it could be dealt with;
- state whether you have asked before and, if so, when;
- sign and date the application.

Your employer must arrange a meeting with you to discuss your application within 28 days of receiving it. They must give you notice of their decision in writing within 14 days of the meeting. If your employer agrees to your request, the new arrangement should start on the date agreed between you. Your terms and conditions, such as pay and leave, will remain the same until the date the new arrangement starts, when they will be reduced pro-rata to reflect your new working pattern.

If your employer refuses, they must give you a reason (this must be one of those allowed under the regulations) and they must inform you of your right to appeal. You must appeal within 14 days of receiving their notice of refusal. Your employer then has 14 days from the date they receive your notice of appeal to hold the appeal meeting. Again they must notify you of their decision in writing, within 14 days of the appeal, giving reasons for their decision.

What counts as a good reason for refusing?

Many of the arguments employers use do not count as justification at an Employment Tribunal (Industrial Tribunal). For example:

- there are no part-time vacancies (they should look at whether your own job could be done part-time or as a job-share);
- the job is too senior (the law applies to all women, no matter how senior);
- last-minute overtime is an essential part of the job (your employer should consider setting up a job-share, or an 'on call' rota);
- it is too expensive (costs are not usually any higher for part-timers); or
- continuity is crucial (there are usually practical ways around this, like keeping good records and ways of communicating).

An employer probably would be justified in refusing flexible work if there were good business reasons and there was no alternative solution (e.g. if particular opening hours are necessary for business).

If you think your employer has unreasonably refused your request, you should get advice about whether you can get compensation under the new right and/or under sex discrimination law. You must make a tribunal claim within three months of the refusal.

PATERNITY LEAVE

What is it?

Following the birth of a child, eligible employees will be able to take one or two weeks' leave to care for the child or support the mother. They must give their employer the correct notice. The leave must be taken within 56 days of the birth.

Who gets it?

Your baby's biological father, your husband or your partner, including a same sex partner, will be able to take paternity leave providing they:

- expect to have responsibility for bringing up the child; and
- have worked for the same employer for at least 26 weeks by the 15th week before your baby is due.

When can my partner start paternity leave?

Your husband or partner can choose to start paternity leave either:

- from the date of your baby's birth;
- from a chosen number of days or weeks after the date of the child's birth (whether this is earlier or later than expected); or
- from a chosen date.

Paternity leave must have been taken within 56 days of your baby's birth or, if your baby was born early, within the period from the actual date of birth up to 56 days after the expected week of birth.

Your partner will be able to return to the same job after paternity leave.

What is Statutory Paternity Pay (SPP)?

SPP is paid by employers for up to 2 weeks at a rate of £108.85 per week or 90% of average earnings, whichever is less.

Can my partner get SPP?

Your partner can get SPP if he or she:

- is the baby's father or your husband/partner and is responsible for the baby's upbringing;
- has worked for an employer for 26 weeks by the 15th week before the baby is due or, if the baby is born before then, would have worked for an employer for 26 weeks by the 15th week before the baby is due;
- is still employed by the same employer before the birth;
- earns at least £84 per week on average (before tax) in the eight weeks immediately before the week your baby is born.

Your partner must give their employer notice of the date they want their SPP to start at least 28 days before or as soon as reasonably practicable.

PARENTAL LEAVE

This is unpaid leave from work of 13 weeks per parent per child, to be taken before the child's fifth birthday. Adoptive parents can take it either within five years of the placement for adoption or by the child's 18th birthday, whichever is earlier. For children on Disability Living Allowance (DLA) leave has been extended to 18 weeks and must be taken before the child is 18.

Every worker is also entitled to emergency unpaid leave to make arrangements for the care for a dependant who falls ill, gives birth or is injured. This leave can be used if there is a sudden problem with care arrangements for the dependant (e.g. if your childminder falls ill).

DISMISSAL OR UNFAIR TREATMENT

It is against the law for your employer to treat you unfairly, dismiss you or select you for redundancy for any reason connected with pregnancy, childbirth, maternity, paternity, adoption or parental leave.

If you are dismissed while you are pregnant or on maternity leave, your employer must give you a written statement of the reasons. You can make a claim for unfair dismissal, and sex discrimination, in an Employment Tribunal (Industrial Tribunal) within three months. You can also claim unfair dismissal if you are dismissed in connection with parental leave or time off for dependants.

STATUTORY MATERNITY PAY (SMP)

What is it?

SMP provides you with some money to help you take time off at and around the birth of your baby. It is paid for up to a maximum of 26 weeks by your employer, who can claim back some or all of it from the Inland Revenue. SMP counts as earnings and your employer will deduct tax and National Insurance. **You can get it even if you don't plan to go back to work. You will not have to pay Statutory Maternity Pay (SMP) back if you don't return to work.** You may qualify for SMP from more than one employer.

Who gets it?

You get SMP if:

- you have been continuously employed by the same employer into the qualifying week (this is the 15th week before the week your baby is due) – part weeks count as full weeks, and
- you are earning an average of £84 a week before tax. This is called the **Lower Earnings Limit** for National Insurance (NI) contributions and is the amount you have to earn to qualify for benefits. You have to earn more than this amount before you actually start paying NI.
- Your earnings are averaged over an eight-week period, running up to and including the 15th week before the week your baby is

due. This period may vary slightly depending on whether you are paid weekly, monthly, or at other intervals.

To find out which is the qualifying week, look on a calendar for the Sunday before your baby is due (or the due date if that is a Sunday) and count back 15 Sundays from there. You should use the due date on the MAT B1 certificate which your midwife or GP will give you when you are about 20 weeks pregnant.

If you are not sure if you're entitled to SMP, ask anyway. Your employer will work out whether or not you should get it, and if you don't qualify, they will give you form SMP1 to explain why. If your employer is not sure how to work out your SMP or how to claim it back, they can ring the Employers' Helpline on 0845 714 3143 for advice.

How much is it?

For the first six weeks you get 90% of your average weekly earnings, with no upper limit. The remaining weeks are paid at a flat rate of £108.85 or 90% of your average weekly earnings if this is less than £108.85. SMP should be paid in the same way and at the same time as your normal wages.

When is it paid?

The earliest you can start your SMP is 11 weeks before the expected week of childbirth and the latest the day following the birth. To work out the earliest date, use the due date on your MAT B1 certificate, which your midwife or GP will give you. Find the Sunday before your baby is due (or the due date if it is a Sunday) and count back 11 Sundays from there. It is for you to decide when you want to stop work. You can even work right up until the date the baby is due, unless:

- you have a pregnancy-related illness at the start of, or in, the last four weeks of your pregnancy. In this case your SMP will start automatically the day following the first day of absence from work for that illness;
- your baby is born before the start of your SMP. In this case SMP will start on the day following the birth and will be paid for 26 weeks. You cannot get SMP for any week in which you work. If you return to work early your SMP will stop.

How do I claim?

You must give your employer at least 28 days notice of the date you want to start your pay; they may need this in writing. You must also send your maternity certificate (MAT B1 form), which is issued by your GP or midwife from the 20 weeks before the week your baby is due (usually the 21st week of pregnancy). You can give notice for leave and pay together in the 15th week before your baby is due. You can change your mind about the dates you have given for the start of your SMP, but you must give your employer 28 days' notice of this change and confirm the new date in writing.

MATERNITY ALLOWANCE (MA)

What is it?

A weekly allowance for women who can't get Statutory Maternity Pay (see above). You may also get Maternity Allowance if you are self-employed, if you stopped work or if you changed jobs during pregnancy.

Who gets it?

You can claim Maternity Allowance if you have been employed and/or self-employed in at least 26 of the 66 weeks before your expected week of childbirth. This 66-week period is known as the test period. You must also have gross weekly earnings of at least £30 per week in any 13 weeks in the test period. You should choose the 13 weeks in which you earned the most. In your chosen weeks, you can add together earnings from more than one job, including any self-employed work.

How much is it?

Maternity Allowance is paid at a flat rate of £108.85 a week, or 90% of your average earnings if this is less, for 26 weeks.

When is it paid?

Maternity Allowance is paid for up to 26 weeks, but only for weeks in which you are not working. The earliest that MA can start is 11 weeks before the week your baby is due and the latest is the day following the birth. If you are unemployed your MA will start 11 weeks before the week your baby is due. If you are employed or self-employed at the start of the 11th week before the week your baby is due, you can choose when to start your MA. You can even work right up until the date the baby is due, but if:

- you have a pregnancy-related illness at the start of, or in, the last four weeks of your pregnancy, your MA will start automatically the day following the first day of absence from work for that illness;
- your baby is born before your MA is due to start, your MA will start from the day following the birth.

How do I claim?

You can claim MA from the 14th week before the week your baby is due. Fill in form MA1, available from your local Jobcentre Plus, social security office or antenatal clinic. You must also send your maternity certificate (form MAT B1), which is issued by your GP or midwife from the 20 weeks before the week your baby is due (usually the 21st week of pregnancy). If you are employed and do not qualify for Statutory Maternity Pay, send form SMP1 from your employer to show why you don't qualify.

Claim as soon as you can, even if you are still at work or if you do not have the medical evidence needed, or cannot provide any other information needed to complete the claim form. You can always send more information later.

You must claim within three months of the date your MA period is due to start. If you delay, you will lose money.

How is it paid?

MA is paid directly into your bank account, weekly or every four weeks in arrears.

Anything else?

If you are not entitled to MA, the Jobcentre Plus or social security office will automatically check whether you might be entitled to Incapacity Benefit (see below).

For further information about MA, see leaflet NI17A *A guide to maternity benefits*, available from the Department for Work and Pensions website at: www.dwp.gov.uk/advisers/ni17a.

INCAPACITY BENEFIT (IB)

What is it?

A weekly allowance which can be paid to women who don't qualify for Statutory Maternity Pay or Maternity Allowance.

Who gets it?

You get Incapacity Benefit (IB) if you have enough National Insurance contributions in earlier tax years. Claim if you have paid any

National Insurance contributions during the last three tax years that do not overlap the current calendar year. If you are not sure whether or not you qualify, claim and your local Job Centre Plus/Incapacity Benefits Branch will work out whether you can get the benefit.

How much is it and when is it paid?

It is £59.20 per week. It is awarded from the Sunday of the 6th week before the week your baby is due, until two weeks after the baby's birth. As with all claims to IB, you will have to serve three waiting days before your benefit is actually paid. You won't get IB for any week in which you work.

How do I claim?

Make a claim for Maternity Allowance using form MA1, which you can get from your Jobcentre Plus/social security office or your antenatal clinic. You also have to send your maternity certificate (form MAT B1), which is issued by your GP or midwife from the 20 weeks before the week your baby is due (usually the 21st week of pregnancy). You don't need to send in a sick note from your doctor.

If you are not entitled to Maternity Allowance, the Jobcentre Plus/social security office will check automatically to see if you qualify for IB. It can be paid directly into your bank. You must claim within three months of the start of your entitlement.

CONTRIBUTION-BASED JOBSEEKER'S ALLOWANCE (JSA)

What is it?

An allowance which lasts for up to 26 weeks for people who are unemployed or working less than 16 hours a week.

Who gets it?

You get it if you have paid enough National Insurance contributions during the last two tax years that do not overlap the current calendar year. You have to be available for work for at least 16 hours and actively seeking work.

How much is it?

If you are under 18 you get £34.60 a week; if you are aged 18–24 you get £45.50 a week; if you are 25 or over you get £57.45 a week. Your partner's earnings are not taken into account but, if you are in part-time work, your earnings are.

How do I claim?

Go to your local Jobcentre Plus/social security office in person, or you can claim by post if you live too far away. You will have to go to the Jobcentre Plus every fortnight to 'sign on' to show that you are available for work.

The benefit is paid directly into your bank account, or by Giro normally every two weeks.

If I resign from my job and don't go back to work after maternity leave, can I claim anything?

You may be able to claim contribution-based JSA for up to six months. However, you will have to show that you had 'just cause' for voluntarily leaving your job. You will also have to be available for work for as many hours a week as your caring responsibilities permit (and not less than 16).

If you haven't paid enough National Insurance contributions, you may be able to claim income-based JSA instead (see page 142), depending on your personal circumstances. Apply in person at the Jobcentre Plus. If you are a single parent you may be able to claim Income Support or tax credits (see overleaf) once the baby is born. If you are in a couple and your partner has a low income, you may be able to claim tax credits (see below).

Anything else?

If your family has no other income, you will probably be entitled to income-based JSA and other benefits for families on low incomes (see section overleaf).

BENEFITS FOR FAMILIES

CHILD TAX CREDIT AND WORKING TAX CREDIT

Two tax credits were introduced in April 2003 – Child Tax Credit and Working Tax Credit.

Who gets it?

Child Tax Credit gives financial support for children. It can be claimed by lone parents or couples with one or more children. Nine out of ten families with children will get tax credit.

The Working Tax Credit will help people in lower paid jobs by topping up their wages.

Who gets it?

The Working Tax Credit can be claimed by single people or couples, with or without children, who work enough hours each week. You must be working at least 16 hours each week if:

- you have dependent children and/or
- you have a disability.

Otherwise, you must be 25 or over and work at least 30 hours a week.

You can be treated as if you are working during Ordinary Maternity Leave (usually leave with Statutory Maternity Pay or Maternity Allowance), and were working enough hours immediately before starting your maternity leave.

Help with childcare costs?

The Working Tax Credit can include a childcare element to help with the cost of approved childcare where a lone parent or both partners in a couple work for at least 16 hours a week or one partner works at least 16 hours a week and the other is disabled, in hospital or in prison.

The childcare element is worth up to 80% of the eligible childcare costs, up to a weekly maximum of £175 for one child and £300 for two or more children, paid to the main carer.

How do I claim tax credits?

Both Child Tax and Working Tax Credits can be claimed using the same form, obtained by phoning the helpline on 0845 300 3900 or online at www.hmrc.gov.uk.

How much will I get?

The amount you get will depend on your current circumstances, for example, the number of children in your household, the number of hours you and your partner work, and your household's gross income for the last tax year. Claims for the current tax year will initially be based on the previous tax year's income.

Awards will run until the end of the tax year, but if there is a change affecting the amount you can ask for the award to be adjusted from the date of the change; for example, if your wages fall significantly during the current tax year because you are going on maternity leave, or following the birth of your baby.

Maternity Allowance or the first £100 a week of Statutory Maternity Pay will be ignored as income. Families with children, with an annual income of £50,000 or less, will get at least £545 a year. A single parent staying at home to look after one child could get £2,310 a year in tax credits.

Anything else?

If you get tax credits you may also be able to get the £500 Sure Start Maternity Grant (from DWP) and help with fares to hospital for treatment (including antenatal appointments).

INCOME-BASED JOBSEEKER'S ALLOWANCE (JSA) AND INCOME SUPPORT

What are they?

Weekly payments for people who are not in work and do not have enough to live on. If your family income falls below a set level the benefit will 'top it up'. This means that you may be able to get Income Support even if you are already getting Statutory Maternity Pay, Maternity Allowance, Incapacity Benefit or some income from part-time work.

Who gets them?

You can claim income-based JSA if you are 18 or over and you are actively seeking work. Usually you would claim this benefit if you are living with your partner and you are either unemployed or working less than 16 hours per week. You should also claim it if you are single and unemployed but your baby has not been born yet.

If you are 16 or 17 years old and face severe hardship you may be able to claim before your baby is born. You should get further advice about this.

You can claim Income Support if you are 16 or over and cannot be available for work. This would be because you are a single parent or because you are 29 weeks pregnant or more. You may also get Income Support if you are single and pregnant and you are too sick to work.

You **cannot claim either income-based JSA or Income Support** if you have a partner who lives with you and who works for 24 hours or more a week, or if you work for more than 16 hours a week, or if you have savings of more than £16,000.

How much is it?

This depends on your age and the size of your family, and on what other income you have. If you are under 25 or have more than £6,000 in savings you get a lower rate. If you are claiming during pregnancy you should let the Jobcentre Plus know as soon as the baby is born, as your benefit will go up.

How do I claim?

To claim income-based JSA, either you or your partner must go to the Jobcentre Plus in person (or you can claim by post if you live very far away from the Jobcentre).

To claim Income Support, fill in form A1, which you may get from a post office or a Jobcentre Plus.

The benefit is paid directly into your bank account. If you are claiming income-based JSA, you will have to go to the Jobcentre Plus every fortnight, to 'sign on' to show that you are available for work. If you are claiming Income Support, you do not need to 'sign on'.

Anything else?

If you get Income Support or income-based JSA, or any element of Pension Credit you can claim other benefits, such as a £500 Sure Start Maternity Grant, help with fares to hospital, Housing Benefit and Council Tax Benefit. You may be able to get help with mortgage interest payments. You can get help from the Welfare Food Scheme or Healthy Start if you get Income Support, income-based Jobseeker's Allowance or Child Tax Credit but not Working Tax Credit with an annual family income of £14,155 or less (2006/07 figures). See below for more information on all these benefits.

£500 SURE START MATERNITY GRANT FROM THE SOCIAL FUND**What is it?**

A lump sum payment (a grant which you do not have to pay back) to help buy things for a new baby.

Who gets it?

Pregnant women and new parents who are getting income-based JSA, Income Support, Pension Credit, Working Tax Credit where a disability or severe disability element is included in the award, or Child Tax Credit at a rate higher than the family element.

How much is it?

£500 for each baby that is expected, born, adopted, the subject of a parental order (following a surrogate birth) or, in certain circumstances, the subject of a residence order.

How do I claim?

Claim using form SF100 (Sure Start), which you can get from your local Jobcentre Plus. You can claim any time from 11 weeks before the due date until three months after the birth, adoption or date of parental or residence order. If you are adopting or, in certain circumstances, have been granted a residence order, your baby must be aged under 12 months at the date of claim.

Part of the form will need to be completed by your midwife, GP or health visitor – this is to confirm when your baby is due or actually born, and that you have received advice about the health and welfare of yourself and your baby.

If you can't get income-based JSA, Income Support, Pension Credit, Working Tax Credit or Child Tax Credit until after your baby is born, you must still claim the Sure Start Maternity Grant within the three-month time limit.

THE DISCRETIONARY SOCIAL FUND**What is the discretionary Social Fund?**

The discretionary Social Fund provides grants and interest-free loans for needs that are difficult for people to meet out of their weekly benefits or regular income.

What are they and who gets them?

There are three types of payments available:

- Community Care Grants for people getting income support (IS), income-based JSA or Pension Credit.
- Budgeting Loans are interest-free, repayable loans for people getting income support (IS), income-based JSA or Pension Credit for at least 26 weeks.
- Crisis Loans are interest-free, repayable loans for people (whether on benefits or not) unable to meet their immediate short-term needs in a crisis.

How much are they?

This depends on your personal circumstances, your ability to pay and on how much money is available. Social Fund payments are not a right and there is a limited amount of money to be distributed to all those who apply.

How do I claim?

For information about which Social Fund payment to claim and how, contact your local Jobcentre Plus. More information is also available in leaflets SB16 *A guide to the Social Fund*, which is available online at www.dwp.gov.uk, and GL18 *Help from the Social Fund*.

Loans have to be repaid at a set amount per week, which will be taken directly from your income if you are claiming other benefits. The amount you have to repay per week depends on the size of the loan, the size of your income and any other debts you may have.

Anything else?

- A Community Care Grant does not have to be paid back.
- You cannot get a Budgeting Loan or a Crisis Loan for more than £1,500, and the total you owe the Social Fund cannot be more than £1,500.
- Savings. The amount of any Social Fund payment you get will be reduced on a pound-for-pound basis by any savings you or your partner has. For Community Care Grants, savings over £500 (£1,000 if you or your partner are aged 60 or over) will usually affect how much you can get. For Budgeting Loans, savings over £1,000 (£2,000 if you or your partner are aged 60 or over) will usually affect how much you can get.

Anything else?

The Social Fund can also provide Community Care Grants to families receiving income-based JSA, Income Support or Pension Credit under certain circumstances, such as to help pay fares to visit a mother and baby in hospital or to help a family under exceptional pressure. Grants do not have to be repaid.

HOUSING BENEFIT – HELP WITH YOUR RENT

What is it?

Housing Benefit will help you pay your rent (in Northern Ireland rent and/or rates) if you're on income-based JSA, Income Support, or have a low income. If you are a council tenant, it will be paid direct to the council; if you are a private tenant, it will be paid either to you or direct to your landlord.

How much is it?

It depends on the rent and/or rates you pay, average rents in your area, the size of your home, your income, savings, other benefits, your age and your family size. It may not be the same amount as the rent you are actually paying. You cannot get Housing Benefit if you have savings of more than £16,000. The *amount* of savings you have can also affect the amount of Housing Benefit you get.

How do I claim?

If you're getting income-based JSA or Income Support, you will get a Housing Benefit claim pack with your JSA/Income Support claim form. Otherwise get a form from your local council.

HELP WITH MORTGAGE INTEREST REPAYMENTS

Who gets it?

If you've got a mortgage and you're on income-based JSA or Income Support, you may be able to get help with your interest payments, although there is usually a waiting period during which you won't get any help.

How much is it?

You can only get help with interest payments (not repayments of capital or contributions to a linked PEP, endowment or insurance policy), and the amount is usually based on a standard average interest rate (which may not be the same as the interest you are paying).

If you took out your mortgage before 2 October 1995, you will get no help for eight weeks, half of the allowable interest for the next 18 weeks and then all the allowable interest after that.

If you took out your mortgage after 1 October 1995, you will get no help for 39 weeks and then all the allowable interest from week 40 of your claim. If you claim benefit because of the death of your partner or because your partner has left you and you have at least one child under 16, you are treated as if you took out your mortgage before 2 October 1995.

How do I claim?

Once you have claimed income-based JSA or Income Support, your Jobcentre Plus will automatically send you a form MI12 about your housing costs shortly before they become payable. You fill out part of the form and then send it to your mortgage lender to fill out the rest.

The money will either be paid to you as part of your income-based JSA or Income Support, or paid directly to your mortgage lender.

Anything else?

Tell your mortgage lender as soon as you get into difficulties with your mortgage. If you are unable to meet your repayments, you may be able to negotiate a temporary agreement for reduced repayments (e.g. during your maternity leave). Some mortgage lenders allow a few months 'repayment holiday' once during the life of the mortgage.

If you have mortgage protection insurance, contact your insurer immediately. Most insurance policies will pay out if you are receiving JSA or Income Support, but not if you are only receiving Statutory Maternity Pay or Maternity Allowance, so check carefully.

COUNCIL TAX BENEFIT

What is it?

A benefit to help you pay your Council Tax if your income is low.

Who gets it?

If your income is low or you're getting income-based JSA or Income Support, you may get Council Tax Benefit.

How much is it?

You may get all of your Council Tax paid or just part of it. It will depend on your income, savings, whether other adults live with you, and an assessment of your circumstances.

How do I claim?

If you're getting income-based JSA or Income Support, you will get a Council Tax Benefit claim form with your JSA/Income Support claim form. Otherwise get a form from your local council.

WELFARE FOOD SCHEME/ HEALTHY START

Who gets it?

You can get either free milk from the Welfare Food Scheme or free milk, fresh fruit and vegetables, or infant formula from Healthy Start if you are pregnant and getting Income Support or income-based Jobseeker's Allowance.

If you have a young child, receive Child Tax Credit but not Working Tax Credit and have an annual family income of £14,155 or less you may also qualify.

Pregnant women under 18, on benefits or not, can get help from Healthy Start if they are living in a Healthy Start area.

Healthy Start is replacing the Welfare Food Scheme during 2006. Ask your midwife or health visitor which scheme you should apply for.

How do I claim?

You can apply for you when you are 10 weeks pregnant, and at any time for a young child. Leaflets that include an application form are available from most GP surgeries or health centres, or you can order one by calling 08701 555 455. The leaflet for the Welfare Food Scheme is called *Free Milk for Pregnant Women* (40537). The leaflet for Healthy Start is called *A Healthy Start for Pregnant Women and Young Children* (267679).

HAVE YOU CLAIMED EVERYTHING?

You can claim → If you get ↓	Child Benefits	Free prescriptions	Free dental treatment	£500 Sure Start Maternity Grant*	Social Fund loans	Council Tax Benefit (not NI) & Housing Benefit	Help with mortgage	Welfare Food Scheme/ Healthy Start**	Fares to hospital
Income-based JSA	✓	✓	✓	✓	✓	✓	✓	✓	✓
Income Support	✓	✓	✓	✓	✓	✓	✓	✓	✓
Low income	✓	✓	✓	✗	✓	✓	✗	✗	✓
All mothers	✓	✓	✓	✗	✗	✗	✗	✗	✗

*You can also claim if you get Pension Credit, Working Tax Credit where a disability or severe disability element is included in the award, or Child Tax Credit at a rate higher than the family element.

**You can also claim if you get Child Tax Credit but not Working Tax Credit with an income of £14,155 or less.

You will need your midwife or health visitor to fill in their part of the application form.

Once a new baby is born, you should claim Child Tax Credit so that you will keep getting help from the Welfare Food Scheme or Healthy Start if you still qualify for it.

IMPORTANT: If you live in a Healthy Start area and have not been getting help from Healthy Start while you are pregnant, you will need to complete an application form if you want to get help from this scheme for your child. The form is in the leaflet *A Healthy Start for Pregnant Women and Young Children* (267679). Don't wait for your Child Tax Credit claim to be processed.

HELP WITH HOSPITAL FARES

Who gets it?

If your family gets income-based JSA, Income Support, you can get a refund for fares to and from the hospital (including visits for antenatal care). This can cover normal public transport fares, estimated petrol costs and taxi fares if there is no alternative. You may also be entitled to help if your family has a low income or if you are getting tax credits (check your tax credits letter to see if this applies to you).

How do I claim?

If you are claiming one of the benefits mentioned above, you can claim at the hospital at the time of your visit by showing proof that you get the benefit. Alternatively, you can claim within three months of your visit by filling in

form HC5 which you can get from the hospital or the Jobcentre Plus.

If your income is low, you must first fill in form HC1, which you can get from your doctor, hospital or Jobcentre Plus. Depending on how low your income is, you will then be given either certificate HC2, which means you qualify for free services, or certificate HC3, which means that you qualify for some help. You show the certificate when you go to the hospital, or you can claim within three months of your visit, on form HC5.

FURTHER INFORMATION

Some useful websites include:

www.dti.gov.uk/er/workingparents.htm

(Department of Trade and Industry – guidance on employment rights)

www.dwp.gov.uk (Department for Work and Pensions)

www.dh.gov.uk (Department of Health)

www.hmrc.gov.uk (HM Revenue and Customs – for all tax information, including Working Tax Credit, Child Tax Credit and Child Benefit)

www.tiger.gov.uk (Acas guidance on employment rights)

www.hse.gov.uk (Health and Safety Executive)

www.acas.org.uk (Acas)

www.direct.gov.uk/employees