

## Moving into work

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Employment and childcare rights for families in England,  
Northern Ireland, Scotland and Wales



# Introduction

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Some parents of disabled children find it hard to think about moving into paid employment, particularly if their child needs a lot of care. For some parents their caring responsibilities are such that work is not an option. However with support, many parents do manage to juggle their caring responsibilities with employment. This guide is for you if you are thinking about returning to work.

Many parents tell us that they want to work not just for the income it provides, but because their job gives them the opportunity to make new friends and develop skills outside of their caring role. Nevertheless it is important you have a clear idea about what financial support will be available if you start working.

This guide includes information about benefits that can be paid while you are working, help with childcare costs and information about your employment rights.

We also have hints and tips on where to get help with updating your CV, writing application forms, plus training and schemes to help you get back into work and volunteer work. Volunteering can be a really good option if you've been out of the workplace for some time and want to update your skills and experience. It can be a great way to move into paid employment.

This guide aims to answer concerns you may have about returning to work, and what support is available at work so you can manage working and caring for your disabled child.

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## Do I have to work 9-5?

**!** For the purposes of the information that follows on employment rights, a child is treated as disabled if they receive **Disability Living Allowance** or **Personal Independence Payment**.

**i** *If you are not eligible to make a request for flexible working under the statutory scheme outlined here, for example you have not yet worked for 26 weeks, there is nothing to stop you from asking your employer for flexible working.*

*However, there are no set rules on how this should be dealt with. Some employers have their own schemes which are more generous than the statutory scheme outlined here.*

Most working parents have a legal right to take time off in certain circumstances. Normally you will also be able to request a change in your working week to help you juggle your work and caring responsibilities. A brief summary of these rights are outlined below.

### Flexible working

There is nothing preventing any worker asking their employer for more flexible working. However, if you meet the conditions outlined below then you have a legal right to request flexible working under the statutory scheme. This means your employer must consider your request in a reasonable manner and can only refuse if there is a business reason for doing so. An employee can ask for a change to:

- the hours they work,
- the times they work, or
- to work from home.

Any changes will be permanent, so it is important to consider the future implications carefully. This may include any drop in salary, and the impact that any reduction in hours may have on benefits such as Working Tax Credit (see page 28).

### Who is eligible?

To make a request for flexible working under the statutory scheme you must:

- have worked for your employer for 26 weeks on the date you make the application
- not be an agency worker or member of the armed forces
- not have made an application for flexible working in the past 12 months.



“ I was working full time but it was too much. My employer was and is brilliant and allowed me to change my contract to term time only 18.5 hours. ”

## How do I ask for flexible working?

You need to make the request in writing. Write that you are asking under ‘the statutory right to apply for flexible working’. You must also:

- set out your proposal and explain what effect you think it will have on your employer’s business, and how you think they can deal with it
- write the date you want the proposed change to start, and give your employer a reasonable time to consider your proposal and implement it
- write whether you’ve made a previous application and if so, the date you made it
- date your application.

If you are asking for a change to your working pattern to care for your disabled child or a disabled person it is a good idea to write this too. You can say what the impact would be on your family life if it is turned down.

**i** You can download a sample letter to ask for flexible working from the Working Parents website, which also has useful information on flexible working and other employment rights.

 [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)



## Can my employer refuse a request?

Employers have a legal duty to consider your request seriously. However, they can refuse a request if they have a clear business reason for doing so.

## When will I get a decision?

Your employer must give you a decision within three months of your written request. It is good practice for your employer to arrange a meeting to discuss your application but they are not legally required to do so. This is an opportunity for both of you to discuss your desired work pattern and its impact, and to consider any alternatives if your requested pattern of work is difficult to implement.

## What if I'm turned down?

If you are turned down your employer must explain the business reasons why and how this relates to your application. If you are unhappy with their decision then check with your employer to see if they allow appeals. If they do, then appeal. If they don't, seek further advice from an organisation such as ACAS or Working Families. ACAS also have a free code of practice on handling requests for flexible working in a reasonable manner. See page 11 for contact details.

The following groups of workers do not have the right to ask for flexible working under the statutory scheme, even if they meet the entitlement conditions:

- members of the armed forces
- agency workers.

“ Employment is not only about money, it's about being part of your community, taking responsibility for your own life, making friends and developing skills. ”

## Can I take time off if my child needs me?



**Parental leave** gives parents the right to take time off work to look after their children. This leave is normally unpaid unless your contract says otherwise. This section explains what parental leave an employer must give you as a legal minimum. Some employers may have more generous rules (for example paid parental leave) and also give leave to parents who don't qualify under this scheme.

### **How much parental leave can I have?**

The law says that parents who qualify must be allowed at least 18 weeks' unpaid leave for each child, to be used before their child's 18th birthday.

### **How do I qualify?**

You can take parental leave for any child under 18, regardless of whether they are disabled or not.

You must have worked for your employer continuously for one year when you take parental leave.

You must also give at least 21 days' notice (unless a different period has been agreed as part of a collective agreement at your workplace).

Your employer may ask you to put this in writing. As long as you qualify for parental leave and give your employer the correct notice, you should be able to take parental leave at any time.

Your employer may want to postpone your leave if it would cause disruption to their business. They must tell you this within seven days of you requesting parental leave. Seek specialist advice if this happens to you.

## How much leave can I take at one time?

Normally you have to take leave in blocks of one week or more, up to a maximum of four weeks per year for each child. But your employer can agree to you taking longer periods of leave each year if they wish. Parents of disabled children can take leave in days instead of weeks. This means you should have the option of using parental leave for regular hospital visits.

Both parents can take parental leave. You can, each take up to 18 weeks for each child, and you can take the leave at different times from each other.

## Will my job be at risk?

You are guaranteed returning to your same job if you take four weeks or less parental leave at any one time. If you take more than four weeks and it is not reasonably practicable for you to be allowed to return to your old job, you are entitled to a similar job with the same or better status as the previous one.

## What happens if I change employer?

If you get a new job you can carry over any untaken parental leave. However, you will not be able to take parental leave until you have been with your new employer for a year, unless they agree to you taking parental leave sooner.

## Who is not entitled to parental leave?

There are some types of employee who are excluded from statutory parental leave such as members of the armed forces or the police. Any parental leave rights they have will be contained only in their contract of employment.

**i** In certain circumstances a parent on unpaid parental leave may be able to claim Income Support. But this is only possible if you were entitled to certain benefits or tax credits immediately before the leave started. Call our freephone helpline for more advice.

Parental leave should not be confused with the new 'shared parental leave' which was introduced by the government in April 2015. This allows some mums with a baby born (or adopted) after 5 April 2015 to end their maternity leave early and to share some of that leave with the child's father or her partner.

## What if there's an emergency?



**i** *Emergency leave involving a dependant will be unpaid unless your contract of employment says otherwise.*

Most employees have the right to take time off work to deal with an emergency involving a dependant. This could be a parent, partner, child, or someone living with you as part of your family. Your employer cannot penalise you for taking dependants leave, as long as your reasons for taking it are genuine.

### **When can I take time off?**

You may be able to take time if your dependant:

- is ill and needs you to help them, or you need to make arrangements for someone to care for them
- is involved in an accident or assaulted
- needs you to deal with an unexpected disruption or breakdown in care, such as a childminder or care worker failing to turn up
- goes into labour
- dies, and you need to make funeral arrangements or attend the funeral.
- is involved in an unexpected incident at school that you need to deal with.

### **Can I use this time off in any other situation?**

You are only allowed time off to deal with emergencies or other unexpected events. You cannot take dependants leave to deal with a situation you can foresee or have planned such as regular scheduled hospital appointments. In these situations, you need to take parental leave (see page 8), annual leave or any other available leave.

However, an Employment Appeal Tribunal found that this did not necessarily mean you could only take leave in a sudden emergency. Where there was some warning of a potential disruption, the amount of time between the warning and the disruption happening and the steps taken to find alternative arrangements, all need to be taken into account when deciding if taking dependants leave was justified.

## How much time can I take?

Time off for dependants only covers the time you need to take to deal with the immediate problem, and to make any alternative arrangements. You must also tell your employer about the reasons for your absence as soon as possible and tell them how long you expect to be absent. The amount of time you take must be reasonable in all the circumstances. Normally it will only be a day or two but this may vary depending on the individual circumstances. Seek specialist employment law advice if you think you will need more than a day or two's leave.

Most employees have a legal right to take time off work. However, some specific groups of employees don't, such as merchant seamen and members of the police and armed forces.

## Other leave

*A parent may have a right to take leave in certain other circumstances, such as maternity, paternity or adoption leave.*

*For information on these rights and the financial support paid during this leave call our freephone helpline for further advice, or see our website*

 [www.contact.org.uk/maternity-paternity-adoption](http://www.contact.org.uk/maternity-paternity-adoption)

### More information

This information on employment rights is not an authoritative statement of law. If you have any queries about employment rights, see

**> ACAS (Advisory, Conciliation and Arbitration Service)**  
Free confidential advice and information on employment matters.

 Helpline: 0845 747 4747

 [www.acas.org.uk](http://www.acas.org.uk)

**Labour Relations Agency**  
Impartial and confidential advice service to employers and employees in Northern Ireland.

 028 9032 1442

 [www.lra.org.uk](http://www.lra.org.uk)

**> Working Families**

Advice on employment rights, in-work benefits, maternity and paternity leave, flexible working options and maternity discrimination

 Helpline: 0300 012 0312

 [www.workingfamilies.org.uk](http://www.workingfamilies.org.uk)

**> Direct Gov**

Government information and services for carers and employment.

 [www.direct.gov.uk](http://www.direct.gov.uk)

## Help to find childcare

### Childcare and the Equality Act

Under the Equality Act 2010 childcare providers must not discriminate against disabled children and must make any reasonable adjustments needed to ensure that disabled children are not treated unfairly. If you are refused a childcare place or are asked to pay more than other parents because your child is disabled seek further advice from our freephone helpline.

 **0808 808 3555**

Childcare is often a major obstacle for parents considering returning to work. Problems can emerge not only in paying for childcare but also in finding suitable childcare for your child.

You may find it helpful to talk to other families who have a disabled child to find out about their experiences of using childcare. Professionals you have been working with may also have some insight about suitable childcare providers in your area.

### Your council's duty to make sure childcare is available

Under the Childcare Act 2006, local authorities in England and Wales are obliged to ensure that there is suitable childcare in their area for all families, including those with disabled children. In addition, under the Children and Families Act 2014 local authorities in **England** must include sources of information and advice about childcare for disabled children in their local offer. The local offer is a summary of services families can find locally and how to access them. More information is in our factsheet ***The local offer explained.***

If you are struggling to find suitable childcare in your area, the local authority should offer you a childcare brokerage service to try and help you find suitable childcare provision. This support is often provided by the Family Information Service.

Childcare settings in England and Wales should also have a special educational needs coordinator you can discuss your child's needs for additional support in a childcare placement with. They can advise you about extra funding for equipment, training and other supports.



In England and Wales, each area has a Family Information Service (FIS), responsible for providing parents with information about the different types of registered childcare available in your area. They may also have details of unregistered forms of childcare like parent and toddler groups and nannies. Some FIS services will try and give information about providers with a specialist knowledge or experience of caring for a child with a disability.

**i** To find your local FIS in **England and Wales** call 0800 2346 346 and ask to be put through to your local Family Information Service. Alternatively, you can call our freephone helpline.

For your local Childcare Information Service in **Scotland**, contact the Scottish Family Information Service 📞 [www.scottishfamilies.gov.uk](http://www.scottishfamilies.gov.uk)

In **Northern Ireland** contact your local Early Years Team in your health and social care trust for details of childcare providers in your area.

“ Getting a nursery place for my daughter when she was three made her transition to school much easier, as she had friends who understood her disabilities. It also helped me get back to work sooner, before I lost my confidence about being out of the job market. ”

**📖** Our factsheet **Help in the early years in England** gives an overview of all the childcare options for children in the 0-5 age group. Call our helpline for a free copy, or download it from our website.

📞 [www.contact.org.uk](http://www.contact.org.uk)

## The childcare element of Working Tax Credit

“ I gain a lot of satisfaction from working. I feel as if I'm contributing. It keeps me sane, being able to get out and meet with other people, because I don't have much of a social life for obvious reasons. ”



Working Tax Credit is a benefit for working families. See page 28 for more details. Whether you get this benefit depends on your income and family circumstances. If you spend money on childcare when you work, your claim for Working Tax Credit may include help with certain childcare costs.

### Who qualifies for help?

For childcare costs to be taken into account for working tax credit, you must either be:

- a lone parent who works at least 16 hours per week, or
- a couple who both work 16 hours or more a week, or
- a couple, where one of you works 16 hours or more a week, and the other is entitled to Carer's Allowance, or is getting certain disability benefits in their own right (or is in prison or hospital).

## How much help can I get?

You can get help with up to 70 per cent of your childcare costs.

The maximum you can claim is £175 per week for one child and £300 per week for two or more children. However, only 70 per cent of this can be met.

This means the most you can get towards childcare costs is £122.50 a week for one child (70 per cent of £175) and £210 a week for two or more children (70 per cent of £300). These are the maximum amounts. The actual amount you will get depends on your income and family circumstances.

## Which childcare providers can I use?

Only registered or approved childcare can be taken into account. This includes childminders, nurseries and other schemes run by approved providers. It also includes care in your own home so long as it is provided by someone who is registered or approved.

If you use a nanny to care for your child at home and want to get tax credits towards these costs, your nanny will need to be registered with the appropriate body. For example in England they must be registered on the voluntary part of OFSTED's general childcare register.

## What age must my child be?

If a child gets Disability Living Allowance (DLA) or Personal Independence Payment (PIP) or is registered blind, childcare costs can be included until the September after their 16th birthday. Otherwise childcare costs can only be included until the September after their 15th birthday.

**i** *Childcare provided by a relative in the child's home is not counted for tax credits, even if the relative is a registered childcarer.*

“Lack of childcare is the biggest issue preventing those who want to return to work to do so, in my opinion.”

## Help with childcare from your employer

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**i** *The government will replace employer-supported childcare with a new tax-free childcare scheme in Autumn 2015.*

*You won't be able to join an employer-supported scheme once the new tax-free childcare scheme starts. However, if you are already part of an employer-supported scheme, you will have the choice of continuing to get childcare vouchers from your employer or moving to the new scheme.*

*Tax free childcare will be open to all working parents who qualify, regardless of whether your employer previously helped with childcare costs or not.*

Some employers offer support with childcare costs by either:

- offering workplace childcare, or
- offering childcare vouchers so that an employee can buy registered or approved childcare.

This is often done via a 'salary-sacrifice scheme', where you agree to accept lower earnings in return for help with your childcare.

Neither you nor your employer have to pay tax or National Insurance on the first £55 per week (there is a lower figure for higher rate tax payers) of childcare. This effectively saves money on childcare costs.

Both you and your partner can each get employer-supported childcare.

You can't include any childcare costs you get through vouchers in your Working Tax Credit. So if you have the option of getting help with vouchers through a salary-sacrifice scheme seek advice about whether this is a better option than getting help with childcare costs through tax credits instead.

As a general rule of thumb, the lower your earnings the greater the chance you would be better off getting childcare costs met via tax credits. Joining a scheme can also affect future entitlement to pensions and welfare benefits so seek detailed advice.

## Tax-free childcare scheme

From Autumn 2015 the government will introduce a new tax-free childcare scheme. Despite its name this new system has nothing to do with the tax system. Instead parents will pay for childcare through an online account.

For every 80p you pay into your child's account the government will add a top up payment of 20p. Normally the maximum amount you can contribute to your child's account will be £8,000 per year, with the government topping this up with a further £2,000.

However, if your child is getting:

- Disability Living Allowance
- Personal Independence Payment, or
- is registered blind

then you can pay up to £16,000 per year into their account, which means the government will contribute £4,000.

### What age must my child be?

The scheme applies to childcare costs for children under 12 years, or under 17 if the child is disabled (for example, on DLA or PIP or registered blind). There is no limit to the number of children you can have an account for.

### What childcare costs can be met?

Only registered or approved childcare costs can be met. To be eligible:

- all parents living in the household must normally be working (including self-employment), and
- have earnings of at least £52 per week on average.

It will also be open to couples where one parent works and the other gets Carer's Allowance.

**i Warning** – you cannot get tax-free childcare if you are getting help from tax credits or Universal Credit.

*This means that if you opt to use the tax-free childcare scheme you will lose all payments of tax credits or Universal Credit – not just the amount paid to cover childcare.*

*If you have a choice then in most cases you will be better off getting tax credits or Universal Credit instead of tax-free childcare. For further details call our freephone helpline.*

*You also cannot get tax free childcare if you, or your partner, earn more than £150,000.*

## Free childcare for pre-school children

**i** *The government plans to increase free childcare to 30 hours a week for 3 and 4 year olds in England, where all parents are working. Call our helpline for updates.*

*For full details of the means-tested benefits that allow you to qualify for free childcare for a two year old see:*

**📞** [www.gov.uk](http://www.gov.uk)

All three and four year olds in **England** are entitled to 570 hours of free early education/childcare, usually taken as 15 hours a week for 38 weeks of the year.

Some two year olds are also eligible, for example:

- any two year old who gets DLA, or
- two year olds who have a statement of special educational needs or an Education, Health and Care plan
- two year olds whose parents are eligible for tax credits and whose annual income is less than £16,190
- two year olds whose parents get certain means-tested benefits.

You can access free childcare at the start of the term after your child's 3rd birthday (or 2nd birthday if you qualify). The hours can be spread over 2-5 days and can be split between more than one childcare provider.

This can include nursery classes, private nurseries, playgroups and childminders. However, individual childcare providers are not obliged to offer free places and some have decided not to take part in the scheme. Contact your Family Information Service to find out which providers are offering free places in your area.

In **Scotland** all 3-4 year olds are eligible for 16 hours a week free early education. Some two year olds are also covered – for example if a parent gets certain means-tested benefits such as income support.

In **Wales** a child is entitled to a free part-time pre-school place of at least 10 hours a week, starting from the school term after their 3rd birthday, and lasting for at least six terms.

**Northern Ireland** has a programme of funded pre-school education aimed at children in the year immediately before they enter primary one.



## Help from social services and direct payments

You may also wish to consider approaching your local social services (social work in Scotland) department to see if they can offer any support that will help you to juggle work and caring – such as organising alternative care or providing direct payments to help meet any additional childcare costs you incur as a result of the fact that your child is disabled. When carrying out a carer's assessment, a local authority should consider the impact that caring has on your ability to continue in employment or to move into work.

Unfortunately in many council areas, social service departments appear unwilling to fund care packages in order to allow parents to take up or sustain employment. If you are refused help you may be able to challenge this via the social services complaints procedure, particularly if you can show that you have additional childcare costs that other parents would not have to meet. Please call the Contact helpline for further information.

 Call our freephone helpline for more information about help from social services in our guides **Getting social care services when your child has additional needs – England, Getting direct payments to pay for social care services in England and Wales** and **Personal Budgets in England**, or download at  [www.contact.org.uk](http://www.contact.org.uk)

*Wherever you live in the UK our helpline can give you detailed advice for your situation.*

### > Employers for childcare

Advice for parents in Northern Ireland on childcare and work related issues.

 0800 028 3008  [www.employersforchildcare.org](http://www.employersforchildcare.org)

### > Family and Childcare Trust

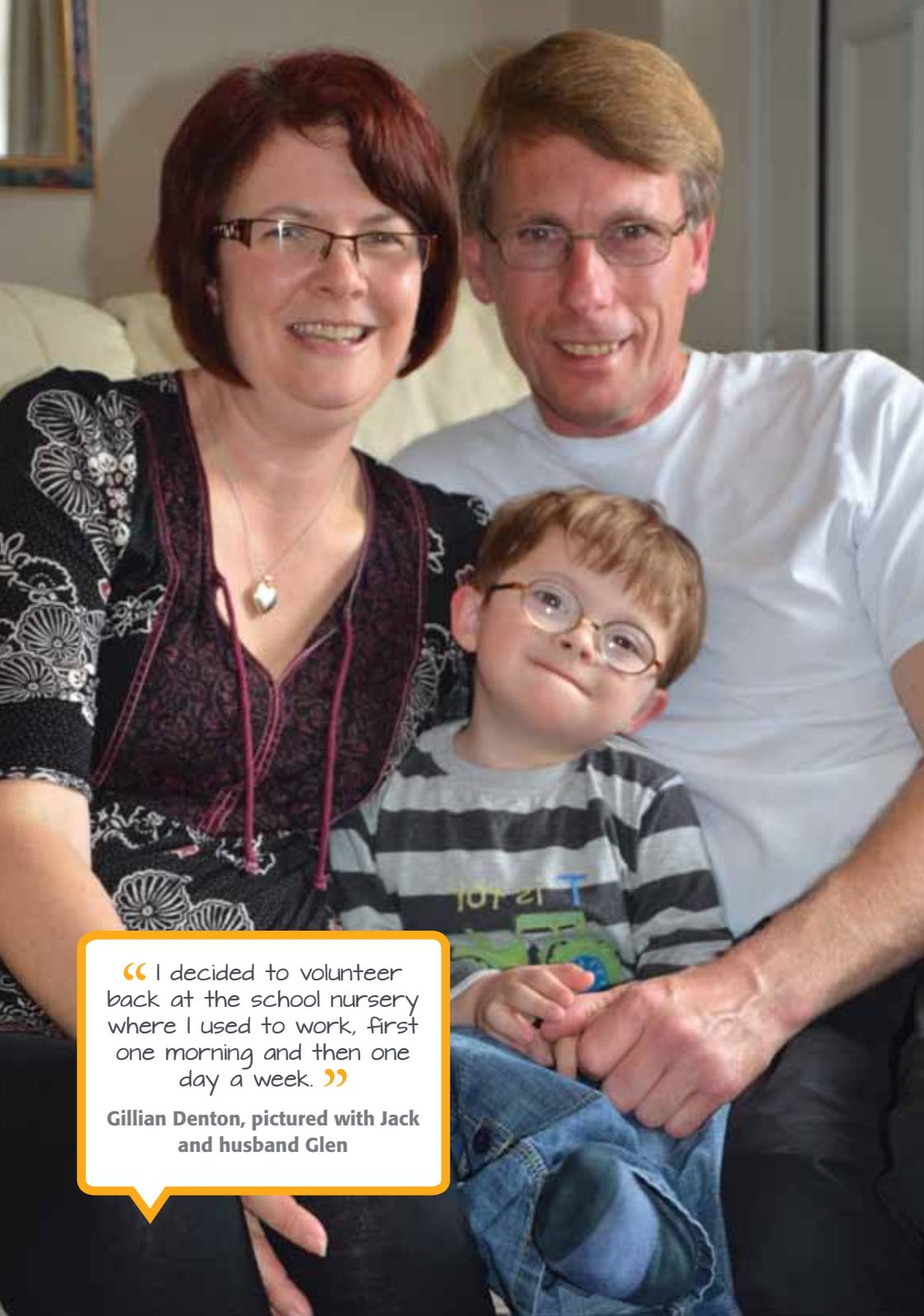
Research, campaigning and information on childcare. Parents in England can search for childcare provision and details of local Family Information Services. Produces a guide to childcare for children with SEN and disabilities in England.

 [www.familyandchildcaretrust.org](http://www.familyandchildcaretrust.org)

### > Scottish Family Information Service

Free impartial information on childcare to families in Scotland

 0131 556 8400  [www.scottishfamilies.gov.uk](http://www.scottishfamilies.gov.uk)



“ I decided to volunteer back at the school nursery where I used to work, first one morning and then one day a week. ”

**Gillian Denton, pictured with Jack and husband Glen**

## Gillan's journey back to work

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“ I went back to work a year after having my son, Jack, working part time as a nursery nurse in a school nursery. Jack went to a childminder. After a few months I decided to leave as I wanted to spend more time with him and help him develop more. I heard that a children's centre was going to be opened locally and I attended as an interested parent. After a discussion with the children's centre manager we set up a group for parents who had a child with a disability offering support and a listening ear.

Around the age of two and a half Jack started part time at an assessment nursery within a special school. I became more involved with the children's centre and I decided to work voluntarily as a community parent. I completed a course and learned first aid, and was able to help out with different groups in the centre.

Jack was now also attending mainstream nursery so I had more spare time on my hands. I decided to volunteer back at the school nursery where I used to work, first one morning and then one day a week. Jack then joined mainstream school full time and I became a school governor at his school.

A full time job was advertised for a learning support assistant at the school where I was volunteering, to work one to one with a child with disabilities. I asked if it was possible to apply but I only wanted a part time position. I was very fortunate I was offered the position.

Now I work mornings in the specialist support class (a class of 8/10 children all with varying additional needs) within the mainstream school. I am fortunate that I work with a teacher who knows that I will be as flexible as I can be and by doing this I have been able to attend my son's sports days and Christmas performances. I am also very fortunate to work in a school so I do not need to use childcare during the school holidays. I have been there three years now and I have the best job in the world. ”

## What happens to my benefits if I go back work?

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### Freephone helpline

Contact employs welfare rights specialists who can offer a 'better-off in work' calculation. If you are unsure about what benefits you will get if you return to work or change your working hours, we can give you a detailed breakdown of what you would receive.

 **0808 808 3555**



**helpline@contact.org.uk**

Returning to work is likely to mean big changes to your family's finances. It is important that you get advice as soon as possible about what benefits and tax credits you might get alongside your earnings.

## Benefits **NOT** affected by working

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### Disability Living Allowance (DLA)

DLA is the main benefit for disabled children. It is not affected by the fact that you work or by your earnings and you should continue to receive it for your disabled child.

### Personal Independence Payment (PIP)

PIP is replacing DLA for adults aged 16 and over. Like DLA it is not affected by any earnings that you have. If you move into work it will not affect any PIP paid to another family member.

### Child Benefit

Child Benefit is still paid when you are working. But if you or your partner earn more than £50,000 per year, your Child Benefit is reduced. This is done by way of a claw back through the income tax system. If you earn more than £60,000 all of your Child Benefit will be recovered through income tax.

## Benefits which **MAY** be affected by work or earnings

### Carer's Allowance

You can get the full amount of Carer's Allowance so long as you meet the normal qualifying rules and your wages don't exceed an earnings limit of £110 per week.

To calculate your earnings, deductions are made:

- for any tax and national insurance contributions you pay, as well as
- 50 per cent of any contributions that you make into a work or personal pension scheme
- you can also deduct an amount for any expenses that are 'wholly, exclusively and necessarily incurred' in carrying out your work. For example, if you have to buy equipment or specialist clothing or have to pay for travel between workplaces (travel between work and home does not count).

Childcare costs of up to half of your earnings can also be deducted from your earnings. There is no need for this childcare to be carried out by a registered provider. It will count so long as you are paying someone other than a close relative and the childcare is needed to allow you to work.

### Income Support (IS) and income-based Jobseeker's Allowance (ibJSA)

You cannot usually qualify for IS or ibJSA if:

- you work 16 hours or more a week, or
- your partner works more than 24 hours a week.

However some carers can claim regardless of the number of hours they work. Even if you are still eligible for IS or ibJSA when you work, you or your partner's earnings (except for a small amount that is disregarded) are taken into account as income. As a result the amount of benefit you receive is likely to reduce and may stop altogether.



 Our free factsheet on **Carer's Allowance** has more details. Call our freephone helpline for a copy.

 For more advice on how these rules apply to your situation call our freephone helpline.

“ The money's made a lot of difference. It's eased the pressure on my husband. We were relying on him to do overtime to see us through, but now he's able to spend more time with my daughter, who has cerebral palsy, and my little boy. ”

 Our free guide **Help with council tax bills** can be ordered from our freephone helpline or downloaded at:  
 [www.contact.org.uk](http://www.contact.org.uk)

### Housing Benefit

Housing Benefit is paid by local authorities to help people in rented accommodation pay their rent. In Northern Ireland, you may qualify for a rent rebate instead.

You can claim Housing Benefit whether you are working or not, but the amount of help you get will depend on your and any partner's income, including most of your earnings.

It is sometimes possible for certain childcare costs to be deducted from your earnings to calculate your Housing Benefit. Our helpline can tell you more about this.

### Help with council tax

There are three different schemes for getting help with council tax:

- the disability reduction scheme
- the council tax discount scheme
- local council tax reduction schemes (which replaced the national council tax benefit scheme).

The disability reduction and discount schemes are not means-tested, so working won't affect your entitlement.

### In England, Scotland and Wales

Each area has its own council tax reduction scheme. These schemes are means-tested, so if you have earnings this is likely to effect how much help you receive. The rules vary from area to area, so call our helpline who can put you in touch with an advice service where you live.

### In Northern Ireland

Council tax does not apply in Northern Ireland but you may qualify for Housing Benefit for rates and/or a disabled person's rates allowance instead.

## Child Tax Credit

Child Tax Credit is paid to people who look after a child who is:

- under 16 years of age, or
- under 20 if they remain in certain types of education or training.

The amount you get depends on your income and personal circumstances. You may get extra if you have a disabled child.

Child Tax Credit can be paid if you are in or out of work, but your earnings can affect the amount you receive. If you are working you may also qualify for Working Tax Credit. See page 28.

### What is my award based on?

Although the amount of tax credits you get is affected by your taxable income, your award is usually based on your previous year's income.

If your annual income increases, then up to £5,000 of any increase is ignored in that first year. This disregard means that many people who are returning to work after a period on benefits are likely to get more tax credits in their first year of work than they will in subsequent years.

## Employment and Support Allowance (ESA)

A parent with health problems may be claiming ESA. This benefit is paid to adults whose health problems mean that they have a limited capability for work.

Normally this benefit stops if you start working. However, there are special 'permitted work' rules that mean in certain circumstances it is possible to do some work and keep your ESA.



 Call our freephone helpline or more detailed information in our free **Tax Credits guide**, or download it at:  
 [www.contact.org.uk](http://www.contact.org.uk)

 Call our freephone helpline for more information on the 'permitted work' rules.

## Free school meals



“ If I constantly stayed in and my life revolved around the children and the house I think I'd go mad. ”

Moving into work may mean you no longer qualify for free school meals, or help with certain NHS costs. However, the rules are complex and vary depending on where in the UK you live.

### England and Wales

In England all pupils in reception, Year 1 and Year 2 in state-funded schools are eligible for free school meals. You will also qualify for free school meals if you live in England or Wales and get certain means-tested benefits or tax credits.

You can get free school meals if you or your child is receiving:

- Income Support
- income-based Jobseeker's Allowance
- income-related Employment and Support Allowance
- Pension Credit, or
- Universal Credit (but only on a provisional basis, see page 31 for more details).

You also qualify if:

- you are not working enough hours to be eligible for Working Tax Credit – but
- you get Child Tax Credit – and
- your annual income for tax credit purposes is less than £16,190 in England, or £16,105 in Wales (and Scotland).

If you are working enough hours to be eligible for Working Tax Credit (see page 28) then regardless of whether it is paid or not you can't qualify for free school meals in England or Wales, no matter how low your earnings.

## Scotland

All children in Primary 1, 2 or 3 can get free school meals.

Parents in Scotland on certain benefits and tax credits can also get free school meals. The rules are the same as in England and Wales (above), but those with Pension Credit do not automatically qualify. Also, if you are eligible for Working Tax Credit you can get free school meals in Scotland, so long as your annual income for tax credit purposes is less than £6,420.

## Northern Ireland

Parents in Northern Ireland on certain benefits and tax credits can get free school meals. The rules are the same as in England and Wales (on page 26), but you can also get free school meals if you get Working Tax Credit, so long as your annual income is less than £16,190. A child in Northern Ireland can also qualify for free school meals if they have a statement of special educational needs and require a special diet.

“ A clever combination of summer play schemes, annual leave and flexible working would see us through. If I could get through this August there should be no stopping me. It worked. ”

## Help with NHS costs

You can get free prescriptions, dental treatment, sight tests, help with glasses and fares to attend hospital appointments if you are on certain means-tested benefits or if you are getting tax credits and your household's annual income for tax credits purposes (including earnings and certain benefits like carer's allowance) is no more than £15,276. If you do not get one of these benefits but are on a low income, you may still be able to get some help towards health costs via a means tested Low Income Scheme. Apply to the Low Income Scheme on form HC1 📄 [www.gov.uk](http://www.gov.uk)

## Working Tax Credit

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**i** Please note that some other workers without children (for example, disabled workers) are also able to claim Working Tax Credit. If you do not care for a child, you should seek advice from a local CAB or welfare rights service.

Working Tax Credit (WTC) is a benefit for working people on low incomes.

You are eligible to claim if you are responsible for at least one dependent child and are working the required number of hours.

If you are a lone parent you must be working at least 16 hours a week.

If you are a member of a couple with dependent children you are normally expected to work at least 24 hours a week.

These hours can either be worked by one of you or shared between you, so long as one person is working at least 16 hours (the other will have to work at least 8 hours).

However, some couples, including certain carers, can claim WTC if they only work 16-23 hours a week in total. You are exempt from the 24-hour rule if you are a couple with a dependent child and:

- one partner works 16 hours or more and the other partner is entitled to Carer's Allowance. This applies if you get paid Carer's Allowance, and if you have an underlying entitlement to it (that is, you have claimed Carer's Allowance but are not actually getting paid it because you get another benefit instead), or
- one partner works at least 16 hours and the other partner is incapacitated, or in hospital or in prison, or
- the working partner is either a disabled worker or someone aged 60 and they are working at least 16 hours.

**i** From April 2015, self-employed people who claim Working Tax Credit and who are earning less than £156 per week will also have to show the Tax Credits Office that their self-employment is 'genuine and effective'.

*If you are refused Working Tax Credit on the basis that your self-employment is not genuine and effective, call our freephone helpline for further advice.*

## How much Working Tax Credit will I get?

If you qualify for Working Tax Credit, the amount you get depends on your personal circumstances and your income, including your earnings.

Depending on your circumstances you might get help towards certain childcare costs as part of your Working Tax Credit claim. See information on pages 14-15 about the childcare element of Working Tax Credit.

## Universal Credit

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**i** *At the time of writing Universal Credit has yet to start in Northern Ireland. Call our freephone helpline for up to date information on the timetable for the introduction of Universal Credit.*

Universal Credit is a new means-tested benefit for people of working age. It can be claimed if you are in work or out of work. It replaces a whole range of working age benefits – these are:

- Income Support
- income-based Job Seeker's Allowance
- income-related Employment and Support Allowance
- Housing Benefit
- Child Tax Credit, and
- Working Tax Credit.

### **When will Universal Credit be introduced?**

It is being introduced gradually and although a national roll-out started in most parts of the UK in 2015, initially it only applies to new claims by single job seekers.

In pilot areas some families making new claims are being asked to make a claim for Universal Credit but at the time of writing this does not apply to any families with a child who gets DLA, PIP or who is registered blind.

At some point, existing benefit claimants will be transferred onto Universal Credit. However, for most claimants this is not expected to happen until 2016 or 2017. Call our freephone helpline for updates.

### **How many hours can I work?**

There is no limit on the number of hours you can work and still claim Universal Credit. Any earnings you get may affect the amount of Universal Credit you receive. However, in many cases more of your earnings will be ignored than under the old benefit system. Because of this the government says that more working families will be better in work under Universal Credit than under the current benefits system.

## Help with childcare costs in Universal Credit

A childcare costs element is included in your Universal Credit calculation if you pay for registered childcare in order to work.

### How much help with childcare can I get?

Up to 70 per cent of your costs can be met – although this is planned to increase to 85 per cent from April 2016. The DWP will ignore any childcare costs they consider to be excessive compared to the amount of work you do.

### How many hours must I work to get help with childcare?

Unlike the childcare element of Working Tax Credit there is no minimum number of hours you need to work – you can get help with registered childcare costs if you are working any number of hours a week.

### If you are part of a couple

If you are part of a couple you normally both need to be working unless one of you is temporarily absent or one of you is unable to work because:

- you are incapacitated
- you have regular and substantial caring responsibilities for a severely disabled person.

This means you can get help with any registered childcare costs through Universal Credit so long as one of you works and the other provides 35 hours or more care to a child on DLA care component at the middle or highest rate, or the daily living component of PIP at any rate.

**i** Some claimants on Universal Credit will be eligible for free school meals and NHS costs. At the time of writing this applies to anyone who is on Universal Credit, but once it is extended to families and other groups it is possible that access to help with these costs will be limited to certain Universal Credit claimants. Call our freephone helpline for an update.

“ We found a nanny able to care for our son - who can bring him home after school and look after him till we finish work. That - combined with an incredibly flexible employer who is happy for me to a) almost exclusively work from home and b) work part time - is what's enabled me to work. ”

## Extra financial help returning to work

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### Extended payments of Housing Benefit

If you were getting:

- Income Support (IS)
- income-based Jobseeker's Allowance (ibJSA)
- Incapacity Benefit (IB)
- Employment and Support Allowance, or
- Severe Disablement Allowance (SDA)

for at least 26 weeks and this stops because you have started work or increased your hours or earnings, you can get an extra four weeks' Housing Benefit at the pre-existing rate. To qualify for extended payments you must expect to be working for at least five weeks.

To access this help you must inform your local authority within four weeks about the change in your circumstances. Once the extended payments stop, you may still be able to get some Housing Benefit based on your new earnings.

As well as extended payments of Housing Benefit you may also be able to get an extra four weeks extended payments of a council tax reduction. However, this will depend on the local rules that apply to the council tax reduction scheme in your area.

### Extended payments of help with mortgage interest

Income-related ESA, IS and ibJSA can include help towards mortgage interest payments.

If you have been claiming one of these benefits for **at least 26 weeks** and this stops because you are now working **16 hours or more per week** (or your partner is working **24 hours or more**), any payments towards mortgage interest can continue for an extra four weeks. This is called mortgage interest run-on. To access this help, simply inform your local Jobcentre Plus office that you are starting work. Find yours here by clicking on the Jobcentre Plus tab:

 [www.jobcentreguide.co.uk](http://www.jobcentreguide.co.uk)



## Courses and skills

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“ I chose to stay at home and run my own direct selling business so I had the flexibility to look after my son and spend all the holidays at home with him - best of both worlds! ”

You have learned a lot of valuable skills as a parent and many of these can be transferred to work. Examples of 'transferable skills' could be:

- **good communication skills** – bringing up your disabled child it's likely that you've become an expert in communicating information to lots of different groups of people, from receptionists to consultant paediatricians or even politicians – you can use these as examples
- **negotiation skills** – you may have gained experience negotiating with school or social services to get the right help for your child
- **working as a team** – you have probably been working as a team with the people involved in your child's care, to get the best for your child
- **a flexible approach** and 'willingness to learn' can be shown by mentioning the new things you've had to learn to care for your child, for example using aids and equipment, getting to grips with medication or therapies for them.

These are just a few examples. Use your imagination and think how all the things you do could be useful in the workplace. You can use examples of these situations to meet criteria on application forms for jobs.

However, if you have been out of paid employment for some time, it can be daunting to think about returning to work.

You may need to update your skills and there are many ways to do this. Some parents start by trying voluntary work, or by going to college part-time. Volunteering can be a great way to update your skills and get experience in the workplace. Your local council for voluntary services (CVS) or volunteer centre will be able to tell you about volunteering opportunities in your area.

For information about courses you may wish to contact your local college. Alternatively advice is available from:



> National Careers Service (England only)  
 ☎ 0800 100 900  
 🌐 <https://nationalcareersservice.direct.gov.uk>

> Skills Development Scotland  
 ☎ 0800 917 8000  
 🌐 [www.skillsdevelopmentscotland.co.uk](http://www.skillsdevelopmentscotland.co.uk)

> Careers Service Northern Ireland  
 ☎ 0300 200 7820  
 🌐 [www.nidirect.gov.uk/careers](http://www.nidirect.gov.uk/careers)

> Careers Wales  
 ☎ 0800 028 4844 or  
 029 2090 6800 from a mobile.  
 🌐 [www.careerswales.com](http://www.careerswales.com)

## How do I get a job?

“ Being a mum with one child having complex needs, epilepsy and learning difficulties meant it was an uphill road. Still, it was one I was determined to pursue. Why should my chances be limited and why should I not have the same opportunities as others? ”

### Schemes to help you move into work

Help and support from Jobcentre Plus to help you make a successful move into work.

- If you're claiming Jobseeker's Allowance or Employment and Support Allowance in the work-related activity group, you may **have** to join a scheme.
- If you're claiming Income Support, you can **choose** to join some of the schemes voluntarily.

Some schemes are open to anyone looking for work – regardless of the benefits they receive. Some of the schemes Job Centre Plus offer include:

### Work Together (volunteering)

If you're unemployed and looking for work, you can volunteer with a local organisation through the Work Together programme. Your Jobcentre Plus adviser will help you to find a volunteering opportunity.

### Work Clubs

Anyone who's unemployed can join a Work Club. They're run by local organisations like employers and community groups, and give you the chance to share knowledge, experience and job-hunting tips.

### Work Preparation Support for Carers

Help and support from Job Centre Plus to help you make a successful move into work, including access to training and advice on job hunting and applications. You might be able to get help with the cost of childcare while you take part in training or attend interviews.

## New Enterprise Allowance scheme

If you've been claiming:

- Jobseeker's Allowance
- Income-related Employment and Support Allowance, or
- Income Support as a lone parent

you may be able to access help to start a business under the New Enterprise Allowance scheme.

The scheme includes help from business mentors to develop a business plan.

If your idea is seen as viable you may be able to get a loan of up to £1,000 and a weekly allowance paid over 26 weeks. This money will be ignored in calculating your tax credits and Housing Benefit. Contact Job Centre Plus for more information.

More information about these schemes can be found by contacting your local Jobcentre Plus office. Find yours by clicking on the Jobcentre Plus tab at:

 [www.jobcentreguide.co.uk](http://www.jobcentreguide.co.uk)

You can find general information on starting a business at:

 [www.gov.uk](http://www.gov.uk)

## Universal Jobmatch

The government runs the Universal Jobmatch website to help people find employment. You can use it to search for jobs, create and upload your CV and to get email alerts about vacancies. You can find Universal Jobmatch through the GOV.UK website:

 [www.gov.uk/jobs-jobsearch](http://www.gov.uk/jobs-jobsearch)



## Parent to parent – top tips

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- Volunteer in an area that interests you.
- Keep in touch with past employers – you never know when you might be ready to go back to work – they may have a position for you
- Don't talk about your caring responsibilities at the interview, unless those skills are relevant to the job. Just concentrate on selling yourself, and discuss your needs once you've been offered the job
- If the first thing you try doesn't work out don't lose heart – it may take a few goes to find something right for you
- Accept all the help offered
- Do some research to find out if companies have family-friendly policies
- Speak to your employer so they understand your caring responsibilities, and keep speaking to them to build a relationship of trust.
- Give as much notice as you can when you know you will need time off.
- Be as flexible as possible with regards to your working hours. If your employer knows you're willing to be flexible and make up hours if you need to leave suddenly they will be more understanding
- Talk to colleagues about your disabled child if possible, they will be more understanding when you have to take time off to look after them
- Your child's needs will come first – don't feel guilty if you have to give up work or reduce hours – you can go back when you're ready.

## Other useful booklets from Contact

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We have guides for parents on a range of topics, including:

- *Money Matters - a checklist when your child has additional needs*
- *Help with council tax bills*
- *Claiming Disability Living Allowance for children*
- *Personal Independence Payment – new benefit for people aged 16 and above*
- *Carer's Allowance*
- *Help with fuel bills and keeping warm*
- *Tax credits guide*
- *Holidays, play and leisure*
- *Understanding your child's behaviour*
- *Getting social care services for your child with additional needs*
- *Aids, equipment and adaptations.*

A full list of Contact publications is at the link below. All our publications are free to parents who call our helpline, and are free to download.

 [www.contact.org.uk/publicationslist](http://www.contact.org.uk/publicationslist)  **0808 808 3555**

This guide was written by Derek Sinclair of Contact.

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Photos on pages 5, 6 & 33 © Amanda Harman



**LOTTERY FUNDED**

# contact *For families with disabled children*

## Get in contact with us

209–211 City Road, London EC1V 1JN

 020 7608 8700

 [info@contact.org.uk](mailto:info@contact.org.uk)

 [www.contact.org.uk](http://www.contact.org.uk)

 [www.facebook.com/contactafamily](http://www.facebook.com/contactafamily)

 [www.twitter.com/contactafamily](http://www.twitter.com/contactafamily)

 [www.youtube.com/contact](http://www.youtube.com/contact)

## Free helpline for parents and families:

 **0808 808 3555** (Mon–Fri, 9.30am–5pm)

 [helpline@contact.org.uk](mailto:helpline@contact.org.uk) (Access to over 200 languages)



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