

## ***Incapacity Benefit***

If you are not working or are working less than 16 hours per week (and earning less than a specific threshold weekly salary) and meet the National Insurance contribution requirements, you may be able to claim Incapacity Benefit or Income Support via your local ***DWP (Department of Work and Pensions) Job Centre.***

If for some reason, you are not entitled to Incapacity Benefit, then you may be able to claim Income Support, which is means tested.

This section last revised on 11<sup>th</sup> December 2006

### **a. Empowering People to Work**

At the time of writing, dramatic changes to the administration of the Incapacity Benefit Scheme are being proposed and planned, in order to better assist and enable people to remain in, or return to work.

It is believed that nobody will be forced or pressurised to work, if they are incapable of working. However, there will be compulsory attendance at work focused interviews with the ***DWP.***

There are many new proposals such as the following:

- These interviews form a starting point for new benefit claimants.
- Refocusing the medical assessment to being less on incapacity and more on ability and support needs.
- Replace Incapacity Benefit with an Employment and Support Allowance.
- Simplify Statutory Sick Pay (SSP) management for employers.

- Better manage the transfer from SSP to Incapacity Benefits.

## **b. Permitted Work**

If you are working or wish to work less than 16 hours week and earn less than a specific threshold weekly salary, without losing Incapacity Benefit, then you may do so, but only with permission of the **DWP** under their 'Permitted Work Scheme'.

This scheme is designed for people be to able to test their ability to return to work, without compromising or losing their benefits, should they then find out after trying to work that they are not sufficiently healthy and able to work.

There are a maximum number of weeks that one can work under this scheme, which at the time of writing is 52 weeks.

## **c. Supported Permitted Work**

Alternatively, there is the Supported Permitted Work Scheme, which is work that is supervised by a person employed by a public or local authority.

In theory, there is no maximum time limit that you can work under this scheme, provided, that again, the hours worked are less than 16 per week and that you earn less than a specific threshold weekly salary.

Again this scheme is only by permission of the **DWP**

## d. Working Indefinitely

In some circumstances, you may be allowed to work over the maximum time limit, working less than 16 hours per week, providing that you earn less than a specific threshold weekly salary, which at the time of writing is £86 per week.

Again this scheme is only by permission of the **DWP**

It must be stressed, that in all circumstances related to working and also receiving Incapacity Benefit, that you must liaise directly and get permission from the **Disability Employment Advisor** at your local **DWP Job Centre**.

In addition, any change of personal health or domestic circumstances should be notified to the **DWP**, as this may affect your Incapacity Benefit, Disability Living Allowance, which in turn may affect other means tested benefits such as Income Support, Housing Benefit and Council Tax Benefit.

Failure to notify can result in fraud investigations and potential penalties.

It is best to keep neatly filed and stored, all paperwork and notifications, and to keep a note of all meetings and conversations with the relevant employers and representatives.

It is suggested that if you are in doubt as to whether to report something, that you should report it anyway, as your benefits may also increase.

### **Department of Work Pensions (DWP)**

Benefit Enquiry Line

Tel: 0800 882 200.

Web Site:

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

This section last revised on 27<sup>th</sup> July 2008