

Welfare benefits after a serious injury

If you have suffered a serious injury, the last thing you want to worry about is how you are going to pay the bills and look after your family. At RJW, we recognise the importance of financial security at what is a stressful time and we can advise you on the full range of benefits available. Speaking to an expert can be very helpful as there are numerous state benefits and it is not always easy to work out what you should apply for.

Means-tested benefits

Means-tested benefits are only available if you meet certain criteria based on your or your family's income, savings and other assets. They are intended to give financial support by providing a basic income or topping up a low income and include:

- Child Tax Credit
- Council Tax Benefit
- Housing Benefit
- Income Support
- Social Fund

Non-means tested benefits

Non-means tested benefits are not usually affected by the other money that you have, although those marked (*) can be affected by your earnings or by your work or private pension.

Non-contributory benefits

These benefits are not dependent on you having made sufficient National Insurance contributions:

- Attendance Allowance
- Carer's Allowance*
- Child Benefit
- Disability Living Allowance
- Guardian's Allowance
- Industrial Injuries Benefit
- Statutory Sick Pay

Contributory benefits

To qualify for these benefits you must have made sufficient National Insurance contributions:

- Incapacity Benefit*

“ Very pleased with the level and quality of service received. ”
Client testimonial

Statutory Sick Pay (SSP)

SSP is paid to employees by their employers for up to 28 weeks in any period of sickness lasting for four or more days. This benefit does not depend on National Insurance contributions.

Incapacity Benefit

This benefit is paid to those who, either employed or not, are unable to work due to disability or illness, or to those who have received their full entitlement to SSP. To qualify, you must have made sufficient National Insurance contributions.

Income Support

Income Support is paid to people who are not able to actively seek employment because they are disabled, a carer or a single parent. To qualify, you must meet the financial eligibility criteria.

Child Tax Credit

This is a means-tested or income-related payment and it is available to people who, whether working or not, are responsible for children.

Disability Living Allowance (DLA)

DLA is a benefit for adults (under 65 years) and children with disabilities who need a carer to look after them. DLA is tax-free, is not means-tested and you do not need to have paid National Insurance contributions to qualify for it.

DLA is divided into two parts:

- Care – help with personal care needs
- Mobility – help with walking difficulties

To qualify, you must pass at least one of the disability tests.

Attendance Allowance

Attendance Allowance is a tax-free benefit for people over 65 who are physically or mentally disabled and need help with their personal care or need supervision to remain safe. You do not have to be receiving the help to qualify, but you do have to pass one of the disability tests.

Carer's Allowance

Carer's Allowance is available if you care for a disabled person for at least 35 hours per week. You don't have to be related to the person you care for and you don't have to live with the person to be eligible for the benefit. The person who is receiving the care must also be in receipt of one of the qualifying benefits.

Housing & Council Tax Benefit

These benefits help with the payment of your rent or mortgage and Council Tax. The benefits are means-tested and to be eligible you will need to be on a low income or receiving one of the following:

- Income Support
- Income-based Jobseeker's Allowance
- The guarantee credit of Pension Credit

Social Fund

The Social Fund is a government fund that makes payments to people in need. If you have been seriously injured you may be able to apply to the Discretionary Social Fund which provides grants and interest-free loans for needs that are difficult to meet from weekly benefits.

Interim payments from the defendant

Welfare benefits are limited and often only a stopgap measure for some people. If you have a serious injury and if appropriate, your lawyer will apply as soon as possible to the defendant's insurers to obtain a significant interim payment.

Russell Jones & Walker Solicitors is regulated by the Solicitors Regulation Authority (SRA 54695) and the Ministry of Justice in respect of regulated claims management activities; its registration is recorded on the website www.claimsregulation.gov.uk.

Prepared by Russell Jones & Walker Solicitors 2010.

This fact sheet is for general guidance only and should not be treated as a definitive guide or be regarded as legal advice. If you need more details or information about the matters referred to in this fact sheet please seek independent formal legal advice. This information was correct at time of going to press.

We pride ourselves on our fair fee structure – there is no charge for the initial consultation and we guarantee that you will receive 100% of any compensation awarded.

Find out more

If you would like to know more about welfare benefits and how RJW can help, please do not hesitate to contact us.

Our offices

Birmingham, Bristol, Cardiff, Edinburgh, London, Manchester, Newcastle, Sheffield, Wakefield.



Telephone

0800 916 9016



Email

enquiries@rjw.co.uk



Online

www.rjw.co.uk



Russell Jones & Walker
Solicitors