



SOCIAL SECURITY, BENEFITS SYSTEM

Social Security provides people with financial help in cases such as unemployment or low income, sickness, disability.

Financial payments are called benefits. The main ones are explained in this chapter.

CRITERIA FOR ENTITLEMENT TO BENEFITS

The criteria you are required to meet to be entitled to benefits will depend on what benefit you claim.

TYPES OF BENEFITS:

- **MEAN-TESTED BENEFITS** (*includes Job Seekers Allowance (Income Based), Income Support, Pension Credit, Housing Benefit, Child Tax Credit and Working Tax Credits*).

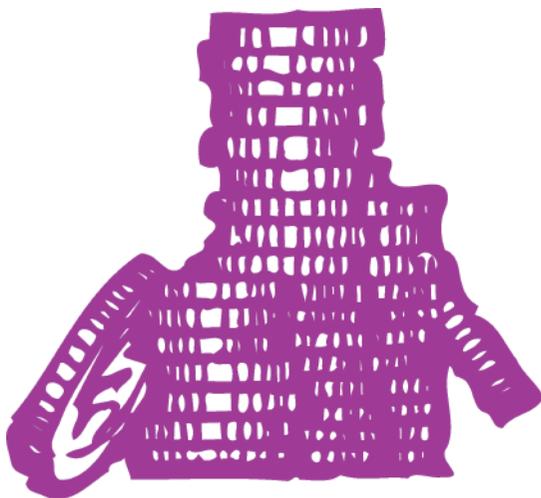
These benefits are income-related so any money you have will be taken into consideration to assess your entitlement.

- **NON-MEAN TESTED BENEFITS** (*includes for example, Job Seekers Allowance (contribution based), Incapacity Benefit, Bereavement Benefits, Retirement Pension, Child Benefit and also 'in work benefits' such as Statutory Maternity Pay, Statutory Paternity Pay, Statutory Sick Pay, Maternity Allowance*)

Your entitlement to those benefits depends on sufficient National Insurance Contributions you made either in Northern Ireland or in another EEA Member State.

- **SPECIAL NON-CONTRIBUTORY BENEFITS** (*includes Attendance Allowance, Carers Allowance, Incapacity Benefit for incapacity in youth, Disability Living Allowance*)

Those benefits are for people who are sick, severely disabled, or are caring for somebody severely disabled.



MEANS-TESTED BENEFITS

To qualify for any of these benefits you must:

1. *Be habitually resident in the common travel area*

(The common travel area means United Kingdom, Republic of Ireland, Isle of Man, Channel Islands)

To prove you are habitually resident in the Common Travel Area (CTA) you need to satisfy 'The Habitual Residence Test'.

There are various factors that determine whether you are habitually resident or not.

For example:

The length and continuity of the time you spend in the United Kingdom (the longer you have lived here the stronger your case will be)

Whether you have durable ties with the UK (such as friends, family, any possessions in the UK)

Reasons for coming to the UK.

However, there is no definitive list of the factors which can be taken into account when determining whether you are Habitually Resident.

The decision is made by a Social Security Decision Maker.

2. *Right to reside in the common travel area*

You have the right to reside if you:

- are registered with the Home Office Workers Registration Scheme and are working for an authorized employer in the UK. There are some categories of people who are not required to register. See Employment leaflet (under Registration with the Home Office) for details. However you are always advised to check with the Home Office whether you need to register or not.*
- worked legally* in the UK for 12 months without any interruption longer than 30 days.*

** See the employment leaflet for more information on what working legally means*

3. *You also need to satisfy the conditions of entitlement attached to the specific benefit you want to claim.*

NON-MEANS TESTED BENEFITS

To qualify for these you must:

1. Have made enough National Insurance Contributions either in the UK or in another EEA Member State.

This means that you have had to be working and paying NI contributions from your wages to be eligible to claim non-means tested benefits.

2. Also, it is necessary to meet the general rules of entitlement attached to the specific benefit, which you wish to claim.

Please note -

When claiming 'in work benefits' eg (Statutory Maternity Pay, Statutory Paternity Pay, Maternity Allowance) a continuous employment condition must be met as well.

SPECIAL NON-CONTRIBUTORY BENEFITS

To qualify for these benefits you must:

1. Be ordinarily resident in Northern Ireland

2. Be present in Northern Ireland

3. Have been present in Northern Ireland for 26 weeks in the last 12 months

Once you have worked in the Common Travel Area for 12 months uninterrupted employment and you are no longer required to register under the Home Office Registration Scheme you will be able to claim the full range of benefits mentioned above.

INFORMATION ON SOME OF THE MAIN BENEFITS

INCOME SUPPORT

It is a benefit for people between the ages of 16 to 60 whose income is below a certain level and who cannot seek employment.

JOB SEEKERS ALLOWANCE (INCOME BASED)

May be awarded to unemployed people who are capable and available for work and actively seeking employment.

If you are without a job and you are required to register with the Home Office Registration Scheme you are not entitled to any benefits (as the Law currently stands).

You can stay in the UK but you are expected to support yourself.

To see if you are required to register with the Home Office, check the Employment leaflet, under section Registration, 'working legally'.

Again you are advised to check with the Home Office whether you need to register or not.

HOUSING BENEFIT

Is a payment to help you pay your rent if you have a low income.

It does not matter whether you live in social housing, in private accommodation, hostel etc. You do not have to be receiving other benefits.

The amount of money you will receive depends on your personal circumstances such as income, savings, rent, other people sharing the home.

The Northern Ireland Housing Executive assesses claims for Housing Benefit.

PENSION CREDIT

is an entitlement for people aged 60 years and over. Pension Credit increases you and your partner's income to a minimum level, which is set by the Government.

STATUTORY SICK PAY- see employment leaflet for details

STATUTORY MATERNITY PAY

Is paid to pregnant women by their employer in the same way that wages are paid. It is paid for up to 26 weeks (the Maternity Pay Period) and is subject to payment of National Insurance Contributions. You must meet all of the criteria.

MATERNITY ALLOWANCE

Is an allowance for pregnant women who cannot get Statutory Maternity Pay, for women who are self-employed or have recently given up their job.

WORKING TAX CREDIT

Is paid to low paid workers. It tops up your wages if you are in full time paid work.

CHILD TAX CREDIT

May be awarded to people who are responsible for one child or more up to the age of 16. In some circumstances, it will be possible to claim for young people over this age. The amount of Child Tax Credit depends on the family income and the number of children.

SOCIAL FUND- SURE START MATERNITY GRANT

Sure Start Maternity Grants are non-repayable payments, of a fixed amount. You do not have to pay National Insurance contributions to qualify.

CHILD BENEFIT

Is a benefit payable to people who are responsible for at least one child. Although it is paid for each child, a higher amount is paid for your first child.

DISABILITY LIVING ALLOWANCE

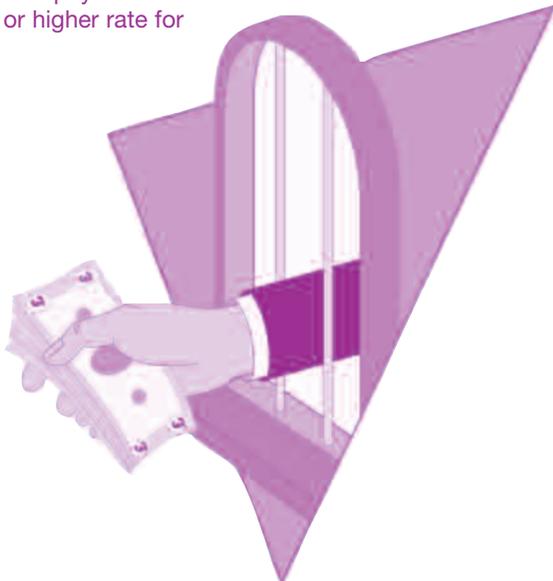
Disability Living Allowance is a tax-free benefit paid to people aged 65 or under who need help with personal care, getting around, or both because of an illness or disability.

ATTENDANCE ALLOWANCE

Attendance Allowance is a tax-free benefit paid to people, aged 65 or over, who need help with their personal care because of an illness or disability. You don't have to have paid National Insurance contributions to qualify.

Attendance Allowance is not affected by any savings and is not usually affected by any other money you have coming in.

There are two rates of benefit payable - lower rate for day or night care or higher rate for day and night care.



HOW AND WHERE TO CLAIM BENEFITS

For most of the benefits you need to apply to one of the **Social Security Offices**. Your nearest branch can be found in Yellow Pages under-Government of Northern Ireland, Department for Social Development, Social Security Agency, Social Security Offices. For Tax Credits and Child Benefit you need to apply to tax office-**HMRC** (*Her Majesty's Revenue and Customs*). Former name was Inland Revenue.

'**The Decision maker**' is a person who works for a Social Security Office and considers your claim.

S/he will examine your circumstances and will also require seeing **proof of your identity**.

As a proof of your identity you can use:

- *your birth or marriage certificate*
- *your passport or identity card*
- *a letter from solicitor, adviser or official representative of any organization*
- *or a statement from someone who knows you.*

You will need to provide your National Insurance Number if you have one.

If you do not have one and the Social Security Agency decides you need one, they will help with the National Insurance Number application form.

See also employment leaflet, section how to apply for National Insurance Number.

NEED ADVICE?

Find more information from your local district **Social Security Office**.

Find the nearest branch in Yellow Pages under-Government of Northern Ireland,

Department for Social Development, Social Security Agency, Social Security Offices.

Web information can be found at Social Security Agency web site: www.dsdni.gov.uk, where you can also download leaflets with information on different benefits.

NOT SPEAKING ENGLISH?

If you do not speak English you can ask for an interpreter when accessing public services.

Public service providers have a statutory duty to organise an interpreter if you need one.

This service is confidential and free.

If you are refused an interpreter contact Equality Commission or Law Centre(NI).

As this leaflet is not a definitive statement of the Law you are advised to contact your local Social Security Office. You can also take independent advice on Social Security in advice centres e.g. Citizen's Advice Bureau (see the Phone Book/the Yellow Pages for offices in your area), or Law Centre (NI).

USEFUL CONTACTS

HMRC (former Inland Revenue)

Enquiry Centres:

Belfast: 08453021469,

Lisburn: (028)92665230,

other enquiry centres: 08453021481

National Insurance Contributions helpline: (028)90505010

Tax Credit and Child Benefit: 08456032000

Law Centre (NI)

Belfast:

124 Donegall Street

Belfast, BT1 2GY

Tel.: (028) 9024 4401

Londonderry:

9 Clarendon Street

Londonderry

BT48 7EP

Tel.: (028) 7126 2433

Equality Commission for Northern Ireland

Equality House, 7-9 Shaftesbury Square, Belfast, BT2 7DP

tel: (028) 90 500600 Textphone: (028) 90 500589, web: www.equalityni.org

Email:information@equalityni.org

South Tyrone Empowerment Programme (STEP):

Unit T7, Dungannon Business Park, 2 Coalisland Rd, Dungannon,

BT71 6JT, tel: (028) 877 29002, web:www.stepni.org, e-mail: info@stepni.org

Portadown Migrant Worker Centre:

Transport and General Workers Union, Rainbow Corner, William Street Portadown, tel: (028) 3839 9595

Cookstown Migrant Worker Project

Gortalowry House, Cookstown, tel: (028) 86763322

Multi-Cultural Resource Centre(NI)

9 Lower Crescent, Belfast tel:(028)90244639,web:www.mcrc-ni.org