



**Isle of Man**  
**Government**

*Reiltys Ellan Vannin*



## Social Security

# Benefits Information Guide 2014 - 2015

The comprehensive guide to all  
Social Security Benefits in the Isle of Man

The Treasury  
*Yn Tashtey*

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## **ABOUT THE BENEFITS INFORMATION GUIDE**

This Guide is a summary of the social security benefits and allowances available from the Social Security Division of the Isle of Man Treasury.

The Guide brings together relevant benefits and allowances under a general heading. For example, information about Carer's Allowance can be found in Section 1 which is entitled "Sick and Disabled". This Guide also contains a brief description of National Insurance credits and other items relevant to Social Security. All items are listed alphabetically at the back of the Guide.

This Guide provides general guidance only and should not be treated as a complete and authoritative statement of the law.

Every effort has been made to ensure that the information in this Guide is correct at the date shown on the front cover. However, changes in the law may make the Guide become gradually less accurate.

The Guide is presented in gender neutral terms. However, reference to a particular gender is used where it is, or is felt to be, more appropriate.

Differences between the Isle of Man and the United Kingdom provisions in relation to each benefit are also shown within the Guide.

## **FOR MORE INFORMATION**

Leaflets referred to in this Guide are available from Markwell House or from either of our district offices in Port Erin or Ramsey (the addresses and opening hours of which are set out on page 93).

Social Security leaflets may also be obtained by telephoning 685656 or by email to [socialsecurity@gov.im](mailto:socialsecurity@gov.im).

Claim forms are available from Markwell House or from either of our district offices.

More detailed information about particular benefits can be obtained from the relevant section. The direct telephone numbers and email addresses relating to each service we provide can be found on page 94.

Enquiries relating to National Insurance contributions should be directed to the Income Tax Division of the Treasury by email to [nationalinsurance.ITD@gov.im](mailto:nationalinsurance.ITD@gov.im).

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## **SECTION 1 – SICK AND DISABLED**

### **ATTENDANCE ALLOWANCE**

#### **1. INTRODUCTION**

##### **1.1 GENERAL**

Attendance Allowance (AA) is a benefit for customers aged 65 or over who

- are severely disabled (mentally or physically) and require frequent care or continual supervision from others, or
- are terminally ill.

AA has a qualifying period of 6 months (although customers who are terminally ill and qualify under the “special rules” (see paragraph 4 below) do not have to serve the qualifying period). AA is payable at either a lower or a higher rate, depending on which qualifying conditions are met by the customer.

##### **1.2 AA is -**

- (i) non-contributory
- (ii) not income-related
- (iii) non-taxable

##### **1.3 Claim pack - DS2**

##### **1.4 Telephone contact - 685104**

#### **2. BASIC QUALIFYING CONDITIONS**

To qualify for the lower rate of AA customers must be aged 65 or over and:

- have required for the last six months either -
  - by day, frequent attention from another person in connection with their bodily functions or continual supervision to prevent substantial danger to themselves or others

#### **OR**

by night, prolonged or repeated attention in connection with bodily functions or someone awake to watch over them at frequent intervals or prolonged periods to prevent substantial danger to themselves or others.

To qualify for the higher rate of AA, a person must need the help described above during both the day and the night, or be terminally ill with a life expectancy of six months or less.

#### **3. RESIDENCE AND PRESENCE CONDITIONS**

A customer must also be ordinarily resident and present in the Island at the time of the claim and must have been ordinarily resident in the Island or in the United Kingdom for at least 2 years in the 3-year period immediately preceding their claim.

#### **4. SPECIAL RULES**

Special rules apply to people who are diagnosed as terminally ill. This means they have an illness that is likely to limit their life expectancy to 6 months or less. If the special rules apply, the customer

- does not have to have any special care or attention needs
- does not have to wait 6 months before qualifying for AA
- normally receives payment of AA within 10 days of claiming
- automatically qualifies for the higher rate of AA
- does not have to satisfy the 2 years’ ordinarily resident condition, but must be present in the Island when they make their claim.

#### **5. HOW TO CLAIM**

Customers should complete the AA claim pack and send it to the Disability Benefits Unit, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93).

**6. WHEN TO CLAIM**

A claim for AA should be made as soon as help is needed.

Claims under the Special Rules should be made immediately; it is not necessary to complete Section 2 of the pack. A form DS1500 completed by a doctor should be submitted to support the claim.

**7. PAYMENT**

Payment is made either by

- direct credit every 4 weeks into a bank or building society account held in the customer's name, or
- orders which can be cashed weekly at a Post Office.

**8. RELATED BENEFITS**

Christmas Bonus is payable to customers who are receiving AA and who are present or ordinarily resident on the Island at the relevant time.

Other benefit schemes may use a customer's receipt of AA as confirmation of their disablement.

A person caring for a disabled person who is in receipt of AA may be able to qualify for Carer's Allowance (see page 9).

**9. DIFFERENCE BETWEEN THE IOM AND UK**

There are no differences in the qualifying conditions for AA between the IOM and UK. However, IOM rates of allowance are slightly less than those payable in the UK.

## DISABILITY LIVING ALLOWANCE

### 1. INTRODUCTION

#### 1.1 GENERAL

Disability Living Allowance (DLA) is normally only payable to customers who are under 65 when they claim. However, once DLA has been awarded it can continue to be paid after a person's 65<sup>th</sup> birthday. People who become disabled after their 65<sup>th</sup> birthday should claim Attendance Allowance.

There are two components of DLA:

- the care component; and
- the mobility component.

Both components have a 3-month qualifying period and the customer's need for help must be expected to last for at least the next 6 months.

People who qualify under the "special rules" criteria (i.e., the terminally ill - see paragraph 4 overleaf) do not have to serve a qualifying period.

#### 1.2 DLA is -

- (i) non-contributory
- (ii) not income-related
- (iii) non-taxable

#### 1.3 Claim pack - DLA 1

#### 1.4 Telephone contact – 685104

### 2. BASIC QUALIFYING CONDITIONS

#### Care component of DLA

The care component of DLA is for people who need help with their personal care. Children can only receive DLA care component if they are either at least 3 months old or are terminally ill.

the **lowest rate** is -

- for people aged 16 or over who are so severely disabled, physically or mentally, that they cannot prepare a cooked main meal for themselves even if they have the ingredients; or
- for people aged 16 or over who are so severely disabled, physically or mentally, that they require, in connection with their bodily functions, attention from another person for a significant portion of the day (but less help than for the middle rate); or
- for children under 16 who need attention or supervision which is substantially in excess of what would normally be required for a child of the same age.

the **middle rate** is for adults or children who are so severely disabled, physically or mentally, that-

- during the day they require frequent attention from another person **throughout** the day in connection with their bodily functions, or continual supervision throughout the day in order to avoid substantial danger to themselves or others; or
- they require prolonged or repeated attention from another person during the night, or another person to be awake at night for a prolonged period or at frequent intervals to watch over them in order to avoid substantial danger to themselves or others;

the **highest rate** is for people who need help during both the day and the night, as set out above for the middle rate.

Customers who are terminally ill automatically qualify for the highest rate of the care component even if no help is needed. The criteria for the highest and middle rates of the care component are the same as for the higher and lower rates of Attendance Allowance respectively (see "basic qualifying conditions" on page 4).



## Mobility component of DLA

The **mobility component** of DLA is payable at one of two rates:-

The **lower rate** is payable to persons aged 5 years or over who cannot walk outside on unfamiliar routes without someone to guide or supervise them for most of the time.

The **higher rate** is payable to persons aged 3 years or over who

- because of a physical disability, are unable (or virtually unable) to walk without severe discomfort, or at risk of endangering their life or causing deterioration to their health by making the effort to walk;
- have had both legs amputated at or above the ankle;
- were born without legs or feet;
- need guidance or supervision most of the time from another person when walking out of doors in unfamiliar places;
- are assessed to be both 100 per cent disabled because of loss of eyesight and not less than 80 per cent disabled because of deafness and they need someone with them when they are outdoors;
- are severely mentally impaired, have severe behavioural problems and are entitled to the highest rate of the care component; or
- are certified as severely sight impaired by a consultant ophthalmologist; they must also have a best corrected visual acuity of less than 3/60, or they must have a best corrected visual acuity of 3/60 or more but less than 6/60 together with a complete loss of peripheral visual field and a central visual field of no more than ten degrees in total.

### 3. RESIDENCE AND PRESENCE CONDITIONS

To qualify for DLA a person must

- be ordinarily resident and present in the Island; and
- have been present in the Island, or the UK, for at least 2 years in the 3-year period immediately preceding their claim.

### 4. SPECIAL RULES

Special rules apply to people who have been diagnosed as terminally ill. This means they have an illness that is likely to limit their life expectancy to 6 months or less. Special rules mean that a person

- automatically qualifies for the highest rate of care component of DLA;
- may also qualify for the mobility component if they have difficulty moving around;
- does not have to wait 3 months before qualifying;
- normally receives their allowance within 10 days of claiming; and
- does not have to satisfy the residence conditions set out above, but must be present in the IOM at the time of the claim.

### 5. HOW TO CLAIM

Customers should complete the DLA claim pack and return it to the Disability Benefits Unit, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93).

### 6. WHEN TO CLAIM

A claim for DLA should be made as soon as help is needed.

Claims under the Special Rules should be made immediately: it is not necessary to complete Section 2 of the pack. A form DS1500 completed by a doctor should be submitted to support the claim.

### 7. PAYMENT

Payment is made either by

- direct credit every 4 weeks into a bank or building society account held in the customer's name, or
- orders which can be cashed weekly at a Post Office.

**8. RELATED BENEFITS**

Christmas Bonus is payable to customers who are receiving DLA and who are present or ordinarily resident in the Island at the relevant time.

Other benefit schemes may use a customer's receipt of DLA as confirmation of their disablement.

People who qualify for the higher rate mobility component also qualify for

- a parking concession under the Blue Badge Scheme, either as a driver or passenger (for further information telephone 686325); and
- exemption from road tax (details are issued when the allowance is awarded).

**9. DIFFERENCES BETWEEN THE IOM AND UK**

There are no differences in the qualifying conditions for DLA between the IOM and UK. However, IOM rates of allowance are slightly less than those payable in the UK.

## **CARER'S ALLOWANCE**

### **1. INTRODUCTION**

#### **1.1 GENERAL**

Carer's Allowance (CA) is payable to someone caring for a person who is severely disabled and who is receiving

- Attendance Allowance (AA);
- Constant Attendance Allowance (CAA); or
- the highest or middle rate care component of Disability Living Allowance (DLA).

CA may continue in payment for up to 8 weeks following the death of the severely disabled person who had been cared for.

#### **1.2 CA is**

- (i) non-contributory;
- (ii) not income-related (except that it is subject to a weekly earnings limit); and
- (iii) taxable.

#### **1.3 Leaflet - CA2**

Claim form – CA1

#### **1.4 Telephone contact - 685104**

### **2. BASIC QUALIFYING CONDITIONS**

To qualify for CA a person must

- care for the disabled person for at least 35 hours per week;
- be aged 16 or over at the date of claim;
- not be earning more than £100.00 per week (if they are in employment); and
- not be receiving education for 21 hours or more per week.

Although there is no upper age limit for receipt of CA, it is an "overlapping benefit" with State Retirement Pension. This means that a person who qualifies for both benefits will receive only the benefit which is payable at the higher rate.

### **3. RESIDENCE AND PRESENCE CONDITIONS**

To qualify for CA, at the date of the claim a person must

- be ordinarily resident in the Island;
- be present in the Island; and
- have been present in the Island or in the United Kingdom for at least 2 years in the 3-year period immediately preceding their claim.

### **4. HOW TO CLAIM**

Customers should complete the CA claim form and take or send it to the Disability Benefits Unit, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93).

### **5. WHEN TO CLAIM**

Carers should claim CA as soon as they satisfy the qualifying conditions. They should also claim if the disabled person is awaiting the outcome of a claim to AA, DLA or CAA.

### **6. PAYMENT**

Payment is made either by

- direct credit every two weeks into a bank or building society account held in their name; or
- fortnightly cheque, which can be cashed at a Post Office.

**7. RELATED BENEFITS**

Christmas Bonus is payable to customers who are receiving CA.

Class 1 NI credits are awarded automatically to customers entitled to CA, unless the customer is a married woman with a reduced rate election in force.

**8. DIFFERENCE BETWEEN THE IOM AND UK**

There are no differences between the IOM and UK provisions for CA.

## INCAPACITY BENEFIT

### 1. INTRODUCTION

#### 1.1 GENERAL

Incapacity Benefit (IB) is a benefit paid to people who are incapable of work and

- who can satisfy both the first and second contribution conditions set out below and on page 12, or
- whose spouse died before 9<sup>th</sup> April 2001.

Payment is not normally made for the first 3 days of incapacity.

IB is paid at 3 different rates, depending on how long a person has been entitled (or treated as entitled) to IB:

- the lower rate of short-term IB is paid for the first 28 weeks;
- the higher rate of short-term IB is paid for weeks 29 to 52; and
- long-term IB is paid after 52 weeks.

However, if a person is terminally ill or is entitled to the higher rate care component of DLA, they will receive the long-term rate of IB after only 28 weeks of incapacity.

#### 1.2 IB is -

- (i) contributory for persons aged 20 or over (normally);
- (ii) non-contributory for persons aged 16 - 19 (and in some cases, persons aged 20 to 24) who have been incapacitated for 28 weeks or more;
- (iii) not income-related, except that it is subject to reduction on account of any pension income over £85 per week (see part 6 on page 13).
- (iv) non-taxable

#### 1.3 Claim form - SC1

#### 1.4 Telephone contact - 685105/6

### 2. BASIC QUALIFYING CONDITIONS

#### Evidence of Incapacity

Customers can self-certify their incapacity for up to 7 days. A doctor's statement (medical certificate) is required for any subsequent periods of incapacity.

#### Age

Customers must normally be under State pension age (see paragraph 1.1 on page 64).

However, a customer may receive short-term IB at the same rate their Retirement Pension would be payable for up to 52 weeks if their illness or disability

- began before they reached state pension age; or
- is linked to a period of incapacity for work (PIW) before they reached state pension age.

#### First contribution condition

The first contribution condition is satisfied if, in at least one of the last two tax years immediately before the benefit year in which the claim is made:

- the customer has paid at least 26 weeks of Class 1 or Class 2 NI contributions; and
- those contributions have been paid, or can be treated as having been paid, before the day for which incapacity benefit is claimed.

Special rules may apply if the customer is a widow, widower or surviving civil partner.

**Second contribution condition**

This condition is satisfied if in both the last two complete tax years before the benefit year in which the beginning of the PIW falls:

- the customer has paid and/or been credited with Class 1 or Class 2 NI contributions; and
- the earnings factor from those contributions is not less than 50 times the National Insurance Lower Earnings Limit (LEL).

**3. INCAPACITY TESTS**

The test of incapacity for work relates to the customer's ability to perform:

- their own occupation for the first 28 weeks of incapacity (own occupation test); and
- any work from the 29<sup>th</sup> week of incapacity (the personal capability assessment (PCA))

**Own Occupation Test**

If the customer has worked for at least 8 of the 21 weeks before the start of their PIW, their incapacity is only considered in relation to that job. Customers who have not had a job for at least 8 out of the last 21 weeks are immediately subject to the PCA.

**Personal Capability Assessment**

Customers are subject to the Personal Capability Assessment

- after the first 28 weeks of incapacity, if they satisfy the condition for their own occupation test or
- immediately, if they do not satisfy the condition for the own occupation test.

The Personal Capability Assessment usually starts with the issue of a questionnaire, which the customer completes. The questionnaire asks about the customer's ability to perform certain tasks, e.g. "how long can you stand unassisted?" and the customer ticks the relevant box from the options given. Space is provided after each set of questions for the customer to add further information about their incapacity.

The questionnaire will, in most cases, be referred to a healthcare professional for assessment. The information given by the customer on the questionnaire and the information from the customer's doctor is used when making the decision on incapacity.

Some customers are not subject to the Personal Capability Assessment, for example:

- customers getting the highest rate of the care component of Disability Living Allowance;
- customer who are receiving, or are about to receive, chemotherapy or radio therapy for cancer;
- customers who are terminally ill.

There are also special provisions for customers who are in hospital or abroad.

Medical certificates will still be required until the Personal Capability Assessment action is complete.

**4. RESIDENCE AND PRESENCE CONDITIONS**

Generally speaking, to qualify for IB a person is only required to be ordinarily resident in the Island at the time of claim.

**5. PERMITTED AND VOLUNTARY WORK**

There are special rules for people who want to try paid work while they are getting IB. The work they are allowed to do is called permitted work. Under the permitted work rules customers will be able to

- work for less than (on average) 16 hours a week and earn up to £102.00 a week for up to 52 weeks;
- work and earn up to £30.00 a week for an indefinite period; or
- do supported permitted work and earn up to £102.00 per week for an indefinite period.

Supported permitted work is work which is supervised by someone who is employed by the Government or a voluntary organisation who arranges work for people with disabilities. The work could be done in the community or in a sheltered workshop.

Customers do not need to get a doctor to agree that the work will help their medical condition, but they will need to contact the General Benefits Section in Social Security before they start work.

Customers may be able to do voluntary work for which they are not paid (or only their expenses are paid for) for a charity or voluntary organisation for an unlimited number of hours and for an indefinite period.

## **6. PENSION INCOME**

A person claiming IB who also receives one of the following may have their benefit reduced:

- an occupational pension;
- a personal pension;
- a public service pension; or
- a permanent health insurance arranged by an employer where the employment of the person in question has ended (unless they have paid more than half of the contributions under the policy).

If the total weekly amount of their pension income exceeds £85, the rate of incapacity benefit will be reduced by 50% of the excess. For example, a customer who receives £86 pension income will have their IB reduced by 50 pence per week.

If a person is in receipt of the highest rate of DLA care component all pension payments they receive are ignored and do not affect entitlement to IB.

## **7. HOW TO CLAIM**

Claims should be submitted on Form SC1. This form can also be used to self-certify incapacity for the first 7 days of a period of incapacity for work. Doctor's statements ("medical certificates") should be obtained for subsequent periods. Claim forms must be taken or sent to the General Benefits Section, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93).

## **8. WHEN TO CLAIM**

A claim for IB should be made as soon as incapacity commences and no later than three months after the period of incapacity began.

## **9. PAYMENT**

For the first 28 weeks of incapacity, payment is usually made by weekly cheque, which can be cashed at a Post Office or paid into a bank or building society account.

If incapacity lasts beyond 28 weeks, payment may be made either by

- direct credit every two weeks into a bank or building society account held in their name; or
- fortnightly cheque which can be cashed at a Post Office.

## **10. RELATED BENEFITS**

Christmas Bonus is payable to customers who are receiving the long-term rate of IB.

Income Support may also be paid to top up a customer's income from IB, depending on their circumstances.

If the customer has not paid sufficient NI contributions to qualify for IB they may be entitled to Income Support on the grounds that they are incapable of work.

## **11. DIFFERENCES BETWEEN THE IOM AND UK**

From October 2008, in respect of new claims, the UK replaced IB and income support claimed on the grounds of incapacity with Employment and Support Allowance (ESA). ESA has a stricter work focussed regime. Continuing claims of IB will gradually be migrated to ESA.

Prior to the introduction of ESA, there were few significant differences between the IOM and UK as regards the operation of IB.

In the UK certain employed persons with earnings of at least the weekly lower earnings limit are not paid ESA for the first 28 weeks of their incapacity. Instead, their employers pay them Statutory Sick Pay (SSP), which is taxable (unlike IB). After 28 weeks of incapacity, the person transfers from SSP to ESA.

SSP has not been introduced in the IOM. Benefit for short periods of illness lasting up to 28 weeks is provided through IB for both employed and self-employed earners.

## **INDUSTRIAL INJURIES DISABLEMENT BENEFIT**

### **1. INTRODUCTION**

#### **1.1 GENERAL**

Industrial Injuries Disablement Benefit (IIDB) is payable to a person who is or was in employed earner's employment and who has suffered a loss of faculty because of:

- an accident at work; or
- a prescribed disease caused by their work.

IIDB is not payable in respect of accidents suffered, or diseases contracted, while the customer was:

- self-employed; or
- a member of HM Forces.

Special rules exist so as to treat persons in certain occupations as being in employed earner's employment (and as not being so) for the purposes of entitlement to IIDB.

#### **1.2 IIDB is -**

- (i) non-contributory
- (ii) not income-related
- (iii) non-taxable

#### **1.3 Telephone contact - 685103**

### **2. BASIC QUALIFYING CONDITIONS**

#### **Industrial Accidents**

Customers claiming because of an accident at work must have been employed at the time of the accident by an employer who paid them wages or a salary. The injury must be the result of an accident at work after 4<sup>th</sup> July 1948 which happened

- in the Isle of Man; or
- in the United Kingdom; or
- in a country with which the UK has a reciprocal agreement covering industrial injuries; or
- anywhere abroad if payments of Class 1 or special Class 2 NI contributions for volunteer development workers are being made.

### **3. RESIDENCE AND PRESENCE CONDITIONS**

A customer must be ordinarily resident in the Island and present in the Island at the time of claim.

### **4. PERCENTAGE OF DISABLEMENT**

A medical board assesses the percentage of disablement and how long it will last.

A person is entitled to industrial injuries disablement benefit if they suffer as a result of an industrial injury accident which forms loss of physical or mental faculty such that the assessed extent of the resulting disablement amounts to more than 14%. However, the 14% disablement can be achieved by assessing a number of disablements resulting from one or more industrial accidents.

If the disablement is 1% or more but less than 14%, then benefit is still paid if the customer is suffering from

- pneumoconiosis;
- byssinosis; or
- diffuse mesothelioma.

If a person suffers from more than one accident and/or injury, the total benefit payable cannot exceed 100% (excluding Reduced Earnings Allowance).

### **5. HOW TO CLAIM**

To claim IIDB, the customer must complete a claim form and take or send it to the General Benefits Section, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or either of the district offices (see page 93).



**6. WHEN TO CLAIM**

The customer can claim at any time:

- after being disabled by an accident; or
- after the onset of the disease.

IIDB cannot normally be paid until 90 days after the date the accident occurred or the date of onset of the disease.

For accidents and prescribed industrial diseases contracted before 6<sup>th</sup> April 1983, benefit may be payable from the date of first disablement rather than waiting 90 days.

**7. PAYMENT**

Payment is made either by:

- direct credit every 4 weeks into a bank or building society account held in the customer's name; or
- weekly orders which can be cashed at a Post Office.

**8. RELATED BENEFITS**

IIDB is paid in addition to any other contributory benefit, e.g. Incapacity Benefit or Retirement Pension.

IIDB may affect the amount of any income-related benefits payable, such as Income Support or Income-based Jobseeker's Allowance.

IIDB can be paid in addition to a War Disablement Pension (WDP), though it may affect the amount of WDP payable.

IIDB can be paid whether or not the person has returned to work, irrespective of their earnings.

**9. DIFFERENCE BETWEEN THE IOM AND UK**

There are no differences between the IOM and UK provisions for IIDB.

**SEVERE DISABLEMENT ALLOWANCE**

Severe Disablement Allowance (SDA) was awarded to customers who had not paid enough National Insurance contributions to qualify for Incapacity Benefit after they had been incapable of work for 28 weeks, but was abolished for all new claims from 9<sup>th</sup> April 2001.

Persons in receipt of SDA immediately prior to 9<sup>th</sup> April 2001 continue to receive that benefit until their incapacity ends or they reach state pension age (see page 64).

## HOSPITAL ADMISSION

### 1. HOW BENEFITS ARE AFFECTED ON ADMISSION TO HOSPITAL

Customers receiving free NHS in-patient treatment in hospital will, in general, not be subject to a reduction in their benefits. However, there are exceptions and these are set out below. Also, certain premiums payable with Income Support and Income-based Jobseeker's Allowance will cease to be paid after either 4 or 52 weeks in hospital, depending on the type of premium in payment.

If a customer lives in a residential or nursing home, their benefit changes **as soon as** they are admitted to hospital.

If a customer is admitted to hospital as a private patient, their benefit is not affected.

If a customer, their partner (adult dependant) or a dependent child of theirs is admitted to an NHS hospital or a hospice, they should notify Social Security as soon as possible. They should also notify Social Security of their discharge from a hospital or hospice.

### 2. ATTENDANCE ALLOWANCE

Payment of Attendance Allowance stops after 4 weeks in hospital.

### 3. DISABILITY LIVING ALLOWANCE

Payment of Disability Living Allowance stops after 4 weeks in hospital. However, for children under 16 it is normally paid for the first 12 weeks they are in hospital.

### 4. CARER'S ALLOWANCE

Payment of Carer's Allowance may cease immediately on admission to hospital, though it can continue for up to 12 weeks depending on the carer's personal circumstances and those of the person being cared for.

### 5. INDUSTRIAL INJURIES CONSTANT ATTENDANCE ALLOWANCE

Payment of Constant Attendance Allowance stops after 4 weeks in hospital.

### 6. DIFFERENCE BETWEEN THE IOM AND UK

There are no differences in the reductions of the benefits listed in paragraphs 2 to 5 above.

## VACCINE DAMAGE PAYMENTS

### 1. INTRODUCTION

#### 1.1 GENERAL

People who are severely disabled due to a vaccination against specific diseases may receive a one-off Vaccine Damage Payment of £120,000.

#### 1.2 Vaccine Damage Payments are

- (i) non-taxable;
- (ii) non-contributory;
- (iii) non-income related.

#### 1.3 Leaflet - HB3

### 2. BASIC QUALIFYING CONDITIONS

To qualify for a Vaccine Damage Payment, the customer must be at least 60% mentally or physically disabled due to a vaccination against-

- \* diphtheria
- \* tetanus
- \* pertussis (whooping cough)
- \* poliomyelitis
- \* measles
- \* rubella (German measles)
- \* mumps
- \* tuberculosis
- \* meningococcal group C (meningitis C)
- \* haemophilus Influenza type B (hib)
- \* pneumococcal infection
- \* human papillomavirus
- \* pandemic influenza A (H1N1) 2009 (swine Flu) (vaccination up to 31/8/2010); or
- \* smallpox (vaccination up to August 1971)

Claims can also be made on the basis of -

- \* combination vaccines for diphtheria, tetanus and pertussis (DTP) and for measles, mumps and rubella (MMR)
- \* close personal contact with a person who has been vaccinated against oral poliomyelitis;
- \* the mother was vaccinated during pregnancy against one of the above diseases.

The disabled person must also satisfy these conditions

- be two years old or more on the date of the claim
- have been vaccinated on the IOM or within the UK, unless they or someone in their family was in the armed forces and vaccinated as part of the armed services medical facilities
- vaccination must have been administered before the person's 18<sup>th</sup> birthday, unless it was against poliomyelitis, rubella (German measles), meningococcal Group C, human papilloma virus or pandemic influenza A (H1N1) 2009 (swine Flu); or during an outbreak of the disease within the IOM or the UK
- the claim must be made at any time before the claimant's 21<sup>st</sup> birthday or, if they have died, the date on which they would have attained that age, or up to 6 years after the date of the vaccination, whichever date is later.

**3. HOW TO CLAIM**

To request a Vaccine Damage Payment claim form, write to

Vaccine Damage Payments Unit  
Palatine House  
Lancaster Road  
PRESTON PR1 1HB

**4. WHEN TO CLAIM**

The claim must be made

- on or before the vaccinated person's 21<sup>st</sup> birthday (or if that person has died, the date on which they would have reached age 21)
- within 6 years of the vaccination the claim is for whichever is later.

**5. PAYMENTS**

Payments are made to a \*trustee if the person is

- under age 18; or
- unable to manage their own affairs.

\*If a disabled person lives with the family, the parents may be appointed as trustees.

## WAR DISABLEMENT PENSION

### 1. INTRODUCTION

#### 1.1 GENERAL

War Disablement Pension (WDP) may be awarded to someone whose disability is due to, or has been made worse by, service in HM armed forces at any time since 4 August 1914, provided the period of service in which the disablement arose has ended.

Pensions are also payable for other groups who are disabled as a result of certain injuries which are due to the Second World War and subsequent conflicts.

#### 1.2 WDP is -

- (i) non-contributory;
- (ii) not income-related;
- (iii) non-taxable.

#### 1.3 Leaflets – Leaflet 1 – Notes about War Disablement Pension & War Widows Pension

Leaflet 9 - Rates of War Pensions and Allowances

#### 1.4 Telephone contact - 687047

### 2. BASIC QUALIFYING CONDITIONS

WDP is awarded for disablement due to, or aggravated by:

- service in HM armed forces, including the Ulster Defence Regiment (now the Royal Irish Regiment);
- direct enemy action in World War I or II or after, if the customer is an ex-member of the Mercantile Marine
- service in the Polish forces under British command during World War II or in the Polish Resettlement Forces;
- injuries caused by direct action during World War II if the customer was:
  - \* a civilian
  - \* an ex-Civil Defence Volunteer
  - \* an ex-member of the Naval Auxiliary Forces, the Nursing and Auxiliary Forces or the Home Guard
  - \* a HM Coastguard or Auxiliary Coastguard

### 3. HOW TO CLAIM

To claim WDP write to:

Veterans Welfare Service  
 Ground Floor  
 Markwell House  
 Market Street  
 DOUGLAS IM1 2RZ  
 Telephone: 687047

Claims should be made as soon as it is apparent that the disability could be due to services in the Armed Forces

### 4. RATE OF WDP

The level of basic pension depends on the severity of the disablement compared to a healthy person of the same age and sex.

A doctor assesses the disablement on a percentage basis.

If the disability is less than 20%, a lump sum payment can be awarded. However, for claims made on or after 7 January 1993 in respect of noise induced sensorineural hearing loss, payment can be made if the assessment is less than 20%. For disabilities assessed at 20% or above, a pension is awarded. The pension is payable for life or until disablement ends.

## 5. SUPPLEMENTARY ALLOWANCES

Supplementary allowances which may be payable with a basic WDP include:

- Allowance for Lowered Standard of Occupation
- Unemployability Supplement
- Constant Attendance Allowance
- Comforts Allowance
- Exceptionally Severe Disablement Allowance
- Severe Disablement Occupational Allowance
- Clothing Allowance
- Age Allowance
- Mobility Supplement
- Treatment Allowance
- Invalidity Allowance

Some of the above allowances may overlap with other Social Security benefits.

## 6. MEDICAL TREATMENT

War pensioners are entitled to priority treatment, provided the treatment is for their pensioned disablement. Prescriptions are free for war pensioners in the IOM irrespective of their pensionable disablement.

## 7. PAYMENT

WDP can be paid

- weekly by cheque which can be cashed at a Post Office; or
- by automated credit transfer every 4 or 13 weeks into a bank or building society (held in their name).

## 8. RELATED BENEFITS

The basic component of WDP is disregarded in full for all income-related benefits where the customer is not in a nursing or residential home. Where the customer is in such a home, the first £30.00 of the basic WDP is disregarded. Supplementary allowances are taken into account in full for income-related benefit purposes.

Christmas Bonus is paid to customers receiving WDP who are present or ordinarily resident on the IOM who

- are over pension age;
- are retired;
- do not receive any other qualifying benefit; or
- receive Unemployability Supplement with War or Industrial Disablement Pension.

Note: From 6 April 2005 the Veterans Agency in the UK have introduced a new scheme entitled "Armed Forces Compensation Scheme". This new scheme will apply to any injuries, illnesses or deaths, which occur to members of the Armed Forces. Those being paid under the current system will continue to do so.

## SECTION 2 – BENEFIT FOR PERSONS IN WORK

### EMPLOYED PERSON'S ALLOWANCE

#### 1. INTRODUCTION

##### 1.1 GENERAL

Employed Person's Allowance (EPA) is payable to people who are employed or self-employed, and who are either:

- a single person who is disabled worker (see below); or
- a lone parent, who works on average 16 or more hours per week and who is responsible for and living with at least one child or young person under the age of 20 who is still at school or college (studying at a level which is not above A level standard and who is not in receipt of a means-tested maintenance grant); or
- a couple (whether or not they have dependent children), where at least one member of the couple is severely disabled or has exceptional caring responsibilities, and at least one member of the couple works on average 16 or more hours per week; or
- a couple who have dependent children, where neither member of the couple is severely disabled or has exceptional caring responsibilities, and at least one member of the couple works on average 30 or more hours per week.

##### 1.2 EPA is -

- (i) non-contributory;
- (ii) income-related;
- (iii) non-taxable (from April 2014).

##### 1.3 Leaflet – EPA5

Claim form - EPA1

##### 1.4 Telephone contact - 685092/685458

#### 2. BASIC QUALIFYING CONDITIONS

To qualify for EPA the customer or their partner must

- be in a job that is expected to last for five weeks or more from the week of claim, or attending a training course arranged by the Department of Economic Development; or
- be out of work
  - \* on maternity leave and receiving maternity allowance; or
  - \* on adoption leave and receiving adoption allowance; or
  - \* absent from work on account of illness or incapacity and continuing to receive earnings from their employer, having been in work for at least 16 hours a week prior to their absence from work; and
- have a total net family income of less than a prescribed amount.

##### Qualifying for EPA as a disabled worker

To qualify for EPA as a disabled worker a person must be working at least 16 hours per week when they claim EPA. Their job must be expected to last for 5 weeks or more.

A customer may also qualify for EPA if, when they come to renew their claim, rather than being engaged in remunerative work (i.e. paid work of 16 or more hours a week) they are:

- undergoing a training course requiring their attendance for at least 16 hours per week and for which they are paid a training allowance by a government department, or
- off work due to an illness or incapacity but their employer continues to pay them their normal earnings (less any short-term incapacity benefit they are entitled to while off work),
  - (a person may only qualify for EPA in either of these circumstances for a maximum period of 26 weeks in any 52 week period); or
- on maternity or adoption leave from their employer and receiving maternity allowance or adoption allowance; or



- normally working as a self-employed earner but are unable to do so because they are pregnant or have recently given birth.

The customer must also have a mental or physical illness which puts them at a disadvantage in getting a job.

They must also satisfy one of the following conditions:

- on any day in the 26 weeks immediately before the date of their claim they qualified for the short-term higher rate or long-term rate of Incapacity Benefit or (in certain circumstances) Income Support or Income-based Jobseeker's Allowance; or
- certain other disability-related benefits are payable to them (in particular, Disability Living Allowance); or
- they were engaged in training for work on any day in the previous 8 weeks and immediately before their training began they were receiving the higher rate of short-term Incapacity Benefit or the long-term rate of Incapacity Benefit; or
- they:
  - \* have recently become sick or disabled, and
  - \* their doctor believes that their illness or disability will last for at least the next 6 months or for the rest of their life, and
  - \* as a result of their illness or disability their earnings are expected to be reduced by the higher of 15% or £20 per week, and
  - \* for at least 140 days:
    - they have been receiving the lower rate of short-term Incapacity Benefit or Income Support because they were incapable of work or they have been credited with NI contributions for that length of time, and
    - the last day of those 140 days fell within 8 weeks before their claim was made.

There are provisions to prevent an award of EPA overlapping with another income-related benefit.

### **3. RESIDENCE CONDITION**

EPA is only available if the customer:

- was born on the Island; or
- is otherwise classified as an "Isle of Man worker" for work permit purposes.

A person cannot qualify for EPA if they reside in one of the Department of Health and Social Care's resource centres or care in the community homes, or are receiving free hospital in-patient treatment.

### **4. HOW TO CLAIM**

To claim EPA the customer must complete claim form EPA1 and take or send it to the Employed Person's Allowance Unit, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or either of the district offices (see page 93).

EPA is normally awarded for either 4 or 12 weeks, but can be awarded for up to 26 weeks in certain circumstances.

Payment is not normally affected by any change in circumstances during the period of award. Payslips or details from the employer are required.

### **5. AMOUNT PAYABLE**

The amount of EPA payable is 70p for every £1 by which a person's or family's total net income falls short of the prescribed amount appropriate to the size of their family (if they have one) and the person's other circumstances (including the number of hours they work) and those of their family. Included in the prescribed amount is an amount intended to cover a person's housing costs (i.e. any rent, rates or loan interest they have to pay), subject to a maximum appropriate to the person's circumstances. For details of how the prescribed amount for housing is calculated, see "Housing Costs" under Income Support at page 46. An amount may also be included for child care charges being incurred during the period of award of EPA.

### **6. PAYMENT**

EPA is paid either:

- fortnightly, in arrears, by direct credit into a bank or building society account held in the person's name (the first payment usually being credited about 2 weeks after the claim is made); or
- weekly by cheque (the first cheque usually being sent out about 2 weeks after the claim is made).

## 7. CALCULATION OF NET INCOME

A person's net earnings are calculated by deducting from their gross weekly pay any National Insurance contributions or income tax payable and one half of any contributions they make to an occupational or personal pension scheme.

Except as provided for below, all other income is taken fully into account:

The following benefits and payments are totally ignored:-

- Child Benefit;
- Exceptional Needs Grants and Budgeting Loans;
- Guardian's Allowance;
- Income Support;
- Income-based Jobseeker's Allowance;
- Attendance Allowance;
- Disability Living Allowance;
- Christmas Bonus;
- Winter Bonus; and
- Constant Attendance Allowance.

The first £24.20 of any maintenance payments is disregarded.

The first £30.00 of the following income is disregarded:

- a Widowed Mother's Allowance or Widowed Parent's Allowance;
- a War Widow's Pension;
- a student's grant;
- a charitable or voluntary payment;
- a student's covenant income; and
- trust fund income

## 8. CHILD CARE COSTS

An amount may be included in a person's applicable amount of EPA for certain child care charges which they are incurring for any of their children who are under the age of 13.

Customers may qualify for help with their child care costs if they are:

- lone parents; or
- members of a couple both of whom are working, or one of whom works while the other is incapacitated or undergoing training or education designed to improve their employment prospects.

The amount included for child care charges is dependent on the number of children for which charges are being incurred and the number of hours the customer or their partner (or both) are working.

The charges incurred must be payable to a registered child minder or other organisation recognised by the Department. If a person starts incurring child care charges after EPA has been awarded it may be possible to claim for them using form EPA4.

The amount of child care charges to be included in the EPA assessment may be reduced if the customer is eligible for pre-school credits from the Department of Education and Children.

## 9. NATIONAL INSURANCE (NI) CREDITS

Class 1 NI credits are also awarded to EPA customers for each week they receive EPA if they are not liable to pay contributions.

## 10. TWO-YEAR LINKING

A customer in receipt of EPA as a disabled worker who has given up Incapacity Benefit at either the short-term higher rate or the long-term rate in order to start work can reclaim their previous benefit without having to re-serve the qualifying period normally required if:

- they have to give up their job within two years from when they were last entitled; or
- they are incapable of work.

This "linking rule" is unique to EPA. The normal rule is that people who give up Incapacity Benefit can return to it only if they become incapable of work again within 8 weeks, otherwise they have to serve whichever qualifying period is appropriate to their case, i.e. 28 weeks to regain the short-term higher rate or 52 weeks to regain the long-term rate.

**11. OTHER HELP**

Customers in receipt of EPA may be able to get:

- Free prescriptions
- Free dental treatment
- Vouchers to help with the cost of glasses
- Help with the cost of travelling to hospital for treatment. Applications should be made to the Department of Health and Social Care, Crookall House, Demesne Road, Douglas IM1 3QA.
- A lump sum maternity payment to assist with the expenses of a new baby. Applications should be made to the Income Support Group, Social Security Division, Markwell House, Douglas IM1 2RZ.
- Free School Meals. Applications should be made to the Department of Education and Children, Hamilton House, Peel Road, Douglas IM1 5EZ.
- An additional funeral payment to assist with the cost of the funeral of a deceased partner, close relative or close friend. Applications should be made to the General Benefits Section, Social Security Division, Markwell House, Douglas IM1 2RZ.
- Help with the cost of children participating on sports development schemes. Applications should be made to Sports Development, NSC, Groves Road, Douglas IM2 1RB
- Pre-school credits to help with the cost of nursery care. Applications should be made to the Department of Education and Children, Hamilton House, Peel Road, Douglas IM1 5EZ or on-line, see <http://www.gov.im/categories/education,-training-and-careers/pre-school/>

**12. DIFFERENCE BETWEEN THE IOM AND THE UK**

The nearest U.K. equivalent of EPA is Working Tax Credit, which may be supplemented by the Child Tax Credit if the customer has dependent child(ren).

Whilst the basis for which Working Tax Credit and EPA are payable is broadly the same – to provide cash help to working families and disabled persons on low incomes – there are numerous and fundamental differences between the two.

It is the UK Government's intention that Tax Credits will gradually be incorporated into its new Universal Credit.

## SECTION 3 – MATERNITY, PATERNITY AND ADOPTION BENEFITS

### MATERNITY ALLOWANCE

#### 1. INTRODUCTION

##### 1.1 GENERAL

Maternity Allowance (MA) is payable to women who:

- are pregnant and have 11 weeks or less before their baby or babies is/are due, or
- have recently given birth.

MA is payable for a maximum of 39 weeks.

A woman is allowed to work in prescribed cases for up to 10 days whilst receiving MA either as employed or self-employed without being disqualified from receiving MA. This is to allow contact and communication between the woman and her employer during her maternity leave and to help ease the woman's eventual return to work.

##### 1.2 MA is

- (i) non-taxable;
- (ii) based on earnings (for employed earners); and
- (iii) not income-related.

##### 1.3 Claim form - MA1

##### 1.4 Telephone contact - 685105

#### 2. BASIC QUALIFYING CONDITIONS

To qualify for MA the customer must:

- be pregnant or have recently given birth;
- have stopped work;
- have worked in at least 26 of the 66 weeks immediately before the expected week of childbirth (EWC); and
- have earnings from employment which, on average, amount to at least £30 a week for 13 weeks in the 66 weeks immediately before the EWC; or
- have paid class 2 NI contributions for at least 13 weeks in the 66 weeks immediately before the EWC; or
- have been excepted from paying class 2 NI contributions at least 13 weeks of the 66 weeks immediately before the EWC on account of low earnings.

#### 3. AMOUNT OF MA

Employees – if the customer is an employee, MA will be paid at the rate of 90% of average weekly earnings up to a maximum of £179.85.

Self-employed – if the customer is self-employed and has paid Class 2 National Insurance contributions she will receive the standard rate of MA (£138.18 for 2014/2015).

If the customer is self-employed and has a Small Earnings Exception Certificate, she will receive MA at the rate of £27.00 per week.

#### 4. RESIDENCE CONDITIONS

The customer must be ordinarily resident in the Isle of Man at the time of her claim.

#### 5. HOW TO CLAIM

To claim MA the customer must complete a claim form MA1, enclosing the maternity certificate (MatB1), and take or send it to the General Benefits Section, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or either of the district offices (see page 93).

#### 6. WHEN TO CLAIM

The claim should be made no earlier than the 14<sup>th</sup> week before the EWC and no later than 3 months from the date the customer stopped work.

**7. PAYMENT**

Payment is made either by:

- direct credit every 2 weeks into a bank or building society account held in the customer's name; or
- weekly orders which can be cashed at a Post Office.

**8. RELATED BENEFITS**

If the customer does not satisfy the qualifying conditions for MA (see paragraph 2 above), but does satisfy the contribution conditions for Incapacity Benefit (see pages 11 and 12), she may be able to get Incapacity Benefit for

- six weeks before the EWC, and
- two weeks after the actual date of childbirth.

The adjudication officer will automatically consider whether the customer satisfies the contribution conditions for Incapacity Benefit if the claim for MA is disallowed.

If the customer is receiving less than the maximum rate of MA, she may also be entitled to receive some Incapacity Benefit, subject to an overall maximum equal to the rate of Short-term Incapacity Benefit payable.

If MA becomes payable

- any Incapacity Benefit otherwise payable to her is reduced or withdrawn; and
- any award of Jobseeker's Allowance is terminated.

**9. DIFFERENCE BETWEEN THE IOM AND UK**

In the UK Statutory Maternity Pay (SMP) is paid to employed earners (earning at least the weekly lower earnings limit for National Insurance purposes) by their employers. Women who do not qualify for SMP in the UK may instead be entitled to Maternity Allowance.

SMP does not operate in the IOM and people who would otherwise qualify for SMP in the UK instead receive Maternity Allowance in the IOM.

## MATERNITY PAYMENT

### 1. INTRODUCTION

#### 1.1 GENERAL

Maternity Payments can be paid where the customer, their partner or their dependent child or young person;

- is expecting a baby within the next 11 weeks;
- has had a baby within the last three months; or
- has adopted a child within the last three months who is not more than 12 months old at the time of claim.

#### 1.2 Maternity Payments are -

- (i) non-taxable;
- (ii) non-contributory; and
- (iii) income-related.

#### 1.4 Claim form - SF100

### 2. BASIC QUALIFYING CONDITIONS

A Maternity Payment is paid if:

- the customer or their partner receives
  - \* Income Support,
  - \* Income-based Jobseeker's Allowance, or
  - \* Employed Person's Allowance, and
- the pregnancy lasts to the 25<sup>th</sup> week, even if a stillbirth occurs; and
- the customer is aged 16 or over.

In the case of multiple births, a maternity payment will be payable in respect of each child.

The amount payable is halved if the customer (or their partner) has received a maternity payment in the three years before making a new claim.

A person is not entitled to a Maternity Payment if they or their partner have (or together they have) capital of more than £6,000.

### 3. HOW TO CLAIM

To claim a Maternity Payment, the customer must complete a claim form SF100 and take or send it to the Income Support Group, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93). Evidence of the expected or actual date of birth or adoption will also be required.

### 4. WHEN TO CLAIM

The claim should be made between the 11<sup>th</sup> week before the expected week of childbirth, and can be made up to three months after childbirth. Customers adopting a child should claim within three months of the date of the adoption order.

### 5. PAYMENT

Payment is made by cheque which can be cashed at a Post Office or paid into a bank or building society account.

### 6. DIFFERENCES BETWEEN THE IOM AND UK

The equivalent of the Maternity Payment in the UK is the Sure Start Maternity Grant. On the Island, a person cannot qualify for a maternity payment if they or their partner have (or together they have) capital of more than £6,000. A Sure Start Maternity Grant is not payable to a person where there is another child aged under 16 in their family.

## PATERNITY ALLOWANCE

### 1. INTRODUCTION

#### 1.1 GENERAL

Paternity Allowance (PA) may be payable to people who take up to two weeks off work to:

- support the mother of a new born baby or to look after the baby; or
- support their partner who is adopting a child or to look after the child.

Customers can choose to claim PA for one or two whole weeks at any time up to 8 weeks after:

- the date of birth of the child
- the date the child is placed with the person adopting.

#### 1.2 PA is -

- (i) based on earnings;
- (ii) not income-related;
- (iii) non-contributory;
- (iv) taxable; and
- (v) not available to foster parents or step-parents who go on to adopt a child.

#### 1.3 Claim form – PA1

#### 1.4 Telephone contact - 685105

### 2. BASIC QUALIFYING CONDITIONS

#### PA (Birth)

The customer must be:

- the baby's biological father, or
- married to the baby's mother, or
- living with the baby's mother in an enduring family relationship, but is not an immediate relative of the baby's mother

**and**

- will take responsibility for the child's upbringing, and
- is taking time off work to support the mother or care for the child.

**Employment condition** – the customer must have been in employed earner's employment for a continuous period of at least 26 weeks ending with the 15<sup>th</sup> week before the week the child is expected. The customer must also remain in employment up to the day before the child is born.

**Earnings condition** – the customer must have had earnings at or above the National Insurance lower earnings limit (£111.00 per week for the 2014/2015 tax year) in each of the last 8 weeks of the 26 week period.

#### PA (adoption)

The customer must be:

- married to the person adopting the child, or
- living with the person adopting the child in an enduring family relationship, but is not an immediate relative of that person;

**and**

- will take responsibility for the child's upbringing; and
- is taking time off work to support the person adopting the child or to care for the child.

**Employment condition** – the customer must have been in employed earner's employment for a continuous period of at least 26 weeks up to and including the week they are told that they have been matched with the child. The customer must also remain in employment up to the day the child is placed with them.

**Earnings condition** – the customer must have had earnings at or above the National Insurance lower earnings limit (£111.00 per week for the 2014/2015 tax year) in each of the last 8 weeks of the 26 week period.

**3. RESIDENTIAL CONDITIONS**

The customer must be ordinarily resident in the Isle of Man.

**4. HOW TO CLAIM**

The customer must complete the claim form PA1, and take or send it to the General Benefits Section, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93).

**5. WHEN TO CLAIM**

The claim should be made when agreement about time off work has been reached with the employer, and should be during or after the 14<sup>th</sup> week before the baby is expected, or after notification of matching in adoption cases.

**6. PAYMENT**

Payment is made by cheque, which can be cashed at a Post Office or paid into a bank or building society account.

**7. DIFFERENCES BETWEEN THE IOM AND UK**

In the UK, both ordinary and additional Statutory Paternity Pay (SPP) is paid to qualifying employed earners by their employers. The employment and earnings conditions for Paternity Allowance in the IOM are the same as they are for ordinary SPP in the UK. Additional SPP is paid while a person is taking Additional Paternity Leave of up to 26 weeks or while they are not working for the purposes of caring for their child while their partner is receiving Statutory Maternity Pay, Maternity Allowance or Statutory Adoption Pay.



## ADOPTION ALLOWANCE

### 1. INTRODUCTION

#### 1.1 GENERAL

Adoption Allowance (ADA) is a benefit intended to help employees take time off work to be with their new family. ADA may be paid for a maximum of 39 weeks, starting at the earliest 2 weeks before the child is placed for adoption and at the latest the day after placement. Both men and women are able to claim ADA but only one member of a couple is able to claim.

#### 1.2 ADA is

- (i) based on earnings;
- (ii) not income-related;
- (iii) non-contributory;
- (iv) taxable; and
- (v) not available to foster parents or step-parents who go on to adopt a child.

#### 1.3 Claim Form – ADA1

Matching Certificate – ADA2

#### 1.4 Telephone contact - 685105

### 2. BASIC QUALIFYING CONDITIONS

To qualify for ADA the customer must –

- be a person with whom a child is, or is expected to be, placed for adoption under IOM law;
- have stopped work, or be taking leave from employment;
- have worked in employed earner's employment for at least 26 weeks of the 66 weeks immediately preceding the week in which they are told that they have been matched with a child; and
- in any 13 weeks of the same 66 week period have had average earnings of not less than the adoption allowance threshold (£30 for the 2014/2015 tax year).

### 3. RESIDENTIAL CONDITIONS

The customer must be ordinarily resident in the Isle of Man.

### 4. HOW TO CLAIM

The customer must complete the claim form ADA1 (enclosing the matching certificate ADA2 and wage slips for the selected 13 weeks) and take or send it to the General Benefits Section, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or either of the district offices (see page 93).

### 5. WHEN TO CLAIM

Claims should be submitted four weeks before the date the customer wants the allowance to start. The earliest the adoption allowance period can start is 2 weeks before the date the child is placed for adoption, and the latest, where the customer is working on the day of placement, is the day after placement.

### 6. PAYMENT

Payment is made either by:

- direct credit every 2 weeks into a bank or building society account held in the customer's name; or
- weekly orders which can be cashed at a Post Office.

### 7. RELATED BENEFITS

The customer's partner may be able to claim Paternity Allowance for up to two weeks if they take time off work to offer support.

### 8. DIFFERENCES BETWEEN THE IOM AND UK

In the UK, Statutory Adoption Pay is paid to qualifying employed earners by their employers. It is only available to those who earn at least the lower earnings limit for National Insurance purposes. In the IOM, Adoption Allowance is available to employed earners who have earnings of at least £30.00 per week (on average).

## SECTION 4 – BENEFITS FOR CHILDREN

### CHILD BENEFIT

#### 1. INTRODUCTION

##### 1.1 GENERAL

Child Benefit (CHB) is payable to people who are responsible for a child or young person living with them, or are contributing to a child's or young person's maintenance at a rate at least equal to the rate of CHB payable for that child or young person (provided no-one else is already receiving child benefit for that child or young person).

The child or young person must be:

- under the age of 16; or
- 16 or over but under the age of 20 and still in full-time education or approved training of more than 12 hours per week and studying for a qualification up to and including GCE "A" level standard or equivalent (the child or young person must have commenced or been enrolled for that full-time education prior to their 19<sup>th</sup> birthday).

There is no entitlement to child benefit if the claimant's income (including that of their partner, if they have one) in the relevant tax year is greater than £90000.

##### 1.2 CHB is -

- (i) non-contributory;
- (ii) income-related; and
- (iii) taxable.

##### 1.3 Leaflet – CH2 Notes – A Guide to Child Benefit

Claim form - CH2

##### 1.4 Telephone contact - 685107

#### 2. BASIC QUALIFYING CONDITIONS

##### Residence and presence conditions

To qualify for CHB, a customer, or the child or young person being claimed for, must have been resident in the IOM or in the United Kingdom for more than 182 days in the 52 weeks immediately preceding the claim.

CHB can be considered for people who do not satisfy this condition if:

- they or their spouse
  - \* starts work;
  - \* pays National Insurance contributions; and
  - \* intends to stay on the Island for at least six months;
- or
- \* is from a country with which the Isle of Man has a social security agreement; or
- \* is a member of HM Forces, the Civil Service or other special category working abroad; or
- \* has had, or their spouse has had, previous entitlement to Child Benefit within 156 weeks prior to the week of current entitlement.

#### 3. NO ENTITLEMENT TO CHILD BENEFIT

There is no entitlement to Child Benefit if the child or young person

- has been looked after by the Department of Health and Social Care or a local authority, or is in prison/legal custody, for more than 8 weeks;
- is boarded out with foster parents;
- is living with a person who has left school as their spouse (Note: the child's, or young person's, partner may not claim CHB either);
- is receiving Income Support, Income-based Jobseeker's Allowance, Incapacity Benefit (in the case of persons incapacitated in youth) or Employed Person's Allowance;
- is receiving training for which an allowance is paid; or
- stays in hospital for more than 12 weeks and the customer is not incurring regular expenditure on the child or young person.

#### 4. INCOME TEST

An income test for child benefit was introduced from 7<sup>th</sup> April 2014.

Broadly speaking, if a person's income, when added to that of their partner's, in the relevant income tax year (see below), is between £60,001 and £90,000, the amount of child benefit they are entitled to is reduced, as follows:

- If their income is between £60,001 and £70,000 the amount of child benefit which would otherwise be payable is reduced by 25%;
- If their income is between £70,001 and £80,000 the amount of child benefit which would otherwise be payable is reduced by 50%; and
- If their income is between £80,001 and £90,000 the amount of child benefit which would otherwise be payable is reduced by 75%.

The relevant income tax year is normally the tax year before the tax year immediately before the period for which entitlement is being considered. So, for example, when assessing entitlement to child benefit for any week in the period from 7<sup>th</sup> April 2014 to 5<sup>th</sup> April 2015 the relevant income tax year is normally 2012-2013. For any week in the period from 6<sup>th</sup> April 2015 to 5<sup>th</sup> April 2016 the relevant income tax year will be 2013-14, and so on.

Awards are generally fixed for a whole tax year, however they may be reviewed mid-year if a specified change of circumstances takes place, for example -

- The claimant or their partner has another child;
- The claimant and their partner separate;
- A lone parent claimant begins to live with another person as their husband or wife, or as civil partners;
- The claimant or their partner becomes unemployed and claims jobseeker's allowance;
- The claimant or their partner leaves jobseeker's allowance to take up employment.

"Income" for this purpose is usually the total amount of assessed income for IOM income tax purposes in the relevant income tax year.

The income test is modified if the claimant or their partner did not have their income assessed by the IOM Assessor of Income Tax in the relevant income tax year.

Awards will be automatically re-assessed from the beginning of each new tax year, having regard to the claimant's (and their partner's, if they have one) in the new relevant tax year.

#### HOW TO CLAIM

To claim Child Benefit customers must complete a claim form (CH2) and take or send it with the child's or young person's birth certificate to the Child Benefit Unit, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93).

#### 5. PAYMENT

Payment is made either by

- direct credit every 4 weeks into a bank or building society account held in the customer's name; or
- orders which can be cashed weekly at a Post Office.

#### 6. WHEN TO CLAIM

Claims should be made as soon as possible after the birth of the child or when a person takes up responsibility for the child or young person.

**7. CHILD LEAVES FULL-TIME EDUCATION**

Where a child or young person is aged 16 or over and leaves full-time non-advanced education, CHB will no longer be payable in respect of that child after:

- 31<sup>st</sup> December;
- 31<sup>st</sup> March; or
- 31<sup>st</sup> August.

whichever first occurs. If the child or young person:

- begins a new course of advanced education;
- receives Income Support, Income-based Jobseeker's Allowance, Employed Person's Allowance or Incapacity Benefit;
- reaches age 20; or
- starts a training scheme with the Department of Economic Development,

entitlement in respect of that child or young person ends immediately.

**8. DEATH OF CHILD**

Child Benefit continues to be paid for eight weeks after the death of a child or young person. Child Benefit can also be paid for up to eight weeks where a child does not survive until the Monday following birth.

**9. PRIORITY**

The claim must be made by a parent or other person responsible for the child.

In a two-parent family where one of the parents is not working, the parent who is not working should claim Child Benefit, in order to protect their National Insurance record (see page 77 - National Insurance credits).

Where more than one person claims (for example, where the child's or young person's parents are separated), the person with whom the child or young person normally lives will usually be awarded Child Benefit.

**10. DIFFERENCES BETWEEN THE IOM AND UK**

Child Benefit has been taxable in the IOM since April 2000. In the UK, child benefit is not directly taxable. However, in January 2013 it became subject to a special tax charge: where a parent or, in the case of a couple at least one of the parents, has an annual income of between £50,000 and £60,000, a charge equivalent to 10% of the amount of child benefit they have received in a tax year will be made for each £1,000 of income they have above £50,000, up to £60,000. Affluent parents are encouraged by HMRC not to make claims for child benefit, in order to avoid a tax bill at the end of the year.

In the IOM, from 7<sup>th</sup> April 2014, child benefit entitlement is income-tested at source. The amount payable is reduced if family income is greater than £60,000 in the relevant income tax year and there is no entitlement if family income is greater than £90,000 in the relevant income tax year.

## **GUARDIAN'S ALLOWANCE**

### **1. INTRODUCTION**

#### **1.1 GENERAL**

Guardian's Allowance (GA) is payable to a person who is responsible for a child or young person (other than one of the child's or young person's parents) who is in receipt of Child Benefit in respect of that child or young person where special circumstances apply to the child or young person.

#### **1.2 GA is -**

- (i) non-taxable;
- (ii) non-contributory; and
- (iii) not income-related.

#### **1.3 Claim form - BG1**

#### **1.4 Telephone contact - 685107**

### **2. BASIC QUALIFYING CONDITIONS**

GA is payable to a customer if a child or young person is:

- living with them; or
- being maintained by them.

A customer can only receive GA if they are entitled to Child Benefit in respect of that child or young person and:

- both parents of the child or young person are dead;
- one parent is dead and the whereabouts of the other parent were unknown at the time of that death and remain unknown;
- one of the child's or young person's parents is dead and the other is in prison and serving a prison sentence with two years or more remaining at the time of the death of the other parent;
- the parents were divorced, one parent is dead and the other parent -
  - \* did not have custody of the child or young person, and
  - \* was not paying maintenance for that child or young person voluntarily, and
  - \* was not liable for maintenance or custody under a court order; or
- the child's or young person's parents never married and the mother is dead and the father is not known.

### **3. RESIDENCE CONDITIONS**

One of the child's or young person's deceased parents must have been

- born on the Isle of Man; or
- present in the Isle of Man for a total of 52 weeks in any two-year period after the age of 16.

### **4. EXCLUSIONS**

GA is not payable

- if the child or young person is legally adopted prior to the claim for GA being made; or
- to a Statutory or voluntary organisation caring for the child or young person.

### **5. HOW TO CLAIM**

The customer must complete the relevant claim form and take or send it to the Child Benefit Unit, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93).

### **6. WHEN TO CLAIM**

A claim should be made as soon as possible after the qualifying conditions are met.

### **7. PAYMENT**

Payment is made by direct credit every 4 weeks into a bank or building society account held in the customer's name.

**8. RELATED BENEFITS**

Any entitlement to a child dependency increase provided with another Social Security benefit for the same child may be reduced or extinguished by the amount of GA payable.

**9. DIFFERENCE BETWEEN THE IOM AND UK**

There are no significant differences between IOM and UK provisions for Guardian's Allowance.

## SECTION 5 – UNEMPLOYED AND SEEKING WORK

### JOBSEEKER'S ALLOWANCE

#### 1. INTRODUCTION

##### 1.1 GENERAL

Jobseeker's Allowance (JSA) is a benefit for people who are unemployed or working (on average) less than 16 hours per week and who are available for, and actively seeking, employment.

It is a single allowance with two routes of entitlement:

- Contribution-based (Cont); or
- Income-based (IB).

##### 1.2 JSA is

- (i) non-taxable;
- (ii) contribution-based (for those who satisfy the contribution conditions); and
- (iii) income-based (for those whose income is insufficient to meet their needs, irrespective of whether they satisfy the contribution conditions). Those persons whose JSA(Cont) is not enough for them to live on may receive JSA(IB) as well.

##### 1.3 Leaflet - JSA5 – A Guide to Jobseeker's Allowance

Claim form - JSA1

#### 2. JSA(CONT) AND JSA(IB)

Entitlement to JSA(Cont) is based on a customer's National Insurance record.

JSA(IB) is an income-related benefit paid to people who are not entitled to JSA(Cont), or whose entitlement to JSA(Cont) has been exhausted or whose applicable amount (see over) exceeds the amount of JSA(Cont) to which they are entitled.

Payment is not normally made for the first three days of a claim (known as "waiting days"). However, if there are breaks of less than 12 weeks between claims, the claims are linked and there is no requirement to serve the waiting days again.

The following groups do not have to serve waiting days:

- jobseekers
  - \* moving from Income Support to JSA
  - \* moving from Incapacity Benefit to JSA
  - \* moving from Carer's Allowance to JSA
  - \* moving from approved training to JSA
- 16/17 year olds experiencing severe hardship; and
- discharged prisoners (provided they claim on the day of their release).

#### 3. BASIC QUALIFYING CONDITIONS

##### JSA(Cont)

To qualify for JSA(Cont) the customer must satisfy both the labour market conditions and the contribution conditions.

##### Labour market conditions

Customers must

- be available for work (normally for at least 40 hours per week)
- be actively seeking work
- be capable of work
- enter into a Jobseeker's Agreement which remains in force (see paragraph 14 on page 42)

- be under state pension age (see page 64)
- be in the Isle of Man
- not be in
  - \* remunerative work (i.e. work of 16 hours or more a week), or
  - \* full-time education (i.e. guided learning of 16 hours or more a week)

### **Contribution conditions**

#### **First contribution condition**

The first contribution condition is satisfied if a person has worked and paid Class 1 National Insurance contributions as an employed earner, or paid special Class 2 National Insurance contributions as a share fisherman or a volunteer development worker for at least 26 weeks in either of the two tax years before the year in which the claim is made.

#### **Second contribution condition**

This condition is met if the customer has paid or been credited with NI contributions producing an earnings factor equal to 50 times the lower earnings limit in each of the last two complete tax years before the benefit year in which the jobseeking period begins.

#### **Amount and duration of JSA(Cont)**

The amount of benefit a customer is entitled to depends upon their age.

The amount of JSA(Cont) payable is normally reduced if the customer has weekly earnings in excess of £30.00, or if they receive an occupational or personal pension of more than £50 per week.

JSA(Cont) is payable for a maximum of 26 weeks. If there is a break of 12 weeks or less between claims, all the days for which JSA(Cont) are paid are added together and treated as the same period.

#### **JSA(IB)**

Entitlement to JSA(IB) is subject to the same labour market conditions as JSA(Cont). However, the customer does not have to satisfy the contribution conditions. The maximum amount of JSA(IB) which can be awarded is known as the applicable amount. This is reduced by any reckonable income the person, their partner and/or their other dependants receive and any assumed income from their capital, if they have over £13,000.

The applicable amount may be made up of three elements

- personal allowances – to meet normal day to day living expenses such as food, clothing, heating and lighting;
- premiums – extra amounts payable in respect of carers, the disabled and the elderly; and
- housing costs – to help meet housing costs, such as rent, rates, service charges or loan interest.

#### **Personal Allowances**

The personal allowance includes an amount for:

- the customer
- their partner (if they have one)
- each dependent child or young person that lives with them.

Details of the amounts payable can be found in leaflet JSA5

#### **Premiums**

Premiums are extra amounts of JSA(IB) payable to customers who satisfy certain conditions.

In some circumstances, if the customer meets the conditions for more than one type of premium, two or more premiums are payable simultaneously, however in other circumstances only one premium is payable.

No premium is payable in respect of a customer's partner if they are in a residential or nursing home.

The **Mobility Premium** is intended to compensate those persons whose partner's mobility significantly deteriorates, or they suffer severe loss of visual acuity, after they reach 65 years of age (for both men and women). This is because people who were not entitled to the mobility component of Disability Living Allowance before they reached 65 years of age cannot gain entitlement to it if their mobility or visual acuity deteriorates after their 65<sup>th</sup> birthday.

The **Carer Premium** is payable if the customer's partner is in receipt of Carer's Allowance.



The **Disabled Child Premium** is payable for each child the customer has living with them who

- is in receipt of the care component of Disability Living Allowance (DLA) at the highest or middle rate; or
- is in receipt of the mobility component of DLA at the higher rate; and
- has savings of not more than £13,000.

The **Shared Care Premium** is payable if the customer has substantial caring responsibilities for a child or young person but is not entitled to child benefit in respect of that child or young person.

**The premiums above can be paid at the same time as any other premium.**

The **Pensioner Premium** is payable at one of two rates, depending on whether the customer

- is single and has reached the state pension age for a woman (see page 77), or
- is a member of a couple and one member of the couple (or both of them) have reached the state pension age for a woman.

A customer who is entitled to the pensioner premium cannot be paid the incapacity or disability premium.

The **Incapacity Premium** is payable if the customer is a member of a couple and their partner has been incapable of work for the previous 364 days or more, or is terminally ill.

A customer who is entitled to the pensioner premium, or who is entitled to the disability premium in respect of their partner, cannot be paid the incapacity premium.

The incapacity premium can be paid at the same time as the disability premium if the customer is disabled and meets the criteria for the disability premium (see below) and his partner has been incapable of work for the previous 364 days or more, or is terminally ill.

The **Disability Premium** is payable if the customer or their partner is in receipt of

- the care component of Disability Living Allowance (DLA) at the highest or middle rate;
- the mobility component of DLA at the higher rate;
- Attendance Allowance; or
- mobility premium (in the case of the partner only).

A customer who is entitled to the pensioner premium cannot be paid the incapacity premium.

The disability premium can be paid at the same time as the incapacity premium if the customer is disabled and meets the criteria for the disability premium and his partner has been incapable of work for the previous 364 days or more, or is terminally ill.

If both the customer and their partner meet the criteria for the disability premium, a disability premium at the couple rate is payable.

### **Housing Costs**

A customer may be entitled to housing costs if they have to pay

- rent (but not to a close relative living in the same property)
- service charges
- loan interest (but not capital repayments) on a property occupied by the customer and their family
- rates
- maintenance and insurance (this is paid at a fixed rate)

**Rent** - if the customer lives in public sector housing the actual cost of rent and rates payable is allowable.

If the customer rents a property in the commercial sector an amount is payable for the rent and rates up to a maximum. The maximum amount allowable depends on whether the customer has any dependent children (and if so, how many). The amount allowable may not cover all the rent payable.

**Loan interest** - if the customer is living in their own home and paying loan interest, an amount is allowable for the loan interest and their rates up to a maximum (as for rent). Again, this amount may not cover the full amount of loan interest and rates payable.

**Reduction in Housing Costs**

Housing costs may be reduced if

- the customer sub-lets part of their accommodation; or
- they have someone living in their household who is not dependent on them, for example a grown-up son or daughter.

There are set amounts deducted from housing costs in these circumstances.

**Board and Lodgings**

If a customer lives in a hotel or guest house, they are not normally regarded as having housing costs. If the customer is a boarder they will be allowed payment to cover the reasonable cost of lodgings plus an allowance for any meals not provided at the lodgings and an amount for personal expenses. The total allowances may be subject to a maximum limit. Customers are not treated as boarders if they are staying with a close relative of theirs.

**Joint Claims**

Certain couples who have no dependent children are required to make joint claims to JSA (IB). Both partners must meet the labour market conditions for JSA (see page 37) in order to receive benefit.

However, in certain circumstances, one partner may be excused from meeting the labour market conditions, for example, if they are caring for another person on a regular basis or are receiving Incapacity Benefit.

**4. RESIDENTIAL CONDITIONS**

To qualify for JSA, the jobseeker must be ordinarily resident in the Isle of Man. To be eligible for JSA(IB) a customer must be an "Isle of Man worker" (as defined by the Control of Employment Act 1975). However, a person is not an Isle of Man worker for the purposes of JSA(IB) if they would only be an Isle of Man worker by virtue of their (or their spouse or civil partner) being educated in the IOM. Examples of satisfying the residential qualification are having been born on the Island, having lived here for at least 5 consecutive years immediately prior to the claim, having lived on the Island for a continuous period of 10 years at any time, or being married to, or a civil partner of, an Isle of Man worker.

**5. PERSONS AGED 16/17 YEARS**

16/17 year olds are only entitled to JSA(IB) in specified circumstances. They are also required to satisfy the labour market conditions and are subject to sanctions (see paragraph 8) in the same way as other jobseekers.

**6. HOW TO CLAIM**

A person should claim JSA by attending the Jobseeker's Allowance Enquiries Counter, Markwell House, Market Street, Douglas or either of the Department's district offices (see page 93). They must attend in person - no-one else can attend on their behalf. They should do this on the first day they are unemployed otherwise they may not receive as much benefit as they would otherwise have done.

**7. WHAT IS REQUIRED WITH THE CLAIM**

A number of documents may be required when submitting a claim to JSA:

- the customer's birth certificate;
- proof of how much rent, rates, mortgage interest, service charges or board and lodging charges the customer is liable to pay;
- if the customer has more than £5,000 in savings and investments – their bank statements for the last 3 months, National Savings book, share certificates etc.; and
- evidence of any other income received by the customer (this does not include any other social security benefit or maintenance).

If the customer is unable to produce the required documents, a claim should still be made and the necessary papers taken or sent in later.

## 8. SANCTIONS AND DISALLOWANCES

### Sanctions

A person will incur a sanction - and so not receive JSA - for up to 26 weeks if it is decided that they have:

- left their employment voluntarily without just cause;
- been dismissed from employment for misconduct; or
- refused, failed to apply for or accept employment without good cause.

Sanctions of two or four weeks may also be incurred if they have:

- failed to follow a Jobseeker's Direction without good cause
- refused or failed to apply for
  - \* a place on a training scheme, or
  - \* an employment programme
- failed to attend a training scheme or employment programme without good cause
- lost a place on a training scheme or employment programme through misconduct.

However, during the sanction period they may apply for a reduced payment of JSA under the Hardship provision (see paragraph 9 below).

### Disallowances

A jobseeker may be disallowed JSA if they fail to meet the basic qualifying conditions, i.e. they must continue to:

- be available for work
- actively seek work (in accordance with the terms of their Jobseeker's Agreement)
- be capable of work (though they can be treated as capable or work for short terms of incapacity – see paragraph 15)
- attend interviews with an Employment Officer, and
- attend one of the Department's offices to provide signed declarations, usually once a fortnight.

## 9. JSA HARDSHIP PROVISION

Under this provision, payment of JSA will only be made to prevent hardship. If hardship can be avoided by claiming another benefit (e.g. Income Support), the person will not be paid JSA. Certain vulnerable groups are more at risk of hardship if benefit is not paid and therefore have earlier access to hardship payments. Vulnerable groups are:

- lone parents who are responsible for and living with at least one child aged 12 or over or a qualifying young person (a lone parent with a child under age 12 would be entitled to Income Support)
- couples looking after children
- pregnant women
- people with disabilities
- people spending a lot of time caring for someone who has claimed or is receiving Disability Living Allowance care component or Attendance Allowance
- people with a chronic physical medical condition
- most 16/17 year olds.

Payments under the hardship provisions are made at a reduced rate of JSA(IB). The reduced rate is the amount of benefit the person would be entitled to under normal rules less 40% of their personal allowance if they are subject to benefit sanction. The amount of the reduction is 40% of their personal allowance, increasing to 50% and then to 60%, where they are repeatedly disallowed benefit because they fail to meet certain of the basic qualifying conditions but still qualify for a JSA hardship payment.

If the customer, or a member of his family, is seriously ill or pregnant the reduction is half of what it would otherwise be.

**10. CAPITAL****JSA(Cont)**

Entitlement to JSA(Cont) is not affected by the amount of capital a customer or his partner/dependants have.

**JSA(IB)**

The amount of JSA(IB) a person is entitled to will be affected if the customer has capital in excess of £13,000 (including any capital their partner has). Although the customer's actual income from their capital (for example, bank interest) is ignored, an income of £1 per week is assumed for each £250 of capital over £13,000.

If a dependent child has capital of up to £13,000 JSA(IB) is not affected. If the child has over £13,000, no personal allowance or premium is payable for that child.

**11. PARTNER'S EARNINGS RULES**

JSA(Cont) is not affected by a partner's earnings or number of hours worked. If the customer's partner works for 24 hours or more a week, JSA(IB) is not paid. If the customer's partner works less than 24 hours per week, JSA(IB) may still be paid albeit at a reduced rate. The first £30.00 of earnings is disregarded – anything over that reduces the amount of JSA(IB) payable penny for penny.

**12. OCCUPATIONAL AND PERSONAL PENSIONS**

With JSA(Cont), all occupational and personal pensions above the threshold of £50 a week will reduce the amount payable, regardless of the age of the person.

For JSA(IB), occupational and personal pensions are taken fully into account.

**13. TRADE DISPUTES**

A customer involved in a trade dispute is not entitled to JSA. However, they or their partner may be eligible for Income Support.

**14. LOOKING FOR WORK**

The jobseeker must sign up to and abide by a "Jobseeker's Agreement". This is essentially a jobsearch plan, which is discussed at interview with an Employment Officer and will be reviewed at regular intervals.

Normally a jobseeker will be required to attend a Social Security office fortnightly to register as unemployed. Also they will be required to attend interviews with an Employment Officer to review their jobsearch activity. The jobseeker must attend when asked to do so and fulfil the conditions set out in their Jobseeker's Agreement for benefit to be paid.

**15. SHORT PERIODS OF INCAPACITY**

JSA may be paid for periods of illness of up to 2 weeks. This can happen for not more than 2 periods within a 12-month period. If the customer falls ill for a third or subsequent occasion within the 12-month period they will no longer be entitled to be paid JSA for the period(s) they are ill. They may, however, be entitled to Incapacity Benefit and/or Income Support.

**16. PART-TIME STUDENTS**

People can receive JSA if studying part-time providing they are available for and actively seeking work. Part-time is defined as less than 16 hours per week of guided learning.

**17. DEDUCTIONS**

Deductions to recover overpayments of social security benefits can be made from both JSA(IB) and JSA(Cont). Deductions for housing costs, fuel, etc. to be paid directly to the provider can normally only be made from JSA(IB).

**18. COMMENCING WORK**

Payment of JSA normally ends when a customer commences a new job which is for 16 or more hours a week. However, if they have to wait more than a week before they get paid by their employer, they may be entitled to an Exceptional Needs Grant from the Department (see page 53).

If the customer has been in receipt of income-based JSA for a continuous period of 26 weeks up to and including the day before they, or their partner, start work, and that work is expected to last a minimum of 5 weeks, the benefit will continue for a further 4 weeks. This is known as 'benefit run-on'.

**19. PAYMENT**

Payment of JSA is usually made fortnightly by cheque, which can be cashed at a Post Office or paid into a bank or building society. In some cases, it may be paid weekly.

JSA(Cont) may be paid for a maximum period of 26 weeks. There is no limit to the period to which JSA(IB) may be paid, provided the customer continues to satisfy the qualifying conditions.

**20. RELATED BENEFITS**

Customers who either do not work or work for less than 16 hours a week will normally have Class 1 NI credits applied to their National Insurance record automatically.

Customers receiving JSA(IB) may be able to get:

- free NHS dental treatment
- free prescriptions
- vouchers towards the cost of glasses
- free wigs and fabric supports
- travel costs to hospital.

They may also get help towards maternity and funeral costs (see pages 28 and 51).

They may also be entitled to Budgeting Loans and Exceptional Needs Grants (see page 53).

They may also get help with the cost of children participating on sports development schemes. Applications should be made to Sports Development, NSC, Groves Road, Douglas.

**21. DIFFERENCES BETWEEN IOM AND UK**

IOM rates of income-based JSA are generally higher than comparable UK rates. Earnings disregards are more generous than those in the UK. The IOM also provides a full range of housing costs, which in the UK are currently provided through Housing Benefit and Council Tax Benefit for rents and Council Tax respectively. Mortgage interest is provided for in JSA(IB) in the UK, but only after a certain number of weeks, whereas in IOM an allowance is made from the outset of the claim.

In the UK there is a capital limit of £16,000. Customers who possess capital in excess of that amount are not entitled to JSA(IB). Where a person has capital in excess of £6,000 (£10,000 for those in a care home), but less than £16,000, they are assumed to receive an income from it at the rate of £1 per week for each £250 of capital (or part thereof) over the £6,000 threshold. Any income they actually receive from capital investments is ignored. In the IOM there is no capital limit, however a customer is assumed to receive £1 for every £250 of capital they have in excess of £13,000 (any actual income they receive from capital investments is ignored).

In the UK income-based JSA and Housing Benefit will ultimately be incorporated into the new Universal Credit.

The IOM scheme provides for Budgeting Loans and Exceptional Needs Grants which are similar to UK provisions. In England, non-regulated Social Fund Payments have been replaced by locally based provision delivered by local authorities, whilst in Scotland and Wales responsibility has been devolved to the respective Governments to administer.

## SECTION 6 – INCOME SUPPORT

### 1. INTRODUCTION

#### 1.1 GENERAL

Income Support (IS) is an income-related benefit for certain categories of people who are not working, or who work for less than 16 hours per week, and do not have enough money to live on. Income Support is designed primarily to ensure that certain people aged 16 or over (and their families) have enough money to meet their basic living costs when their own income fails to do so.

#### 1.2 IS is -

- (i) taxable or non-taxable depending upon the underlying cause of the claim;
- (ii) non-contributory; and
- (iii) income-related.

#### 1.3 Leaflet - A1 (Leaflet A1(RNH) for residential and nursing home cases)

Claim form - A2 for persons under state pension age

E2 for persons over state pension age

#### 1.4 Telephone contact - 685094 (under state pension age) 687020 (over state pension age).

### 2. BASIC QUALIFYING CONDITIONS

To qualify for IS, a person must:

- be aged 16 years or over
- be an "Isle of Man worker" (see paragraph 3)
- fall into one of a number of specified categories, the main ones being:
  - \* a lone parent (with at least one child under the age of 12)
  - \* a person who is incapable of work due to incapacity or disability
  - \* a person who is caring for someone who is severely disabled
  - \* a woman who is, or has been, pregnant, but income support is payable only for the period commencing 11 weeks before her expected week of confinement and ending 15 weeks after her pregnancy ends
  - \* a student living away from their parents, but only in certain circumstances
  - \* a person who has attained "the qualifying age". This means
    - in the case of a woman, her state pension age; and
    - in the case of a man, the age which is the state pension age of a woman born on the same day as him (see page 64)
  - \* a deaf student
  - \* a person on parental or paternity leave from their employment and not receiving payment from their employer during that absence.

A person is not entitled to income support if they work for 16 or more hours per week, or if their partner works for 24 or more hours per week, regardless of how much they earn.

In the case of couples (whether married, unmarried but living together as husband and wife, civil partners or living together as though they are civil partners) only one partner may claim, however the claim covers the whole family's needs and has regard to all their income and capital (although some of that income or capital may be disregarded).

People who are unemployed, available for work and capable of work and who do not qualify for IS under any of the above qualifying conditions should claim Jobseeker's Allowance.

### 3. "ISLE OF MAN WORKER"

To be eligible for IS a customer must be an "Isle of Man worker" (as defined by the Control of Employment Act 1975). However, a person is not an Isle of Man worker for the purposes of IS if they would only be an Isle of Man worker by virtue of their (or their spouse or civil partner) being educated in the IOM. Examples of satisfying the residential qualification are: having been born on the Island; having lived here for at least 5 consecutive years

immediately prior to making their claim for IS; having lived in the Island for a continuous period of 10 years at any time; or being married to, or a civil partner of, an Isle of Man worker.

#### 4. CALCULATION OF APPLICABLE AMOUNT

The maximum amount of IS which can be awarded is known as the “applicable amount”. This is reduced by any reckonable income the customer, their partner (if they have one) and/or their other dependants receive and any assumed income from capital over £13,000 (see section 6 below).

The applicable amount is made up of three elements:

- personal allowances – to meet normal day-to-day living expenses, such as food, clothing, heating and lighting;
- premiums – extra allowances in respect of the elderly, the long-term sick, disabled persons and carers; and
- housing costs – to help meet the costs of rent, rates, service charges or loan interest.

##### **Personal Allowances**

The personal allowances include an amount for:

- the customer;
- their partner (if they have one); and
- each dependent child or young person (up to age 20) who lives with them.

Details of the amounts payable can be found in leaflet BP196 – ‘Social Security Benefit Rates’.

##### **Premiums**

Premiums are extra amounts of income support, payable to customers who satisfy certain conditions.

In some circumstances, if the customer meets the conditions for more than one type of premium, two or more premiums are payable simultaneously, however in other circumstances only one premium is payable.

No premium is payable if the customer is in a residential or nursing home, or in respect of their partner if they are in a residential or nursing home.

The **Attendance Premium** is applicable if the customer or their partner has made a claim for attendance allowance or the care component of disability living allowance and it is likely that either benefit will be payable once the person has satisfied the necessary qualifying conditions for the benefit. The amount of the premium is the same as the amount of attendance allowance or the care component of disability living allowance that will most likely be payable and is no longer applicable once the person is actually in receipt of attendance allowance or disability living allowance.

The **Mobility Premium** is intended to compensate those persons whose mobility significantly deteriorates, or they suffer severe loss of visual acuity, after they reach 65 years of age (for both men and women). This is because people who were not entitled to the mobility component of Disability Living Allowance before they reached 65 years of age cannot gain entitlement to it if their mobility or visual acuity deteriorates after their 65<sup>th</sup> birthday.

Customers who were entitled to the lower rate of the mobility component of Disability Living Allowance before they reached 65 years of age cannot gain entitlement to the higher rate of that component even if their mobility deteriorates after their 65<sup>th</sup> birthday. Instead they continue to receive the lower rate of the mobility component. However, they may qualify for the lower rate mobility premium which when added to their lower rate of the mobility component of Disability Living Allowance would provide them with the equivalent of the higher rate of the mobility component of Disability Living Allowance.

The mobility premium is payable at one of two rates. The amount of the premium effectively brings a person’s benefit up to the level it would be if the upper age limit for Disability Living Allowance mobility component did not exist.

Where both the customer and their partner meet the qualifying conditions for the mobility premium, a mobility premium at the couple rate is payable.

The **Disabled Child Premium** is applicable for each child the customer has living with them who

- is in receipt of the care component of Disability Living Allowance at the highest or middle rate; or
- is in receipt of the mobility component of Disability Living Allowance at the higher rate; and
- has savings of not more than £13,000.

The **Carer Premium** is applicable if the customer or their partner is (or both of them are) in receipt of Carer's Allowance. Where both the customer and their partner are in receipt of Carer's Allowance, a carer premium at the couple rate is payable.

The **Shared Care Premium** is applicable if the customer has substantial caring responsibilities for a child or young person but is not entitled to child benefit in respect of that child or young person.

**The premiums above can be paid at the same time as any other premium.**

The **Pensioner Premium** is payable at one of two rates, depending on whether the customer

- is single and has reached the state pension age for a woman (see page 64), or
- is a member of a couple and one member of the couple (or both of them) have reached the state pension age for a woman.

A customer who is entitled to the pensioner premium cannot be paid the incapacity or disability premium.

The **Incapacity Premium** is applicable if the customer or their partner (or both of them) has either been incapable of work for the previous 364 days or more, or is terminally ill.

A customer who is entitled to the pensioner premium cannot be paid the incapacity premium.

A customer who is entitled to the disability premium cannot be paid the incapacity premium. Similarly, if the customer is entitled to a disability premium in respect of their partner they cannot be paid an incapacity premium in respect of their partner.

However, the incapacity premium can be paid at the same time as the disability premium if the customer is disabled and meets the criteria for the disability premium (see below) and his partner has been incapable of work for the previous 364 days or more, or is terminally ill, or vice versa.

Where both the customer and their partner meet the qualifying conditions for the incapacity premium, an incapacity premium at the couple rate is payable.

The **Disability Premium** is applicable if the customer or their partner is in receipt of

- the care component of Disability Living Allowance (DLA) at the highest or middle rate;
- the mobility component of DLA at the higher rate;
- Attendance Allowance; or
- the mobility premium (in the case of the customer only).

A customer who is entitled to the pensioner premium cannot be paid the disability premium.

The disability premium can be paid at the same time as the incapacity premium if the customer is disabled and meets the criteria for the disability premium and his partner has been incapable of work for the previous 364 days or more, or is terminally ill, or vice versa.

If both the customer and their partner meet the criteria for the disability premium, a disability premium at the couple rate is payable.

### **Housing Costs**

A customer may be entitled to housing costs if they have to pay:

- rent (but not to a close relative living in the same property)
- service charges
- loan interest (but not capital repayments) on a property occupied by the customer and their family
- rates
- interest on loans for necessary repairs
- maintenance and insurance (this is paid at a fixed rate).

**Rent** - if the customer lives in public sector housing, the full cost of rent and rates is allowable.

If the customer rents a property in the commercial sector an amount is payable for the rent and rates up to a maximum. The maximum amount allowable depends on whether the customer has any dependent children (and if so, how many). The amount allowable may not cover all the rent payable.



**Loan interest** - if the customer is living in their own home and paying loan interest, an amount is allowable for the loan interest and rates up to a maximum amount (as above). This amount may also not cover the full amount of loan interest and rates payable.

### **Reduction in Housing Costs**

Housing costs may be reduced by specified sums if

- the customer sub-lets part of their accommodation; or
- they have someone living in their household who is not dependent on them, for example a grown up son or daughter.

### **Board and Lodgings**

If a customer lives in a hotel or guest house, they are not normally regarded as having housing costs. If the customer is a boarder, they will be allowed a payment to cover the reasonable cost of their lodgings, plus an allowance for any meals not provided at the lodgings and an amount for personal expenses. Total allowances may be subject to a maximum. Customers are not treated as boarders if they are staying with a close relative of theirs.

### **Residential and Nursing Homes**

If a customer lives in a residential or nursing home, they are allowed a payment to cover (or to go towards) the charge for their accommodation plus an amount for personal expenses. The allowance may be subject to a maximum if the home the customer lives in is commercially operated or is run by a voluntary or charitable organisation.

For more information ask for leaflet A1(RNH) – 'Income Support for People Entering Nursing Homes or Residential Homes'

### **Working and Income Support**

IS is not normally payable to someone who works for 16 or more hours a week, or who has a partner who works for 24 or more hours a week. However, if the customer works for 16 hours or more (or their partner is working for 24 hours or more) per week, they may still be able to get benefit if, for example, the person who works

- is caring for another person;
- is a part-time fire-fighter, an auxiliary coastguard, a lifeboat man or a member of the Territorial Army or another reserve force; or
- is employed by a charity or voluntary organisation and is only paid expenses for that work.

If a customer is not entitled to Income Support because of the hours they or their partner work, they may be eligible to claim Employed Person's Allowance instead. Further details can be found in Section 2.

### **Commencing Work**

Although a customer cannot normally get Income Support if they are working for 16 or more hours a week (or if their partner is working for 24 or more hours a week), help may still be available to them when they (or their partner) initially leave benefit to start work.

If the customer has been in receipt of Income Support for a continuous period of 26 weeks up to and including the day before they (or their partner) start work, and that work is expected to last for at least 5 weeks, payment of Income Support will be made for the first 4 weeks they are in work. This is known as "benefit run-on".

If a customer does not qualify for benefit run-on and they (or their partner) have to wait for more than a week before they get their first wages or salary, they may be able to get an Exceptional Needs Grant (see section 9).

## **5. DISREGARDED EARNINGS AND OTHER INCOME**

Generally speaking, all income is deducted from a customer's applicable amount when calculating their entitlement to Income Support. However, for certain types of income set amounts are disregarded (ignored) whilst other types of income are ignored completely. For example, up to £30 of earnings, educational grant, war pension and training allowance is ignored. Attendance Allowance, Constant Attendance Allowance, Disability Living Allowance and Child Benefit are ignored completely. For those who have attained "the qualifying age" (see paragraph 2 on page 44), the first £15 of any "additional pension" is ignored. "Additional pension" means any additional State pension (from the State Earnings Related Pension Scheme (SERPS) or its successor, the State Second Pension Scheme), Graduated Retirement Benefit, any occupational pension, personal pension or annuity. "Additional pension" does not include basic State Pension, or any age addition to it, Isle of Man Pension Supplement or Retirement Pension Premium.

**6. CAPITAL**

Entitlement to IS may be affected by the amount of capital a customer or any member of his family has. Customers with over £13,000 in capital (including their partner's capital) have their applicable amount of IS reduced by £1 for each whole £250 of capital they have over £13,000. Any income they actually receive from their capital (e.g. bank interest) is ignored.

If a customer, or any member of his family has disposed of any capital (for example, by making a gift of money to someone or transferring property to a relative at less than its market value), they may be treated as if they still possessed that capital if it was given away for the purpose of securing or increasing their entitlement to Income Support (or any other income-related benefit).

There are special rules for the treatment of former homes of customers who move into nursing or residential accommodation. To find out more ask for leaflet A1 (RNH).

If a dependent child has capital of up to £13,000, a person's IS entitlement is not affected, but if the child has more than that amount then no personal allowance or disabled child premium is payable for that child.

**7. HOW TO CLAIM**

Customers should complete a claim form A2 (or Form E2 if the customer or their partner is over pension age) and take or send it to the Income Support Group, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93). A claim should be submitted as soon as possible as the backdating of a claim is not normally allowed.

The Department can arrange a "home visit" to help customers complete a claim form in certain circumstances.

A single customer can only claim for themselves, but if they have a partner or dependent children then they will be included in the claim. The term "partner" means:

- the customer's spouse, or a person they live with as if they are married, or
- the customer's civil partner, or a person they live with as if they are civil partners.

The persons included in the claim are treated as a family. The allowances and income of the family are assessed together.

**8. WHAT IS REQUIRED WITH THE CLAIM**

A number of documents may be required when submitting a claim for Income Support:

- the customer's birth certificate;
- proof of how much rent, rates, mortgage interest, service charges or board and lodging charges are paid by the customer;
- if the customer has more than £5,000 in savings and investments - proof of the amount; and
- evidence of any other income received by the customer (this does not include any other social security benefit).

If the customer is unable to produce the required documents straightaway, a claim should still be made straightaway and the necessary papers taken or sent in later.

**9. PAYMENT**

Payment is made either by

- direct credit every 4 weeks into a bank or building society account held in the customer's name;
- orders which can be cashed weekly at a Post Office; or
- weekly or fortnightly cheque, which can be cashed at a Post Office or paid into a bank or building society account.

**10. OTHER HELP**

Customers in receipt of Income Support may be able to get:

- \* Free prescriptions
- \* Free dental treatment
- \* Vouchers to help with the cost of glasses
- \* Help with the cost of travelling to hospital for treatment.  
(Applications should be made to the Department of Health and Social Care, Crookall House, Demesne Road, Douglas IM1 3QA)
- \* Help to assist with the expenses of a new baby  
(Applications should be made to the Income Support Group, Social Security Division, Markwell House, Douglas IM1 2RZ)
- \* Free School Meals.  
(Applications should be made to the Department of Education and Children, Hamilton House, Peel Road, Douglas IM1 5EZ)
- \* Help with the cost of children participating on Sports Development Schemes.  
(Applications should be made to Sports Development, NSC, Groves Road, Douglas IM2 1RB)
- \* Help to assist with the cost of a funeral.  
(Applications should be made to the Funeral Payment Unit, Social Security Division, Markwell House, Douglas IM1 2RZ)
- \* Exceptional Needs Grants or Budgeting Loans (see section 9)
- \* Free TV Licences (see Section 7)

**11. DIFFERENCES BETWEEN IOM AND UK**

Entitlement to income support on the Island is normally subject to the customer or their partner qualifying as an Isle of Man worker. However, this requirement may be waived if it would be exceptionally harsh or oppressive to deny them benefit.

IOM rates of allowances are generally higher than comparable UK rates. Earnings disregards are more generous than those in the UK. The IOM also provides a full range of housing costs, which in the UK are currently provided for through Housing Benefit and Council Tax Benefit for rents and Council Tax respectively. Mortgage interest is provided for in income support straightaway, whereas in the UK allowance is only made 3 months after claiming IS.

In the UK there is a capital limit of £16,000. Customers who possess capital in excess of that amount are not entitled to income support. Where a person has capital in excess of £6,000 (£10,000 for those in a care home), but less than £16,000, they are assumed to receive an income from it at the rate of £1 per week for each £250 of capital (or part thereof) over the £6,000 threshold. Any actual income they receive is ignored. In the IOM there is no capital limit, however a customer is assumed to receive £1 for every £250 of capital they have in excess of £13,000 (any actual income they receive is ignored).

In the UK, from October 2003, Income Support for people aged 60 or over was replaced by Pension Credit. For Pension Credit the first £10,000 of capital is ignored. Where a person has capital in excess of £10,000 they are assumed to receive an income from it at the rate of £1 per week for each £500 of capital (or part thereof) over the £10,000 threshold. Neither the IOM Income Support scheme nor the UK State Pension Credit scheme has an upper capital limit.

In the UK, Income Support and Housing Benefit for people of working age will gradually be replaced by the new Universal Credit.

The IOM scheme provides for Budgeting Loans and Exceptional Needs Grants. In England, non-regulated Social Fund Payments have been replaced by locally based provision delivered by local authorities, whilst in Scotland and Wales responsibility has been devolved to the respective Governments to administer.

## SECTION 7 – FREE TV LICENCE

### 1. PERSONS AGED 75 OR OVER

Persons aged 75 or over who receive payment of Retirement Pension from the Social Security Division will be sent an information sheet explaining how to claim their free TV Licence. They will need to contact TV Licensing in Bristol, who will issue the TV Licence. A successful claim will also result in a free TV Licence being issued automatically in future years. Free TV Licences for people aged 75 or over are issued irrespective of what (if any) benefit they are in receipt of - there is no income test. Persons aged 75 or over who do not receive payment of their Retirement Pension from the Department should contact the Pensions Group at Markwell House (telephone 685095) for advice on making a claim.

### 2. PERSONS AGED BETWEEN 61 AND 74

People over pensionable age but under 75 who are in receipt of, or treated as being in receipt of, either Income Support or Income-based Jobseeker's Allowance, can also be issued with a TV licence free of charge.

### 3. Leaflet/Claim form - TV1

Telephone contact - 685084

### 4. BASIC QUALIFYING CONDITIONS

To qualify the customer (or his partner) must

- be liable to pay a fee for a television licence;
- have attained state pension age (but not aged 75);

**and either**

- be in receipt of (or be treated as being in receipt of) Income Support or Income-based Jobseeker's Allowance; or
- have been in receipt of either of those benefits in the past or be the widow or widower of a person who was in receipt of either of those benefits in the past and have capital of less than £20,000 (this amount applies to both single persons and couples).

### 5. WHEN TO CLAIM

A claim can be made at any time within the 3-month period commencing one month before the date upon which the TV licence is payable and ending two months after the date. So for example, if the licence is due for renewal on 1<sup>st</sup> October, the customer can claim at any time in the period from 1<sup>st</sup> September to 30<sup>th</sup> November.

### 6. HOW TO CLAIM

To claim (under the conditions set out in paragraph 4 above) a customer should request a claim Form TV1 by contacting :

- the Income Support (Pensioners) Unit at Markwell House (telephone 685084); or
- either of the Department's District Offices (see page 93).

The completed Form TV1, together with the licence renewal notice or the licence itself, should be sent to the Income Support (Pensioners) Unit, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either district office within 2 months of the date the TV licence fee was due for payment. Good cause would need to be shown for any delay in making the claim.

Special arrangements exist for customers who live in sheltered housing or a residential or nursing home. Telephone 685084 to find out more.

### 7. DIFFERENCES BETWEEN THE IOM AND UK

The provisions for those aged 75 or over are the same in the IOM as they are in the UK. There is no similar scheme in the UK for those over pensionable age but under age 75 in receipt of Income Support or Income-based Jobseeker's Allowance.

## SECTION 8 – FUNERAL PAYMENTS

### 1. INTRODUCTION

#### 1.1 GENERAL

A universal Funeral Payment is a lump-sum payment to assist a person responsible for funeral expenses. Further assistance - in the form of an Additional Funeral Payment - may be given if the person responsible for the funeral bill (or their partner) is entitled to income support, income-based jobseeker's allowance or employed person's allowance.

#### 1.2 Funeral Payments are -

- (i) non-taxable;
- (ii) non-contributory; and
- (iii) not income-related (the universal Funeral Payment) and income-related (the Additional Funeral Payment).

#### 1.3 Claim form - FP1/BP20 and SF200 (additional funeral payment)

#### 1.4 Telephone contact - 685106

### 2. BASIC QUALIFYING CONDITIONS

#### Funeral Payment

A Funeral Payment is payable if

- the death occurred, or is treated as having occurred, on the Island and the deceased was, at the date of death
  - \* ordinarily resident in the Island; or
  - \* absent from the Island being abroad as a serving member of the Armed Forces or living abroad with a member of the Armed Forces and was the spouse, civil partner, son, daughter, father or mother of that person, provided the funeral takes place in the Island; and
- the claimant is aged 16 or over and is
  - \* the personal representative of the deceased; or
  - \* a person who has paid the deceased's funeral expenses; or
  - \* a person who has taken responsibility for payment of the deceased's funeral expenses; or
  - \* a person entitled under the Will or on the intestacy (as the case may be) of the deceased.

#### Additional Funeral Payment

An Additional Funeral Payment may be payable to a customer (or their partner if they have one) who is in receipt of one of the following income-related benefits: Income Support, Employed Person's Allowance or Income-based Jobseeker's Allowance and who has taken responsibility for the funeral costs of -

- their deceased partner or child; or
- a close relative or close friend of theirs (provided it is reasonable for the person to accept responsibility for the costs, which will depend on the level of contact the person had with the deceased).

A person is not entitled to an Additional Funeral Payment if they or their partner have (or together they have) capital of more than £6,000.

The amount of an Additional Funeral Payment takes into account the actual funeral costs (up to a maximum) and may be subject to deduction of any assets made available to the person taking responsibility for the funeral costs (and others) following the death of the person concerned. The Additional Funeral Payment is also recoverable as if it were a first charge on the estate of the deceased.

### 3. HOW TO CLAIM

A claim form, in all cases, should be completed and returned to the Funeral Payments Unit, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or either of the district offices (see page 93) within 12 months of the date of death.

### 4. PAYMENT

Payments for universal Funeral Payments are made by cheque, which can be cashed at a Post Office or paid into a bank or building society account.

Where further assistance is claimed in the form of an Additional Funeral Payment, payments are usually made directly to the funeral director.

**5. DIFFERENCES BETWEEN THE IOM AND UK**

There is no universal payment towards funeral expenses in the UK. However, as with the IOM's Additional Funeral Payment, assistance in the UK is available from the Social Fund to those persons in receipt of an income-related benefit who have taken responsibility for the funeral costs of their partner, child, and in some circumstances, close relative or friend.

## SECTION 9 - EXCEPTIONAL NEEDS GRANTS AND BUDGETING LOANS

### 1. INTRODUCTION

#### 1.1 GENERAL

These payments provide additional financial help, in prescribed circumstances, to recipients of Income Support and Income-based Jobseeker's Allowance (and in very limited circumstances to recipients of Employed Person's Allowance) to help them meet the cost of certain exceptional needs.

Whilst Exceptional Needs Grants (ENGs) are not repayable, Budgeting Loans (BLs) must be repaid to the Department.

BL's and ENG's are

- (i) non-contributory;
- (ii) taxable or non-taxable depending upon the underlying cause of the claim.

#### 1.2 Leaflet – BLG2 – A Guide to Budgeting Loans and Exceptional Needs Grants

Claim forms – BLG1 - Budgeting Loans and Exceptional Needs Grants

#### 1.3 Telephone contact:

For Income Support customers – 685094 (under pension age), 687020 (over pension age)

For Income-based Jobseeker's Allowance customers – 685126

For Employed Person's Allowance customers - 685092

### 2. BASIC QUALIFYING CONDITIONS

#### Exceptional Needs Grants

The principal qualifying conditions for an ENG are:

- that the customer must have a genuine and reasonable need for the item in question;
- the claim must be for one of the items listed in the Regulations;
- the customer or their partner must be entitled to Income Support or an income-based Jobseeker's Allowance on the date the claim is made.

A customer may receive an Exceptional Needs Grant for the following:

- to buy an item of furniture or household equipment listed in the Regulations;
- to pay for a deposit for rent, advance payment towards board and lodging charges, or for connection to the electricity or gas supply, or the initial supply of heating oil on taking up the tenancy of a home.

In both cases the customer must either have moved into new accommodation within the 28 days immediately preceding the date of claim or intends to move into new accommodation within 28 days immediately following the date of claim, after recently leaving:

- prison (having served a term of at least 3 months);
- hospital (having been a patient for at least 3 months);
- certain accommodation provided by the Department where they were receiving special care or attention;
- their former home either because of a fear of domestic violence or because one of their children was in physical or moral danger or there was a serious risk to that child's physical or mental health or, if they are 16 to 20 years old, for one of a number of other reasons stipulated in the Regulations.

An ENG may also be paid to a customer:

- where they live in public sector housing, to pay for the initial supply of oil following a change of fuel supply type where that change has been arranged by Government;
- to buy certain items they need in order to leave benefit and take up, or continue in, work;
- to meet their living expenses whilst they are awaiting
  - \* their first payment of salary or wages, either after leaving benefit and finding work, or where their employer has changed their pay period to a longer one, or
  - \* their first payment of Income Support or income-based Jobseeker's Allowance after claiming benefit.

### **Budgeting Loans (BL)**

Many of the qualifying conditions for a BL are the same as for an ENG.

BLs, however, provide for a wider range of items, and in a wider range of circumstances than ENGs. In order to be entitled to a BL, a customer must generally be entitled to Income Support or income-based Jobseeker's Allowance both at the time of making the claim and for the previous 4 weeks.

A customer may receive a Budgeting Loan:

- for the purchase, delivery and installation of certain items of furniture or household equipment and for any removal costs associated with moving to a new home within the Island;
- for the purchase, delivery and installation of certain items of furniture or household equipment which are worn out, defective or unsafe or have been destroyed, or are needed because a person has recently become a dependant of theirs;
- to pay for a deposit for rent, advance payment towards board and lodging charges, gas, electricity or the initial supply of heating oil after moving to new accommodation or intending to move into new accommodation;
- to carry out essential repairs to, or maintenance of, their or their partner's home or for its redecoration;
- for repairs to furniture or household equipment or domestic heating boilers;
- to buy an item of clothing or footwear for themselves or a member of their family, but not simply because the old clothes have been worn out or outgrown;
- to replace cash the customer or any member of their family has lost or had stolen or destroyed in unforeseen circumstances. A limit applies to the loan depending on the amount of benefit the customer is receiving;
- for the initial lump-sum payment when leasing a vehicle under the Motability Scheme;
- for reusable cotton nappies.

A BL may also be paid to a customer who is entitled to Income Support, an income-based Jobseeker's Allowance or Employed Person's Allowance where they are a victim of a disaster (e.g. a fire or flood), in order for them to purchase any of the items listed in the Regulations.

With effect from 9 July 2013 -

- a person who is awarded a budgeting loan cannot be paid a further budgeting loan for two years thereafter, regardless of the underlying need (any loan received prior to 9/7/13 is ignored for this purpose); and
- a loan in respect of lost cash may only be paid to a customer once in their lifetime (any loan paid in respect of lost cash prior to 9/7/13 is ignored for this purpose).

### **3. EXCLUDED CATEGORIES**

A claim will not be accepted:

- for an ENG for furniture or household equipment or for a deposit for rent, gas or electricity; or
- for a BL for any item, (other than a claim for lost cash or emergency relief, where the customer is in receipt of Employed Person's Allowance);

if the customer or their partner has been offered a job as an employed earner or are taking up self-employment within 28 days of the date of claim.

A claim will not be accepted for a BL or an ENG for any item if the customer is:

- affected by a trade dispute;
- a hospital in-patient;
- a member of a religious order;
- a prisoner.

Payment cannot be made if an ENG or a BL for the item has already been made and the customer's circumstances have not changed, or if the claim is for a need arising outside of the Isle of Man.

If a BL has been paid for any item within the previous 2 years, (ignoring any loan paid to the customer or their partner before 9 July 2013) a further loan cannot be paid.



**4. HOW TO CLAIM**

Customers should complete a claim form BLG1 – Budgeting Loans and Exceptional Needs Grants and take or send it to either the Income Support Group, EPA Unit or Jobseeker's Allowance Group (as appropriate) Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93). A claim should be submitted as soon as possible.

**5. EFFECT OF SAVINGS**

Any savings the customer or their partner, if they have one, has up to £1,000 is ignored. If their savings are more than this, the amount by which their savings exceed £1,000 is deducted from the amount of the grant or loan to which they are entitled. For example, if they are entitled to a grant or loan of £500 but have savings of £1,300 they will only receive a payment of £200.

**6. EFFECT OF OUTSTANDING LOANS**

If a customer or their partner has not fully repaid any BL awarded to them previously, or there is an outstanding benefit overpayment, they will only be able to receive a further BL of £1,000 less twice the amount they still owe. For example, a customer who was provided with a loan of £400 and still owes £150 on that loan will only be able to receive a further £700 (i.e., £1,000 – (2 x £150)).

**7. AMOUNT PAYABLE**

The amount of the BL payable is the cost of the item or items in question, subject to certain maxima for particular items, but also subject to an overall maximum of £1,000.

A BL will only be paid for claims which exceed £30, although this minimum amount does not apply to lost cash.

The amount payable in respect of an ENG will depend on the item or service claimed, subject to certain maxima for particular items, but subject to an overall maximum of £1,000.

**8. PAYMENT**

Payment of both BLs and ENGs is made by cheque which can be cashed at a Post Office or paid into a bank or building society account. Payment may be made to a third party who is selling an item or providing a service to the customer.

**9. REPAYMENT OF A BUDGETING LOAN**

Where a customer is in receipt of any social security benefit, their loan is repaid by way of a £12.50 weekly deduction from that benefit (but not from any Child Benefit or Guardian's Allowance payable to them). Where a customer ceases to be entitled to benefit (e.g. because they commence full-time work) then the repayment of the loan must be at the rate of at least £12.50 per week. Lower levels of repayment are allowed for loans given for Motability lease payments.

**10. DIFFERENCES BETWEEN THE IOM AND UK**

In the UK, until April 2013, budgeting loans, crisis loans and community care grants were payable out of the Social Fund. The awards of these were dependent on similar criteria to those for Budgeting Loans and Exceptional Needs Grants in the Isle of Man.

However, in April 2013 in England, non-regulated Social Fund Payments were replaced by locally based provision delivered by local authorities, whilst in Scotland and Wales responsibility was devolved to the respective Governments to administer.

## **SECTION 10 – BEREAVEMENT BENEFITS**

### **BEREAVEMENT BENEFITS**

For a person who is widowed or becomes a surviving civil partner there are different benefits they may be able to get. The benefit they get may depend on their age and whether they have dependent children living with them. The amount a person can get is based on their late husband's, wife's or civil partner's National Insurance (NI) contributions. Anyone who thinks they are entitled should not delay in making a claim or they may lose benefit.

"Bereavement Benefits" is the generic term for:

- Bereavement Allowance;
- Widowed Parent's Allowance; and
- Bereavement Payment.

To get bereavement benefits the late spouse or civil partner must have paid National Insurance (NI) contributions. The customer's own contributions do not count. Customers can claim bereavement benefits if they were legally married to their late spouse or in a civil partnership.

They cannot get bereavement benefits if they

- were divorced from the deceased or their civil partnership with the deceased had been dissolved;
- remarry or form a different civil partnership;
- are living with someone else as their husband, wife or civil partner (i.e., they are not legally married to them or not in a legal civil partnership);
- are in prison or being held in legal custody; or
- are over State Pension Age (see page 64)

## BEREAVEMENT PAYMENT

### 1. INTRODUCTION

#### 1.1 GENERAL

The Bereavement Payment (BP) is a one-off lump sum payment, payable immediately on bereavement, of £2,000. It is payable to men and women widowed after 9 April 2001 or men and women who become surviving civil partners on or after 5 December 2005.

#### 1.2 BP is -

- (i) non-taxable;
- (ii) contributory; and
- (iii) not income-related.

#### 1.3 Claim form - BB1

#### 1.4 Telephone contact - 685176

### 2. BASIC QUALIFYING CONDITIONS

Bereavement Payment is payable to a person

- whose late spouse or civil partner had paid enough National Insurance contributions\*, or they died as a result of an industrial injury or disease; and
- whose spouse or civil partner was not entitled to Retirement Pension when they died, or the customer is under State Pension Age when the spouse or civil partner dies.

It is not paid to a customer who is

- divorced from their husband or wife or whose civil partnership has been dissolved; or
- living with someone else as their husband or wife or civil partner at the time of their spouse's or civil partner's death; or
- in prison or legal custody.

\* "Enough contributions" means that the late spouse or civil partner has -

**before 6 April 1975**, paid at least 25 Class 1, Class 2 or Class 3 contributions before reaching State pension age; or

**on or after 6 April 1975**, paid at least 25 Class 2 or 3 NI contributions or had earnings from employed earner's employment of at least 25 times the lower earnings limit for any tax year.

### 3. HOW TO CLAIM

A claim form should be completed and returned to the Pensions Group, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or either of the district offices (see page 93).

### 4. WHEN TO CLAIM

Claims should be made as soon as possible, and no later than 12 months after the late spouse's or civil partner's death.

### 5. AMOUNT OF BEREAVEMENT PAYMENT

The Bereavement Payment is £2,000.

### 6. PAYMENT

Payment is made by cheque which can be paid into a bank or building society account. If the customer does not have a bank or building society account, the Bereavement Payment may be paid in two instalments, in which case the customer can cash their cheques at a Post Office.

## WIDOWED PARENT'S ALLOWANCE

### 1. INTRODUCTION

#### 1.1 GENERAL

Widowed Parent's Allowance (WPA) is a weekly benefit paid to widows and surviving civil partners who have dependent children.

#### 1.2 WPA is -

- (i) taxable;
- (ii) contributory; and
- (iii) not income-related

#### 1.3 Claim form - BB1

#### 1.4 Telephone contact - 685176

### 2. BASIC QUALIFYING CONDITIONS

WPA is paid if the customer's late spouse or civil partner had paid enough NI contributions (see "Contribution conditions" below) or they died as the result of an industrial injury or disease, and:

- they have a child for whom they are entitled to (or can be treated as entitled to) Child Benefit; or
- they are expecting their late husband's baby; or
- they are expecting a baby as a result of being artificially inseminated with the semen of someone other than their late husband and the insemination occurred before their husband's, or civil partner's, death and they were living with their husband or civil partner immediately before the death; or
- they are expecting a baby as a result of 'in vitro' fertilisation before their husband's, or civil partner's, death and they were living with their husband or civil partner immediately before the death; and
- the widowed person or surviving civil partner is under State Pension Age when the spouse or civil partner dies.

In addition the child must be:

- the customer's and their late husband's, wife's or civil partner's; or
- a child the customer's husband, wife or civil partner was entitled to Child Benefit for immediately before their death; or
- a child the customer was entitled to Child Benefit for if they and their husband, wife or civil partner were living together immediately before their death.

If the child is not living with the customer, but the customer is making payments towards the cost of providing for the child, they may be able to get WPA.

#### Contribution conditions

The late spouse, or civil partner, must have

- paid at least 50 Class 1, Class 2 or Class 3 contributions before 6<sup>th</sup> April 1975; or
- paid at least 50 Class 2 or Class 3 contributions or earned at least 50 times the lower earnings limit in any one tax year in the three tax years between 6 April 1975 and 5 April 1978, and paid Class 1 contributions on those earnings; or
- paid 52 Class 2 or Class 3 contributions or earned 52 times the lower earnings limit in any one tax year from 6 April 1978 onwards and paid Class 1 contributions on those earnings; and
- paid or been credited with contributions in a minimum number of qualifying years.

NI contributions must have been paid for 90% of the late spouse's, or civil partner's, working life for the allowance to be paid at the full rate. If not, a reduced rate of allowance is payable provided the late spouse has paid NI contributions for at least 25% of their working life.

### 3. HOW TO CLAIM

A claim form should be completed and returned to the Pensions Group, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or either of the district offices (see page 93).

**4. WHEN TO CLAIM**

Claims should be made as soon as possible, and no later than 3 months after the spouse's or civil partner's death.

**5. PAYMENT**

Payment is made either by

- direct credit every 4 weeks into a bank or building society account held in the customer's name; or
- weekly orders which can be cashed at a Post Office.

**6. CESSATION OF PAYMENT**

Payment of WPA ceases if:

- the customer remarries or forms a new civil partnership; or
- the customer lives with someone else as their husband, wife or civil partner and they are not legally married to them or in a legal civil partnership; or
- the customer is in prison or legal custody; or
- the customer reaches State Pension Age.

**7. RELATED BENEFITS**

Christmas Bonus is payable to recipients of WPA.

The following benefits can be paid in addition to WPA but are reduced by the amount of WPA in payment

- Carer's Allowance
- Jobseeker's Allowance (Contribution-based)
- Incapacity Benefit
- Severe Disablement Allowance
- Maternity Allowance
- Income Support (£30.00 of the WPA is disregarded).

Retirement Pension cannot be paid in addition to WPA.

**8. WHAT HAPPENS WHEN CHILD BENEFIT CEASES**

WPA stops when the customer no longer has a dependent child, i.e. at the same time as Child Benefit ceases. If this is within 52 weeks of bereavement the customer may be entitled to Bereavement Allowance, provided that the customer is aged between 45 and State Pension Age.

## BEREAVEMENT ALLOWANCE

### 1. INTRODUCTION

#### 1.1 GENERAL

Bereavement Allowance (BA) is a weekly benefit paid for up to 52 weeks to a customer who is widowed or whose civil partner dies.

#### 1.2 BA is -

- (i) taxable;
- (ii) contributory; and
- (iii) not income-related.

#### 1.3 Claim form - BB1

#### 1.4 Telephone contact - 685176

### 2. BASIC QUALIFYING CONDITIONS

In order to qualify for BA, the customer must have no dependent children and be aged 45 years or over (but not State Pension Age) when they became widowed or when their civil partner died.

#### Contribution conditions

The late husband/wife/civil partner must have

- paid at least 50 Class 1, Class 2 or Class 3 contributions before 6<sup>th</sup> April 1975; or
- paid at least 50 Class 2 or Class 3 contributions or earned 50 times the lower earnings limit in any one tax year in the three tax years between 6 April 1975 and 5 April 1978, and paid Class 1 contributions on those earnings; or
- paid 52 Class 2 or Class 3 contributions or earned 52 times the lower earnings limit in any one tax year from 6 April 1978 and paid Class 1 contributions on those earnings; and
- paid or been credited with contributions in a minimum number of qualifying years.

NI contributions must have been paid for at least 90% of the late spouse's or civil partner's working life for the allowance to be paid at the full rate. If not, a reduced rate of BA is payable provided the late spouse or civil partner paid NI contributions for at least 25% of their working life.

### 3. WHO CANNOT GET BEREAVEMENT ALLOWANCE

A customer cannot get BA and Widowed Parent's Allowance at the same time.

A customer cannot get BA when Widowed Parent's Allowance stops if they have received Widowed Parent's Allowance for one year or more.

A customer cannot get BA if they:

- are divorced from their late husband or wife, or their civil partnership has been dissolved, at the date of the former spouse's or civil partner's death;
- remarry or form a new civil partnership;
- are living with someone as their husband, wife or civil partner;
- are in prison or are held in legal custody; or
- have reached State Pension Age.

### 4. HOW TO CLAIM

A claim form should be completed and returned to the Pensions Group, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or either of the district offices (see page 93).

### 5. WHEN TO CLAIM

Claims should be made as soon as possible, and not later than 3 months after the spouse's or civil partner's death.

**6. PAYMENT**

Payment is made either by

- direct credit every 4 weeks into a bank or building society account held in the customer's name; or
- weekly orders which can be cashed at a Post Office.

BA is paid from the Tuesday following the death of the spouse or civil partner or when WPA ceases.

BA is payable for a maximum of 52 weeks.

BA is a flat-rate basic allowance, however there are two factors which may lead to the amount of BA being reduced:

- only partial satisfaction of contribution conditions, or
- where the customer is aged less than 55.

The allowance is reduced by 7% for each year of age by which the customer was under the age of 55 when their spouse or civil partner died and will continue to be paid at this level throughout the period the customer receives the allowance.

**7. RELATED BENEFITS**

The following benefits can be paid in addition to BA but are reduced by the amount of BA in payment

- Carer's Allowance
- Jobseeker's Allowance
- Incapacity Benefit
- Severe Disablement Allowance
- Maternity Allowance
- Income Support.

Retirement Pension cannot be paid in addition to BA.

## SECTION 11 - WAR WIDOW'S PENSION

### 1. INTRODUCTION

#### 1.1 GENERAL

War Widow's Pension (WWP) is paid to women whose husbands died as a result of service in the Armed Forces or war injury

- during World War I; or
- any time after that.

#### 1.2 WWP is -

- (i) non-taxable;
- (ii) non-contributory; and
- (iii) not income-related.

#### 1.3 Leaflets - Leaflet 1 - Notes about War Disablement Pension & War Widows Pension

Leaflet 9 - Rates of War Pensions and Allowances

#### 1.4 Telephone - 687047

### 2. BASIC QUALIFYING CONDITIONS

WWP may be payable if

- the husband's death was due to or hastened by service in the Armed Forces during World War I or at any time thereafter;
- the husband was a civilian or a Civil Defence volunteer etc. and his death was the direct result of war injury or war service injury in World War II;
- the husband was a merchant seaman, coastguard or member of the Naval Auxiliary Services and his death was due to or hastened by an injury or disease he got during time of war or the effects of detention by the enemy after 2 September 1939;
- the husband's death was due to or hastened by service in the Polish Forces under British Command during World War II or in the Polish Resettlement Forces; or
- the husband was receiving War Pension which included Constant Attendance Allowance at the time of his death or would have been if he had not been in hospital.

### 3. HOW TO CLAIM

To claim WWP a customer should contact the Veteran's Welfare Service, Ground Floor, Markwell House, Douglas IM1 2RZ.

### 4. WHEN TO CLAIM

Claims for WWP from widows of civilians or civil defence must be made within three months of the date of death.

### 5. RATE OF WWP

The rate of WWP depends on the rank of the late husband.

There are two rates of WWP

- lower rate; and
- higher rate.

Lower rate of WWP is payable to widows

- under age 40;
- who have no children; and
- who can support themselves.

Higher rate WWP is payable to

- widowed mothers;
- widows aged 40 or over;
- widows who cannot support themselves; and
- widows of servicemen above the rank of Major or equivalent.



**6. ADDITIONAL ALLOWANCES**

There are certain allowances which may be payable in addition to the basic WWP, namely

- children’s allowance;
- rent allowance; and
- age allowances.

**7. SPECIAL WAR WIDOW’S PENSION**

A special WWP is paid to widows whose late husband died as a result of pre-1973 service (when MOD Service Occupational Pensions started). This payment is fully disregarded for Income Support, Jobseeker’s Allowance (Income-based), Employed Person’s Allowance entitlement purposes, in addition to the disregard of £30.00 for basic War Widow’s Pensions.

**8. RELATED BENEFITS**

Where WWP is in payment, it will reduce entitlement to any Widow’s Pension, Bereavement Allowance or Widowed Parent’s Allowance payable.

However, NI benefits and pensions earned by the widow by paying her own contributions are normally payable in addition, e.g. any Category A Retirement Pension.

**9. HOW WWP IS PAID**

Payment is made either

- weekly by cheque which can be cashed at a Post Office or paid into a bank or building society account; or
- by automated credit transfer into a bank or building society account.

WWP is usually paid for life or until

- the widow remarries; or
- she starts to live with a man as his wife.

A gratuity payment is made to widows

- on their remarriage; or
- when she starts to live with a man as his wife.

This payment is equivalent to one year’s pension.

If a remarried widow becomes widowed again, or the marriage ends in divorce or legal separation, the widow may reclaim her WWP.

**10. WAR PENSIONS FOR WIDOWERS AND OTHER DEPENDANTS**

WWP is paid to a man if:

- he was dependent on his wife;
- her death was due to service after 2 September 1939 as a member of the Armed Forces;
- he cannot support himself; and
- he has not got enough money to live on.

An orphan may receive a pension if the parents’ deaths were due to service in the Armed Forces.

The rate for an orphan aged over 18 who is incapable of looking after themselves is the same as the basic Retirement Pension.

## SECTION 12 - RETIREMENT PENSION

### 1. INTRODUCTION

#### 1.1 GENERAL

Retirement Pension (RP) is paid to customers who have reached State Pension Age and who meet certain contribution conditions. It is not affected by any earnings they may have.

From April 2010 onwards the State Pension Age for women is being increased gradually from 60 to 65 until November 2018, when it will be fixed at 65 for both men and women, as follows:

- women born before 6<sup>th</sup> April 1950 will not be affected - they will still be able to get their State Pension at age 60;
- women born between 6<sup>th</sup> April 1950 and 5<sup>th</sup> December 1953 will have a State Pension Age between 60 and 65; and
- women born on or after 6<sup>th</sup> December 1953 will have a State Pension Age of 65.

Between December 2018 and October 2020 the State Pension Age for both men and women will gradually increase from 65 to 66.

Current law already provides that

- State Pension Age for men and women will increase from 66 to 67 between April 2034 and April 2036; and
- State Pension Age for men and women will increase from 67 to 68 between April 2044 and April 2046.

However, in the UK under provisions contained in the Pensions Act 2014 (of Parliament) the increase in State Pension Age to 67 is to be brought forward and will now take effect between 2026 and 2028 and further reviews of the state pension age will take place every 5 years. It has yet to be determined whether the IOM will adopt these provisions.

#### 1.2 RP is;

- (i) taxable;
- (ii) contributory; and
- (iii) not income-related.

#### 1.3 Claim form - RP1

#### 1.4 Telephone contact - 685176

### 2. BASIC QUALIFYING CONDITIONS

To count as a qualifying year for RP customers reaching State Pension Age on or after 6<sup>th</sup> April 2010 must have:

- paid at least 50 Class 1, Class 2 or Class 3 National Insurance (NI) contributions before 6<sup>th</sup> April 1975; or
- paid at least 50 Class 2 or Class 3 NI contributions or earned 50 times the lower earnings limit in any one tax year in the three years between 6<sup>th</sup> April 1975 and 5<sup>th</sup> April 1978 and paid Class 1 contributions on those earnings, or
- paid 52 Class 2 or Class 3 NI contributions or earned 52 times the lower earnings limit in any one tax year from 6 April 1978 and paid Class 1 contributions on those earnings.

To qualify for a 100% basic pension a customer requires 30 qualifying years during their working life. A reduced rate pension will be paid where the customer has less than 30 qualifying years, but has at least 1 qualifying year. Different rules applied to customers who reached State Pension Age before 6<sup>th</sup> April 2010.

"Qualifying years" are those in which the customer has paid or been credited with enough contributions for RP purposes (see above).

A person's "working life" is the period beginning with the tax year in which their 16<sup>th</sup> birthday fell and ending with the tax year before the one in which they reach State Pension Age or before the one in which they die, if they die before reaching State Pension Age. So, it is normally 49 years for a man and for a woman a minimum of 44 years up to a maximum of 49 years, depending on their date of birth.

### 3. CATEGORIES OF RETIREMENT PENSION

- Category A - is based on the customer's own National Insurance record or, for certain divorces and civil partnership dissolutions, on the NI contributions paid of their former spouse or civil partner (see page 66)
- Category B - is payable to married women, civil partners, widows and widowers based on the NI contributions of their spouse or civil partner
- Category D - is a non-contributory pension payable to certain people over the age of 80 who do not qualify for a contributory RP (see page 68).

### 4. HOW TO CLAIM

A claim form is sent to the customer's latest address held on their NI record, 4 months before the customer is due to reach State Pension Age. The claim form should be completed and returned, with the customer's birth certificate (and, if appropriate, marriage certificate in the case of a woman) to the Pensions Group, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93). Although the Department will send a claim form to the customer's last known address, the onus is on the customer to obtain and submit a claim form at the correct time.

### 5. THE COMPONENTS OF RP

RP consists of different components

- Basic Pension (BP) - based on the number of qualifying years in the customer's working life;
- Additional Pension (AP) under
  - \* SERPS (State Earnings Related Pension Scheme), based on the customer's earnings between 6 April 1978 and 5 April 2002; and
  - \* the State Second Pension (also known as S2P), based on the customer's earnings since 6 April 2002. The way in which people accrue entitlement to S2P differs from that under SERPS. In particular, persons with earnings in any tax year of at least the annual lower earnings limit (£5,772 for the 2014/15 tax year) but less than the low earnings threshold (£15,100 for the 2014/15 tax year) will build up entitlement to S2P as if they in fact had earnings of £15,100).

People can contract-out of the State Additional Pension Scheme by becoming a member of their employers' contracted-out occupational pension scheme.

- Graduated Retirement Benefit (GRB) - based on contributions paid between 6<sup>th</sup> April 1961 and 5<sup>th</sup> April 1975.

### 6. AGE ADDITION

The basic pension is increased by £2 per week if the customer is aged 80 or over. However, any Retirement Pension Premium payable is reduced by any age addition in payment (see page 84).

### 7. INCAPACITY AGE ADDITION

A person may qualify for an incapacity age addition if they were getting long-term Incapacity Benefit and were aged less than 45 on the first day of their incapacity for work.

Their Retirement Pension will be increased permanently by the amount of Incapacity Age Addition if they were getting Incapacity Age Addition on a date not more than eight weeks before they reached State Pension Age.

### 8. ADULT DEPENDENCY INCREASES

Dependency increases are increases in the amount of Retirement Pension payable to customers in respect of a dependent adult (for example, their spouse), or someone who is looking after their child(ren).

Adult dependency increases are not payable in respect of new claims to Retirement Pension made on or after 6<sup>th</sup> April 2010. However, where a customer was entitled to receive such an increase on 5<sup>th</sup> April 2010 the increase will remain payable up until no later than 5<sup>th</sup> April 2020, providing the qualifying conditions remain satisfied.

An increase for an adult dependant (AD) is not paid if

- the AD is in receipt of RP;
- the AD receives any other State benefit (if the AD is in receipt of a benefit of less than the increase, the customer will be able to claim the difference);
- the customer is in receipt of a benefit for the AD under the Industrial Injuries or War Pensions schemes; or

- the AD's earnings exceed set limits (any occupational or personal pension paid to the AD is treated as earnings).
- An increase for a husband is payable if the customer is in receipt of a Category A pension and
- she was in receipt of an increase of Incapacity Benefit in respect of him immediately before she qualified for her pension;
  - his earnings do not exceed the prescribed limit; and
  - he is not in receipt of a benefit unless the amount of benefit he receives is less than the increase, in which case she will be able to claim the difference between the two amounts.

## 9. DEFERRING PAYMENT OF A PENSION

Extra pension may be earned by choosing to defer a claim for Retirement Pension. This extra pension is known as increments and can be earned on all components of a pension except the increases for dependants. However, increments can only be earned on the Pension Supplement and the Retirement Pension Premium provided the customer remained resident in the Island during any period of deferment.

A period of deferment has to be for at least 5 weeks but does not include any day for which a specified NI benefit is paid to the customer. There is no restriction on the length of time payment of a pension can be deferred.

For each week of deferment, increments are earned at the rate of one-fifth of one penny for each £1 of weekly pension the customer would have been entitled to receive at pension age. This is equivalent to a 1% increase to a pension for every 5 weeks of deferment, or 10.4% for a full year's deferment.

The options available to the customer depend on how long they choose to defer claiming their pension.

- If the period of deferment is for at least 12 months a customer may choose to receive either an increased pension (inclusive of increments) from the date it is claimed; or
- a taxable one-off lump sum payment (with interest) in respect of the pension due for the period of deferment plus payment of their regular pension from the date it is claimed.

If the period of deferment is for less than 12 months the customer can still choose to receive an increased pension from the date it is claimed or to have arrears of pension paid as a lump sum (without interest) plus payment of their regular pension from the date it is claimed.

Increments can also be earned by deciding to stop claiming a pension after it has been put into payment. This option is available to a customer once only and is known as "de-retiring".

## 10. PAYMENT

Payment is made either

- by direct credit every 4 weeks into a bank or building society account held in the customer's name;
- by orders which can be cashed weekly at a Post Office; or
- yearly, if pension entitlement is £5.00 a week or less, in which case it will be paid at the same time as the Christmas Bonus.

Payment is made from the first Friday after a customer reaches State Pension Age or from the day they reach State Pension Age if that is a Friday.

## 11. RELATED BENEFITS

Certain other benefits can affect the amount of basic pension payable. Also, other benefits paid to or in respect of any dependant can affect the increase in RP for the dependant.

Entitlement to Attendance Allowance or Disability Living Allowance is unaffected by RP (and vice versa).

Christmas Bonus is payable to customers in receipt of RP.

## 12. MARRIED PERSONS and CIVIL PARTNERS

A married person or a civil partner can claim a Category B pension based on their spouse's or civil partner's contributions from the date they both attain State Pension Age, regardless of whether the spouse or civil partner has claimed their Category A pension.

Female civil partners are eligible to claim a Category B pension based on their partner's contributions from 6<sup>th</sup> April 2010, whilst male civil partners will become eligible to do so from 6<sup>th</sup> April 2015.

**13. DIVORCED PERSONS OR PERSONS OF A DISSOLVED CIVIL PARTNERSHIP**

Special rules provide that such persons can use the contributions paid by their former spouse prior to divorce, or their former partner prior to dissolution of a civil partnership, to help them qualify for Basic State Pension.

If a divorced person remarries, or a person formerly of a civil partnership enters into a new marriage or civil partnership, before State Pension Age then the eligibility to use their former spouse's/partner's contributions ceases.

Since October 2001, a divorced person can gain entitlement to an Additional Pension (under SERPS and the State Second Pension) based on the contribution record of their former spouse up to the date of the divorce. This provision applies to former civil partners as from December 2005.

**14. PROPOSED CHANGES**

In the UK the Pensions Act 2014 provides for (among other things) the introduction of a "single-tier" state pension for people who will reach state pension age on or after 6<sup>th</sup> April 2016. Persons attaining state pension age before 6<sup>th</sup> April 2016 will be unaffected; their pension will be based on the current rules.

The Act also provides that the increase in state pension age to 66 (for both men and women) is to be brought forward – from between 2034 to 2036 to between 2026 and 2028.

It has yet to be determined whether these changes will be adopted in the Isle of Man.

## NON-CONTRIBUTORY RETIREMENT PENSION

### 1. INTRODUCTION

#### 1.1 GENERAL

Non-contributory Retirement Pension (Category D Pension) is paid to customers aged 80 or over who have not paid enough National Insurance contributions to receive a contributory pension or who receive a contributory pension at a lower rate than the non-contributory Retirement Pension.

#### 1.2 Non-contributory Retirement Pension is

- (i) taxable;
- (ii) non-contributory; and
- (iii) not income-related.

#### 1.3 Leaflet - BR 2488 (claim form attached)

#### 1.4 Telephone contact - 685176

### 2. BASIC QUALIFYING CONDITIONS

To qualify the customer must

- be aged 80 or over;
- normally be resident in the IOM at the time of claim;
- have been resident in the IOM or the UK for at least 10 years in any 20-year period after their 60<sup>th</sup> birthday; and either
  - not receive any other NI pension or benefit except Graduated Retirement Benefit, Additional Pension or Guaranteed Minimum Pension; or
  - receive a Category A or B pension at a rate less than the Category D (over 80) rate.

### 3. HOW TO CLAIM

A claim form should be completed and returned with the customer's birth certificate (and, if appropriate, marriage certificate in the case of a woman) to the Pensions Group, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ or to either of the district offices (see page 93).

### 4. WHEN TO CLAIM

Claims can be made up to four months before the customer's 80<sup>th</sup> birthday or immediately if the customer is aged 80 or over.

### 5. PAYMENT

Payment is made either by

- direct credit every 4 weeks into a bank or building society account held in the customer's name; or
- orders which can be cashed weekly at a Post Office.

### 6. RELATED BENEFITS

Christmas Bonus is payable to customers who are in receipt of Non-contributory Retirement Pension.

## **PENSION SUPPLEMENT**

### **1. INTRODUCTION**

#### **1.1 GENERAL**

The Pension Supplement provides an increase to basic Retirement Pension, long-term bereavement benefits and long-term Incapacity Benefit (referred to as "qualifying benefits") for those who meet the qualifying conditions.

There is no equivalent to the Pension Supplement in the UK. For a person to gain entitlement to the Supplement they must have satisfied certain National Insurance (NI) contributions conditions in the Isle of Man for a minimum number of tax years in their working life.

#### **1.2 Pension Supplement is**

- (i) taxable;
- (ii) contributory; and
- (iii) not income-related

#### **1.3 Leaflet - PS1**

#### **1.4 Telephone contact - 685176**

### **2. BASIC QUALIFYING CONDITIONS**

To qualify for payment of the Supplement, the following conditions must be satisfied.

The customer must

- be ordinarily resident in the Isle of Man
- have attained the age of 45 (where entitlement arises after 5<sup>th</sup> April 1999)
- be entitled, or treated as entitled, to a qualifying benefit from the Department (see paragraph 4 below)
- have relevant NI contributions (see paragraph 5 below) for at least 10 tax years in their working life or, where Incapacity Benefit has been awarded, have relevant contributions (other than voluntary contributions) for at least the 5 tax years immediately prior to the award of Incapacity Benefit which, when added to the number of tax years for which Incapacity Benefit has been in payment, gives a total of at least 10 tax years in their working life.

### **3. ORDINARILY RESIDENT**

If a person normally lives in the Island, the ordinary residence test will be satisfied.

If a person leaves the Island to live in another country (including the United Kingdom), entitlement to the Supplement will cease immediately upon leaving the Island. Entitlement will resume if the person subsequently recommences residence on the Island.

### **4. QUALIFYING BENEFITS**

A person must be receiving one of the following benefits or pensions from the Department:

- Category A or B basic Retirement Pension
- Widowed Parent's Allowance
- Widowed Mother's Allowance (transitionally protected cases)
- Widow's Pension (transitionally protected cases)
- Long-term Incapacity Benefit (in which case the customer must also be entitled to the higher rate care component of Disability Living Allowance)
- Short-term Incapacity Benefit (where that benefit is payable at the long-term Incapacity Benefit rate and provided the customer is also entitled to the higher rate care component of Disability Living Allowance.

Sometimes a person may be entitled to one of the above benefits but does not receive it because another "overlapping" benefit is being paid at a higher rate. In these circumstances a person may still be entitled to a Supplement.

## 5. RELEVANT CONTRIBUTIONS

In order to have "relevant contributions" for any tax year a person must:

- have had sufficient earnings as an employed earner in the Isle of Man in that tax year (unless the person is a married woman or widow who is entitled to pay employed earner's contributions at a reduced rate), or
- have paid sufficient self-employed or voluntary NI contributions while they were in the Isle of Man in respect of that tax year

so that that year counts as a "qualifying year" towards their entitlement to a Category A Retirement Pension.

NI contributions paid by persons in respect of periods they spent in the United Kingdom before the 1996/97 tax year might also count as relevant contributions provided the Department held their National Insurance record at the relevant time.

Credits of contributions or earnings awarded to persons for periods in which they were entitled to certain benefits, etc., count as relevant contributions in certain circumstances.

Where a married person's entitlement to a pension is based entirely on their spouse's or civil partner's NI contributions, their entitlement to the Supplement is also based on their spouse's or civil partner's contributions. Alternatively, where their entitlement to a qualifying benefit is based on their own and their spouse's or civil partner's NI contributions, they may be entitled to the Supplement by using a combination of their own and their spouse's or civil partner's NI contributions.

A widowed person under pension age can only qualify for the Supplement by virtue of either their own contributions or those of their late spouse, but if they are over pension age a combination of both may be used.

## 6. AMOUNT OF SUPPLEMENT

For persons receiving category A or B basic Retirement Pension or Widowed Parent's Allowance, Widowed Mother's Allowance or Widow's Pension the rate of the supplement is equivalent to 48.8% of their entitlement to that benefit.

For persons receiving long term incapacity benefit, or short term incapacity benefit payable at the long term rate, the weekly rate of the supplement is fixed at £40.68.

## 7. HOW TO CLAIM

There is normally no requirement for a separate claim to be made for the Supplement. Entitlement will be determined at the same time as entitlement to the relevant qualifying benefit is being considered.

## 8. DIFFERENCES BETWEEN THE IOM AND UK

There is no similar scheme in the UK.



## **RETIREMENT PENSION PREMIUM**

### **1. INTRODUCTION**

#### **1.1 GENERAL**

The Retirement Pension Premium Scheme was introduced from 1 October 1990 to assist those persons who were generally too old to have participated in the State Earnings Related Pension Scheme (SERPS) (persons aged 75 or over), by providing a payment to stand in the place of the Additional Pension from SERPS.

#### **1.2 Retirement Pension Premium is**

- (i) taxable;
- (ii) contributory; and
- (iii) not income-related.

#### **1.3 Telephone contact - 685176**

### **2. BASIC QUALIFYING CONDITIONS**

To qualify for Retirement Pension Premium (RPP) the following conditions must be satisfied. The customer must:

- on or after 6<sup>th</sup> April 1999 be aged 75 or over;
- be ordinarily resident in the IOM;
- be entitled (or be treated as entitled) to a Category A or Category B Retirement Pension from the Department; and
- have paid Class 1 NI contributions in the IOM for at least 10 years. The contributions of a spouse or deceased spouse count in certain circumstances. (Transitional protection for those ordinarily resident in the IOM aged 75 or over, and in receipt of Category A or Category B Retirement Pension from the Department on 5<sup>th</sup> April 1999 provides for exemption from this contribution condition)

### **3. AMOUNT OF RETIREMENT PENSION PREMIUM**

There is initial entitlement to RPP based on the basic Retirement Pension. If the qualified person receives the full standard rate of basic Pension, the initial RPP is payable at the standard rate. For persons who qualify for a reduced rate of Retirement Pension, the initial RPP will be at an equivalent reduced rate. The initial entitlement is reduced by the amount of any elements of Retirement Pension deemed to be offsets for the purposes of this Scheme (see below) to which the pensioner is entitled. If the total offsets are equal to or exceed the amount of RPP, then no RPP will be payable.

Transitional protection provides for those customers ordinarily resident on the Island and in receipt of Retirement Pension from the Department on 5<sup>th</sup> April 1999 and entitled to less than the standard rate of basic pension to be entitled to a standard rate RPP.

### **4. "OFFSETS"**

The following elements of Retirement Pension are offset against the amount of RPP for the purposes of the Scheme:

- Additional Pension (under SERPS and/or the State Second Pension (S2P))
- Contracted-out Deductions (in respect of persons who have participated in either a Contracted-out Occupational Pension Scheme or an Appropriate Personal Pension Scheme)
- Age Addition
- Invalidity Allowance.

### **5. ORDINARILY RESIDENT**

If a person lives in the Island, the residence test will normally be satisfied.

If residence is taken up in another country (including the United Kingdom), entitlement to RPP will stop immediately on the customer ceasing to be ordinarily resident in the Island. Entitlement will resume if the person subsequently recommences residence in the Island.

### **6. HOW TO CLAIM**

There is normally no requirement for a separate claim to be made for RPP. Entitlement will automatically be considered when the person attains the age of 75 and the person will be notified if they are entitled.

**7. DIFFERENCES BETWEEN THE IOM AND UK**

There is no similar scheme in the UK.

## **SECTION 13 – CHRISTMAS AND WINTER BONUS**

### **CHRISTMAS BONUS**

#### **1. INTRODUCTION**

##### **1.1 GENERAL**

The Christmas Bonus is a lump sum payment awarded to certain customers who are in receipt of a qualifying benefit in the last complete benefit week in November (called “the relevant week”).

##### **1.2 The Christmas Bonus is -**

- (i) non-taxable;
- (ii) non-contributory (although some of the benefits giving rise to entitlement to the Christmas Bonus are contributory benefits); and
- (iii) not income-related (although some of the benefits giving rise to entitlement to the Christmas Bonus are income-related benefits).

##### **2.1 BASIC QUALIFYING CONDITIONS**

To be entitled to the Christmas Bonus a customer must be in receipt of one or more of the qualifying benefits for at least one day in the relevant week:

- Retirement Pension
- Long-term Incapacity Benefit
- Widowed Parent’s Allowance
- Carer’s Allowance
- Attendance Allowance
- Disability Living Allowance
- Unemployability Supplement or Allowance
- Income Support (subject to further conditions being satisfied)
- Employed Person’s Allowance
- Severe Disablement Allowance
- Widow’s Pension
- Widowed Mother’s Allowance
- Industrial Death Benefit.

A customer who is a member of a couple (whether married or not) will receive another Bonus in respect of his partner if he is entitled either to an increase in his qualifying benefit (e.g. Retirement Pension) or an additional allowance as part of his qualifying benefit (e.g. Income Support) in respect of his partner.

##### **2.2 ADDITIONAL QUALIFYING CONDITIONS FOR PERSONS WHO HAVE NOT ATTAINED THE QUALIFYING AGE**

Where the only qualifying benefit to which a person who has not attained “the qualifying age” (see over) at the end of the relevant week is entitled to is Income Support, then for them to receive a Christmas Bonus they must have been in receipt of either Income Support or Employed Person’s Allowance throughout the 13 weeks before the beginning of the relevant week.

“The qualifying age” means

- in the case of a woman, her State Pension Age; and
- in the case of a man, the age which is the State Pension Age of a woman born on the same day as that man (see page 64).

#### **3. HOW TO CLAIM**

The Bonus is paid automatically - no separate claim is required.

**4. PAYMENT**

The Bonus is normally paid with the qualifying benefit, though in some cases it may be paid by a separate cheque, which can be cashed at a Post Office or paid into a bank or building society account.

**5. DIFFERENCES BETWEEN THE IOM AND UK**

When it was first introduced in the UK in 1972, the Christmas Bonus was £10. It has remained at that rate in the UK ever since, though (exceptionally) an additional £60 was paid in January 2009.

On the Island the rate of the Christmas Bonus is now set at £40.00. Also, it is payable to a wider range of beneficiaries on the IOM, notably certain people under pension age who have been receiving an income-related benefit (in prescribed circumstances).

## WINTER BONUS

### 1. INTRODUCTION

#### 1.1 GENERAL

The Winter Bonus is a lump sum payment paid to certain persons who receive Income Support in respect of any day in the first week in January ("the relevant week").

#### 1.2 The winter bonus is -

- (i) non-taxable;
- (ii) non-contributory; and
- (iii) income-related.

#### 2.1 BASIC QUALIFYING CONDITIONS

To be entitled to the Winter Bonus, on any day in the relevant week a person must

- have included in their applicable amount for Income Support an allowance for a child aged under 5; or
- be in receipt of a premium in respect of their own (or their partner's) age, incapacity or disability or in respect of a disabled child.
- have an allowance for housing costs included in their applicable amount for Income Support purposes (this rule does not apply in the case of severely disabled persons and certain carers and persons responsible for other household fuel costs).

Persons living in board and lodgings or other residential accommodation cannot qualify for a Winter Bonus.

#### 2.2 ADDITIONAL QUALIFYING CONDITIONS FOR PERSONS WHO HAVE NOT ATTAINED THE QUALIFYING AGE

Persons who have not attained "the qualifying age" (see below) on the last day of the relevant week must also have received a Christmas Bonus in the previous December to qualify for the Winter Bonus.

Only one Winter Bonus is payable per person or (unlike the Christmas Bonus) per couple.

"The qualifying age" means

- in the case of a woman, her State Pension Age; and
- in the case of a man, the age which is the State Pension Age of a woman born on the same day as that man (see page 64).

#### 2.3 LIMITED ENTITLEMENT

The amount of Bonus payable is restricted where a person who qualifies for payment of the Bonus shares their housing costs with another person.

### 3. HOW TO CLAIM

The Bonus is paid automatically; no separate claim is required.

### 4. PAYMENT

The Bonus is paid with the person's Income Support

### 5. DIFFERENCE BETWEEN THE IOM AND UK

The United Kingdom pays 2 types of lump-sum payments in respect of the extra cost of heating incurred in winter :-

- Winter Fuel Payments to persons who have reached the qualifying age or over each September, irrespective of whether they receive any social security benefits; and
- Cold Weather Payments to persons living in areas where exceptionally cold weather has been forecast or recorded and who satisfy qualifying conditions similar to those for the Winter Bonus.

## SECTION 14 - NURSING CARE CONTRIBUTION SCHEME

### 1. INTRODUCTION

#### 1.1 GENERAL

The Nursing Care Contribution (NCC) Scheme provides for a weekly payment to be made to any person who resides in a nursing home in the Island. This includes any period of respite care.

The NCC payment is –

- (i) non-taxable
- (ii) non-contributory; and
- (iii) not income-related

### 2. BASIC QUALIFYING CONDITIONS

To be entitled to a NCC payment a person must

- be living in a nursing home registered with the Department, and
- be liable to pay a fee for nursing care provided to them in that home by a registered nurse.

A person who is temporarily absent from a nursing home will be treated as living in the home and continue to receive payment of the nursing care contribution provided they remain liable to pay a retaining fee to the care home they normally live in, although NCC payments will only be made for the first 6 weeks of any absence from that home.

### 3. AMOUNT PAYABLE

Payment is at the standard rate of £111 per week (2014-15 rate).

### 4. HOW TO CLAIM

Generally speaking, there is no requirement for a person to make a claim, as nursing homes submit periodical returns to the Department confirming new admissions. However, as a safeguard to ensuring payments are made to those persons entitled to receive them, customers are advised it is in their interests to notify the Department should they be admitted to a nursing home.

### 5. PAYMENT

Payments of the nursing care contribution will be made in the same manner, to the same person and at the same frequency as their principle social security benefit, for example, retirement pension or incapacity benefit.

### 6. DIFFERENCE BETWEEN THE IOM AND UK

In England, the NHS is responsible for funding the nursing care element of the fees in a home which provides nursing care.

For people who were admitted to a nursing home on or after 1<sup>st</sup> October 2007 the standard weekly rate of the NHS-funded nursing care payment is now £110.89 (2014-15 rate).

## SECTION 15 - NATIONAL INSURANCE CREDITS

### 1. INTRODUCTION

#### 1.1 GENERAL

If a customer is not paying National Insurance contributions because, for example, they are unemployed and cannot work due to illness or because they are caring for someone, they may be able to get National Insurance credits. Credits can help maintain a National Insurance record and so protect the entitlement to the basic State Pension and certain other state benefits.

### 2. WHAT ARE NATIONAL INSURANCE CREDITS

There are two types of National Insurance credits:

Class 1 credits - which count towards entitlement to the basic State Pension, bereavement benefits and some other state benefits

Class 3 credits - which count towards entitlement to the basic State Pension and bereavement benefits only.

### 3. EFFECT ON STATE PENSION AND OTHER BENEFITS

If a customer is entitled to National Insurance credits they are added to any National Insurance contributions they have already paid for the tax year. Both count towards the basic State Pension, bereavement benefits or other state benefits (Class 1 credits only). National Insurance credits will not usually be awarded if enough contributions have already been paid in the tax year to qualify for these benefits.

### 4. NATIONAL INSURANCE CREDITS

To the extent necessary to make it a qualifying year, Class 1 credits may be awarded instead of the customer having to pay contributions if they were:

- available for work and claiming Jobseeker's Allowance (even if they are not entitled to that benefit)
- sick and claiming Incapacity Benefit (even if they are not entitled to that benefit)
- entitled to
  - \* Adoption Allowance
  - \* Maternity Allowance
  - \* Carer's Allowance
  - \* Employed Person's Allowance
- on an approved training course
- required to attend jury service and did not have earnings at or exceeding the Lower Earnings Limit from employed earner's employment
- a man approaching age 65 who is not liable to pay contributions and who is present on the Isle of Man or in the UK for at least half the tax year
- a person who was imprisoned following a conviction which was subsequently quashed and then released from prison or a person who was otherwise detained in legal custody and later released – for that period of detention.

### 5. CONTRIBUTORY BENEFITS

The Class of NI contributions paid affects the benefits a person can get. The benefits for which the fulfilment of contributory conditions is necessary are as follows:

<u>Benefit</u>	<u>Class 1</u>	<u>Class 2</u>	<u>Class 3</u>
Contribution-based Jobseeker's Allowance	Yes	*No	No
Incapacity Benefit	Yes	Yes	No
Maternity Allowance	Yes	Yes	No
Bereavement Payment	Yes	Yes	Yes
Widowed Parent's Allowance	Yes	Yes	Yes
Bereavement Allowance	Yes	Yes	Yes
Retirement Pension (basic)	Yes	Yes	Yes
State Additional Pension	Yes	No	No

(\* Share Fishermen pay a special rate of Class 2 contributions which counts towards entitlement to Contribution-based Jobseeker's Allowance).

**6. STATE ADDITIONAL PENSION**

Since 6<sup>th</sup> April 2002, persons who are employed earners no longer build up entitlement to an additional pension under the State Earnings Related Pension Scheme (SERPS) (paid on top of any basic pension entitlement they might have when they reached State Pension Age), but instead do so under the State Second Pension (S2P).

The way in which people accrue entitlement to S2P differs from that under SERPS. In particular, persons with earnings in any tax year of at least the annual lower earnings limit (£5,772 for the 2014/15 tax year) but less than the S2P low earnings threshold (£15,100 for the 2014/15 tax year) will build up entitlement to S2P as if they in fact had earnings of £15,100.



## CREDITS FOR PARENTS AND CARERS

### 1. GENERAL

Weekly NI credits for parents and carers were introduced from 6<sup>th</sup> April 2010 to help them build up qualifying years for the basic State Pension and State Second Pension, as well as Widowed Parent's Allowance and Bereavement Allowance. These credits replaced Home Responsibilities Protection (HRP), which was previously awarded to parents and carers.

For people reaching State Pension Age on or after 6<sup>th</sup> April 2010, complete tax years of HRP built up before 2010 have been converted into qualifying years for pension purposes, up to a maximum of 22 years.

### 2. WHO IS ENTITLED TO CREDITS FOR PARENTS AND CARERS?

Credits will be awarded automatically to a person for each week they

- are awarded Child Benefit for a child under the age of 12; or
- are entitled to Carer's Allowance.

A person can also qualify for Carer's credits for any week throughout which they are

- an approved foster carer;
- looking after one or more persons for a total of 20 hours or more per week (but not receiving Carer's Allowance);
- in receipt of Income Support because they are looking after a sick or disabled adult or child; or
- although not the person awarded Child Benefit for a child under the age of 12, they wish to transfer credits from the Child Benefit claimant's National Insurance account to their National Insurance account.

However, in these circumstances a person will have to make a written application to the Department for Carer's credits.

## SECTION 16 - DECISIONS AND APPEALS

### 1. IF A CUSTOMER THINKS A DECISION IS WRONG

If a customer thinks a decision affecting them is wrong, they should ask us to explain the decision.

If they are still not satisfied that a correct decision has been made, they can ask for it to be looked at again. If they are not happy with the second decision (in most cases) they can then formally appeal against the decision to an independent tribunal for it to decide whether or not the person who made the decision applied the law correctly. Appeals against the tribunal's decision can also be made, but only on certain grounds and only after leave to appeal has been granted.

Where a customer is not happy with a decision made on their claim, it is important that they contact us as soon as possible, as strict time limits govern the decisions and appeals procedures.

In every case, we want to make sure our customers get the right help, at the right time and in the right way.

If a customer is not satisfied with the service we have given them, they can complete leaflet SSD 21 Social Security – Comments, Compliments and Complaints available from any Social Security office (see page 93).

### 2. DECISIONS REGARDING BENEFIT ENTITLEMENT

#### Revisions and supersessions of adjudication officers' decisions

When a claim for a social security benefit is made, an adjudication officer will decide whether and, if so, how much benefit a customer is entitled to. We will then write to the customer informing them of that decision and the reasons for it (or telling them that they can apply for a written statement of those reasons).

If a customer believes that the adjudication officer's decision is wrong, they should contact the Department **within one month of the date of the letter** and ask for an explanation. It is important that a customer tells us about any relevant information they think may not have been taken into account when the original decision was made.

A customer can ask for a decision to be changed with effect from the beginning of the original award, or refusal, of benefit (called a "revision"). This can be done in writing or verbally, **provided it is within one month of the date of the letter telling them of the decision** (or longer in certain circumstances).

If a customer's circumstances have changed (or are expected to do so in the near future) and this may affect their benefit entitlement, they should contact the Department as soon as possible and ask an adjudication officer to reconsider their benefit entitlement in the light of those new circumstances (called "supersession"). The adjudication officer will then write to the customer informing them of the decision in the matter. It is important that the customer notifies the Department of their change of circumstances as soon as possible - **and certainly no later than one month after the change** - so that the adjudication officer is not prevented by the legislation from backdating a decision to the date of the change if this is to the customer's advantage.

#### Appealing against a decision of an adjudication officer as to benefit entitlement

If a customer is not satisfied with the adjudication officer's decision to revise or supersede the original decision as to their entitlement to benefit (or the adjudication officer's decision not to revise or supersede it), in most cases they can then appeal against that decision to the appeal tribunal. The tribunal will decide whether or not the adjudication officer applied the law correctly in coming to his decision. An appeal must be made **within one month of the customer being told of the adjudication officer's decision in relation to their application**.

The appeal tribunal is made up of different persons depending on the type of benefit which is the subject of the appeal:

- In relation to most benefits, the tribunal is made up of a legally qualified Chairman, a person representing employed earners and a person representing employers and self-employed earners.
- Where the appeal relates to certain incapacity benefit matters, the tribunal is made up of a legally qualified Chairman, a person representing employed earners, a person representing employers and self-employed earners and a medical practitioner.
- Where the appeal relates to attendance allowance or disability living allowance, the tribunal is made up of a legally qualified Chairman, a medical practitioner and a person experienced with the needs of disabled persons.
- Where the appeal relates to employed person's allowance for a disabled worker the tribunal is made up of a legally qualified Chairman, a person representing employed earners, a person representing employers and self-employed earners, a medical practitioner and a person experienced with the needs of disabled persons.

The customer appealing against the decision can apply for an oral hearing of the appeal, at which they and the adjudication officer will give evidence. The appeal hearing is not conducted as a court of law and is designed to enable the tribunal to come to its decision without unnecessary formality.

If the appeal is successful for the customer, the adjudication officer's decision may not be changed straightaway as the Social Security Division of the Treasury may appeal to the Social Security Commissioner. As soon as the outcome of the Department's appeal is known then a notice of the tribunal's decision will be sent out.

If the tribunal decides that the adjudication officer's decision was correct and the customer does not agree with tribunal's decision, the customer may appeal against that decision to the Social Security Commissioner - and from his decision to the High Court, but in both cases only on the grounds that the decision was incorrect on a point of law and having first obtained leave to appeal.

## SECTION 17 – BENEFITS ABROAD AND RECIPROCAL AGREEMENTS

### BENEFITS ABROAD

The following shows whether and, if so, how benefits are affected if a customer in receipt of those benefits goes abroad either temporarily or permanently.

#### **CHILD BENEFIT (CHB)**

If the absence from the Isle of Man is temporary, CHB can be paid for the first 8 weeks.

If the person receiving CHB or the child for whom CHB is payable leaves the IOM permanently, payment stops from the date they leave the Island.

#### **EMPLOYED PERSON'S ALLOWANCE (EPA)**

If EPA is already in payment, entitlement continues for the rest of the fixed period of award.

#### **GUARDIAN'S ALLOWANCE (GA)**

GA is payable whilst abroad if the absence of the guardian or child is only temporary and Child Benefit is still payable for the child.

If the guardian or child is going abroad for more than eight weeks, or permanently, payment stops from the date they leave the Island.

#### **INCAPACITY BENEFIT (IB) - (short-term lower rate)**

If the absence is temporary, the same conditions apply as for short-term higher and long-term rates (see below).

If the absence is to be permanent, IB ceases unless the sickness has lasted for over 28 weeks.

#### **INCAPACITY BENEFIT (IB) - (short-term higher and long-term rate)**

Short-term higher and long-term IB remains in payment for the first 26 weeks of temporary absence from the Island if

- the customer has gone abroad to get specific treatment for incapacity which began before they left the Island;
- they have been sick for over 6 months and remain so for the temporary absence abroad; or
- they are going (for any length of time) to a country with which the IOM has a reciprocal agreement.

Special provisions exist which allow payment to continue beyond 26 weeks if the customer is a family member of a member of the Armed Forces -

- who is abroad and with whom they are living; and
- where the absence is specifically for treatment of an incapacity which began before leaving the IOM; or
- they have been incapable of work for the past six months and remains so during the absence.

#### **INDUSTRIAL INJURIES DISABLEMENT BENEFIT (IIDB)**

If the customer is getting IIDB and goes abroad they can continue getting benefit as follows:

- Industrial Injuries Disablement Benefit and Industrial Death Benefit can be paid anywhere abroad at the full current amount, but the customer cannot get Industrial Death Benefit for a child unless the child's and/or the customer's absence abroad is only temporary.
- Constant Attendance Allowance and Exceptionally Severe Disablement Allowance can be paid to a customer for the first 6 months of a temporary absence abroad (longer in certain cases).
- Reduced Earnings Allowance can normally be paid for the first three months of temporary absence. If the allowance started before the customer left and they have not gone abroad to work. It can sometimes be paid for longer than this.
- Unemployability Supplement may be paid for up to 26 weeks if the absence abroad is temporary and the same conditions as for Incapacity Benefit are met.

**CARER'S ALLOWANCE (CA)**

If a customer goes abroad for a temporary absence (less than 4 weeks), CA usually remains in payment.

If the carer goes abroad for the specific purpose of caring for the disabled person then CA can remain in payment, provided all the qualifying conditions remain satisfied i.e. Attendance Allowance/Constant Attendance.

Allowance/Highest or Middle Rate Care Component of Disability Living Allowance remains in payment to the disabled person.

Customers should contact the Disability Benefits Unit, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ before going abroad.

**JOBSEEKER'S ALLOWANCE (JSA)**

A jobseeker cannot normally get JSA whilst abroad, although in specified circumstances a jobseeker who is temporarily absent from the Island may continue to be entitled to JSA for a specified period. Customers must contact the Jobseeker's Group, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ before leaving the Island.

**MATERNITY ALLOWANCE (MA)**

Same as for Incapacity Benefit (short-term higher and long-term rates).

**RETIREMENT PENSION (RP), BEREAVEMENT BENEFITS (BB) AND WIDOWS PENSION (WP)**

RP, BB and WP remain in payment.

The rates of RP, BB and WP are frozen when living in certain countries. This means that annual increases will not be paid and the benefit will stay at the same rate as was payable when the customer left the Island.

Payment of the Isle of Man Pension Supplement stops as soon as a customer ceases to be ordinarily resident in the Island.

If the customer is going to be absent for more than six months, they must notify the Pensions Group, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ.

**WAR PENSIONS**

War Disablement Pensions and War Widow's Pensions can usually be paid anywhere in the world. If a customer is in receipt of a War Pension and intends to live permanently abroad they should inform the Veteran's Welfare Service Office, Ground Floor, Markwell House, Market Street, Douglas IM1 2RZ as soon as possible.

**ADDITIONAL NOTES**

In all cases it is advisable that the relevant benefit section in Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ is contacted before a customer leaves the Isle of Man.

## RECIPROCAL AGREEMENTS

Since the introduction of the modern welfare state, the UK Government has been negotiating agreements providing for reciprocity in matters of social security with other nations around the world.

These agreements have been reached in order to protect the interest of workers abroad so they are able, subject to the conditions set out in the individual agreements, to:

- (a) avoid paying social insurance contributions in more than one country at the same time;
- (b) aggregate contributions paid in different countries in order to secure entitlement to social security benefits, in particular old age pension; and
- (c) qualify for certain short-term social security benefits, such as sickness and maternity benefits, based on contributions paid in another country.

Not all agreements provide for each of the above. Some exist solely to avoid the duplicate payment of contributions whilst others (typically those between the UK and European countries) make more comprehensive provision.

The Isle of Man, for whose international affairs the UK is responsible, has, for the purposes of such agreements, been included in the definition of the territory of the United Kingdom.

Reciprocal social security agreements currently exist with the following countries -

Austria*	Ireland*	Norway*
Barbados	Israel~	Philippines~
Belgium*	Italy*	Portugal*
Bermuda~	Jamaica~	Spain*
Canada~	Japan#	Sweden*
Cyprus*	Jersey	Switzerland~
Denmark*	Korea#	Turkey
Finland*	Luxembourg*	United States of America~
France*	Malta*	Yugoslavia (Bosnia, Hercegovina,
Germany*	Mauritius~	Croatia, Slovenia and the former Yugoslav
Guernsey	Netherlands*	Republic of Macedonia)
Iceland*	New Zealand	

\* Indicates those countries which are members of the European Union, or the European Economic Area.

# Indicates those countries where the agreement is for contributions only.

~ Indicates those countries where the agreement contains only limited benefit provisions.

Australia - The agreement with Australia terminated with effect from 1<sup>st</sup> March 2001. However, any person with periods of residence in Australia before 6<sup>th</sup> April 2001 will continue to have those periods used in the eventual calculation of their Retirement Pension or Bereavement Benefits entitlement, in the event of claiming whilst resident in the Isle of Man or the UK.

## EUROPEAN UNION

The United Kingdom, and other EU Member States, no longer rely on the agreements mentioned on page 84. Provisions for "migratory workers" moving between Member States is contained within European Community legislation.

However, the Isle of Man and the Channel Islands are not Member States of the European Union and workers moving between the Islands and Member States must continue to rely on the provisions contained in the relevant agreements originally negotiated by the UK Government, mainly in the 1950s and 1960s.

The United Kingdom continues to represent the Islands where it is necessary to review any of the existing agreements.

In **all** cases it is advisable that information about health care provisions be obtained from the Department of Health and Social Care and information about social security arrangements be obtained from the Social Security Division of the Treasury before a person who is considering working abroad leaves the IOM.

## SECTION 18 - OTHER HELP

### FREE TRAVEL

Free bus travel is available for all people aged 60 or over. To qualify a person must be resident in the Island and provide identification of their age (e.g. a passport) for further information contact The Welcome Centre, Sea Terminal, Douglas IM1 2RG. Telephone: 662525.

### CHIROPODY

Chiropody treatment may be obtained free at clinics, day centres or at home.  
Telephone: 642646

### SERVICES FOR DISABLED PEOPLE – Telephone: 686179

#### Home alterations

Social Services can help with the installation of a ramp, lift or special equipment, e.g. a hoist needed in the home for convenience comfort or safety. They may make a charge for doing this under the Chronically Sick and Disabled Persons Act.

#### Equipment

Social Services can help with aids to assist with dressing, eating, food preparation, sitting etc.

#### Wheelchairs and Artificial Limbs

These are supplied by the Department of Health and Social Care, following recommendations from General Practitioners or hospital doctors.

### DOCTORS

People wishing to register with a GP or change their GP should contact the Department of Health and Social Care, Crookall House, Demesne Road, Douglas IM1 3QA. Telephone: 642609.

### HOME CARE ASSISTANTS

Social Services provide Home Care assistants to help disabled people with housework and other tasks. A charge may be made if the person is deemed to be able to afford it. Telephone: 686188 for further information.

### CONTINENCE ADVISORY SERVICE

The Department of Health and Social Care can sometimes supply, free of charge, incontinence pads, protective pants, sheets, nappy rolls etc. Commodes and bed linen may also be provided in certain circumstances Telephone: 693551.

### LEGAL AID

Anyone can apply for legal aid. Whether a person qualifies or not depends on their financial position and whether they have good cause to pursue their case. When the applicant sees their advocate, they will advise them as to what sort of help is available.

To qualify for legal aid the person's income and savings must be below certain limits. People receiving income-related benefits usually qualify automatically on financial grounds as long as the advocate and the Legal Aid Certifying Officer agree that it is reasonable for the person to pursue their case.

In civil proceedings a person should contact their advocate, who will be able to advise them whether they are likely to qualify for legal aid. If they do not have an advocate and the matter is one of civil legal proceedings, they should contact the Legal Aid Office at the General Registry, Isle of Man Courts of Justice, Deemsters' Walk, Douglas IM1 3AR. Telephone: 685977.

In criminal matters they should contact the High Bailiff's Office or the Summary Court's Office at the same address.

### MOTABILITY

Motability is a not-for-profit company which helps people receiving the higher-rate mobility component of Disability Living Allowance to lease a new car, scooter or powered wheelchair. Further information is available by telephoning Motability 0845 456 4566.

### NHS CHARGES

Free dental treatment, vouchers towards the cost of glasses, free prescriptions and milk, or help with travelling costs to hospital for treatment are available to certain groups of people. The following paragraphs provide more information.



**Dental**

National Health Service treatment is free for:-

- children under 18
- full-time students under 19
- women who are expecting a baby when treatment commences
- women who have had a baby within the previous 12 months
- women aged 60 as at 1<sup>st</sup> September 2005
- people aged 65 or over
- recipients (including partners and dependent children) of Income Support, Employed Person's Allowance or Income-based Jobseeker's Allowance
- war pensioners
- registered blind persons
- persons considered by the Department to be on a low income (such persons will need to complete an F1 form).

Eligible persons should simply advise their dentist that they qualify for free treatment. No help is given with the cost of private treatment.

**Glasses under the voucher scheme**

Persons eligible for a voucher towards the cost of glasses or contact lenses are:-

- children under 16
- full-time students under 19
- recipients (including partners and dependent children) of Income Support, Employed Person's Allowance or Income-based Jobseeker's Allowance
- war pensioners
- registered blind persons
- persons considered by the Department to be on a low income. (Will need to complete an F1 form).

Forms for exemption from Dental or Optical charges can be obtained from the Department of Health and Social Care, Crookall House, Demesne Road, Douglas IM1 3QA. Telephone: 642612 or from the dentist or optician carrying out the treatment.

**Prescriptions**

National Health Service prescriptions are free for:-

- children under 16
- full-time students under 19
- persons of State Retirement age
- persons who have been in receipt of Incapacity Benefit for 6 months or longer
- persons who are in need of constant medical attention (for 6 months or longer) and are not in substantial employment, nor are self-employed, and have been resident on the Isle of Man for at least six months. (These persons need to complete an Application for Exemption form Telephone: 642612).
- Recipients (including partners and dependent children) of Income Support, Employed Person's Allowance or Income-based Jobseeker's Allowance
- war pensioners
- registered blind persons
- expectant mothers
- women who have had a baby within the previous 12 months

- Persons suffering with specific conditions (will need to complete an Application for Exemption form, Telephone: 642612).

Those who are not entitled to free prescriptions could save money by buying a "Prepayment Certificate" (also known as a "season ticket" or PPC). They will not have to pay anything further for any NHS prescriptions for the period of the certificate.

For further details contact the Department of Health and Social Care, Crookall House, Demesne Road, Douglas IM1 3QA. Telephone: 642694

### **Milk**

Milk is available free of charge to expectant mothers and all children under school age in families getting Income Support, Employed Person's Allowance or Income-based Jobseeker's Allowance.

Those not specifically listed in one of the above categories may still be able to obtain relief from, or help with, Department of Health and Social Care charges.

Application forms and further advice are available from the Department of Health and Social Care, Crookall House, Demesne Road, Douglas IM1 3QA. Telephone: School Health on 642631.

### **BLUE BADGE (PARKING CONCESSIONS)**

Blue badges are issued to people who are disabled or who experience extreme difficulty in walking long distances, to enable them to park their car more conveniently.

The badge lasts for 3 years, after which time a new application and a further assessment is made. The badge is provided for use by the disabled person; it may not be used by anyone else.

People with a blue badge may park in places reserved for the disabled which, may be on a street or in a car park. These places are clearly marked.

For further information on the Blue Badge Scheme telephone 686325.

### **ROAD TAX (VEHICLE LICENCE DUTY)**

A disabled person receiving the higher rate mobility component of Disability Living Allowance (DLA) or a mobility premium as part of their Income Support and who is the registered keeper of a motor vehicle may be able to obtain exemption from paying vehicle licence duty.

In order to apply for exemption from the payment of vehicle licence duty it is necessary to first obtain a certificate MY812 from the Disability Benefits Unit, Social Security Division, Markwell House, Market Street, Douglas IM1 2RZ. Telephone: 685104.

For a War Pensioner who is not in receipt of DLA but who is the registered keeper of a motor vehicle, road tax exemption may still be granted so long as they satisfy certain medical criteria. Further information can be obtained from Veterans Welfare Service, Ground Floor, Markwell House, Market Street, Douglas IM1 2RZ. Telephone: 687047.

### **WAR PENSIONER MOBILITY SUPPLEMENT**

A cash allowance is payable to war disablement pensioners who are double leg amputees (one or both above or through the knee) and to war disablement pensioners who for all practical purposes are unable to walk. The inability to walk or the difficulty in walking must be wholly or mainly due to the pensioned disablement. Telephone: 687047.

### **SCHOOL MEALS**

Children of families receiving Income Support, Income-based Jobseeker's Allowance or Employed Person's Allowance attending schools maintained by the Department of Education and Children may be entitled to free school meals. For further information contact the Department of Education and Children, Hamilton House, Peel Road, Douglas IM1 5EZ. Telephone: 685807.

### **SCHOOL UNIFORM**

The Department of Education and Children may help with the provision of school uniform in exceptional circumstances if it is a requirement of the school and the person responsible for the child is in severe hardship. For further information telephone: 686417.

## SECTION 19 - CUSTOMER SERVICE STANDARDS

Social Security is a division of the Isle of Man Treasury. We pay benefits to approximately 35,000 Island residents at any given point.

We pay social security benefits according to the law approved by Tynwald.

Our aim is to pay our customers the right amount of money they are entitled to at the right time.

If our customers are able to work, our service will also encourage independence from benefits where this is reasonable, by promoting and supporting their search for work.

This part of the Guide covers customer affairs relating to benefit claims for which we aim to provide an efficient and fair service.

Whatever benefits our customers claim or Social Security information they need, they can expect us to be professional and considerate in everything we do.

The following paragraphs cover:

- the standard of service which can be expected from Social Security
- privacy and confidentiality
- how we deal with any special needs
- home visits

The paragraphs contain information about our service to our customers if they

- claim benefit
- want information about Social Security benefits

They also contain information concerning

- our responsibilities when dealing with our customers' affairs
- our customers' responsibilities as regard to benefits
- what our customers can do if things go wrong
- our complaints procedures
- our customers' opportunity to provide feedback about our service
- how our customers can help us to help them
- how and where our customers can contact us

### **OUR SERVICE COMMITMENT TO OUR CUSTOMERS**

#### **Acting fairly and impartially**

We

- will treat our customers' affairs in strict confidence, within the law
- want our customers to receive the right amount due at the right time.

#### **Communicating effectively with our customers**

We aim to provide

- clear and simple forms and guidance
- accurate and complete information in a helpful and appropriate way

#### **Providing good quality service**

We aim to

- handle our customers' affairs promptly and accurately
- be accessible in ways that are convenient for our customers
- keep our customers' costs to the minimum necessary
- take reasonable steps to meet special needs
- be courteous and professional

## OUR STANDARDS OF SERVICE

If our customers **telephone** us, we aim to

- answer calls within 20 seconds (six rings)
- greet all callers with courtesy and respect
- listen carefully to what they have to say
- provide a consistent, professional and helpful response

If our customers **visit** any of our offices, we aim to see them within 10 minutes of arrival if they have not previously made an appointment. Or, at particularly busy times, within 20 minutes.

If our customers **write** to us, we aim to provide them with a full reply within 10 working days. Where this is not possible, we will tell them why and when they can expect a full reply.

However our customers contact us, we will

- provide a clear, accurate and helpful response
- make clear what action they need to take next, and by what date
- give them our name and telephone number
- be courteous and professional

## IN ADDITION, WE AIM TO

- assess our customers' affairs correctly straightaway, by making full and careful use of the information available to us
- tell our customers what we are doing to put things right, if there are any problems.

## PRIVACY AND CONFIDENTIALITY

In handling our customers' affairs, we will

- deal with them on a strictly confidential basis, within the law
- respect their privacy
- find a private room or space for them to discuss their affairs when they come to visit us, should they prefer it. This may mean asking our customer to return at a later time or date if necessary.

## ANY SPECIAL NEEDS

If our customers have special needs (for example, related to disability) we will provide whatever help we reasonably can. Markwell House and our Ramsey Office are equipped with ramps for wheelchair access.

If our customers need to see us, but they have a disability which prevents them from coming to our office, they should telephone or write to us explaining the problem and what they need from us. We will make the necessary arrangements to visit them.

## HOME VISITS

Visiting Officers will visit our customers at home if they cannot get to the office and we are unable to help them by letter, telephone or email. We may also visit our customers to ask for the information we need to make sure that their benefit is paid correctly.

Visiting Officers will

- always show their identification card and give their name
- provide the customer with relevant information and check that the customer understands
- remember they are a guest in the customer's home
- be honest and open with our customers and expect the same in return

**SMOKEFREE POLICY:** We have a duty to provide a safe working environment for all our staff. During our visit, the customer's home is also our working environment, so please help us take care of our staff by doing everything possible to provide a smokefree environment. We request that if you, your family or visitors smoke, please refrain from smoking for the duration of the visit. Wherever possible, ask other smokers to go outside to smoke whilst our staff are visiting.

## BENEFIT PAYMENT

We always aim to pay our customers' benefit as accurately and quickly as possible. However, there may be times when we do not get decisions and payments right. If this happens we will make the corrections as quickly as we can.

If a customer thinks we have made a mistake they should contact the section dealing with their claim. The section should be shown on the letter advising them of the decision. We will look at the decision again straightaway and correct anything we feel that is wrong.

Customers can help us by giving us the information we ask for as quickly as they can. The information contained in the Table below is a guide to how long most decisions on some benefits will take.

We can only give a general guide because some claims take longer to deal with than others. Depending on the circumstances, we may not always be able to meet these decision times, but we often take less time than shown.

The staff who deal with our customers' claims are always willing to advise them of what is happening with their claim. They can also give the customer information about the times taken for decisions to be made on benefits not included in the Table.

BENEFIT	CLAIMS (working days)	CHANGE OF CIRCUMSTANCES (working days)
Income Support	5 days	5 days
Jobseeker's Allowance	5 days	5 days
Incapacity Benefit	5 days	5 days
Employed Person's Allowance	5 days	5 days
Retirement Pension	15 days*	5 days
Child Benefit	10 days	10 days

\*Please note the decision regarding the award of Retirement Pension is not issued until 8 weeks before the customer attains State Pension Age.

The days are counted from when we receive all the information we have asked the customer for. We will give the customer all the advice we can about the information and the documents he needs to provide with his claim. If we need more information after we have received a claim, we will ask for this within 5 working days.

## OUR RESPONSIBILITIES

We will help our customers by

- **dealing with their affairs as quickly as possible and keep them informed about progress and decisions** - we will also make it clear what information they need to provide us with
- **being polite and easy to talk to** - our staff are specially trained to meet our customers' needs. They will treat our customers with respect and will do their best to understand their personal circumstances
- **giving them accurate advice and information**
- **being fair** - our customers' nationality, age, gender, sexual orientation, religious beliefs or any disability they may have will not affect how we treat them
- **following the rules of the Social Security and Data Protection Acts, and the principles of Open Government** - this includes giving customers the information they ask for, if the law allows. It is a criminal offence for us to give our customers' personal information to anyone else unless the law allows or we have their written permission. We will treat anything our customers say to us confidentially
- **asking for our customers' views and using them to give our customers the service they want** - through the use of our customer comments leaflets and surveys
- **helping our customers as best we can** - if a customer's business with us involves another section of the Department, or a different Government Department
- **striving for the simplification of rules, regulations, forms, information and procedures.**

## OUR CUSTOMERS' RESPONSIBILITIES

To assist us we need our customers to

- **give complete and accurate information** when they contact us, and give all the evidence we need to decide their claims correctly. By law we need certain information before we can pay our customers benefit
- **tell us in writing about changes in their circumstances as soon as possible**
- **give us their correct National Insurance (NI) number** when they contact us about their benefit or make a claim. We may also need their partner's NI number
- **provide some means of identification** - for example, wage slips, their passport, driving licence or cheque book

## WHAT OUR CUSTOMERS CAN DO IF THINGS GO WRONG

If something does go wrong, we need to know so the mistake can be corrected. We guarantee that any complaint made will not have any negative effect on the services we provide to our customer or any claim that customer makes for benefit.

## COMPLAINTS

It is accepted that sometimes things can go wrong; it is important that the Department is aware that a complainant is unhappy with our service. In the first instance it is best practice for the complainant to speak to the person they have been dealing with and explain their complaint, or speak to the manager of the service area to determine if the complaint can be resolved straight away. If the complainant is still not happy, they should see leaflet SSD 21 – Social Security – Comments, Compliments and Complaints available from any Social Security office.

## FEEDBACK AND COMMENTS

Our customers' comments are always welcome as they will help us to improve the service we offer. Customers may like to send us a compliment if they have received good service. Alternatively, they may have a concern which they might like to bring to our attention. Social Security also surveys its customers from time to time in order to gauge the level of customer satisfaction.

## PROVIDING OUR CUSTOMERS WITH ADVICE AND INFORMATION

We provide help through a wide range of clearly written leaflets and booklets. Each explains a particular benefit or what to do in specific circumstances. These leaflets and booklets are available from any of our offices.

## CUSTOMERS CAN HELP US TO HELP THEM BY

- responding as soon as possible if we ask for more information
- keeping appointments and arriving on time
- being considerate to our staff
- giving us their suggestions for improvements to our services
- being considerate to other customers in our waiting areas
- not smoking in any of our offices
- not dropping litter in our waiting areas

## SECTION 20 – CONTACT INFORMATION

<b>Markwell House</b> Market Street Douglas IM1 2RZ	Telephone: (01624) 685656 <b>Monday - Thursday</b> <b>Friday</b>	<b>Opening Hours</b> <b>9.00 am - 5.00 pm</b> <b>9.00 am - 4.30 pm</b>
<b>Port Erin</b> Thie Rosien Castletown Road Port Erin IM9 6DB	Telephone: (01624) 833146 <b>Monday</b> <b>Tuesday</b>  <b>Wednesday</b> <b>Thursday</b>  <b>Friday</b>	<b>Opening Hours</b> <b>Closed</b> <b>9.15 am - 1.00 pm</b> <b>1.45 pm - 4.30 pm</b> <b>Closed</b> <b>9.15 am - 1.00 pm</b> <b>1.45 pm - 4.30 pm</b> <b>Closed</b>
<b>Ramsey</b> Cummal Moorar Queen's Promenade Ramsey IM8 1EL	Telephone: (01624) 812138 <b>Monday</b>  <b>Tuesday</b> <b>Wednesday</b>  <b>Thursday</b> <b>Friday</b>	<b>Opening Hours</b> <b>9.15 am - 1.00 pm</b> <b>1.45 pm - 4.30 pm</b> <b>Closed</b> <b>9.15 am - 1.00 pm</b> <b>1.45 pm - 4.30 pm</b> <b>Closed</b> <b>9.15 am - 1.00 pm</b> <b>1.45 pm - 4.00 pm</b>

### TELEPHONES

Our telephones are manned for a minimum of 42 hours per week, including the periods from 9.00 am to 5.30 pm Monday to Thursday and from 9.00 am to 5.00 pm on Fridays. A list of useful telephone numbers can be found on the next page.

The Isle of Man Government switchboard is manned during the same hours. The switchboard telephone number is (01624) 685685.

## EMAIL ADDRESSES AND TELEPHONE NUMBERS

We can also be contacted via email at the following address: [socialsecurity@gov.im](mailto:socialsecurity@gov.im)

Or you can also visit our website at: [www.gov.im](http://www.gov.im)

Other email addresses for specific benefits or contributions enquiries are:

Bereavement Benefits	685176	<a href="mailto:statepensions@gov.im">statepensions@gov.im</a>
Child Benefit	686295	<a href="mailto:childbenefit@gov.im">childbenefit@gov.im</a>
Disability Benefits	685104	<a href="mailto:disabilitybenefits@gov.im">disabilitybenefits@gov.im</a>
Employed Person's Allowance	685092/685458	<a href="mailto:EPA@gov.im">EPA@gov.im</a>
Funeral Payments	685106	<a href="mailto:generalbenefits@gov.im">generalbenefits@gov.im</a>
General Benefit Payments	685108	<a href="mailto:generalbenefits@gov.im">generalbenefits@gov.im</a>
Incapacity Benefit	685105	<a href="mailto:generalbenefits@gov.im">generalbenefits@gov.im</a>
Income Support - under pension age	685094	<a href="mailto:incomesupport@gov.im">incomesupport@gov.im</a>
Income Support - pensioners	687020	<a href="mailto:ISP@gov.im">ISP@gov.im</a>
Jobseeker's Allowance	685126	<a href="mailto:JSA@gov.im">JSA@gov.im</a>
Maternity/Adoption/Paternity Allowances	685106	<a href="mailto:generalbenefits@gov.im">generalbenefits@gov.im</a>
Appropriate Personal Pensions	685069	<a href="mailto:personalpensions@gov.im">personalpensions@gov.im</a>
Occupational Pensions	685124	<a href="mailto:occupationalpension@gov.im">occupationalpension@gov.im</a>
Retirement Pensions	685176	<a href="mailto:statepensions@gov.im">statepensions@gov.im</a>
Retirement Pension Forecasts	685068	<a href="mailto:pensionforecasting@gov.im">pensionforecasting@gov.im</a>
<b>Benefit Fraud</b>	<b>0808 1624043</b>	<b><a href="mailto:investigations@gov.im">investigations@gov.im</a></b>

All calls to and from Social Security are recorded for quality purposes, to prevent crime or misuse, to ensure staff act in compliance with required procedures and standards and assist in the provision of training, monitoring and service improvement.



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Social Security Division  
Markwell House, Market Street  
Douglas, Isle of Man. IM1 2RZ  
[www.gov.im](http://www.gov.im)