

Supplementary Benefit – Leaflet SPB2

2015

Introduction

This leaflet is for guidance only and is not a complete statement of the Supplementary Benefit (Guernsey) Law, 1971.

What is supplementary benefit?

Supplementary Benefit is money paid by the Social Security Department from funds provided by the States of Guernsey in order to bring a person's income up to the level which the States considers is the minimum amount required to live on.

What is the requirement rate?

The minimum amount required to live on is known as the Requirement Rate, and varies according to the circumstances in which the person lives; e.g. a person who only has to look after themselves will not need as much money as, say, a man or woman with a family to keep. Similarly, a person who only requires assistance on a short-term basis will not need as much money as a person with a long term need.

Who can claim supplementary benefit?

A person who is over 18 years of age, no longer in full-time education and ordinarily resident in Guernsey, Alderney, Herm or Jethou may claim supplementary benefit if their resources are insufficient to meet their requirements.

However, people who claim supplementary benefit who are under pensionable age and all dependants who are of working age (i.e. over school leaving age but under pensionable age) and who have left full-time education, must also be in full-time remunerative work, or acting in compliance with work requirements relating to them, in order to be eligible for supplementary benefit.

What is 'full-time remunerative work'?

Full-time remunerative work means at least 35 hours work per week, earning no less than the minimum wage. If the number of hours you work each week varies, the average number of hours worked per week, calculated over any period of time up to 12 months, must be at least 35.

What are ‘work requirements’?

Work requirements are measures, set by the Administrator, that are aimed at helping you to gain or remain in full-time remunerative work. Such measures may include:

- being available for and actively seeking work;
- attending interviews with an employer;
- attending a work related meeting at the Job Centre;
- attending the Careers Fair;
- attending a training course;
- undertaking a placement on the Community and Environmental Projects Scheme;
- participating in the Work2Benefit Scheme.

What if I can’t work full-time?

The Department recognises that not everyone can work full-time due to caring responsibilities, illness or disability. The Department can make exceptions to the requirement to be in full-time remunerative work or acting in compliance with work requirements depending on an individual’s circumstances.

Can I claim supplementary benefit if I am under 18?

The minimum age of entitlement for supplementary benefit is 18. However, in certain exceptional circumstances set out in legislation, a claim may be accepted from a person who is under the age of 18, although benefit is not payable to anyone under school leaving age.

If you are over school leaving age and under the age of 18 and in need of financial support, please contact the Social Security Department on 732508 or visit our offices at Edward T Wheadon House, Le Truchot, St Peter Port, or the States Office, Alderney to discuss whether you might qualify for benefit.

A young person who has left school and is unemployed and being supported by a parent, who is in receipt of supplementary benefit, will be treated as a dependant in that family. This means that the cash benefit for that young person will be paid direct to their parent. But, the young person will have to comply with work requirements relating to them. If they do not, this will result in a reduction in the portion of the family’s benefit relating to that young person.

How do I claim supplementary benefit?

Simply contact the Social Security Department on 732508 or visit our offices at Edward T Wheadon House, Le Truchot, St Peter Port, or the States Office, Alderney. If you are unable to attend the office because of a disability or illness, a member of the Department’s staff may be able to visit you at home.

You will be interviewed by a Supplementary Benefit Officer who will ask you for information about your income, other assets and household dependants. This is required in order to work out how much benefit you will be entitled to, if any. The information you are asked to give is treated as strictly confidential.

If you are entitled to receive supplementary benefit, you may be visited in your home by a visiting officer who will discuss your circumstances and the amount of benefit to which you are entitled. You are legally required to report any changes in your circumstances to this office as soon as they occur.

How is benefit paid?

Benefit is normally paid on a weekly basis directly into a bank account. If you do not have a bank account, you will need to visit a bank and ask to open an account. Basic bank accounts are available from a number of banks.

If your claim is new, or is likely to vary due to earnings or changes in your circumstances, it is likely that you will be asked to visit the office on a regular basis.

Can I appeal against a decision?

If you are not satisfied with the result of your application for supplementary benefit you may appeal to an Independent Appeals Tribunal. Forms can be collected from the Department's offices. **You must appeal within 28 days of the decision.**

How is the amount of benefit worked out?

The amount of benefit you will receive is decided in the following way:-

- (a) Your household income and resources are worked out according to the rules set out under **"How is my income worked out"** of this leaflet.
- (b) If your weekly household income, having been worked out according to the rules of the scheme, is less than your Requirement Rate, it will normally be made up to that level with supplementary benefit.

A table of the Requirement Rates is set out in leaflet 50. The requirements of a family are calculated as a whole rather than on an individual basis. The joint income of a couple living together is taken into account whether the couple is married or not. The age of any children will be taken into account when calculating the requirement rate.

- (c) Your Requirement Rate can be increased to take account of rent, rates or mortgage interest.
- (d) There is a limit to the weekly amount of benefit that can be awarded. This is explained under **"Is there a maximum amount of benefit I can receive"**.

What about my rent?

If you are a householder - that is to say, if you are living in and responsible for the upkeep of a house or a flat, and not living as part of somebody else's household - a rent allowance will be added to your requirement rate up to the maximum rent allowance as set by the Department. This allowance takes into account any rent paid to you by sub-tenants and any rates which you have to pay.

If the rent covers heating or lighting a deduction from the rent allowance will be made since these items are already included in the basic Requirement Rate.

Anyone in the household, other than the householder, his partner and their dependent children, will be expected to contribute towards the rent. For example, a married couple paying a rent of £207 per week, with a non-dependent adult son living at home, would only be given a rent addition of £138 per week, i.e. two thirds of £207.

If the rent you are paying is considered to be unreasonably high, your rent allowance may be reduced. In certain circumstances a rent allowance may not be payable.

If you live in privately rented accommodation and your rent is considered to be unreasonably high, you may wish to approach the Housing Department for a rent review. They will inspect the property and recommend a rent that is fair for both the tenant and the landlord. Please contact the Housing Department on 717289 for more information.

What if I own my own home?

If you or your partner are an owner occupier, you will receive an allowance based on the interest element of any mortgage repayment up to the maximum rent allowance set by the Department. In addition, you will receive an allowance for rates, repairs and home insurance.

What if I live in someone else's home?

If you are over 18 years old and living as a member of someone else's household - with a relative, for example – an allowance of up to £15.00 per week may be made in certain circumstances.

People living as boarders

If you are living in a guest house or hotel and your weekly income is not enough to meet your needs you may be able to receive supplementary benefit. The amount of personal allowance payable varies from time to time; please refer to leaflet 50 for the latest rates.

NOTE: If the amount which you are paying for board and lodgings is considered to be unreasonably high, a lower figure may be awarded when your entitlement to supplementary benefit is decided.

People in hospital or care homes

There are special rules for people in hospital and care homes, and in these cases the person wishing to apply for supplementary benefit (or their agent) should contact the Department's offices.

How is my income worked out?

When your income is calculated, some types of income are treated differently, as shown below. Some types of income are taken into account in full, some are only partly taken into account, and others are ignored. The list below sets out the rules about the main types of income:

1. Income taken into account in full

- (a) All benefits received under the Social Insurance (Guernsey) Law, 1978 except Industrial Disablement Benefit.
- (b) Benefits paid under the Social Insurance scheme of another country, e.g. a U.K. State Pension.
- (c) Maintenance payments or their equivalent.
- (d) Family Allowance.
- (e) Regular cash gifts and any income from lottery or gambling wins.

2. Income which is ignored

- (a) Grants made by the Education Department for a child who is counted as such for the purposes of the Family Allowances (Guernsey) Law, 1950. Leaflet FAM 1 explains the provisions of this Law.
- (b) Severe Disability Benefit paid under The Severe Disability Benefit and Carer's Allowance (Guernsey) Law, 1984.
- (c) Any fostering allowance (other than the contractual element), residence order allowance or adoption allowance paid by the Health and Social Services Department.
- (d) Back to work bonus payments.
- (e) The earnings of any person who would be treated as a child for the purposes of the Family Allowances (Guernsey) Law, 1950.

3. Income which may be partly disregarded:

- (a) Earnings (including Carer's Allowance and the contractual element of any fostering allowance paid by the Health and Social Services Department).

The first £30.00 of a person's earnings are not counted at all. This amount may be varied in the future (see leaflet 50). When earnings are worked out for supplementary benefit purposes, employment costs are deducted; for example, social insurance contributions, childcare fees, etc.

- (b) Industrial Disablement Benefit, War and Other Disability Pensions. Up to £20.00 of this type of income can be ignored. (The amount may vary in future – please refer to leaflet 50.)

- (c) Other Income.

This includes income such as pensions from former employers, annuities and payments from charities. The first £10.00 of any such income may be ignored. Any changes in this amount will be shown in leaflet 50.

NOTE: If you are receiving a £20.00 disregard under 3(b), no further amount may be disregarded under 3(c).

Am I expected to live off my savings and capital?

If you own the house in which you live its value will be completely ignored for the purposes of assessing your entitlement to supplementary benefit so long as you continue to live in it.

Your capital or savings - including any money you may have in the bank, the Post Office, Premium Bonds, any property you own but do not occupy personally, and any investments you may have – are dealt with as set out below.

For the purpose of calculating benefit, capital below a certain amount (£5,000 at time of writing) is completely ignored, together with any interest accrued. If your savings exceed this amount, which may be amended in the future, an 'assumed weekly income' is calculated. This has no connection with any rates of interest paid by banks or dividends paid on shares. A table showing the amount of assumed weekly income is shown in leaflet 50. The assumed weekly income is added to any other income you may have, and is not subject to any disregard.

If a person gives up any income or capital assets and the effect of this is to secure supplementary benefit or an increase in their rate of benefit, that income or capital may be taken into account when calculating the amount of benefit payable.

Is there a maximum amount of benefit I can receive?

Yes. The States of Guernsey sets an upper limit on the amount of income available from Supplementary Benefit and other resources. This limit is reviewed annually. The only forms of income which are ignored are grants from the Education Department in respect of a dependent child, severe disability benefit, any fostering allowance (other than the contractual element), residence order allowance or adoption allowance paid by the Health and Social Services Department, back to work bonus payments and children's earnings. Details of the maximum amount of Supplementary Benefit payable can be found in leaflet 50.

Is supplementary benefit the only help the Department can give?

The Department may be able to help people with special needs even if they do not qualify for cash benefit. Assistance with the payment of medical expenses or equipment can be provided. The Department can also, in exceptional circumstances, award grants or loans towards the alteration of property in relation to medical need.

Other services administered by the Social Security Department

1. Medical Expenses Assistance Scheme (MEAS)

A person may apply for assistance with the cost of medical expenses if they fall outside the scope of the Medical Specialist Contract. Such treatment may include certain types of surgery (including dental surgery), orthodontic treatment, periods of intensive primary care and extensive physiotherapy. If assistance is granted it is usually in the form of a grant or a loan or both. MEAS can also help with ongoing medical costs that would otherwise cause financial hardship.

2. Prescription charges

People who are receiving supplementary benefit and their dependants are exempt from prescription charges for drugs and appliances prescribed under the Pharmaceutical Service, for the duration of their claim.

3. Travelling Allowance Grant (TAG).

If a local specialist refers you to the UK for medical treatment not available in Guernsey, your travel costs will be funded by the Social Security Department.

4. Long Term Care Scheme

The Long Term Care Scheme is a contributory benefit scheme set up to provide financial assistance with the cost of private residential and nursing home care. See leaflet LTC1 for more details. Enquiries about these services should be made at the office of the Department at Edward T Wheadon House, Le Truchot, St Peter Port - telephone 732500.

Services administered by the Health & Social Services Department

1. Home Help Service

Under this Service, the Health and Social Services Department can arrange for someone to come and help with your housework or shopping, on condition that you are unable to do it yourself because of age or infirmity, and there is no one else who can help you. Normally your Doctor or a Community Nurse will be asked to confirm that your infirmity makes it difficult for you to do your housework. A fee appropriate to your resources may be charged for the Service. Enquiries about the Home Help Service should be made to the Health and Social Services Department - telephone 725241

2. Meals on Wheels

If your age or infirmity makes it difficult for you to prepare meals for yourself it may be possible to have a midday meal delivered by the Women's Royal Voluntary Service. Enquiries about the Meals on Wheels Service should be made to Guernsey Voluntary Services - telephone 247518.

Further information

If you are unsure about the meaning of any particular point in this leaflet, please phone or call at the Social Security Office or the States Office, Alderney, where staff will be pleased to help you, and from where copies of other leaflets mentioned may be obtained.

What to do if you have a complaint

If you are dissatisfied with any aspect of our service please let a member of staff know at the time so that we can try to resolve the issue immediately. If you wish to make a formal complaint to the Department, please contact us and ask for a complaints leaflet or download a leaflet from the States website www.gov.gg (follow the links to 'Social Security', 'Complaints & Appeals', 'Customer Service Complaints') and return the completed complaints form to the Chief Officer, Social Security Department, Edward T Wheadon House, Le Truchot, St Peter Port, Guernsey, GY1 3WH. Alternatively you can scan and email the completed form to us at ssd-complaints@gov.gg. A senior officer will then investigate your complaint in accordance with the Department's Complaints Policy.