

## **INCAPACITY FOR WORK** **When Benefit is Interrupted** **or Changes**

**Note: this leaflet only refers to claims first made (or deemed to have been made) before 27/10/08.**

If you are unfit for work, you may get one of the following benefits:

- ◆ Incapacity Benefit  
*For people who have sufficient National Insurance Contributions, or who were under 20 (25 in some cases) when first claiming.*
- ◆ Severe Disablement Allowance, but this is only paid now to people who claimed the benefit before it was abolished in April 2001.
- ◆ Income Support.

### **WHY MIGHT MY BENEFITS STOP?**

Your benefit may stop if:

- ◆ You start work not allowed by the Permitted Work rules (see Factsheet Pb64);
- ◆ You are assessed by a doctor on behalf of the Jobcentre Plus office and are judged to be capable of work;
- ◆ You fail to return an IB50 form (this asks you questions about your disabilities etc), or fail to attend a medical when required.

### **WHAT YOU SHOULD DO**

If you did not attend a medical, you should contact the Jobcentre Plus office as soon as possible and give your reasons for non-attendance, and try to arrange another medical appointment, perhaps when someone can go with you.

If they do not accept your reasons, appeal that decision immediately. You can then re-claim the benefit, or claim Income Support or Jobseekers Allowance [see “But what do I live on while I am appealing?”].

If you did not complete an IB50 form you should explain why and try to get help with the form from a Citizens Advice Bureau or other advice agency. Your CPN, Social Worker or Support Worker may also be able to help you.

Whatever else you do, you should seek advice as soon as your benefit has stopped. Contact your local Citizens Advice Bureau or other advice agency, who will be able to advise you how to appeal against the decision. If you have a Social Worker or are working with another health professional, e.g. CPN, you may wish to approach them. They may be able to seek the help you need on your behalf.

### **BUT WHAT DO I LIVE ON WHILE I AM APPEALING?**

You may be able to claim either Income Support or Jobseekers Allowance.

If you claim Income Support, it may be paid at a reduced rate, unless you can qualify for it for any other reason, e.g. being a single parent or a carer. Otherwise you might be better claiming Jobseekers Allowance.

If you claim Jobseekers Allowance you will have to sign to say you are available for work, but you should make sure that the Jobcentre Plus is aware that you are appealing. It is reasonable for you to say what health problem you have which limits your availability for work. They may be prepared not to pressure you too much pending your appeal.

If you are not already getting Disability Living Allowance you should seek advice to see whether you should claim. You can get this benefit even if you are able to work.

### **FURTHER HELP**

Seek help from your local Citizens Advice Bureau or other advice agency.

**The information in this factsheet is correct as of October 2008**

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