

Helpline

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Do you qualify for the disability element of Working Tax Credit?

To qualify for the disability element of Working Tax
Credit you must be able to answer **yes to all three**
conditions below.

Condition 1

Do you usually work for 16 hours or more a week?

Condition 2

**Do you have a disability that meets one of the descriptors
in Table 1? (page 2)**

Condition 3

**Can you satisfy one of the qualifying benefit conditions in
Table 2a or 2b? (pages 5 - 11)**

If you have answered no to any of the three conditions
you will not be entitled to the disability element of
Working Tax Credit.

Table 1

Disability that puts you at a disadvantage in getting a job

At least **one** of the following descriptions must apply to you.

<p>Physical disability</p>	<ul style="list-style-type: none"> • When standing you cannot keep your balance unless you continually hold on to something. • You cannot walk a continuous distance of 100 metres along level ground without stopping or without suffering severe pain – even when you use your usual walking aid, such as crutches, walking frame, walking stick, prosthesis or similar. • You cannot use either of your hands behind your back, as if you were putting on a jacket or tucking a shirt into trousers. • You cannot extend either of your arms in front of you, as if you were shaking hands with someone, without difficulty. • You cannot, without difficulty, put either of your hands up to your head, as if putting on a hat. • Due to a lack of ability in using your hands, you cannot pick up a coin that is 2.5 centimetres or less in diameter, such as a 10 pence coin, with one hand. • You find it difficult to use your hands or arms to pick up a full, one-litre jug and pour from it into a cup. • You cannot turn either of your hands sideways through 180 degrees.
<p>Visual impairment</p>	<ul style="list-style-type: none"> • If you live in England or Wales – you are registered as blind or partially sighted on a register compiled by a Local Authority. • If you live in Scotland – you have been certified as blind or as partially sighted and you are also registered as blind or partially sighted on a register maintained by, or on behalf of, a council constituted under section 2 of the Local Government (Scotland) Act 1994.

<p>Visual impairment continued</p>	<ul style="list-style-type: none"> • If you live in Northern Ireland – you have been certified as blind or partially sighted. Because of this, you are also registered as blind or partially sighted on a register maintained by, or on behalf of, a Health and Social Services Board. • You cannot see to read 16 point print at a distance greater than 20 centimetres, even if you are wearing your usual glasses. <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"> <p>This is 16 point print. Can you read this at a distance greater than 20 centimetres?</p> </div>
<p>Hearing impairment</p>	<ul style="list-style-type: none"> • You cannot hear a phone ring when you are in the same room as the phone, even if you are using your usual hearing aid. • You have difficulty hearing what someone two metres away is saying, even when they are talking loudly in a quiet room, and you are using your usual hearing aid.
<p>Other disability</p>	<ul style="list-style-type: none"> • You have a mental illness that you receive regular treatment for under supervision of a medically qualified person. • Due to mental disability, you are often confused or forgetful. • You cannot do the simplest addition and subtraction. • Due to mental disability, you strike people or damage property, or are unable to form normal social relationships. • People who know you well have difficulty in understanding what you say.

<p>Other disability continued</p>	<ul style="list-style-type: none"> • When a person that you know well speaks to you, you have difficulty in understanding what that person says. • At least once a year, during waking hours, you are in a coma or have a fit where you lose consciousness. • You cannot normally sustain an eight-hour working day or a five-day working week, due to a medical condition or, to intermittent or continuous severe pain.
<p>Or as a result of an illness or accident, you are undergoing a period of habilitation or rehabilitation. This does not apply to you if you have been getting a disability element of Working Tax Credit in the past two years.</p> <p>Please note We may ask for the name of someone involved in your care, like an occupational therapist, community nurse, district nurse or doctor, who can confirm how your disability affects you.</p>	

Table 2a

Qualifying benefit conditions

You will meet this condition if you are receiving, or have received, one of the following sickness or disability-related benefits at the specified rate and can satisfy the qualifying conditions:

Benefit	Rate	Qualifying conditions
Council Tax Benefit	Including a Disability Premium or Higher Pensioner Premium because of your own disability	Have received this benefit for at least one of the 182 days before you claimed the disability element
Employment & Support Allowance (ESA)	Contribution or income based	<p>Have received ESA or Statutory Sick Pay for at least one of the 182 days before you claimed the disability element and entitlement has existed for a period of 28 weeks immediately preceding that day (see Note 1 on page 12)</p> <p>Or</p> <p>Have received ESA for a period of 140 qualifying days, with the last day of receipt falling within the 56 days before you claimed the disability element (see Note 2 on page 12)</p> <p>and</p> <p>your disability is likely to last for at least six months or the rest of your life</p> <p>and</p> <p>your gross earnings are at least 20% less than they were before the disability began, with a minimum reduction of £15 (gross) a week</p>

Benefit	Rate	Qualifying conditions
Council Tax Benefit	Contributory	Have undertaken training for work for at least one day in the 56 days before you claimed the disability element; and within 56 days before the first day of that period of training for work, you received contributory ESA for a period of 28 weeks (see Note 3 on page 12)
Housing Benefit	Including a Disability Premium or Higher Pensioner Premium because of your own disability	Have received for at least one of the 182 days before you claimed the disability element
Incapacity Benefit	Lower rate short term	Have received for 140 days or more, with the last day of receipt falling within the 56 days before you claimed the disability element (see Note 4 on page 12) and your disability is likely to last for at least six months or the rest of your life and your gross earnings are at least 20% less than they were before the disability began, with a minimum reduction of £15 (gross) a week

Benefit	Rate	Qualifying conditions
Council Tax Benefit	Higher rate short term	<p>Have received for at least one of the 182 days before you claimed the disability element</p> <p>Or</p> <p>Have undertaken training for work for at least one day in the 56 days before you claimed the disability element;</p> <p>and</p> <p>within 56 days before the first day of that period of training for work, you received this benefit</p>
	Long term rate	
Income Support	Including a Disability Premium or Higher Pensioner Premium because of your own disability	Have received for at least one of the 182 days before you claimed the disability element
Income Support	On account of incapacity for work	<p>Have received IS for a period of 140 qualifying days and where the last of those fell within the 56 days before you claimed the disability element (see Note 4 on page 12)</p> <p>and</p> <p>your disability is likely to last for at least six months or the rest of your life</p> <p>and</p> <p>your gross earnings are at least 20% less than they were before the disability began, with a minimum reduction of £15 (gross) a week</p>

Benefit	Rate	Qualifying conditions
Income-Based Jobseeker's Allowance	Including a Disability Premium or Higher Pensioner Premium	Have received for at least one of the preceding 182 days
National Insurance Credits	On account of having limited capability for work	<p>Have received for a period of 20 weeks, and where the last of those fell within the 56 days before you claimed the disability element (see Note 3 on page 12)</p> <p>and</p> <p>your disability is likely to last for at least six months or the rest of your life</p> <p>and</p> <p>your gross earnings are at least 20% less than they were before the disability began, with a minimum reduction of £15 (gross) a week</p>
National Insurance Credits	On account of incapacity for work	<p>Have received for a period of 20 weeks, and where the last of those fell within the 56 days before you claimed the disability element (see Note 4 on page 12)</p> <p>and</p> <p>your disability is likely to last for at least six months or the rest of your life</p> <p>and</p> <p>your gross earnings are at least 20% less than they were before the disability began, with a minimum reduction of £15 (gross) a week</p>

Benefit	Rate	Qualifying conditions
Occupational Sick Pay	Including a Disability Premium or Higher Pensioner Premium	<p>Have received for 140 days or more, with the last day of receipt falling within the 56 days before you claimed the disability element (see Note 4 on page 12)</p> <p>and</p> <p>your disability is likely to last for at least six months or the rest of your life</p> <p>and</p> <p>your gross earnings are at least 20% less than they were before the disability began, with a minimum reduction of £15 (gross) a week</p>
Severe Disablement Allowance		<p>Have received for at least one of the 182 days before you claimed the disability element</p> <p>Or</p> <p>Have undertaken training for work for at least one day in the 56 days before you claimed the disability element;</p> <p>and</p> <p>within 56 days before the first day of that period of training for work, you received Severe Disablement Allowance</p>
Statutory Sick Pay		<p>Have received for 140 days or more, with the last day of receipt falling within the 56 days before you claimed the disability element</p> <p>and</p> <p>your disability is likely to last for at least six months or the rest of your life</p>

Benefit	Rate	Qualifying conditions
Statutory Sick Pay (continued)		<p>and your gross earnings are at least 20% less than they were before the disability began, with a minimum reduction of £15 (gross) a week</p> <p>Or Have received SSP followed by contribution based Employment and Support Allowance for a combined period of 28 weeks or more</p> <p>And has undertaken training for work for at least one day in the 56 days before you claimed the disability element</p>
Working Tax Credit	Disability element	You were entitled to the disability element of Working Tax Credit in the 56 days before your claim for the disability element by satisfying the qualifying conditions under one of the sickness or disability-related benefits listed in the table above (on pages 3, 4 & 5), or by receiving Disabled Person's Tax Credit, at some earlier time* .
<p>* The period 'some earlier time' can allow continuing entitlement to the disability element long after the qualifying sickness or disability-related benefit ceased to be paid.</p>		

Table 2b **Qualifying benefit conditions**

Benefit	Rate	Qualifying conditions
Attendance Allowance		Be currently payable
Disability Living Allowance		Be currently payable
Industrial Injuries Disablement Benefit	With a mobility supplement or a constant attendance allowance	Be currently payable
Invalid carriage scheme		Have an invalid carriage or other vehicle provided under the Invalid Vehicle Scheme
War pension	With a mobility supplement or a constant attendance allowance	Be currently payable

Notes

Note 1 - The 28 weeks does not need to be a single continuous period. You can add together:

- any periods that you received ESA, as long as they were no more than 12 weeks apart
- any periods that you received SSP, as long as they were no more than eight weeks apart
- any periods that you received SSP with periods that you received ESA, as long as they were no more than 12 weeks apart.

Note 2 - The 20 weeks does not need to be a single continuous period. You can add together any separate periods that you received the benefits and credits as long as they were no longer than 12 weeks apart.

Note 3 - The 28 weeks does not need to be a single continuous period. You can add together:

- any periods that you received ESA, as long as they were no more than 12 weeks apart
- any periods that you received SSP, as long as they were no more than eight weeks apart
- any periods that you received SSP with periods that you received ESA, as long as they were no more than 12 weeks apart and you met the contribution conditions for contribution-based ESA on the days that you received SSP.

Note 4 - The 20 weeks does not need to be a single continuous period. You can add together any separate periods that you received the benefits and credits as long as they were no longer than eight weeks apart.