

# Benefits and Students

The rules on student entitlement can be complex and are subject to change due to Government welfare reforms. This leaflet will give you basic information about what you may be able to claim. If you are enrolling onto a full time course for the first time, it is **essential** that you let the relevant bodies know about your new student status and expect a reassessment of benefits to reflect your student income.

## Which welfare benefits are you referring to?

The benefits below are due to be replaced by Universal Credit (see Welfare Advice Guide: 2018/19 'Universal Credit') over the next few months. However due to delays in the implementation of this the following may still be available to some students:

- Income Support (IS). This is a means-tested benefit to help with living costs for those who do not have to be available for work.
- Housing Benefit (HB). This is a means-tested benefit to help with rental costs. It can sometimes be paid to those in Halls of Residence.
- Council Tax Benefit/Allowance (CTB). This is a means-tested benefit to help with council tax bills.
- Job Seeker's Allowance (JSA). This is a means-tested benefit to help with living costs but claimed by those expected to actively look for work.
- Employment and Support Allowance (ESA). This is a means-tested benefit paid because someone is incapable of working due to health grounds.

## Can all students claim these benefits?

**No.** This varies depending on the benefit, your income, your savings and your personal circumstances. Your income includes your maintenance loan and grant, even if you have not applied for it. Generally, it is full-time students who lose entitlement. If you are on a part-time course, see overleaf for a summary of your position.

## Who can claim IS? (Usually during summer only)

- Single parents where their children are younger than 5 years old. If they are older, see JSA below.
- One of a couple who are both full time students and have care of a child. However, there can only be a claim during the summer vacation. Child age restrictions apply, as above.

## Who can claim JSA? (Usually during summer only)

- You are single and responsible for a child aged at least 5 years old. You can only claim during the summer vacation and must be available for work and seeking work.

- You are one of a couple who are both full-time students responsible for a child. You can only claim during the summer vacation.
- You are waiting to go back on your course, having taken approved time out because of an illness or a caring responsibility that has come to an end.
- You are part of a couple and your partner is not a student; the partner should claim during the summer vacation and include you on the claim.

## Who can claim HB? (Usually throughout course)

- Those receiving IS/Income Based JSA or ESA.
- Single parents with a child under 16 or qualifying young person if under 20 (i.e. those for whom you still receive child benefit).
- Single foster-parents of a child.
- Non-student partners of students.
- Those waiting to go back on their course, having taken approved time out due to illness or caring responsibilities.
- Those with incapacity/limited capability to work for the last 28 weeks. Initially claim ESA to have this limited capability acknowledged and the time-frame can be established (even though they may not pay you). You will need medical evidence from your GP to prove the incapacity.
- Couples who are both full time students and have a dependant child or qualifying young person.
- Disabled students if you either qualify for the disability or severe disability premium, or qualify for disabled student allowances because of deafness.

## How does my student income affect the benefits I can claim?

Most of your Maintenance Loans will count as income towards means tested benefits. This is the case even if you do not apply for it. However there are some important exceptions, e.g. the child care grant, parent's learning allowance, special support grant and loan (if applicable) and a fixed amount of your income assessed maintenance loan.

Please see:

[www.nus.org.uk/en/advice/money-and-funding/can-i-claim-government-benefits-as-a-student](http://www.nus.org.uk/en/advice/money-and-funding/can-i-claim-government-benefits-as-a-student)

Rules govern the way that student income affects benefits and the period over which student income is divided. Some key things to look out for when your benefits are assessed are:

- Student Loans (minus disregards of £10 per week and a fixed amount for the cost of books, equipment and travel ) divided by 42 wks
- Adults Dependants Grant divided by 42 wks
- Maintenance Grant divided by 42wks\*
- Special Support Grant ignored
- Parent Learning Allowance ignored
- Childcare Grants ignored
- Fee Loans ignored
- NHS Bursary, Grant and Dependants Grants, divided by 52

\*check with SWAT to see whether you should be receiving a Special Support Grant or the Special Support Element of the Maintenance Loan instead.

The way loan and grant income is calculated for benefits, generally means students need to put in at least two benefit claims each academic year. The key periods are usually at the start of the academic year when benefit can be denied or significantly reduced (due to the student income calculation) and at the beginning of the summer vacation when income will be deemed much lower and so entitlement could be activated or increased again. Income from other sources will also affect claims so be prepared for earnings and tax credits to have an impact.

### I have taken out the Postgraduate Loan - can I claim benefits?

30% of the available postgraduate loan which is available is to be taken into account for benefit purposes.

### What does this mean in practice?

Students lose IS or JSA during term-time (unless they can claim for a mortgage), but can regain it at the end of June if they meet the benefit rules again. With HB, the amounts paid will be lower from September until the end of June, so students must make up the shortfall from their Student Loan but increase again in July and August. Be prepared, in the following September Student Funding impacts once again, even though you have not received any money yet!

### What if I choose not to apply for funding?

Even if you do not apply for student loans and/or grants, you must inform those paying benefits that you have become a full-time student. They will recalculate your benefit entitlement and count the loan and grants against you whether you have applied for them or not! This also applies to the postgraduate loan. This is the law and is called 'notional income'.

### I have a mortgage; can I get help with it?

**Yes.** If you have a mortgage and are in one of the groups that can claim Income Support, Income based JSA, Income Related ESA or Pension Credits you may be entitled to help with interest payments. Apply immediately but you may have to wait at least 13 weeks before any money is paid. For more see: [www.gov.uk/support-for-mortgage-interest](http://www.gov.uk/support-for-mortgage-interest)

### I am a part-time student; can I claim benefits?

**Yes.** Being on a part time course does not prohibit a claim for benefits. The restrictions discussed thus far are aimed at those on a full time course. However you must ensure you meet the eligibility rules for any benefit that you claim.

**Note:** This part-time concession does not apply to students who are studying part-time on a temporary basis, e.g. repeaters, making up failed credits. You are still considered full time for benefit purposes. It is advisable to check with SWAT to see if you would be entitled to full time funding from SFE.

### I am an international student; can I claim?

**No.** International students are prohibited from claiming benefits.

### I have interrupted my studies; can I claim?

Only the groups identified overleaf are able to apply for benefits so even once interrupted, there may be restrictions on rights to claim benefits, regardless of your financial situation. There are exceptions for those interrupting due to sickness or caring responsibilities so please see Welfare Advice Guide: 2018/19 'Change of Circumstances'. Those who **permanently withdraw** are able to apply for benefits subject to meeting the rules on eligibility.

Other related Welfare Advice Guides in 2018/19 include:

- Benefits for Students with Sickness or a Disability
- Council Tax
- Tax Credits

Apply in writing for any welfare benefits and always obtain a receipt. If you want to query a decision, bring in the paperwork to the Student Welfare Advice Team. Bear in mind any time limits you have (check the letter). Errors do happen, especially with HB claims.

Contact the Middlesex University Student Welfare Advice Team on 020 8411 3008 or email: [welfare@mdx.ac.uk](mailto:welfare@mdx.ac.uk)

Middlesex University Student Welfare Advice Team have made every effort to ensure that the information contained in this leaflet is accurate.

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