



Citizens Advice Devon

COVID-19: WHAT CAN YOU CLAIM?

3. EMPLOYEES WHO ARE AWAY FROM WORK BECAUSE OF COVID-19

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Introduction

If you are an employee, you may be away from work for one of the following reasons:

- Your employer has told you not to work
- You can't work as you have coronavirus or you're following guidance to stay home - this is called 'self-isolating'
- You are earning less because you can't go to work
- You have lost your job

There is range of support that might be available to you and this is outlined below.

Being furloughed if you cannot work

Eligibility

Your employer may be able to use the government **Coronavirus Job Retention Scheme** to pay you while you're not working. This is known as being a 'furloughed worker.' Your employer might furlough you if they can't pay you or if there's no work - for example, if your place of work is closed. You can also ask to be furloughed. You might want to do this if you:

- are 'extremely vulnerable' and following government guidance to lower your risk of getting coronavirus - known as 'shielding'
- live with someone who is 'extremely vulnerable'
- are looking after your children while their school is closed
- are pregnant or have a health condition and you're worried about coronavirus
- are over 70

Your employer will only be able to use the scheme to pay you if either:

- you've already been furloughed before 11 June 2020
- you're returning from maternity leave, adoption leave, paternity leave, shared parental leave or parental bereavement leave

If you're returning from one of these types of leave, your employer must also have used the scheme to furlough other employees. You can be furloughed full-time or part-time. For example, you could work 3 days a week and be furloughed for the other 2 days. If you're working from home you should get your normal pay from your employer.

Agency workers can be furloughed - you need to ask your agency as it's the agency not the place where you work that might be able to use the scheme.

If your employer applies to the scheme, you'll be paid 80% of your normal pay up to a maximum of £2,500 a month. This will continue until the end of October, unless you return to work before then.

If your employer applies to the scheme, you'll be paid 80% of your normal pay up to a maximum of £2,500 a month. This will continue until the government ends the scheme or you return to work.

The Coronavirus Job Retention scheme only covers you if you're not working. If you're working from home you should get your normal pay from your employer.

Full guidance for employees can be seen at: <https://www.gov.uk/guidance/check-if-you-could-be-covered-by-the-coronavirus-job-retention-scheme> The scheme allows employers to claim money to pay workers, so that they don't need to lay them off without pay or make them redundant. Workers can only be furloughed if the employer chooses to use the scheme – you don't have a legal right to be furloughed.

If your employer could furlough you but won't, ask them to explain why and to change their decision. You could encourage them to check the government guidance for employers at: www.gov.uk/guidance/claim-for-wage-costs-through-the-coronavirus-job-retention-scheme

If you're told you're being furloughed, this means your employer is using the Coronavirus Job Retention Scheme. To be eligible, the employer must provide evidence that you've been furloughed and you should receive notification from your employer of this. Ask for written confirmation if you haven't received it.

How much you get

The government works out 80% of your normal pay before tax ('gross pay'). This *does not* include commission or bonuses. You get 80% of your gross pay unless this 80% is more than £2500, in which case you get £2500. Employers can decide to make up your pay to its usual amount if they want to, but they do not have to do this. Tax, National Insurance and any other usual deductions are then taken off. For some people, 80% of their pay will be below the minimum wage – this is *not illegal* because the employees are not working.

If you won't have enough money to live on, check the **Benefits** section below.

You have coronavirus or you're self-isolating and can't work from home

Statutory Sick Pay (SSP)

This may apply if you are self-isolating or shielding (but not if you're in 'quarantine' having recently returned to the UK from abroad). You might be entitled to it if:

- you have coronavirus or symptoms of it or if someone you live with has
- you are self-isolating because the NHS has informed you that you have come into contact with someone who has Coronavirus
- you are in a lockdown area and the NHS has told you to shield because you are in a vulnerable group

Statutory sick pay (SSP) is the minimum amount employers must pay to employees who are off work because of illness, disability, industrial injury or disease, investigation of possible illness or disease, or are by law prevented from working in order to prevent the spread of certain infectious diseases.

To get SSP you have to be an **employee**, earn at least £120 per week and have away from work because of sickness for at least 4 days in a row. SSP is £95.85 per week. For more information go to: <https://www.citizensadvice.org.uk/work/rights-at-work/sick-pay/check-if-youre-entitled-to-sick-pay>

Other Benefits

If you are an employee away from work with coronavirus or because you are self-isolating, you may be entitled to additional benefits if you're already getting one of the *legacy benefits* or you may become entitled to Universal Credit for the first time.

Legacy benefits

'Legacy benefits are: Housing Benefit, income-based Jobseekers Allowance, income-related Employment and Support Allowance, Child Tax Credit, Working Tax Credit and Income Support

If you are getting one or more of these benefits, or your partner is, you may be entitled to an increase. Whether or not you get SSP, if your income has decreased or stopped altogether, contact whoever pays the *legacy benefit* – your local authority in the case of Housing Benefit, HMRC for tax credits, otherwise it's the DWP – and ask if you are entitled to an increase.

In some cases, a reduction in your income might mean that you need to claim Universal Credit instead of your legacy benefits. For employees generally, this happens if the drop in income means you need to claim a different benefit e.g. all you get is Child Tax Credit and the drop in income would mean you were entitled to help with your rent – in this case because there can be no new claims for Housing Benefit, you would have to claim Universal Credit instead. But **get advice** about this first as it's not always the best thing to do.

Already getting Universal Credit

Universal Credit is a cash benefit for anyone of working age (whether working or not) whose income and capital are below set limits. It is gradually replacing *legacy benefits: Housing Benefit, income-based Jobseekers Allowance, income-related Employment and Support Allowance, Child Tax Credit, Working Tax Credit and Income Support*. People already on these benefits generally stay on them unless and until there is a change of circumstances which means they must claim Universal Credit. At some point, everyone on these benefits will have to move to Universal Credit.

If you are affected COVID-19, your income has dropped and you are struggling to meet everyday expenses until June, whether you've been furloughed or not, make sure you report your income changes so that your Universal Credit can be increased.

How much Universal Credit you might get

Universal Credit is paid for single people and couples.

To be eligible for Universal Credit, you have to be:

- over 18 (some exceptions); and
- under State Pension Age – *if a person's partner is over State Pension Age, the couple is still eligible for Universal Credit; and*

- in Great Britain and be *habitually resident* and have *a right to reside*; and
- not receiving education (some exceptions); and
- have capital less than £16,000 (whether as a single person or a couple) – *the value of business assets is ignored while you are working, and if you stop work, business assets normally continue to be ignored for 6 months*
- have income (combined income if a couple) in the month prior to the claim *below a set limit*.

Set limits

The amount people get in Universal Credit is the difference between a set limit for them - their *Maximum Universal Credit* - and the amount of their *income* calculated according to the government rules in the month before the payment.

Maximum Universal Credit

The amounts are different for different people. Some of the things that can affect how much you get are:

being over or under age 25 having children and, if so, how many and whether any of them has a disability -

- being a carer
- being unable to work
- being a tenant and where you live

Please see some examples of ***Maximum Universal Credit*** for different people below. Where people are renting, the *Maximum Universal Credit* includes amounts for rent based on figures used in Teignbridge. *These amounts may be different for private and social housing in different areas of Devon.*

MAXIMUM UNIVERSAL CREDIT

Family Circumstances	Type of housing	Maximum Universal Credit	
		Per Week	Per Month
Single person aged 21	Living with parents	£79.09	£342.72
Single person aged 25	Living with parents	£94.59	£409.89
Single person over 25	Renting privately	£159.59	£691.56
Couple over 25 with one disabled child	Social housing	£389.18	£1686.46
Single parent with three young children	Social housing	£398.33	£1726.13
Couple over 25 no children	Renting privately	£240.65	£1042.80
Couple over 25 no children, one person too ill to work	Renting privately	£240.65 or £319.65	£1042.80 or £3184.72
Couple with one child where one person is a carer	Home owners	£229.10	£992.79
Couple with two children at school	Home owners	£256.41	£1111.12

Income

The amount people get in Universal Credit is their *Maximum Universal Credit* **less** their *income* calculated according to the government rules in the month before the payment. There are some complicated rules for how different types of income are calculated. Some types of benefit income e.g. Personal Independence Payment, Disability Living Allowance, Attendance Allowance, Child Benefit are *ignored*. A certain amount of earnings is ignored for some people but not for others. Where earnings are taken into account, only 63% is counted. These rules mean that the amount people get varies greatly – it is individual to the claimant(s).

Other financial support between April and June 2020

Advance payments of Universal Credit

Even if you are already getting Universal Credit, you can ask for an advance payment if your circumstances have changed and you expect your Universal Credit payments to increase.

The advance payment is a *loan* - you'll have to pay it back, but you won't need to pay any interest. You can ask for an advance payment by applying through your online account or calling the Universal Credit helpline. At the moment, because of the coronavirus situation, you can ask for an advance payment of Universal Credit without having a Universal Credit interview. The DWP will tell you if you can get an advance payment - you'll usually find out on the same day you ask for it.

Once the DWP have agreed to an advance payment you should get the money in 3 working days. Tell the DWP if you need it sooner than this - they can pay you on the same day if you'd have no other money to live on.

The DWP will pay the advance into the same bank account you're using for your Universal Credit claim.

You can ask for up to a month of your Universal Credit entitlement. You don't have to ask for your full entitlement - you can ask for less. If you decide you need more, you can ask for a second payment but you'll have to explain why you need it. The first and second payments added together can't add up to more than your monthly entitlement.

Example

Campbell's monthly entitlement is £500. He asks his work coach for an advance of £200 - he can ask later for a second payment but won't get more than £300.

You'll pay your advance back through monthly deductions from your Universal Credit. Ask your work coach how much the deductions will be. If you borrow a whole month's payment make sure you keep some back to pay your rent. Rent is included in your Universal Credit payment - it isn't usually paid straight to your landlord. You can spend up to 12 months paying an advance back. The DWP shouldn't ask you to pay it back sooner than this if you can't afford it - tell your work coach if the repayments will cause you hardship. You can ask to pay it back quicker if you want to. The DWP will usually reclaim the advance at 15% of the monthly Universal Credit standard allowance. If the rate of recovery will cause you hardship, you can ask your work coach to put off repayments for up to 3 months.

To claim Universal Credit call the Universal Credit helpline Monday to Friday, 8am to 6pm:

Telephone: 0800 328 5644

Textphone: 0800 328 1344

Council Tax Reduction

Council Tax Reduction – also known as Council Tax Support – is a reduction you may be able to get on your council tax if you're on a low income. It's administered by your local Council. You can start the process to apply for Council Tax Reduction on GOV.UK at www.gov.uk/apply-council-tax-reduction. This will direct you to the relevant page on your local council's website, which will tell you what you need to do next.

Discretionary Housing Payments and Exceptional Hardship Payments

You may be able to get extra help with your rent and/or council tax from your local authority. Contact them to find out more.

FOR FURTHER INFORMATION AND ADVICE:

Visit www.citizensadvice.org.uk and search for 'coronavirus'

Phone: Devon Adviceline 9.00am–4.00pm Monday–Friday:

03444 111444