



Department of Health

10/07/2015

DE00000945591

DE00000945593

Dear I Cau,

Thank you for your requests of 6th July 2015 under the Freedom of Information Act (2000). We are aggregating your requests, as we deem the requests to be for similar information. Your exact requests were:

DE00000945591

*"Further to the form at
HC1 Claim for help with health and travel costs
<http://www.nidirect.gov.uk/hc1.pdf>*

*If you are not on income based benefit, what is the current criteria
to get a full HC2 exemption from prescription charges? Please
publish the decision maker guidance for issuing a full HC2
certificate"*

DE00000945593

*"Further to
HC1 Claim for help with health and travel costs
<http://www.nidirect.gov.uk/hc1.pdf>*

it states page 23

"Requirements' include the following.

- Personal allowances for you and your partner. These are at rates approved by Parliament for daily living expenses, which include things like fuel bills, phone bills, TV rental and house insurance.
what are the current rates approved by Parliament for daily living expenses
where is the data published? Where does it originate from?"*

The Department holds some information relevant to your requests. Please note that where the information held by the Department is in the public domain, we will under Section 21 of the FOI Act (information accessible to the applicant by other means) refer you to the published source.

In response to the request to publish the decision maker's guidance, the Department of Health does not hold decision maker's guidance or any similar document.

The NHS Low Income Scheme is administered in England by the NHS Business Services Authority (NHS BSA). The NHS BSA also processes NHS Low Income Scheme claims for people living in Wales and Scotland.

If you wish make an information request of the NHSBSA you can fill in the form on the NHSBSA website at

<http://www.nhsbsa.nhs.uk/FreedomOfInformation.aspx> or email foi.request@ppa.nhs.uk

The Low Income Scheme is administered In Northern Ireland by the Northern Ireland Social Security Agency (NISSA) which is part of the Department of Social Development (DSD).

If you wish to make a request of the DSD please follow the link below where there is a link to the DSD FOI office.

http://www.dsdni.gov.uk/index/dsd_contact_us.htm

The NHS Low Income Scheme provides income-related help with health costs. The extent of any help is based on a comparison between a person's income and requirements at the date a claim is received (or the date the charge was paid if a refund is being claimed). No help is available if a person has capital of more than £16,000 (or £23,250 for people who live permanently in a care home). Anyone may claim help from the Low Income Scheme unless it is clear that their capital is in excess of the limit.

Entitlement is calculated by the Help with Health Costs Section (HwHC) of the NHS Business Services Authority which can be contacted at:

Sandyford House
Newcastle upon Tyne NE2 1DB

or by telephone on 0300 330 1343.

To make a claim, form HC1 needs to be completed and then sent to the HwHC at the address above. This claim form is available from benefit offices and NHS hospitals. Some practitioners might also have them. Alternatively, an HC1 can be requested from the Publications Orderline on 0300 123 0849

In general, the calculation of entitlement is based on Income Support arrangements, also taking into account housing costs and council tax. Income consists of anything received on a regular basis, with certain types of income being partially or fully disregarded. Requirements include:

- a personal allowance for day-to-day living expenses, which include such things as food, clothing, fuel, water rates and home maintenance;
- premiums for specific needs such as age or disability;

- housing costs, which include mortgage repayments (both interest and capital) and rent less any Housing Benefit; and
- council tax less any discounts.

The rates of personal allowances and premiums are at standard amounts that have been approved by Parliament. These are up-rated annually, and take the form of Regulations. The current version is the Social Security Benefits Up-rating Order 2015 (SI 2015/457) which is available from the following link: <http://www.legislation.gov.uk/uksi/2015/457/contents/made>

The housing costs and council tax to be included will be the amount that the claimant and his or her partner are personally liable to pay.

In addition to the standard assessment of requirements and premiums set out above, the NHS Low Income Scheme also provides an extra margin that is set at 50 per cent of the prescription charge per week (the prescription charge is currently £8.20, so 50 per cent is £4.10). This means that those whose resources are in excess of their requirements by only a small amount could still qualify for full help whereas without the margin they would not do so.

Each Low Income Scheme claim is a new and separate claim with a new calculation being made based on circumstances described in the claim form. Changes between one claim and the next (for example, an increase in income or change in rent liability) can affect the outcome of a claim. A new claim can be made at any time if a person's circumstances change. If two valid certificates are held, then whichever certificate gives the most help can be used.

Wherever the threshold for remission on low income grounds is set, there will always be those whose income is just above it. Income in excess of that threshold does not necessarily result in a refusal of all help, as partial help is available on a sliding scale towards NHS charges (except for prescription charges).

The relevant powers for the NHS Low Income Scheme (in England) are set out in Sections 182, 183, 184 and 272(7) of The National Health Service Act 2006. These sections give the powers that enable regulations to be made for remission of NHS charges and repayment of NHS travel expenses.

The relevant regulations are the National Health Service (Travel Expenses and Remission of Charges) Regulations 2003/2382 (as amended). These modify the Social Security Income Support (General) Regulations 1987/1967 (as amended). These set out how various resources are taken into account and what requirements should be included for a person who applies for help with health costs, for example, the Income Support (IS) Regulations set out the personal allowance rates according to the age of a claimant and whether they have a partner.

More information about the extensive arrangements for providing help with NHS prescription charges and other health costs can be found in leaflet

HC11: Help with health costs. It is available from the NHS Choices website at: www.nhs.uk/healthcosts on the prescriptions page.

If you have any queries about this email, please contact me. Please remember to quote the reference number above in any future communications.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to:

Head of the Freedom of Information Team
Department of Health
Room 520
Richmond House
79 Whitehall
London
SW1A 2NS

Email: freedomofinformation@dh.gsi.gov.uk

If you are not content with the outcome of your complaint, you may apply directly to the Information Commissioner (ICO) for a decision. Generally, the ICO cannot make a decision unless you have exhausted the complaints procedure provided by the Department. The ICO can be contacted at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Anna Coundley

Freedom of Information Officer
Department of Health

freedomofinformation@dh.gsi.gov.uk