

23rd

**BIENNIAL REPORT ON UNRATIFIED PARTS OF THE
EUROPEAN CODE OF SOCIAL SECURITY**

**made by the
UNITED KINGDOM**

**to the Council of Europe at Strasbourg
for the period 1 July 2014 to 30 June 2016**

The United Kingdom has not ratified Parts VI, VIII, IX and X

United Kingdom

Separate, but corresponding, schemes of Social Security operate in Great Britain and Northern Ireland. Reciprocal arrangements between the two ensure that the schemes effectively operate as a single system. The law governing Social Security in Great Britain was amended during the reference period by the measures listed below. Corresponding legislation came into effect in Northern Ireland as listed after the GB measures. Benefit levels are maintained in parity with Great Britain and all rates quoted therefore apply equally.

Copies of the original text of Acts, Regulations and Orders can be viewed at the Government's website¹. Statutory Instruments (SIs) and Statutory Rules (SRs) can be traced by their year of publication and SI/SR Number quoted below. The complete Law on Social Security, as it currently applies in Great Britain, as amended and updated, is published as the "Blue Volumes" and is now available on line via the Department for Work and Pensions' website². Guidance on how to navigate the respective volumes is also available there. Corresponding Social Security legislation that has effect in Northern Ireland can be viewed at the Department for Communities website³.

¹ <http://www.opsi.gov.uk/legislation/index.htm>

² <http://www.dwp.gov.uk/publications/specialist-guides/law-volumes/the-law-relating-to-social-security/>

³ <https://www.communities-ni.gov.uk/services/law-relating-social-security>

PART VI EMPLOYMENT INJURY BENEFIT

- I** The position remains as previously described. The United Kingdom (UK) is unable to accept Part VI of the Code because UK law and practice are not compatible with the requirements of Article 34 2(b) and (e). These exceptions apart, the requirements of Part VI are met by the provisions in the UK scheme which ensure that all employed workers ('employed earners') are compulsorily protected against employment injury and disease.

II Laws and Regulations introduced during the reporting period

2015

The Social Security (Industrial Injuries) (Prescribed Diseases) Amendment Regulations 2015 (SI 2015 No 87, NI Equivalent SR 2015 No 52)
http://www.legislation.gov.uk/ukxi/2015/87/pdfs/ukxi_20150087_en.pdf

The Mesothelioma Lump Sum Payments (Conditions and Amounts) (Amendment) Regulations 2015 (SI 2015 No 500, NI Equivalent SR 2015 No 65)
<http://www.legislation.gov.uk/ukxi/2015/500/contents/made>

The Pneumoconiosis etc. Workers' Compensation) (Payment of Claims) (Amendment) Regulations 2015 (SI 2015 No 503, NI Equivalent SR 2015 No 64)
<http://www.legislation.gov.uk/ukxi/2015/503/contents/made>

2016

The Social Security (Claims and Payments) Amendment Regulations 2016 (SI 2016 No 544)
(equivalent regulations are due to be introduced in Northern Ireland in Summer 2016 to support the development of online claims)
<http://www.legislation.gov.uk/ukxi/2016/544/contents/made>

1. Scope

All employees are protected.

2. Conditions for entitlement to benefit

Disability benefits

No change

3. Level of benefits

Examples of weekly rates of Disablement Benefit, and associated increases payable during the period under consideration are shown below:

Disablement Benefit

From April (£GB)	2014/15	2015/16	2016/17
Disablement 100%	166.00	168.00	168.00
Disablement 20%	33.20	33.60	33.60
Reduced Earnings Allowance* (maximum rate)	66.40	67.20	67.20
Retirement Allowance	16.60	16.80	16.80
Constant Attendance Allowance (maximum)	132.80	134.40	134.40
Exceptionally Severe Disablement Allowance	66.40	67.20	67.20

*Reduced Earnings Allowance is not payable in respect of accidents or diseases arising on or after 1 October 1990.

- a) No change The levels of benefit for incapacity to work, total loss of earnings capacity (or corresponding lack of faculty) and survivors continue to meet the standards in the Schedule to Part XI of the Code.
- b) No change No account is taken of other resources of the beneficiary and his family, but provisions exist to prevent the duplication of state benefits in certain circumstances.
- c) Minor change Benefits are uprated annually in line with inflation.

4. Miscellaneous

- a) No change
- b) No change Industrial injuries benefits are financed from general taxation and are non-contributory.
- c) No Change Department for Work and Pensions (DWP) has overall responsibility.
- d) Copies of the new regulations are published (see Part II).

III

- a) No change None.
- b) No change The position remains unchanged. Prescription charges and the costs of dental treatment are borne by recipients of industrial injuries benefits on the same basis as they are borne by people receiving other state benefits. This is at variance with the requirement of Article 34 that

persons suffering employment related injury should not contribute to their cost of medical care.

- c) ^{No change} The Government has no plans to introduce exemption from such measures; to extend ratification to cover Part VI of the Code; or to ratify the Revised Code.

PART VIII MATERNITY BENEFIT

- I Laws and regulations do exist to provide benefit cover for pregnancy. Protection is provided under a compulsory scheme, in addition employers may operate a contractual maternity pay scheme.

II Laws and Regulations introduced during the reporting period

The Shared Parental Leave Regulations 2015 SI No 3050

<http://www.legislation.gov.uk/ukxi/2014/3050/contents/made>

The National Insurance Contributions Act 2015

<http://www.legislation.gov.uk/ukpga/2015/5/contents>

1. Scope

All pregnant working women earning on average at least £30 or more a week are eligible for maternity benefits.

2. Conditions of Entitlement to benefit

3. Levels of benefit State MA

- a) Rates during the reporting period are as follows (£):

	2013/14	2014/15	2015/16
MA (Standard Rate)	£136.78	£138.18	£139.58

Note: The rate of MA is based on a woman's average weekly earnings. MA is paid at the lower of a standard rate or 90% of the woman's average earnings.

SMP

SMP is earnings related for the first six weeks and set at 90% of average weekly earnings with no upper limit.

	2013/14	2014/15	2015/16
Week 7 onwards			
Standard weekly rate	£136.78	£138.18	£139.58

- b) Other resources are not taken into account.
- c) Levels of benefit are reviewed annually as part of the uprating process.

4. Miscellaneous

a) **MA**

MA is financed from employer and employee contributions to the National Insurance Fund.

SMP

No change

b) No change

c) No change

d) Copies of the new regulations are published (see Part II).

III

The Shared Parental Pay (General) Regulations (SI 2014/3050) and the Shared Parental Leave Regulations (SI 2014/3051) came into force on 1 December 2014 for babies whose expected week of birth begins on or after 5 April 2015 and those children placed for adoption on or after 5 April 2015. The regulations implement the scheme provided for by Part 7 of the Children and Families Act 2014.

Employees (mothers, fathers, partners and adopters) may be able to receive Shared Parental Leave and Statutory Shared Parental Pay if they have had a baby or adopted a child.

The Maternity Allowance (Curtailment) Regulations 2014 and the Statutory Maternity Pay and Statutory Adoption Pay (Curtailment) Regulations 2014 also came into force on 1 December 2014 as part of the Shared Parental Leave and Pay scheme. They enable a mother or primary adopter to end their entitlement to MA, SMP or Statutory Adoption Pay early in order to opt into the Shared Parental Leave and Pay.

The National Insurance Contributions Act 2015, made amendments to sections 35A and 35B of the Social Security Contributions and Benefits Act 1992, which relate to MA, to reflect changes to the way that Class 2 National Insurance Contributions (NICs) are assessed and collected as of 6 April 2015. Class 2 NICs are relevant in determining the rate of MA paid to self-employed women and in determining whether women who assist in the business of their self-employed spouse or civil partner are eligible for MA. The changes to the Social Security Contributions and Benefits Act 1992 were made in order to maintain access to MA for these groups following changes to the way liability for Class 2 NICs is assessed and the payments are collected.

The Social Security (Maternity Allowance) (Earnings) (Amendment) Regulations 2015 came into force on 6 April 2015. The changes affect women with an expected week of confinement beginning on or after 12 July 2015. The purpose of these regulations (alongside amendments to the provisions in the Social Security Contributions and Benefits Act 1992 mentioned above) is to

safeguard the position of self-employed women who, in consequence of the reforms to assessment and collection of Class 2 NICs might otherwise have been unable to access to MA.

The UK has made considerable improvements to the scope and level of maternity benefits over the past few years, extending coverage to as many working women as is considered possible. This is of particular importance for working women on low pay, with earnings below the Lower Earnings Limit and, therefore, unable to qualify for SMP. The UK's maternity benefits provisions cover more or less all gainfully occupied working women, including part-time and low earning women, as all women earning £30 a week or more are covered.

In the past, before the improvements were introduced, protection tended to be weighted in favour of the higher earning woman. Consequently, as the benefit is now related directly to the woman's past earnings, and not to the average wage of a standard beneficiary, it is difficult to conclude that all recipients of the benefit would receive an amount that would be compliant with the replacement level suggested by the Code.

PART IX INVALIDITY BENEFIT

I Protection is provided under a compulsory insurance scheme.

II Laws and Regulations introduced during the reporting period

Welfare Reform and Work Act 2016

<http://www.legislation.gov.uk/ukpga/2016/7/contents/enacted>

1. Scope

The position on scope of persons covered remains as previously described.

2. Conditions for entitlement to benefit

As the UK's previous Report explained, the contingencies of Part III and IX of the Code are now covered by Employment and Support Allowance (ESA). ESA replaced Incapacity Benefit (IB) and Income Support (IS), paid on grounds of incapacity, for new claimants from 27 October 2008. All existing IB and IS claims are to be reassessed for ESA.

Following the introduction of Universal Credit (UC), ESA Regulations 2013 replaced the ESA Regulations 2008, effectively removing all references to income-related ESA, and re-introducing ESA as a contributory benefit only.

Once UC is fully introduced, income-related ESA will be absorbed into UC and ESA will exist separately as a contributory benefit only.

Employment and Support Allowance (ESA(C)) - update

Incapacity Benefit Reassessment

The Department for Work and Pensions (DWP) is continuing the reassessment of Incapacity Benefit claimants to identify eligibility for Employment and Support Allowance or fitness for work.

Reassessment of existing incapacity benefits claimants started nationally in April 2011 and it is now expected that more than 1.5 million people will go through the reassessment process. Therefore this exercise will take longer to complete than originally forecast.

Work Capability Assessment

The Government remains committed to continuously improving the Work Capability Assessment (WCA) to ensure that it is as fair and accurate as possible. As part of this process, the Government has a statutory commitment to independently review the WCA annually for the first five years of its operation.

Employment and Support Allowance (ESA) claimants must have limited capability for work or limited capability for work-related activity as a result of the functional impact of their health condition or disability.

This is usually determined initially by a medical certificate supplied by the claimant's doctor, a questionnaire filled in by the claimant and a face-to-face assessment conducted by a healthcare professional contracted by the Government. A DWP Decision Maker makes the final decision on benefit entitlement.

The WCA is a functional assessment which looks at what people can do, as well as what they cannot, to identify people for the correct benefit and give them the support they need to get back to work and avoid ending up on long-term sickness benefits. This approach is based on the principle that a health condition or disability should not automatically be regarded as a barrier to work. There is strong evidence that work is good for physical and mental well-being, and that being out of work can contribute to poorer health and other negative outcomes.

Dr Paul Litchfield was appointed on 26th February 2013 to carry out the fourth and fifth independent reviews of the WCA, following three previous independent reviews carried out by Professor Malcolm Harrington. Dr Litchfield is Chief Medical Officer and Director of Health, Safety and Wellbeing for BT, a Fellow of the Royal College of Physicians and the Faculty of Occupational Medicine. Dr Litchfield's fourth Independent Review of the Work Capability Assessment¹ was published in December 2013.

This fourth Independent Review made 32 recommendations to the DWP to improve the WCA, and 5 further recommendations to the Department for Communities in Northern Ireland. The recommendations focused predominantly on: the effectiveness of the WCA; simplifying the process; improving decision-making; and mental health.

The Government's response was published on 27 March 2014² - in this the Government accepts, or accepts with certain caveats, all but one of the thirty two recommendations falling within the scope of DWP.

The fifth, and final, review was published in November 2014³.

Dr Litchfield made 28 recommendations that fall within the scope of DWP. These relate to a range of issues including:

- An increase in the number of people being placed in the Support Group, especially younger people

¹ <https://www.gov.uk/government/publications/work-capability-assessment-independent-review-year-4>

² <https://www.gov.uk/government/publications/government-response-to-the-work-capability-assessment-independent-review-year-4>

³ <https://www.gov.uk/government/publications/work-capability-assessment-independent-review-year-5>

- The need to ensure that communications are as good as they can be, especially for more vulnerable claimants
- Better support for claimants with learning disabilities.

The Government responded¹ to the fifth Independent Review in February 2015 and accepted all but two of the 28 recommendations that fell within the scope of DWP.

The Government is committed to continuously improving the assessment process and want to ensure that the assessment is as fair and accurate as it possibly can be. Dr Litchfield's recommendations allow us to build on improvements already made to the assessment to help further achieve this aim.

Employment and Support Allowance Pilots

The Government is testing different approaches to supporting Employment and Support Allowance claimants in the Work Related Activity Group (WRAG) with a prognosis of 18 months or more, to move closer to the labour market, to help the Department to understand what works for this claimant group.

The pilots will test the following three variants:

- Health Care Professional (HCP) – work and health related focus;
- Enhanced Jobcentre (JCP) Support – increased employment focus; and
- Work Programme (WP) – flexible support model, determined by the provider.

The pilots will run from 25 November 2013 to 26 August 2016. Claimants will spend two years on the pilot following recruitment.

The overarching intent of the pilots is to test whether an increase in health and work related support for ESA WRAG claimants, with a prognosis of 18 months or more, can deliver better outcomes than the WP and the standard Jobcentre support. Success will be measured through improvements in health and/or perception of individual's health and off flows into employment.

The evaluation will measure the outcomes of all three pilots. Evaluation methods will include qualitative and quantitative survey research with claimants, suppliers and JCP staff. This research will gather evidence on a wide range of topics including details of the support received, delivery challenges, claimant's perceptions of their health conditions and perceptions of readiness to work.

¹ <https://www.gov.uk/government/publications/government-response-to-the-work-capability-assessment-independent-review-year-5>

3. Level of benefit

- a) Both ESA and Long-term Incapacity Benefit are flat-rate benefits. Rates payable during the period under consideration are shown below:

Amounts in £GB	2012/13	2013/14	2014/15	2015/2016	2016/2017
Long-term Incapacity Benefit (basic amount)	£99.15	£101.35	£104.10	105.35	105.35
Increase of Long-term Incapacity Benefit for age					
Higher rate	11.70	10.70	11.00	11.15	11.15
Lower rate	5.90	6.00	6.15	6.20	6.20
Invalidity Allowance (Transitional)					
Higher rate	11.70	10.70	11.00	11.15	11.15
Lower rate	5.90	6.00	6.15	6.20	6.20
Employment and Support Allowance					
Personal allowance under 25	56.25	56.80	57.35	57.90	57.90
Personal allowance 25 and over	71.00	85.80	86.65	73.10	73.10
Premiums					
Enhanced disability	14.80	15.15	15.55	£15.75	£15.75
Severe disability	58.20	59.50	61.10	61.85	61.85
Components					
Work related activity	28.15	28.45	28.75	£29.05	£29.05
Support	34.05	34.80	35.75	£36.20	£36.20

(b) to (c) – No change

4. Miscellaneous

- a) Repeat Assessment and Pending Appeal Awards (Amendment) Regs 2015. These new measures effect repeat ESA claims and pending appeal awards from **30 March 2015** where the claimant has been found fit for work following a WCA.

The new provisions are designed to prevent people receiving repeat awards of ESA with the same medical condition, where there has been no significant deterioration of that condition. This does not prevent someone whose condition has significantly worsened or who has developed a new condition from making another claim and being entitled to ESA.

ESA payments pending appeal will not be made, where following a fit for work decision on a previous claim, a repeat claim is made and the WCA

confirms that the claimant is fit for work once more. This applies just to repeat claims where the claimant was previously found fit for work and payments pending appeal will continue for new claims. These measures are designed to ensure that claimants receive the help and support they need to return to work from Jobseekers Allowance rather than looping around the ESA system without that support.

b) No change

c) No change

d) Copies if the new regulations are published (see part II).

III

The Welfare Reform Act, 2012 introduced a 52 week time limitation to entitlement to contributory Employment Support Allowance (ESA) for those in the Work Related Activity Group. This change had immediate effect, from 30 April 2012 for people currently claiming contributory ESA as well as for those making new claims.

People in the Support Group will not have their benefit time limited because they have the most severe health conditions or impairments and are the least likely to move into work.

People receiving income-related ESA (whether in the Work Related Activity group or the Support group) will not have their benefit time limited.

People moving off contributory ESA as a result of the time limit will be able to apply for income-related ESA, if they are eligible.

The Government would point out that the time limitation on claims for contributory ESA, for those in the Work Related Activity Group, is not compatible with the requirement of Article 58 of the Code for the benefit to be granted throughout the contingency, or until an old age benefit becomes payable. This is an additional reason as to why the UK cannot accept to be bound by the provisions of Part IX of the Code. The Government has no plans to extend ratification to cover Part IX in future.

PART X SURVIVOR'S BENEFIT

Parts I & II Apart from annual increases in the rates of the respective benefits there has been no change to the position as described in previous Reports.

- The current Bereavement benefit caseload is about 67,000.
- The current amount of the award for Bereavement Payment is £GB 2,000
- The average award for Bereavement Allowance (not age related) is £GB 102
- The average award for Bereavement Allowance (age related) is £GB 73
- The average award for Widowed Parent's Allowance (with dependents) is £GB 111
- The average award for Widowed Parent's Allowance (without dependents) is £GB 76

III

The position remains as previously described, the UK is in the unusual position of having accepted the corresponding Part X of ILO Convention No 102, which it ratified in April 1954, but not having accepted Part X of the Code, which it subsequently ratified in January 1968. The difference in approach stemmed from the reform of UK widow's benefit provision in 1965 with the introduction of the new Widow's Mother's Allowance and Widow's Pension, with revised qualifying contribution conditions. As a result of the change in the qualifying contribution conditions the UK could no longer guarantee that in all cases benefit would be payable where the deceased has five reckonable years of insurance (contributions). The UK has not denounced Part X of ILO Convention No. 102 and continues to include information on it in its Article 22 Reports, whilst acknowledging that because of this technicality we cannot guarantee payment of benefit in all cases, as is required by the Convention.

A copy of the extract from the UK's 2016 Article 22 Report to the ILO in respect of Part X Survivor's Benefits is set out in **Annex A** below for information.

Bereavement Support Payment

As part of the UK's welfare reform, a new Bereavement Support Payment is planned to replace the existing suite of Bereavement benefits from April 2017.

The aim of Bereavement Support Payment is to focus the payment on the period immediately following bereavement and to provide fast direct help to meet the immediate financial needs caused by bereavement for those of working age.

Bereavement Support Payment will remain a contributory benefit but the contribution condition has been simplified making it easier to administer and for claimants to understand. The condition will be that the deceased will have

had to have paid Class 1 or 2 contributions the equivalent of 25 times the Lower Earnings Limit in any one tax year in their working life.

The age of the surviving spouse/civil partner will no longer be a barrier to receiving additional support as those now under age 45 will be eligible to claim and the upper age limit will align to the state pension age.

The Government's view is that there needs to be a balance between providing appropriate support at a critical time and encouraging people of working age to support themselves and their families, through employment.

The Government therefore proposes to concentrate support on the period immediately after bereavement, by paying an initial lump sum payment followed by monthly installments for a period up to 12 months.

Bereavement Support Payment is a recognition that bereaved spouses/civil partners with dependent children have additional financial needs following bereavement. Widowed parents in receipt of Child Benefit will therefore receive a higher amount.

Continuing income replacement will be provided by other benefits in the welfare system. This will ensure that those less well off will be better off with Bereavement Support Payment than those who are in receipt of the current bereavement benefits.

Bereavement Support Payment unlike the current bereavement benefits will be disregarded from other income related welfare benefits, such as the new Universal Credit, since the payment is designed to help the bereaved with the additional costs of bereavement.

Receipt of the Bereavement Support Payment will not affect access to contributory Jobseeker's Allowance or Employment and Support Allowance, so that bereaved spouses and civil partners can access tailored employment support at the appropriate time.

Bereavement Support Payment unlike the current bereavement benefits will not be taxable.

It is acknowledged that the period of readjustment varies for each individual and this is why bereaved claimants on Universal Credit will not be subject to conditionality for 6 months and that after that period it will be tailored to the individual's circumstances.

Payments made under the War Pensions Scheme or Armed Forces Compensation Scheme will not be affected; neither will it impact those already in receipt of bereavement benefits at the point at which a new scheme is introduced.

Although the simplification of the qualifying contribution conditions might go some way to alleviating the current incompatibility with Part X of both the

Code and ILO Convention No 102, the proposed changes, once implemented, would of course raise questions as to compatibility with the requirements of Article 62 and 64 of the Code as far as periodical payments throughout the contingency are concerned.

ANNEX A

Part X UK 2016 Article 22 Report on ILO Convention No 102 Social Security (Minimum Standards) – Extract

PART X SURVIVORS BENEFIT

The position remains as previously described.

The provisions relating to Bereavement Benefits are to be found in Part II of the Social Security Contributions and Benefits Act 1992¹ as follows:

- **Bereavement Payment:** section 36. See also Schedule 3 para 4 for the contribution conditions;
- **Widowed Mother's Allowance and Widow's Pension:** See sections 36A to 39, which apply only to cases where the death occurred before 9 April 2001;
- **Widowed Parent's Allowance and Bereavement Allowance:** sections 39A to 39C, for deaths occurring on or after 9 April 2001. The contribution conditions are detailed in para 5 of Schedule 3.

Article 61

Question C (ii)

TITLE II (Article 76)

A.	Number of economically active persons protected -		
i.	Under general scheme	30,527, 000	(including Northern Ireland) ^a
ii.	Under special schemes	nil	
	TOTAL	30,527,000	
B.	Total number of residents	65,110,000 ^b	

Sources: (A) Contributions and Qualifying Years – persons paying Class 1 and or Class 2 National Insurance Contributions 2014/15; and
(B) ONS Population estimates for mid year 2015 - United Kingdom.

C. Percentage A/B 46.89%

¹ <http://www.dwp.gov.uk/docs/a2-2501.pdf>

Article 62

Question A (ii)

TITLE I (Article 66)

B. £371.70

TITLE IV (Article 66) (2015/16 rates)

C. £112.55

D. £151.90

E. £151.90

F. 50.51%

The weekly rate of widow's benefit at C is £112.55 basic Widowed Parent's Allowance.

D and E (where applicable) comprise £20.70 Child Benefit for the eldest qualifying child, £13.70 for the second qualifying and Child Tax Credit of £117.50 in respect of both children. From April 2003 Child Tax Credits replaced Child Dependency Increases payable with State Pension.

TITLE V (Article 66)

C. £112.55

F. 31%

Question C

TITLE VI (Article 65)

Period under review (closest published figures)	Cost of living index (RPI) (*)	Index of earnings (**)
A. March 2011	100	100
B. March 2015	112.6	107.5
C. A/B per cent	88.8%	93.0%

(*) Retail Price Index (RPI) All items

(**) Annual Survey of Hours and Earnings

Over the period of the report, weekly rates of bereavement benefits changed as follows:-

Table 1

	April 2011	April 2015*	Increase %
Widowed Mothers/Parent's Allowance	100.7	112.55	11.8
Widow's Pension	100.7	112.55	11.8

* 2015/16 rates

Average amounts of benefits in payment at the beginning of the reporting period and latest available figures are set out in Tables 2 and 3 below.

Table 2

Widow's Benefits Average Weekly amount of benefit by age of claimant

	Age of claimant										
	Total	Unknown age	18-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64
	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit
Type of WA	83.15	.	.	.	.	109.03	130.56	83.07	77.85	86.75	81.28
Total											
WP not age related	136.12	.	.	.	.	.	.	.	.	147.82	131.06
WP age related	74.94	.	.	.	.	.	.	52.54	69.53	80.47	73.65
WMA with dependants	145.85	.	.	.	.	112.09	132.58	140.99	154.81	156.01	141.05
WMA without dependants	60.69	.	.	.	.	.	92.90	66.45	55.77	51.33	.
Unknown	.	.	.	.	.	.	.	.	.	.	.

Table 3

Bereavement Benefits Average Weekly amount of benefit by age of claimant

	Age of claimant										
	Total	Unknown age	18-24	25-29	30-34	35-39	40-44	45-49	50-54	55-59	60-64
	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit	Average weekly amount of benefit
Type of BA	104.32	.	102.05	102.01	101.50	103.15	107.92	103.03	103.08	106.92	102.42
Total											
BA not age related	102.04	.	.	.	.	.	.	.	.	103.01	101.13
BA age related	72.74	.	.	.	.	.	.	45.53	79.50	95.37	.
WPA with dependants	110.63	.	100.70	102.06	101.54	103.23	107.98	111.63	114.45	116.13	113.28
WPA without dependants	76.05	.	.	.	91.46	76.16	66.34	83.93	69.84	67.88	.
Unknown	.	.	.	.	.	.	.	.	.	.	.

DEFINITIONS AND CONVENTIONS: "-" Nil or Negligible; "." Not applicable; Caseload figures are rounded to the nearest ten; Some additional disclosure control has also been applied. Average amounts are shown as pounds per week and rounded to the nearest penny. Totals may not sum due to rounding.

SOURCE: DWP, Data and Analytics, Technology - Work and Pensions Longitudinal Study.

STATE PENSION AGE: The age at which men and women reach State Pension age is gradually increasing. Under current legislation, State Pension age for women will equalise with State Pension age for men at 65 in 2018. Both men's and women's State Pension age will increase from 65 to 66 between December 2018 and October 2020. The Pensions Bill 2013-14 contains provision for a State Pension age of 67 to be reached by 2028. For more information see

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/207966/espa.pdf.

Notes:

Average weekly amount of benefit The amount of Bereavement Allowance (BA) is affected by the introduction in April 2003 of Child Tax Credit. From that date there were no new child dependency increases (CDIs) awarded to BA claimants, although existing CDIs were transitionally protected.

Type of BA The category 'WPA with dependants' will include clients getting paid at the personal rate only due to the introduction of Child Tax Credits in April 2003. To obtain figures for those who still receive Child Dependency Increases, under the transitional protection arrangements, use the 'type of dependant' option.

Summary of UK issues of incompatibility**Part VI – Employment Injury Benefit**

Cost sharing in medical care (as is provided for in Part II Health Care, Article 10, para 2) is not permitted under Part VI, Article 34, para 2. The UK does comply with Article 34, para 2(a) in respect of free GP service, inpatient and outpatient care and home visits, but does not comply with Article 34, para 2(b) and (e) – in respect of cost-sharing for dental care and pharmaceutical and other medical supplies, for which charges may be made.

Part VIII – Maternity Benefit

The UK's maternity benefits provisions cover more or less all gainfully occupied working women, including part-time and low earning women. Maternity Allowance is a system designed to replace former earnings and is not based on an arbitrary level of benefit. Whilst in a high proportion of cases the level of MA paid would reach or exceed that of the standard beneficiary, in many other cases, such as where the previous work was part time, the level of previous wages being replaced, and thus the amount of MA paid could be well below that of the standard beneficiary. In fact the minimum rate of MA could be factored as a percentage of weekly earnings of as little as £30 a week. Consequently it would not be possible, in regard to MA, to guarantee compliance with the Code in this respect.

Part IX – Invalidity Benefit

Historically, the UK's approach has been incompatible with the Article 58 requirement to provide invalidity benefit until the end of the contingency, or until it is replaced by old-age benefit. The contribution conditions for entitlement to invalidity benefit can be satisfied with in a relatively short space of time, i.e. three tax years or so. There could be no guarantee that a person who satisfied the qualifying contribution conditions for invalidity benefit would have worked for a sufficient length of time in the UK to have established a long enough record to establish entitlement to State Retirement Pension. Incapacity Benefit and laterly Employment and Support Allowance are not generally payable beyond a person's state pension age.

Part X – Survivors' Benefit

By way of historical background, the UK accepted Part X on Survivors Benefits when ratifying the ILO Convention No. 102 in 1954, but did not accept to be bound by the corresponding Part X of the Code, which we subsequently ratified in 1968. The difference in approach was a consequence of changes introduced to our Widow's Benefits scheme by the National Insurance Act of 1965.

The UK remains bound by Part X of Convention 102 and the protection offered to the standard beneficiary is above the minimum 40% replacement level required. However, the UK is technically in breach of its obligations, in that we are not in a position to guarantee that the survivors of all workers who have five reckonable years of insurance (contributions) would be protected. This involves workers with a working life of 21 years or more.

More recently, as part of the UK's welfare reform, a new Bereavement Support Payment will replace the existing suite of Bereavement benefits from April 2017. The Government proposes to concentrate support in the 12 month period immediately following bereavement, by making an initial lump sum payment followed by a short period of monthly installments. Such instalments are not likely to be considered to be 'periodical payments' for the purposes of Article 62 of the Code and is therefore likely to be a further obstacle to the UK extending acceptance to this Part of the Code.