**Hardship Payments**

 **What is a Hardship Payment?**

Hardship payments are reduced-rate payments of jobseeker’s allowance (JSA), employment and support allowance (ESA) and universal credit (UC) that are made in limited circumstances, including if you have been sanctioned.

You or your partner or children must be experiencing hardship and in most cases you must show that you or your family will suffer hardship unless benefit is paid. In some cases for JSA, you must be in a ‘vulnerable group’.

If you come under the universal credit (UC) system you need to claim the hardship payment of UC.

Applies to: England, Wales, Scotland and Northern Ireland (no hardship payments of Universal Credit in NI as benefit is not available)

Age rules: You must be 18 or over. Some 16 and 17 year olds can get hardship payments though - see further information in this guide.

Type of benefit: [**Means tested**](https://www.turn2us.org.uk/jargon-buster/Means-tested-benefits)

Taxable:  Yes:  hardship payments of Jobseeker’s Allowance

No: hardship payments of Employment and Support Allowance and Universal Credit are not taxable

**Employment and Support Allowance - hardship payments**

Only people who would usually get income-related Employment and Support Allowance can get a hardship payment.

You may be able to get hardship payments of income-related Employment and Support Allowance (ESA) if your ESA is being paid at a reduced (or nil) rate.

If you are getting contribution-based ESA you may also be able to make a claim for hardship payments in limited circumstances. If you are in this position you should seek advice.

You can qualify for hardship payments of income-related ESA if;

* if you have been sanctioned for failing to take part in a work-focused interview or for failing to undertake work-related activity; or
* if you have committed a benefit offence; and
* you, your partner or a child (must usually be getting Child Benefit for the child) for whom you or your partner are responsible would experience hardship if payments were not made.

**How much can I get from Employment and Support Allowance hardship payments?**

* Usually the weekly amount of ESA hardship payment provided is 60 per cent of the standard ESA main-phase allowance rounded to the nearest five pence. This is currently 60 per cent of £73.10 = £43.85 per week.

If you qualify for a hardship payment you will get the payment in addition to any other amounts of ESA that you can be paid despite the sanction, for example a component that you may be getting, as well as premiums  and housing costs that maybe relevant to your circumstances.

If you have received an ESA sanction you should always seeks advice before and after making a hardship payment claim to ensure that you are receiving the correct rates of payment that you are entitled to.

You do not have to pay back an ESA hardship payment; this may however change in the future so always check with the Jobcentre Plus office before submitting a claim.

**How do I claim Employment and Support Allowance hardship payments?**

* You should ask in the Jobcentre Plus office for form JSA/ESA10JP 'Employment and Support Allowance hardship application form' and fully explain your grounds for applying for a hardship payment.

If you are only getting contributory ESA, you will also need to complete form ESA3 to establish your entitlement to income - related ESA.

For further related information on making a claim see the section within this guide ‘How do I claim a Jobseeker's Allowance hardship payment?

**Challenging a hardship payment decision**

* If you are refused hardship payments, you can appeal against the decision. You must however first apply for the decision to be looked at again which is referred to as a ‘mandatory reconsideration’