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MONEY BOX LIVE

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LEWIS: Hello. April is the month when benefits, state pensions and tax credits normally rise with inflation. This year, it's a bit different. Most benefits are being increased this week and next, but generally by rather less than current inflation. Lots of people are facing unemployment for the first time. Plus what can you get if you lose your job and what are the benefits for lone parents if they can't work? Tax credits are designed to give some money back to people with children and to people in work, but on low incomes without children. New figures show that well over a million people with children failed to claim child tax credit. A similar number failed to get working tax credit. They're losing billions of pounds a year between them. This year, we have the biggest shake-up in state pensions for a generation. People reaching pension age from this week will find it easier to get a full pension, and a new system of credits begins for carers and parents. Women though will have to wait a bit longer for their state pension as pension age begins its slow rise to 65, and that rule will also affect men who claim pension credit anywhere in the UK or free bus passes in England. Well whatever your question - whether it's about unemployment, disability, caring, state pensions, low pay or children - why not call Money Box Live now: 03700 100 444. With me today to answer your questions are Jean French who's Advice and Information Manager at Carers UK, which campaigns on behalf of carers and the people they care for; Rachel Hadwen, Rights Adviser with the charity Working Families; and Sally West, who is Policy Adviser with the newly formed charity Age UK and the author of 'Your Rights' on benefits for people over 60. Now our first question is from Joanne in Blackpool. Joanne, what's your question?

JOANNE: Hi. I worked full-time for 20 years and then I went to university to study for a degree. I graduated last summer and I found myself unemployed and unable to claim jobseeker's allowance because I hadn't paid national insurance contributions in the previous 2 years. As I paid contributions for 20 years and I've never made a claim or received any sort of benefit in that time, how can this be fair?

LEWIS: Right. Well we'll come to some other questions on jobseeker's allowance too in a minute, but let's start with Rachel Hadwen. It's a bit of a shock for many people when they first do have to try and claim a benefit, Rachel?

HADWEN: It is, yes. And unfortunately for jobseeker's allowance, they do only look at the last two complete tax years before the calendar year in which you claim. So assuming that you claimed in 2010, that would mean the tax years that mattered would be 07-08 and 08-09, and I assume that you were at college or uni then?

JOANNE: Yes, I was.

HADWEN: Yeah. And I can't really comment on the fairness, but although you can't claim jobseeker's allowance, it doesn't mean that your contributions haven't gone towards something because they will still be counted in the future when it comes to retirement pension, although I suspect that's not much comfort at the moment.

JOANNE: No.

LEWIS: No. And you're in a couple, Joanne, aren't you, I think, so you can't claim because your partner also has work?

JOANNE: Yes, that's right.

LEWIS: Yes. I mean what are the rules, Rachel, because we've had another email on exactly that from Jill who says, 'My husband's been out of work since September 2008. He can't claim jobseeker's allowance after the first 6 months and we're

expected to live on my wage of under £16,000 a year.

HADWEN: Well the rules are that for the partner of the claimant, if that partner works 24 hours or more per week, then you can't claim income based jobseeker's.

LEWIS: And of course their income also counts?

HADWEN: Yeah. If the partner works less than 24 hours, then you would look at their income.

LEWIS: And of course the savings of the couple. Also another question on jobseeker's allowance from Rob who again, like you Joanne really, he says he's been paying taxes for 29 years. He got jobseeker's allowance, which was £65 a week to live on, and that will stop completely after 6 months because he's got £16,000 in savings, and he thinks that's not very much to live on.

HADWEN: It isn't very much to live on, no. And after 6 months when it stops, he will be expected to live on his savings at a reasonable rate and then perhaps try claiming again.

LEWIS: So the first 6 months, if you've paid contributions then you get the £65 a week or thereabouts anyway?

HADWEN: Yes. But, as Joanne has discovered, even the first 6 months is dependent on your having paid contributions recently, in the last few tax years, not longer ago.

LEWIS: Yes. So, Joanne, I think all we can say is those are the rules. I've been dealing with benefits and social security for many years and I stopped asking about fairness many, many years ago. But those seem to be the rules and I'm very sorry about it. I think people get a false impression of how easy or good our benefit system is until they try and claim. And let me just bring in Sally West here from Age UK. Sally, the contributions, as Rachel mentioned, will go towards a pension. Will that be

enough to give Joanne already a full pension or not?

WEST: Well the rules for pensions changed this week, so now people reaching state pension age from this week onwards will need 30 years of contributions in order to get their full state pension. So it will be easier for people, particularly women who've had time out of the labour market for caring or other reasons to get a full state pension in the future - although state pension age for women is increasing so people will have to work longer, as you said in your introduction. So Joanne will have more years to build up to the 30 years. And indeed one reason why people may want to register as unemployed if they're actively seeking work is in order to get the credit towards their future state pension, but of course less need to fill up every gap given that it'll be 30 years rather than previously 39 for women.

LEWIS: Yes. So are you registered for work, Joanne, as a jobseeker?

JOANNE: Well no. I was, but because I wasn't receiving any benefit, I didn't think that it was worth my while to traipse to the Job Centre every fortnight.

LEWIS: Right.

JOANNE: Things aren't explained to you. Like obviously you've just explained that that will help me, but nobody really explains anything to you and I don't know where you can find this information.

LEWIS: No, it is very difficult. A good source is the government's website, direct.gov.uk, which actually has a huge amount of information on it now about benefits and I certainly think that's worth a look. And there's plenty of information on our website, which is bbc.co.uk/moneybox. Must move on, but thanks very much for your call, Joanne, and thanks to Rob and Jill for those emails. And we're going to Hemsworth in the West Midlands to talk to Glenda now. Glenda, your question?

GLENDIA: Hello.

LEWIS: Glenda, your question?

GLEND: My question is that I've been on what they call long-term benefits due to ill health. I've recently found myself a job. It's just under 16 hours and part of that is that I'm able to keep my current benefit, which is incapacity benefit, as long as I don't go over the threshold. Now that is due to end in October of this year, and what I'm trying to find out is, number one, would I be able to claim I think it's called working tax benefit? That's number one. And number two: what other help would there be out there for me?

LEWIS: Okay, well it's time to bring in Jean French now from Carers UK. Jean?

FRENCH: Hello Glenda.

GLEND: Hello.

FRENCH: Hello. Providing you're under 16 hours, you're allowed to keep your IB, as you said, until October. But once that year has ended, you're going to need to claim working tax credit, but you can't do that unless you're working 16 hours or more and previously been claiming a disability benefit. So you're going to need to get your hours upped a little bit in order to be entitled to working tax credit.

GLEND: Okay. Will I need to increase that before October?

FRENCH: No, you'd need to do that to try and coincide with the end date of that year period.

GLEND: Right, okay.

LEWIS: And it's worth saying, Jean, isn't it, that this is part of a government policy to try and encourage people who do have a long-term illness or disability to get back to work? So there are benefits, as Glenda's found out, for the first year. And then if

you work a bit longer, you can get more benefits to boost that inevitably low income.

FRENCH: That's right. The idea is to try and encourage people to move more gradually back into work again. You should also check out whether you're entitled to any housing benefit or council tax benefits, which can be payable with the benefits you're currently receiving and also with the working tax credit.

LEWIS: That's money off your rent and money off your council tax?

FRENCH: Absolutely.

LEWIS: Rachel?

HADWEN: It's also worth saying that a good thing that's happening this April is a disregard of up to £93 that you earn from your permitted work. So it doesn't just not affect your incapacity benefit. It shouldn't affect your housing benefit or council tax benefit either.

GLENDAL: Okay.

LEWIS: Okay, is that helpful Glenda?

GLENDAL: Yes, that's great. Thank you very much.

LEWIS: I wish you the best of luck with that.

GLENDAL: Thank you.

LEWIS: I think moving off long-term benefits is often very difficult, but well done for getting a job.

GLENDAL: Yes ... thank you.

LEWIS: Manesh is next in Stanmore. Manesh, your question?

MANESH: Hello. Yes, my question's about benefits that might be available to families who have an autistic child. Our daughter was just diagnosed with an autistic spectrum disorder and I'm not quite sure what benefits would be available and whether or not that's going to be something dependent upon whether or not my wife has to give up work or how much can we claim if she gives up work. So it's not quite clear what's available.

LEWIS: Okay. It often isn't, I'm afraid, but Jean French is the person to tell you.

FRENCH: Hello Manesh. First of all, have you claimed Disability Living Allowance for your daughter?

MANESH: No. We've just been given the diagnosis 3 months ago and we weren't quite sure where to turn to in terms of the benefits.

FRENCH: Right. The first benefit I think you need to try and get sorted out - not least because it can take a little while - is Disability Living Allowance. What you can do is you can ring up and get a claim form for that. It's quite a long claim form; asks quite a lot of questions about the help that your daughter needs. But if you get that completed, then that acts as a gateway to other benefits the family may be able to claim. If it's awarded, it will increase the amount of child tax credit that the family will be entitled to. And if your wife is going to give up work in order to look after your daughter, she may then be entitled to Carer's Allowance if your daughter is awarded the middle or higher rate of the care component DLA and she's providing 35 hours or more a week of care for the daughter. So start with DLA.

LEWIS: That's Disability Living Allowance.

FRENCH: Disability Living Allowance. Sorry, I'm used to speaking in initials. Bad habit. Also have a look into Carer's Allowance and get that claimed. I mean are you

working, Manesh?

MANESH: Yes, I am actually in full-time employment.

FRENCH: Right, okay. You might want to get a full benefits check at some point just to check whether, given your wife's reduction in hours (if that becomes a reality), you may be entitled to any housing or council tax benefit or working tax credits to help in addition to your earnings.

MANESH: Okay, fine. Okay, thanks very much.

LEWIS: Thanks for your call, Manesh, and good luck with that. You mentioned tax credits. And it's important, Rachel Hadwen, isn't it? Tax credits are not just for very low income people. If you've got children and you're paying childcare, you can get them on really quite reasonable, well above average incomes.

HADWEN: Yes, you can. And the more children you have, the more likely that is. If you have a child who gets Disability Living Allowance awarded for them, it becomes more likely again. So if a change happens in your family, such as having another baby or someone being awarded DLA, Disability Living Allowance, it's well worth looking into whether your tax credits should increase as well.

LEWIS: And you can do that. There's a website I always recommend when we do this phone-in, which is called Entitledto.com, though it's now through another website called Turn2us. There's a link on our website: bbc.co.uk/moneybox. And any means tested benefit - whether it's tax credits, council tax benefit, income support, pension credit - it will work it out for you and tell you what you can get. Extremely useful website. Now working tax credit, not only of course for people with children. It's also for low paid people without children. And we've got an email here from Karen who says, 'I earn £14,850 before tax, live alone, no children. Do I qualify for working tax credit?'

HADWEN: I'd have to do a calculation and I'd have to ask Karen other things about her situation. But this is a useful opportunity to say that there isn't a cut off point for working tax credit and it's a bad idea to think that there is one. There's a threshold, which is currently £6,420. When you start to earn more than that, you lose tax credits. But you will lose them more slowly if you have a disability, for example. So I can't answer that question.

LEWIS: But worth checking and maybe check at Entitledto. But it's round about the sort of level where you might get it if you've maybe got a disability?

HADWEN: If she's got a disability, yes. If not, perhaps no.

LEWIS: Probably not. And another one on working tax credits. We've had quite a few of these today. This is from Sue who says, 'Our 29 year old son lives with us. He works for a national retail chain. Hours cut from 40 to 24. He did get tax credits' - presumably because of his low pay - 'but now his hours have been cut to 24, he can't.' Rachel?

HADWEN: Yes. This is because if you are not disabled and you don't have children, then usually you have to work at least 30 hours to get the working tax credit. So it's a straightforward rule.

LEWIS: So really by cutting his hours, which presumably he didn't want, he's lost not just his pay.

HADWEN: He's lost out in two ways.

LEWIS: Yes, that is pretty bad. Anyway thanks for that email, Sue, and I'm sorry about that. And thanks for your email, Karen. And we're going to move onto Chesterfield in Derbyshire now where Daniel has a question for us. Daniel?

DANIEL: Hello, can you hear me?

LEWIS: We can indeed. What's your question?

DANIEL: My question is that I'm 60 on 9th June this year, and I'm on income support and normally I would go onto pension credits when I'm 60. But I've been told that because of the women's pension age increasing, I'll not be eligible for pension credits until 6th September, which means I've got to wait 12 weeks for my money to go up from £91 to £132, which is £40 a week I'll be losing until 6th September because I'm not eligible for pension credits when I'm 60.

LEWIS: Sally West, this is right, I'm afraid, isn't it?

WEST: Yes, I'm afraid it's another one, Daniel, where we're going to have to say yes I'm afraid that's the rules. But I don't suppose you're alone in not realising that as women's state pension age gradually increases, it can affect men as well. Women reaching state pension after 6th April - so that's yesterday ...

LEWIS: Yes, yesterday.

WEST: ... state pension age is gradually going up from 60 to 65 over the next 10 years. But actually any of the social security legislation that mentions age 60 is now a link to women's state pension age. And in fact when pension credit first came in in 2003, the rules always said not that this was a benefit available to people age 60 plus but to people who had reached the age for women's state pension. So I'm sorry that you are going to have to wait a few more months to get that higher benefit.

DANIEL: It seems incredible that it's just happened now, you know, and that I should be losing nearly £500 of my benefits because I'm going from 9th June to 6th September.

WEST: Yeah and I think there's going to be a lot of both men and women thinking oh if only I was a little bit older or in some cases a little bit younger. That it's going to make a difference and I think any kind of changeover - and there's some very positive

changes for state pensions but also very much less welcome change increase to women's state pension age and associated benefits - and I'm afraid, you know, there's going to be a lot of people who think the system is unfair because they're missing out.

DANIEL: Well I think it *is* unfair really. I mean it's like a stealth tax on the poorest people, isn't it?

LEWIS: It also raises the question, doesn't it Sally, that why does somebody need £90 at one age and the next day they need £132? I mean there's a real cliff now between being under that age and over that age, isn't there?

WEST: Yes. I mean I think we certainly wouldn't say that the benefit levels for people over 60 or 60 and a bit now are over generous.

LEWIS: I wasn't suggesting that. I was wondering why people just under that age seem to need £40 or £50 a week less?

WEST: Yes and I think, you know, a lot of benefit rates have remained low. And of course the advantage for pension credit is that it's been linked to increases in average earnings for the last few years, whereas many other benefits are linked to prices. And generally speaking prices go up less than earnings, so they've lost value over time.

LEWIS: Yes. And talking of pension credit, I think that has confused people - the figure that's been given - because in the Budget, the Chancellor did say, Anne writes to us, said a figure of ... she says £136.60. I think it was £132.60, the Chancellor mentioned - as the new pension rate. But of course that's not the new state pension rate. That's the new pension credit rate.

WEST: It's the new pension credit rate. And state pensions and benefit rates go up next week. Not the beginning of the tax year, but the first Monday in the tax year. So that's next Monday most state pension and benefit rates will be increasing.

LEWIS: Yes, so we've had a 53 week year in fact this year, which is probably to the Treasury's advantage when it needs the cash. And the pension credit, of course, is a means tested benefit that you can get, which makes your income up to that level in theory for most people if you claim it?

WEST: Yes, yes. Most benefits and state pensions are going up. There are of course some bits of the state pension that *aren't* going up ...

LEWIS: Are not, no.

WEST: ... such as the additional pensions.

LEWIS: I think Anne also mentions that because she says 'my pension's going up by just about £2 a week this April. However my tax code has also been changed. So she's going to lose tax on that as well, so she's not a lot better off.

WEST: Yes because tax rates have been frozen. So there's sort of swings and roundabouts on the benefits pensions and a lot of confusion being caused by the different upratings.

LEWIS: Yes, absolutely, it's hideously complicated. I always say that on this programme. It seems worse than ever this year. Anyway thanks for your email, Anne, and thanks very much for that call. And we're now moving onto Maria who's calling us from her mobile. Maria, your question?

MARIA: Yes, hello. Yes, I'm on incapacity benefit and other benefits related to it. But I'm going to inherit a lump sum, about £80,000, and I wondered what was the best thing to do with that and which benefits will I lose and which benefits will I keep? And I've got 15 years till I reach pensionable age.

LEWIS: Right.

MARIA: Ideally I'd love to buy a very small place say, in Spain or Portugal and maybe let it some of the year, actually mainly for health reasons because I need the sun, but it might be easier for instance just to have holidays every year.

LEWIS: Yes. You're also then asking whether you're going to keep your benefits if you go and live in Spain for a long period of time. So several connected and complicated questions there. Let's start with Jean French from Carers UK.

FRENCH: Hello Maria.

MARIA: Hello.

FRENCH: Are you getting any Disability Living Allowance at the moment?

MARIA: Yes, some.

FRENCH: Okay. Your Disability Living Allowance won't be affected by the £80,000 you're going to inherit, so that's the good news. And your incapacity benefit also is not means tested.

MARIA: Okay.

FRENCH: But are you getting income support, housing benefit or council tax benefit?

MARIA: Yes, all those three.

FRENCH: Okay. All of those three will be. The upper capital limit - that is the most in savings that you can have - is currently £16,000 for somebody in your circumstances.

LEWIS: Sixteen, 16?

FRENCH: 16. So you're going to have significantly over that. So you need to notify them as soon as that money becomes part of your possessions. You need to be telling them, so that you're not overpaid in any way.

MARIA: Right.

FRENCH: But your incapacity benefit and Disability Living Allowance will be fine.

LEWIS: But the means tested ones won't.

FRENCH: They won't.

LEWIS: Rachel Hadwen, can Maria buy a house with it and wipe it out and then go back and claim those benefits?

HADWEN: That's a very good question. Unfortunately there's a rule called 'notional capital', which means that sometimes when you spend money, you can be treated as still having it. But in order to apply those rules, it would have to be the case that you had deliberately spent it on something that you didn't need in order to keep your benefits.

LEWIS: But a second house in Spain, even if you need the sun, may not be something the benefits agency thinks you need.

HADWEN: Well I think that will depend on Maria's condition and how much you need this. There's a lot of case law about notional capital and when and when it should not apply. If it does apply, then they'll also use a rule that tells them how long it takes for you to spend it. It's called 'diminishing notional capital'. They're very complicated rules. So I think my advice would be to go and speak to somebody before you do anything.

MARIA: Would that be a financial adviser or an accountant?

HADWEN: Citizens Advice would probably be a good place to start. I don't think accountants would necessarily know about this rule.

LEWIS: No, nor a financial investor who'd try and get you to invest it.

MARIA: So, sorry, what sort of person should I see then?

HADWEN: You need to see a welfare rights adviser. Citizens Advice is the best place to start.

MARIA: Right. And where's the best place to put my money to maximise it?

LEWIS: Ah, well that *is* financial advice, which I don't think we can really give you.

MARIA: Oh right, okay.

LEWIS: But if it's money that you need and that you don't want to put at risk, then the only real choice is to put it somewhere in a deposit account earning interest. And if you really want to be careful, make sure you've got no more than £50,000 with the same bank, so if they go bust you still keep it. But that would be financial advice. But I think in your case, well from what you say, you want to spend it at some point rather than use it. But that is a more difficult question we're not really able to talk to you about. And just let me ask. Jean French, if Maria did go and live in Spain, would she keep those disability benefits now because there's been some new rules on this, hasn't there, from Europe?

FRENCH: Disability Living Allowance can be paid to her.

LEWIS: In another EU country.

FRENCH: She can take it with her, but it needs to have been in payment in the UK before. So if you'd already gone to live in Spain, Maria, and then you claimed the

DLA, that wouldn't be possible; but because you've got it already, you can take it with you. And I believe ... Sorry?

MARIA: And the incapacity as well?

FRENCH: I believe that's ...

LEWIS: I'm sorry to say there are a few blank looks. I think you've stumped the panel. Well done, Maria. (*laughter*) And I don't blame them because I know there's been a lot of case law on this and the Department for Work and Pensions is sort of fighting European judges over this at the moment. So we don't actually know, but I'm sure that you'll find someone at Citizens Advice who can look it up and tell you or through the various things that will be on our website: bbc.co.uk/moneybox. Thanks very much for your call. Must move on because time is running out already. Patricia has got a call and she's in Gloucestershire. What's your question, Patricia?

PATRICIA: Hello. I know I'm not entitled to any means tested benefit. I was 60 last October and I'm deferring my state retirement benefit. What I can't find out at all is what I'm gaining by this. I hope to be lucky to work on till as near 65 as possible, but I can't find how much I'm boosting my state pension by.

LEWIS: Right, well Sally West will know.

WEST: I can tell you that. Yes, every year that you don't draw your state pension, it increases (when you do draw it) by about 10.4%. So that means if you put your state pension off for 5 years, didn't draw it for 5 years, it would increase by about a half. But you also have the option when you get to draw your state pension, if you put it off for at least a year you could have a lump sum instead. So you get that option of either a higher pension when you do decide to draw it or a lump sum payment. So, that can be, you know, that can be quite a good deal really because you know you're getting that increase each year. As long as you're not drawing another benefit at all at the moment, are you?

PATRICIA: I'm not drawing anything.

WEST: Because if you're drawing a benefit, as Jean will point out to us, such as Carer's Allowance or a widow's pension or something like that, you don't gain the extra from deferring your state pension.

LEWIS: No. So I mean it seems worth doing. Of course the alternative is to take the pension and stick it in the bank, isn't it, but it's a very difficult sum to work out which is better.

PATRICIA: Yes, you've got to work out the relative interest rate.

LEWIS: But anyway about 10% a year as a rule of thumb, very slightly more. And then, as Sally said, you can either have the higher pension or a lump sum, which I think the department also increases with some kind of percentage based on the bank rate.

WEST: Yes.

PATRICIA: And one other brief question.

LEWIS: Yes, quickly.

PATRICIA: Is this lump sum tax free or is it ...?

WEST: It's taxed at the rate of tax that you pay, so it's not put into the next tax bracket if it took you into a higher rate. Also - and it may not apply to you because as we were saying you're not entitled to benefits if you've got another pension - but if you draw it, it doesn't affect means tested benefits. So there is information around. There's some quite detailed information from the Department for Work and Pensions. There's a sort of short guide and more detailed guide, which you'll be able to get. If you've got access to the Internet, you'll be able to find it again on the Direct Gov site.

It's quite a complicated decision because, as Paul says, it depends on sort of what you would get if you invested the money. It also depends on how long you're going to live - all sorts of things that you don't know. But there certainly is information around that you'll be able to find.

PATRICIA: So it would be worth looking into?

LEWIS: Yes. Thank you very much, Patricia.

PATRICIA: Okay, thank you.

LEWIS: Jean, did you want to add something there about Carer's Allowance because I mean it doesn't affect Patricia, but other people might be thinking they're deferring their pension. And, as Sally said, if you get Carer's Allowance, you don't get the extra money.

FRENCH: Exactly, yes. So do be careful about that. If you're thinking that you can defer and still get the Carer's Allowance, well you still will get the Carer's Allowance but you won't get that additional state retirement pension.

LEWIS: Okay, we'll move onto Marie now from Manchester. Marie?

MARIE: Hi. My husband was diagnosed with myotonic dystrophy 2 years ago and we claim the highest disability allowance and we've also got the incapacity. I know we can't claim the council tax benefit because of savings. He's also been paid out on a pension and a lump sum. So is there anything else that we can do? I work 16 hours. Can I claim that working tax credit?

LEWIS: Right. Rachel?

HADWEN: I think the problem is that you're the person who works and you are not disabled and you don't have any children, so you're not actually someone who can

qualify for working tax credit by working 16 hours a week. You'd have to be someone who worked 30 hours a week. So I can't see that as an option.

MARIE: Are there any other benefits we *can* claim?

HADWEN: Well just to go back to the council tax benefit, when you say you have savings, is it more than £16,000?

MARIE: Yes.

HADWEN: It is, yeah. And you're getting the blue badge via the DLA?

MARIE: Yes he's got that, yeah, and he's being paid the highest rate of it as well because of the muscle wasting disease.

LEWIS: And, Marie, are either of you approaching pension age?

MARIE: Certainly not.

LEWIS: No, okay. When you do, things change a bit. Jean, briefly, because we are now running out of time.

FRENCH: Of course. Just what I would suggest is have a brief word with your council and find out if there are any council tax discounts or reductions you might be entitled to. They're different from the benefits system. They're not means tested.

MARIE: Oh right.

LEWIS: Okay. Thanks for your call, Marie. That is all we have time for. My thanks to Jean French from Carers UK; Rachel Hadwen of Working Families; and Sally West from Age UK. Thanks to you for all your calls and emails. Far more than we could ever get through. Find out more about all these things from our website:

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