

2h) Welfare benefits for kinship carers

Kinship carers are family members and friends raising children unable to live with their parents. If you have taken on the care of a child who cannot live at home with their parents, you may need financial and other support to help you care for them. This advice sheet provides information about the benefits and tax credits you may be entitled to and how to access these. It provides advice about support that may be available to kinship carers in England.

About this advice sheet

There are different types of kinship care arrangement. These include:

- Private family arrangements – A close relative¹ steps in to raise a relative's child without the prior involvement of children's services and without matters being considered by the Family Court.
- Private fostering – Someone who is not a close relative of the child, and not already an approved foster carer, looks after a child for 28 days or more and will then be regarded as private foster carer.
- Special guardianship order – A special guardianship order is a court order that says a child will live permanently with someone (who is not their parent) until they are 18. A special guardianship order gives the special guardian 'exclusive' parental responsibility for the child. This gives them the authority to make all major decisions about the child's upbringing and care.
- 'Lives with' child arrangements order – Under this court order, the child will live with the kinship carer named in the order and the carer will share parental responsibility with the parents.
- Kinship foster carer – Sometimes a kinship care arrangement involves a child becoming looked after in the care system, but with the child living with a relative or friend who becomes a foster carer for them, approved by children's services. This might be under a care order, or under a voluntary arrangement.² The carer is known as a kinship foster carer.
- Adoption – Adoption is unusual in kinship care arrangements, because it changes the legal relationship with the child's parents.

If you are looking for information and advice about different types of kinship care arrangement that exist – you can find this on our [Kinship carers](#) page. Kinship carers might also want help with free childcare and educational matters. See our [2i\) The education system in England: Information for kinship carers](#) advice sheet.

This advice sheet looks at:

- [The welfare benefits system and recent changes](#)
- [Understanding benefit caps and penalties](#)
- [Non means tested benefits:](#)
 - [Child benefit](#)
 - [Guardian's allowance](#)

¹ Close relative is defined in [section 105 of the Children Act 1989](#) as a 'grandparent, brother, sister, uncle or aunt (whether full blood or half blood or by marriage or civil partnership) or step-parent'.

² A voluntary arrangement is an arrangement under [section 20 of the Children Act 1989](#).

Advice line 0808 801 0366 **Mon-Fri** 9:30am-3pm

 Get more support on our forums  www.frg.org.uk

- [Benefits and credits for kinship carers on a low income](#)
 - [Universal Credit](#)
 - [Legacy benefits:](#)
 - [Child Tax Credit](#)
 - [Working Tax Credit](#)
 - [Childcare element of Working Tax Credit](#)
 - [Pension credit](#)
 - [Housing benefit and council tax support](#)
 - [Income support](#)
- [Help with one-off items](#)
 - [Child Trust Fund](#)
 - [The Family Fund](#)
 - [Social Fund – maternity grant, budgeting loans, benefit advances](#)
- [Benefits for carers raising a disabled child](#)
 - [Disability living allowance \(DLA\)](#)
 - [Personal Independence Payment \(PIP\)](#)
 - [Carer's allowance](#)
- [Benefits and immigration status](#)
- [Benefits for young people in their own right](#)
- [Entitlement to leave and kinship care](#)
- [Challenging decisions about welfare benefits](#)
- [Where to get further information](#)

The law in relation to benefits is complex. And the rules in relation to benefits change quite often. So, seeking advice from specialist benefits advice services is a good idea. See the [Where to get further information](#) section at the end of this advice sheet if you need more information. You may also want to ask a friend, your social worker, or your solicitor to explain anything in the advice sheet that you don't understand.

We have other advice sheets which focus on key areas of support for kinship carers. For more information see:

- [2e\) Practical and financial support for special guardians.](#)
- [2i\) The education system in England: Information for kinship carers.](#)
- Our [Kinship carers](#) page.

The welfare benefits system and recent changes

1. What recent changes have there been to the welfare benefits system?

In the past few years, there have been changes to the welfare benefits system that families should be aware of. Key changes are shown in the table below.

Type of benefit	Change to this benefit
Disability living allowance (DLA)	<ul style="list-style-type: none"> Disability living allowance for people aged 16 to 66 has almost stopped. Since 2018, it has been largely replaced by Personal Independence Payments (PIP). Disability living allowance remains for young people under the age of 16.
Universal Credit (UC)	<ul style="list-style-type: none"> Universal Credit replaces: <ul style="list-style-type: none"> Tax credits. Income support. Housing benefit. The means-tested versions of jobseekers' allowance and employment and support allowance. These benefits are now referred to as 'legacy benefits'. Universal Credit is now being paid to people who submit new claims for benefits. The Department for Work and Pensions will not move existing claimants of the above benefits over to Universal Credit until 2022 or later. But if someone has a relevant change in circumstance, then their legacy benefits may stop, and they might have to claim Universal Credit instead. Examples of a relevant change in circumstance are: <ul style="list-style-type: none"> Starting a new relationship or ending a relationship. Falling ill. Having to register as unemployed because their child has left home or reached a certain age. A child returning home after living somewhere else and the whole Child Tax Credit claim had stopped. Universal Credit is paid as a single monthly payment to working-age claimants by the Department for Work and Pensions. It is paid whether you are in or out of work. The amount of benefit you get depends on what you earn (if anything), the number of children you have and your housing costs. Income received from children's services by way of residence order allowance, child arrangements order allowance, special guardianship allowance or Section 17 Child in need help is disregarded when assessing the amount of Universal Credit you will receive. This means it is not taken into account and will not affect the amount you get.

The information contained in this advice sheet is for guidance only. Every effort is made to ensure it is correct at time of publication. But it should not be used as a substitute for legal advice or for individual advice about your case. Please note that the information is about the law in England only.

Type of benefit	Change to this benefit
Universal Credit (UC) contd.	<ul style="list-style-type: none"> There are special rules for foster carers: <ul style="list-style-type: none"> People who foster children aged under 16, or who have a child aged under 5, will get UC without having to look for work. But if you are part of a couple, one of you <i>may</i> be expected to look for work. If you are getting UC as a foster carer and the placement ends, you will be allowed an 8-week period where you will continue to get UC without having to sign-on as unemployed. There will also be concessions if both partners are needed for the fostering (e.g. because of a disabled child) or a child aged 16/17 who needs additional help.
Council tax support	<ul style="list-style-type: none"> Council tax benefit has been replaced with council tax support. This means that different local authority areas have different rules about who can claim for help with the cost of their council tax, and how much they might get.
Benefit caps and penalties	<ul style="list-style-type: none"> There are 'benefit caps' or a 'two child policy' that applies to some families. There are also 'under-occupation' penalties – sometimes known as the 'bedroom tax' that may apply to some families. You can no longer get community care grants and crisis loans from the Social Fund section of the Department for Work & Pensions. Your local council or devolved Government may have a local welfare scheme so you might have to contact them for help instead. <p>This advice sheet explains the effect of these benefit caps and penalties.</p>

2. What happens to parents' benefits if the child moves to live with a relative or friend?

When a child moves to live with someone in their family and friends' network, the benefits that their parents were receiving may transfer to the person who is now looking after them. This can be the case whether the child is moving to live with them on a temporary or permanent basis. What the benefits office will look at is how long the child has been with the new carer. See our advice sheet [1a\) What happens to parents' welfare benefits when their child becomes looked after or moves to live with someone else?](#)

Understanding benefit caps and penalties

3. What is the two-child policy?

- The two-child policy means that anyone getting Universal Credit or Child Tax Credit will not normally get additional benefits for any third child that was born after 5 April 2017. It does not affect children born before this date. Child benefits remains payable for those children.
- There are some exemptions from the two-child policy. For example, if the benefit claimant is a [special guardian](#) to the child. Or if the third child is the child of a young person that the claimant is still responsible for.

The information contained in this advice sheet is for guidance only. Every effort is made to ensure it is correct at time of publication. But it should not be used as a substitute for legal advice or for individual advice about your case. Please note that the information is about the law in England only.

Advice line 0808 801 0366 **Mon-Fri** 9:30am-3pm

 Get more support on our forums  www.frg.org.uk

- If the kinship has more than two children living with them, the amount of benefits they receive may be affected. For example, they may have two children who were born before April 2017 and they can receive benefits in relation to both of those children. But if they have a relative's child come to live with them in 2018, they will not be entitled to benefits in relation to that child.
- If one of the older children moves to live with another carer, then youngest child takes their place in the claim. So the kinship carer can then still receive benefits in relation to two children.
- If the third or subsequent child is disabled, the carer will be able to get the disabled child element of Universal Credit, but not the basic allowance for that child.

4. What is the benefit cap?

- The benefit cap puts an overall limit on the amount of benefit income the household can receive from Universal Credit and child benefit. Or, if the parent is still on legacy benefits, the cap applies to their tax credits, housing benefit, income support, jobseekers' allowance and child benefit.
- Some people are exempt from the benefit cap. For example, people who are disabled.
- Currently, the total benefit income cap for people with children is:
 - £384 a week outside London.
 - £442 a week inside London.

5. What is the under-occupation penalty (or 'bedroom tax')?

- A kinship carer who claims Universal Credit (housing cost element) or housing benefit, may find that the help they get with rent is reduced if they have more bedrooms than the DWP or local authority says they need.
- This affects tenants living in social housing. A similar principle applies to tenants who rent privately. They may have their Universal Credit (housing cost element) or housing benefit limited to the 'Local Housing Allowance' figure.
- **So what exactly are the limits?**
 - Two children of different genders are expected to share a bedroom until they are aged 10.
 - Two young people of the same gender are expected to share a bedroom until they are 16.
 - There are special rules for disabled children who need a room of their own at night.
- If a child moves to live with someone else, this affects the number of bedrooms that their kinship carer 'needs' under these rules. Kinship carers in this situation must notify their landlord immediately of any changes to the number of people living in the family home.
- If a kinship carer is badly affected by these rules, they can ask their local authority for a payment from their discretionary housing payment fund. This is the case whether they are receiving Universal Credit (housing cost element) or Housing Benefit.
- Kinship carers can also ask children's services for financial support under section 17 of the Children Act 1989. Where a child has been assessed as a child in need, children's services have the power to provide financial assistance and accommodation (section 17(6) Children Act 1989). In appropriate situations, they may use this power to help a family access accommodation by paying a deposit and rent in advance. Or they could provide help to meet a rent shortfall after housing benefit. For more information about support for children in need under section 17 of the Children Act 1989, see our [Child in need](#) page.

The information contained in this advice sheet is for guidance only. Every effort is made to ensure it is correct at time of publication. But it should not be used as a substitute for legal advice or for individual advice about your case. Please note that the information is about the law in England only.

Non means tested benefits

Child benefit

6. What is child benefit?

Child benefit is not dependent on the kinship carer declaring their income before they receive it. But there are other rules about when these benefits can be claimed, depending on the child's legal status and when the kinship carer might have to pay tax on them as income. Child benefit is:

- Paid to people with children aged under 16 or aged under 20 if in full-time education (up to and including A levels and NVQ level 3) or approved training (e.g. in England, Foundation Learning). It can also be paid for a young person aged 19, if they started or were accepted on the course before they were 19.
- Not means tested, so it is paid whether or not the kinship carer is working and whatever their savings are.
- Subject to tax for higher earners, so if either the kinship carer or their partner individually earns over £50,000 a year, tax will be payable. Child benefit will still be paid, but some or all of it will be claimed back by HMRC at a later date and they will have to complete a self-assessment tax form – See <https://www.gov.uk/child-benefit-tax-calculator>.

7. Can I claim child benefit?

Kinship carers cannot claim child benefit if:

- They are an approved foster carer and the child they are caring for is looked after (kinship foster care).

Kinship carers can claim child benefit if they are caring for a child under one of these Family Court orders:

- Child arrangements order.
- Residence order.
- Special guardianship order.

And they can claim child benefit if they are caring for a child in a private family arrangement or under a private fostering arrangement.

If the child's parents are still claiming child benefit, but their child is living with a relative or friend, the carer can ask for the child benefit to be transferred to them. In the event of a dispute, HMRC will decide on the competing claims.

8. If I receive an allowance from children's services, will this affect my child benefit?

If a kinship carer has a special guardianship order, 'lives with' child arrangements order or a residence order, they may be receiving an allowance from children's services. Whether or not an allowance is paid, depends on the individual financial circumstances and the type of order.³ In each of these situations, they can also claim child benefit. But getting child benefit might mean that the kinship carer becomes subject to the benefit cap.

³ If the kinship carer has a 'lives with' child arrangements order or residence order, payment of any allowance is discretionary. For information about special guardianship allowances, see our advice sheet [2e\) Practical and financial support for special guardians](#).

9. How do I claim child benefit?

To claim child benefit, kinship carers need to complete form CH2. This form can be found online at www.gov.uk/browse/benefits/child. Or a paper form can be sent out – phone 0300 200 3100 to request this.

10. What if the child's parent was claiming, or is still claiming, child benefit?

When a child moves to live with someone in their family and friends' network, the benefits that their parents were receiving may transfer to the person who is now looking after them. This can be the case whether the child is moving to live with them on a temporary or permanent basis. What the Benefits office will look at, is how long the child has been with the new carer.

What happens to a parent's claim for child benefit when the child moves to live with a relative or friend under a child arrangements order, special guardianship order or residence order?

1. Child benefit will stop once the child has been looked after in the care system for eight weeks.⁴ This includes when the child moves to kinship foster care.
2. Once a child has been in any new placement for 56 days in the last 16 weeks, their parent (or previous carer) is no longer entitled to child benefit for them.
3. The parent's claim for child benefit will end sooner than 56 days if the new carer makes a child benefit claim themselves, and the parent agrees to the transfer. The child benefit will continue to go to the parent for three weeks, and then will be transferred to the new carer.
4. The parent should inform the Child Benefits office that the child has moved to live with the new carer, so that the claim can transfer to them.
5. In the event of a dispute, HMRC will decide on the competing claims. To claim child benefit, complete form CH2. This can be done online at: <http://www.gov.uk/browse/benefits/child> or you can phone 0300 200 3100 and ask for the paper form.

11. Does child benefit affect other benefits?

The two-child policy means that anyone getting Universal Credit or Child Tax Credit will not normally get additional benefits for any third child that was born after 5 April 2017. It does not affect children born before this date. Child benefit remains payable for those children.

⁴ [Schedule 9, paragraph 1 \(c\) of the Social Security Contributions and Benefits Act 1992](#) and [Regulations 16 and 18 of the Child Benefit \(General\) Regulations 2006](#)

Guardian's allowance

12. What is guardian's allowance? Can I claim it?

Like child benefit, guardian's allowance is not dependent on a kinship carer declaring their income before they receive it. A kinship carer may be able to get guardian's allowance, as well as child benefit, if they are caring for a child or young person (same age limits as child benefit), at least one of their parents is dead and:

- The other parent's whereabouts are not known; or
- Where the surviving parent is the father, paternity is not established; or
- The other parent is in prison serving a sentence of two years or more; or
- The other parent has been detained by the courts in a psychiatric hospital.

Step-parents do not count as a parent for this benefit. So step-parents may be entitled to claim guardian's allowance for their step-child if the above criteria are met. But note:

- Foster carers cannot claim guardian's allowance for children they are fostering.
- Guardian's allowance stops if the person adopts the child.
- Despite the similarity in name, a guardian's allowance is not the same as a special guardian's order allowance from children's services.
- Kinship carers are exempt from the benefit cap if you are entitled to guardian's allowance.⁵

Guardians allowance is not taxable and does not count as income when someone claims Universal Credit or any of the legacy benefits that Universal Credit replaces.

13. How do I claim guardian's allowance?

To claim guardian's allowance, kinship carers need to complete form BG1. This form can be found online at:

<https://www.gov.uk/guardians-allowance>. Or a paper form can be sent out – phone 0300 200 3100 to request this.

Benefits and credits for kinship carers on a low income

Universal Credit

Universal Credit is now being paid to people who submit **new claims** for benefits.

- Universal Credit is paid as a single monthly payment to working-age claimants by the Department for Work and Pensions. It is paid whether you are in or out of work. The amount of benefit you get depends on what you earn (if anything), the number of children you have and your housing costs.
- Income received from children's services by way of residence order allowance, child arrangements order allowance, special guardianship allowance or Section 17 Child in need help is disregarded when assessing the amount of Universal Credit someone will receive. This means it is not taken into account and will not affect the amount you get.

⁵ See [regulation 75F \(1\) \(i\) of the Housing Benefit Regulations 2006](#) and [regulation 83 \(1\) \(k\) of the Universal Credit Regulations 2013](#)

- There are special rules for foster carers:
 - People who foster children aged under 16 or who have a child aged under 5 will get UC without having to look for work, but if you are part of a couple, one of you *may* be expected to look for work.
 - If you are getting UC as a foster carer and the placement ends, you will be allowed an 8 week period where you will continue to get UC without having to sign-on as unemployed.
 - There will also be concessions if both partners are needed for the fostering (e.g. because of a disabled child) or a child aged 16/17 who needs additional help.

Legacy benefits

Universal Credit replaces:

- Tax credits – including Child Tax Credit, Working Tax Credit, childcare element of Child Tax Credit and pension credit.
- Housing benefit.
- The means-tested versions of jobseekers' allowance and employment and support allowance.
- Income support.

These benefits are now referred to as 'legacy benefits'.

The Department for Work and Pensions will not move **existing claimants** of the above benefits over to Universal Credit until 2022 or later. But if someone has a relevant change in circumstance, then their legacy benefits may stop. And they might have to claim Universal Credit instead. **Examples of a relevant change in circumstance are:**

- Starting a new relationship, or ending a relationship.
- Falling ill.
- Having to register as unemployed because their child has left home or reached a certain age.
- A child returning home after living somewhere else and the whole Child Tax Credit claim had stopped.

Set out below is information about these legacy benefits which may be helpful to those who are still receiving them and have a kinship child in their care.

Child Tax Credit

Child Tax Credit is paid to families with one or more children with a household income of less than about £25,000 per year gross:

- This rate will be higher if there is more than one child, or if a child has a disability, where their carer might qualify with gross earnings up to around £35,000.
- The lower the carer's income, the more Child Tax Credit they should get.
- Kinship carers can get Child Tax Credit whether or not they are working.
- Kinship carers can't claim child tax for a looked-after child if they are a foster carer.
- Child Tax Credit is subject to the two-child policy – see [3. What is the two-child policy?](#)
- Child Tax Credit counts towards the benefit cap – see [4. What is the benefit cap?](#)

Advice line 0808 801 0366 **Mon-Fri** 9:30am-3pm

 Get more support on our forums  www.frg.org.uk

- Child Tax Credit is being phased out, so no new claims are possible and you will have to claim Universal Credit instead. However, a child can be added to an existing Child Tax Credit claim, until such time as all Child Tax Credit claims are transferred to Universal Credit in the 2019-2023 period.
- Since February 1st 2019, people over pension age who wish to claim Child Tax Credit for the first time have not been able to. Instead, they are able to claim a new 'child element' that is being introduced to pension credit.⁶

The following allowances from children's services are ignored when Child Tax Credit is worked-out:

- Child arrangement or residence order allowance, or special guardianship allowance.
- Any help you receive for a child in need under section 17 of the Children Act 1989.

If you need more information about an existing claim, see the [Child Tax Credit section of our table](#) which sets out government information about benefit claims.

Working Tax Credit

If the kinship carer is working, they may also be entitled to Working Tax Credit.

- The income cut off point for Working Tax Credit is much lower than it is for Child Tax Credit, although if the person has childcare costs, this increases the limit. See www.entitledto.co.uk to get an estimate, as there are a number of factors that influence Working Tax Credit. The same calculator will also indicate entitlement to Child Tax Credit and other benefits.
- Working Tax Credit can also help with up to 70% of childcare costs if there is only one adult in the household and they are working, or if there are two adults but one is unable to work due to ill-health or responsibility for caring for a disabled person.
- If a kinship carer receives any of the following allowances from children's services, they are ignored when their Working Tax Credit is worked-out:
 - Child arrangement/residence order allowance, or special guardianship allowance.
 - Any help you receive for a child in need under section 17 of the Children Act 1989.

Kinship carers who are approved as a foster carers for a looked-after child:

- Are treated by HMRC as being self-employed. This means they may be able to get Working Tax Credit.
- Fostering allowances will not be counted as earnings when their tax credit is calculated, unless they are above certain limits. For further information, see <https://www.gov.uk/government/publications/qualifying-care-relief-foster-carers-adult-placement-carers-kinship-carers-and-staying-put-carers-hs236-self-assessment-helpsheet/>.
- Kinship foster carers should get advice as to whether they would be better off claiming Working Tax Credit or income support (for contact details of other advice services see [Where to get more information](#)).

If you need more information about an existing claim, see the [Working Tax Credit](#) section of our table which sets out government information about benefit claims.

⁶ See [State Pension Credit \(Additional Amount for Child or Qualifying Young Person\) \(Amendment\) Regulations 2018](#) (SI.No.676/2018)

Childcare element of Working Tax Credit

- Lone carers working at least 16 hours a week may also qualify for the childcare element of Working Tax Credit. Or if they have a partner and between them, they work 24 hours a week or more (with one of you working at least 16 hours a week).
- In this situation, up to 70% of childcare will be paid for, but the lower the person's income, the more help they will get.
- To qualify for this help, they must use registered childcare.
- Approved foster carers cannot claim Working Tax Credit childcare costs for the children they are fostering.

Pension credit

- Pension credit is the means-tested 'top-up' to retirement pensions. If someone, or their partner, are over women's pension age (which is now 66) then all fostering allowances, special guardianship allowances, child arrangement order allowances or residence order allowances are completely ignored when the pension credit is worked out.
- Pensioners with dependent children (who are not foster children) can claim child benefit and Child Tax Credit in the same way as other carers can. But pension credit will include a child element, equivalent to Child Tax Credit, and that is what new claimants will need to claim. Existing claimants of Child Tax Credit are not affected.
- Pension credit is not directly affected by the introduction of Universal Credit, except that older carers who would have got Child Tax Credit before, will in future get extra pension credit for the children instead. This will not be until after 2022 at earliest.
- Pension credit does not count towards the benefits cap.

Housing benefit and council tax support

Kinship carers may be able to get housing benefit and council tax support if they pay rent or council tax. These benefits are paid to people who have a low income whether or not they are working. These benefits can be claimed from the local council.

- Housing benefit and council tax support are calculated to include an amount for any child living with a kinship carer.
- Housing benefit and council tax support are not reduced if a kinship carer receives support for a child in need (under section 17 of the Children Act 1989). And this support is not reduced if a kinship carer receives a special guardianship allowance, child arrangements orders allowance or residence order allowance.
- Housing benefit is subject to the benefit cap – see [4. What is the benefit cap?](#)
- Council tax support is 'localised', so each council can set its own rules about what help is available to people of a working age.
- Housing benefit (but not council tax support) is being phased out for people of a working age and replaced by Universal Credit. The housing cost element of Universal Credit includes similar help with housing costs, including mortgages, which housing benefit doesn't cover.
- Kinship carers who are in receipt of support for a child in need (under section 17 of the Children Act 1989) will not find that the amount of help they can get with their housing costs is affected by the payments they receive from children's services. This also applies if a kinship carer receives a special guardianship allowance, child arrangements orders allowance or residence order allowance.

Income support

This is a means-tested benefit. The person's income and capital is taken into account in calculating how much they will get.

The main ways to qualify for income support are if the person is:

- A foster carer of a child aged under 16, or
- A lone parent of a child under five, or
- Caring for a disabled person.

Those falling outside of these categories need to:

- Sign on as unemployed, be available for work and actively seek work and claim jobseeker's allowance, or
- If they cannot work because of sickness or disability, claim employment and support allowance. For more information about jobseekers' allowance and employment support allowance, see <https://www.gov.uk/employment-support-allowance> or <https://www.gov.uk/jobseekers-allowance>.
- Income support, jobseekers' allowance and employment support allowance all count towards the benefits cap.

Kinship carers who are over women's pension age should claim pension credit instead of these benefits. If they have a mortgage, they may be able to get extra income support, jobseekers' allowance, employment support allowance or pension credit to help with the cost of the mortgage. But this support is by way of a loan from the Department for Work and Pensions. For more information about pension credit see <https://www.gov.uk/pension-credit>.

The following allowances are ignored when income support, jobseekers' allowance or employment support allowance is worked out:

- Special guardianship allowance.
- Child arrangements order allowance.
- Residence order allowance.
- Fostering allowance.
- Support received or a child in need under section 17 of the Children Act 1989.

Also, if a kinship carer is caring for a child under a private arrangement – either a private family arrangement or under a private fostering arrangement, any money they get from the child's parents will be treated as 'maintenance'. These payments do not affect the kinship carer's entitlement to Universal Credit, income support, housing benefit, jobseekers' allowance or employment support allowance.

Help with one-off items

Child Trust Fund

Every child born between 1 September 2002 and 2 January 2011 will have a Child Trust Fund account.

- If the child was in the care of children's services when the Child Trust Fund voucher was awarded, then HMRC will have opened an account for them and invested £500.
- In any other case, whoever was claiming child benefit on their behalf will have been sent the voucher – for either £250 or £500 depending on the carer's financial situation.
- This person should have invested the money. But if they didn't, HMRC will have done it on the child's behalf. The Child Trust Fund can be added to, but it cannot be accessed until the child reaches 18.
- Between September 2009 and August 2010, additional payments were also made by the Government when the child reached their 7th birthday. Extra payments were made to disabled children. No new payments are now being made.

In November 2011, the Government launched junior ISAs (Individual Savings Accounts) but these do not include any public funds:

- The scheme provides a junior ISA for every child who is looked after for 12 months or more and who could not benefit from a Child Trust Fund.
- This includes those born after January 2nd 2011, as well as those born before September 2nd 2002.
- However, all looked after children will get an initial payment of £200 from the Government into their ISA account.
- The £200 can be 'topped-up' by relatives, local councils etc up to the ISA limit. See www.sharefound.org for details.

The Family Fund

The Family Fund is a charity that gives grants to low-income families in the UK to meet the additional needs of caring for a severely disabled child. It gives help with things like washing machines, driving lessons, computers and holidays. To qualify, you have to be receiving one of these benefits:

- Universal Credit.
- Child Tax Credit.
- Working Tax Credit.
- Income-based jobseekers' allowance.
- Income support.
- Incapacity benefit*.
- Employment support allowance*.
- Housing benefit.
- Pension credit.

* depending on overall family income

If you do not receive any of the above, you can still apply, but they will need some extra information about your household income. Families must still, however, meet all their other eligibility criteria in order to get payment. To make a claim to the Family Fund:

- You can get an application form from their website at <https://www.familyfund.org.uk/>, or
- Phone the Family Fund on 01904 550055.

Social Fund – maternity grant, budgeting loans, benefit advances

There are different payments available from the Social Fund. These are:

- Sure Start maternity grants.
- Budgeting loans.
- Short-term benefit advances.

The table below sets out what each of them do and how you can apply for it.

Social Fund Assistance	What is it and how it helps
Sure Start maternity grant	<p>This is a £500 payment available to help buy things for a baby.</p> <ul style="list-style-type: none"> • The grant can be claimed up to three months after a baby's birth, or • For a child less than 12 months old, if the baby has been adopted, or is looked after, or is under a child arrangement (residence) order, within three months of those orders. • To qualify, you have to be getting income support, income-based jobseekers' allowance, income-related employment and support allowance, pension credit, Child Tax Credit, Working Tax Credit that includes a disability, or severe disability element, or Universal Credit. • It is not paid if there is another child aged under 16 in the household. <p><u>How to claim:</u> Claim on form SF100 (Sure Start) from your local Jobcentre Plus.</p>
Budgeting loans	<p>These are interest-free loans available from Jobcentre Plus to help you buy things that you have not been able to save for while on benefits.</p> <ul style="list-style-type: none"> • To qualify you must have been getting pension credit, income support, income-related employment and support allowance or income-based jobseekers' allowance for at least 26 weeks. • If on Universal Credit, you can apply for a budgeting advance instead. <p><u>How to claim:</u> Claim on form SF500 from your local Jobcentre Plus.</p>
Short-term benefit advances	<p>These can be claimed from Jobcentre Plus if you are waiting for benefits to be paid or calculated.</p> <ul style="list-style-type: none"> • If you are on Universal Credit, the help is simply called an advance payment, available on 0345 600 0723.

Benefits for carers raising a disabled child

This section of the advice sheet provides information about benefits that kinship carers, who are raising a disabled child, may be able to access. But they may want advice and information about childcare or education matters relating to a child with special educational needs or a disability. This information can be found on our [Children with disabilities and children with special educational needs](#) page.

Disability living allowance

Disability living allowance is the main benefit paid to people with disabilities who need help to look after themselves and/or get around. New claims can now only be made by, or on behalf of, people aged under 16. People aged 16 or over claim Personal Independence Payments (see below). Disability living allowance is made up of two parts: mobility and care.

1. The mobility component is paid at two rates for two different levels of need. The higher rate may be paid to children who are aged at least three if they are unable (or are virtually unable) to walk; the lower rate is not payable until a child is aged at least five.
2. The care component is paid at three rates for three different levels of need. To get the disability living allowance care component for a child, the carer must be able to show that the child needs more care than other children of the same age.

If a child is awarded disability living allowance, their carer may be able to get extra Child Tax Credit, Universal Credit and housing/council tax benefit. To get this extra money, they should let children's services and the tax credit office know about the disability living allowance award.

Kinship carers can get disability living allowance for any child who lives with them, whether they are looked after or not. If the child is already getting disability living allowance, their kinship carer can ask the disability living allowance office that they take over the payment from the parent or whoever had it before.

To claim disability living allowance for a child:

- Complete form DLA1A child:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/950070/dla1a-child.pdf
- Kinship carers can also call 0345 712 3456 to request a paper copy of the form.

Personal Independence Payment (PIP)

This benefit has begun to replace disability living allowance for people aged 16 or over. Disability living allowance will remain for children under 16. Personal independence payments have two elements:

- For daily living.
- For mobility.

It shares many similarities with disability living allowance, but the assessment process is different. The aspects of a person's life that will be looked at, are different to those looked at with disability living allowance.

Looked-after young people can get personal independence payments in their own right from age 16. Or it can be paid to an appointee.

Carer's allowance

If a kinship carer is caring for a child or young person who is getting the middle or higher rate care component of disability living allowance (or either rate of personal independence payments for daily living) and they are not working (or earning below £120 a week), they may be able to get carer's allowance.

- If a kinship carer qualifies for carer's allowance and they and their partner are not working (or working part-time under a certain number of hours), they may also be able to get Universal Credit.
- Kinship carers who are already in receipt of benefits, may be able to get additional benefits. This is known as a carer's benefit. If the kinship carer is already receiving Universal Credit or income support, housing benefit, council tax support, income-based jobseekers' allowance or employment support allowance, pension credit, they may want to look into this.
- Benefits for carers are complicated and kinship carers who believe they are entitled to extra support as a carer, should get specialist advice. See '[Specialist agencies providing advice about benefits](#)'.

Benefits and immigration status

14. Have you come to the UK from abroad?

If you have come from abroad to live in the UK, you should check that your immigration status does not prevent you from applying for welfare benefit. Or that a claim for benefit will not harm any immigration application you are making to the Home Office to remain living in the UK. It is important to get specialist advice from an immigration solicitor, or an advice centre like Citizens Advice. To find a solicitor, search using the 'how to find a solicitor' function on the [Law Society website](#). Look for someone who is an immigration law specialist. For information about finding a solicitor and working with them, please see our top tips guide [Working with a solicitor](#).

See our [Where to get further information](#) section at the end of this advice sheet.

Benefits for young people in their own right

A young person may be able to claim benefits in their own right from age 16 (in fact, child benefit can be claimed by young parents at any age).

For young people in care or who are care-leavers:

- If the young person is aged 16-17 and is looked after, they can sometimes claim Universal Credit. They can only do this if the following applies:
 - They have medical evidence and are waiting for a Work Capability Assessment.
 - They are caring for a severely disabled person.
 - They are responsible for a child,
 - They are in a couple with responsibility for at least one child and the partner is eligible for Universal Credit.
 - They are pregnant and it is 11 weeks or less before their expected week of childbirth.
 - They have had a child in the last 15 weeks.
 - They do not have parental support. For example, if they are estranged from their parents and they are not looked after.

The information contained in this advice sheet is for guidance only. Every effort is made to ensure it is correct at time of publication. But it should not be used as a substitute for legal advice or for individual advice about your case. Please note that the information is about the law in England only.

Advice line 0808 801 0366 **Mon-Fri** 9:30am-3pm

 Get more support on our forums  www.frg.org.uk

- Once they are 18, have come out of care and are unemployed, ill or in non-advanced education, they may be able to claim Universal Credit to meet their living expenses and rent. There are restrictions on housing costs met by Universal Credit if you are under 21, but these don't apply to care-leavers.
- Low-paid workers may also be eligible to claim housing benefit or Universal Credit.
- For more information go to <https://www.turn2us.org.uk/Benefit-guides/Young-People-and-benefits/Care-leavers>.

Entitlement to leave and kinship care

15. Are kinship carers entitled to paid parental leave when a child moves to live with them and is settling in?

Parental leave offers 'parents' who qualify, the right to take unpaid time off work to look after their child or make arrangements for their welfare. Whether a kinship carer can get parental leave depends on the type of kinship care arrangement. Take a look at <https://www.gov.uk/parental-leave/eligibility> to see whether in your precise situation you will qualify.

The amount of parental leave an eligible kinship carer can take varies:

- Kinship carers who has been working for their employer for 12 months or more, have (or expect to have) parental responsibility for a child who is under 5 years old – can have up to 18 weeks of unpaid time off work
- No more than 4 weeks of parental leave can be taken in a year, unless the employer agrees otherwise
- Time off should be taken in blocks of one week not as individual days
- A 'week' is the number of days worked in the carers normal working week^[1]
- An employer must be given 21 days' notice of the date the leave is planned to start, but this doesn't have to be in writing
- If the child is disabled, 18 weeks of unpaid parental leave can be taken before the child turns 18.

The rules about parental leave come from [The Maternity and Parental Leave Regulations 1999 in regulations 13 to 16](#) (and in schedule 2). But helpful, clear information is available at: <https://www.gov.uk/parental-leave>.

Kinship foster carers are not eligible for parental leave. But they may still be able to ask for a flexible working pattern. For further information about flexible working see www.gov.uk/flexible-working.

Challenging decisions about welfare benefits

16. How can someone challenge decisions about their benefits?

Unfortunately, mistakes are often made when benefit applications are processed. Most decisions about benefits can be challenged and there is usually a four-week time limit for doing this.

Kinship carers will normally have to ask the Department for Work and Pensions, Housing Benefit Service or HMRC to 'revise' their decision first. This is called a Mandatory Reconsideration. If they do not change their decision, then a parent can appeal to an independent tribunal. The law in this area is complicated. It is usually best to get specialist advice. See [Where to get more information for details of specialist advice agencies](#).

The information contained in this advice sheet is for guidance only. Every effort is made to ensure it is correct at time of publication. But it should not be used as a substitute for legal advice or for individual advice about your case. Please note that the information is about the law in England only.

Where to get further information

Government information about benefit claims

Type of claim	Contact details
Child Benefit	<p>Telephone: 0300 200 3100</p> <p>Textphone: 0300 200 3103</p> <p>Calling from abroad: +44 (0)161 210 3086</p> <p>(Monday to Friday, 8am to 8pm, Saturday, 8am to 4pm)</p> <p>Website: www.gov.uk/browse/benefits/child</p> <p>https://www.gov.uk/child-benefit-for-children-in-hospital-or-care</p> <p>Address: PO Box 1, Newcastle-upon Tyne, NE88 1AA</p>
Universal Credit	<p>Telephone: 0800 328 5644</p> <p>Textphone: 0800 328 1344</p> <p>Relay UK (if you cannot hear or speak on the phone): 18001 then 0800 328 5644</p> <p>Welsh language: 0800 328 1744</p> <p>(Monday to Friday, 8am to 6pm, find out about call charges)</p> <p>Website: https://www.gov.uk/apply-universal-credit</p>
Child Tax Credit	<p>Telephone: 0345 300 3900</p> <p>Textphone: 0345 300 3909</p> <p>Calling from abroad: +44 2890 538 192</p>
Working Tax Credit	<p>Telephone: 0345 300 3900</p> <p>Textphone: 0345 300 3909</p> <p>Calling from abroad: +44 2890 538 192</p>

The information contained in this advice sheet is for guidance only. Every effort is made to ensure it is correct at time of publication. But it should not be used as a substitute for legal advice or for individual advice about your case. Please note that the information is about the law in England only.

Employment support allowance	<p>Telephone: 0800 055 6688</p> <p>Textphone: 0800 023 4888</p> <p>Welsh language telephone: 0800 012 1888 (Monday to Friday, 8am to 6pm)</p>
Disability Living Allowance	<p>Telephone: 0800 121 4600 (to get the claim form)</p> <p>Website: https://www.gov.uk/disability-living-allowance-children</p> <p>For the Disability Benefit Centre: 0345 605 6055</p> <p>Address: Disability Benefit Centre 4, Post Handling Site B, Wolverhampton, WV99 1BY</p>
Personal Independent Payment	<p>Telephone: 0800 917 2222</p> <p>Textphone: 0800 917 7777</p> <p>(Monday to Friday, 8am to 6pm)</p> <p>Website: https://www.gov.uk/browse/benefits/disability</p>
Child Maintenance Service	<p>Website: https://www.gov.uk/child-maintenance/contact</p> <p>Freephone: 0800 953 0191</p> <p>Welsh language: 0800 408 0308</p>
Guardian's allowance (kinship carers may be able to receive guardian's allowance if they are bringing up a child whose parents have died. Or if any surviving parent cannot be found).	<p>Telephone: 0300 200 3101</p> <p>Textphone: 0300 200 3103</p>
National Debtline	<p>Telephone: 0808 808 4000 - Monday to Friday, 9am to 9pm; Saturday, 9:30am to 1pm)</p> <p>Fax: 0121 410 6230</p>

Advice line 0808 801 0366 **Mon-Fri** 9:30am-3pm

 Get more support on our forums  www.frg.org.uk

Specialist agencies providing advice about benefits

Agency	Contact details
<p>Carers UK</p> <p>Campaigns for better deals for carers and provides information on carers' rights.</p>	<p>Free Helpline: 0808 808 7777 (Monday–Friday: 10am- 4pm)</p> <p>Email: advice@carersuk.org</p> <p>Website: https://www.carersuk.org</p>
<p>Citizens Advice</p> <p>Helps people resolve their legal, monetary and other problems by providing free independent and confidential information and advice from around 3,400 locations. The website tells you how to find your local Citizens Advice office.</p>	<p>Website: https://www.citizensadvice.org.uk</p>
<p>Hertfordshire County Council money advice service</p>	<p>Website: https://www.hertfordshire.gov.uk/services/adult-social-services/money-and-benefits-advice/financial-information/money-advice-unit.aspx?searchInput=&page=1&resultsPerPage=10&view=list</p>
<p>Mary Ward Legal Centre</p> <p>The Mary Ward Legal Centre provides free, independent advice to people who live and work in London to help them access their legal rights and entitlements. This includes legal advice in relation to debt, welfare benefits and employment issues (as well as housing matters).</p>	<p>Telephone: 020 7269 5455 or 020 7269 0292</p> <p>Email: debtadvice@marywardlegal.org.uk</p> <p>Website: https://www.marywardlegal.org.uk</p>
<p>Shelter</p> <p>Shelter is a charity that works to alleviate the distress caused by homelessness and bad housing.</p>	<p>Free helpline: 0808 800 4444 (Shelter's helpline is open 8am – 8pm on weekdays and 8am – 5pm on weekends, 365 days a year)</p> <p>Website: http://england.shelter.org.uk/get_advice</p>
<p>Turn2Us</p> <p>Turn2Us is a national charity providing practical help to people who are struggling financially. They provide information about benefits and grants and have a free, confidential and independent helpline.</p>	<p>Telephone: 0808 802 2000 (9am – 5.30pm Monday–Friday)</p> <p>Email: info@turn2us.org.uk</p> <p>Website: https://www.turn2us.org.uk</p>

The information contained in this advice sheet is for guidance only. Every effort is made to ensure it is correct at time of publication. But it should not be used as a substitute for legal advice or for individual advice about your case. Please note that the information is about the law in England only.