

1a) What happens to parents' welfare benefits when their child becomes looked after in the care system, or moves to live with someone else?

There are some welfare benefits or credits which parents and carers are only entitled to if their child lives with them. These may stop if their child becomes looked after in the care system. Or if their child moves to live with someone else. The benefits may be transferred to someone else when the child moves out. Or, the amount that the parent receives will be reduced.



About this advice sheet

This advice sheet is for parents or carers who receive welfare benefits, universal credit or tax credits. It provides basic information about how their key benefits and credits can be affected if their child becomes looked after in the care system. Or if their child no longer lives with them.

The law in this area is complex. And the rules in relation to benefits change quite often. So parents and carers may want to seek advice from specialist benefits advice services.

This advice sheet looks at:

- [The welfare benefits system and recent changes](#)
- [What looked after means and what happens to parents' benefits when their child becomes looked after](#)
- [Understanding benefit caps and penalties](#)
- [Parents' welfare benefits and children are looked after in the care system but living at home](#)
- [Parents' welfare benefits and children moving to live with a relative or friend \(a kinship carer\)](#)
- [Parents' welfare benefits and children in residential placements because of special educational needs or disability](#)
- [Parental leave entitlement and children no longer living with their parent](#)
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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. Key changes are shown in the table below.

Type of benefit	Changes to this benefit
Disability living allowance (DLA)	<ul style="list-style-type: none"> Disability living allowance for people aged 16 to 65 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 have started inviting existing claimants of the above benefits over to universal credit although this won't be completed until 2024. Some people may volunteer to switch to universal credit, if they think they'll be better-off. If someone has a relevant change in circumstance, then their legacy benefits may stop anyway, and they might need to claim universal credit to make up what they've lost. Examples of a relevant change in circumstance are: <ul style="list-style-type: none"> Starting a new relationship, or ending a relationship if on tax credit Falling ill if previously looking for work, or being a jobseeker and 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 previous child tax credit claim had stopped.
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 receive.
Benefit caps and penalties	<ul style="list-style-type: none"> Some families may now be subject to 'benefit caps' or the 'two child policy' And they may also face 'under-occupation' penalties – sometimes known as the 'bedroom tax' <p>This advice sheet explains the effect of these benefit caps and penalties.</p>

What looked after means and what happens to parents' benefits when their child becomes looked after



2. What does it mean if a child is 'looked after' in the care system?

In England, if a child is described as a 'looked after' child it means that either:

- Children's services are providing the child with a place to live and with a carer. This might be with unrelated foster carers, or in residential care for example, or
- A place to live and carer for the child has been arranged by children's services. And is supported by children's services. An example is a grandparent who has been assessed and approved by children's services as a [kinship foster carer](#) for a child.

Some looked after children in England enter or remain in the care system under a court order. This could be an emergency protection order, an interim care order or a final care order. These children are described as being 'in care'. And children's services have parental responsibility for them.

Some children are looked after in the care system under a voluntary arrangement between you and children services. A voluntary arrangement can be put in place without any court oversight. It is not a court order. Children's services do not have parental responsibility for a child looked after under a voluntary arrangement. So, children in voluntary arrangements are not described as being 'in care'. Instead, they are described as 'accommodated' by children's services. Children services still have responsibility for supporting the new carer.

If children's services have suggested that your child goes to live with a friend or relative, but without taking the child into care or making them looked-after, they might say that is a purely voluntary arrangement between you and the carer. This affects the benefits of both you and the carer too.

3. What happens to parents' child benefit if their child becomes looked after in the care system?

There are some benefits or credits which parents are only entitled to if their child lives with them. So, these may stop if their child becomes looked after by children's services or simply moves to live somewhere else. For example, to foster care. This part of the advice sheet explains what happens to different types of benefits in this situation. The first benefit looked at is **child benefit**:

Type of benefit	What happens when the child becomes looked after and no longer lives with their parent?	What does the parent need to do about their benefit claim?
Child Benefit	<ul style="list-style-type: none"> Child benefit will stop once the child has been looked after in the care system for eight weeks¹. There are some exceptions to this, such as if the child is looked after, but is still living with their parent and is under a care order or emergency protection order. See Can parents continue to receive benefits if their child is living at home, but under a care order or emergency protection order? If a parent's child is in care only due to reasons relating to the child having special educational needs or a disability, then the situation is different again. For more information, see Do parents' benefits change if their child is looked after in a residential placement because of special educational needs or a disability? <p>When a parent is no longer entitled to receive child benefit, this can have an impact on other benefits they are receiving. See the boxes below for more information.</p>	<ul style="list-style-type: none"> Children's services are supposed to let the benefits office know when a child becomes looked after and moves out of the parent's care. But this does not always happen as it should. Parents should make sure they do this themselves as it is legally their responsibility, so they do not continue to claim benefits that they are not entitled to. Councils do this by using form CH193. For more information, see: https://www.gov.uk/child-benefit-for-children-in-hospital-or-care. Parents should do this by contacting the Child Benefit Centre on 0300 200 3100 or by post to: HMRC - Child Benefit Office, PO Box 1 Newcastle upon Tyne, NE88 1AA The responsibility is with the parents – they can't rely on the council or other parts of the benefit system to do it. More information can be found at https://www.gov.uk/government/organisations/hm-revenue-customs/contact/child-benefit.

¹ [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](#)

4. What happens to parents' universal credit (child element) and child tax credit if their child becomes looked after in the care system?

This table explains what will happen to a parent's **universal credit (child element)** and their **child tax credit** if their child becomes looked after in the care system:

Type of benefit	What happens when the child becomes looked after and no longer lives with their parent?	What does the parent need to do about their benefit claim?
Universal credit (child element) and child tax credit	<ul style="list-style-type: none"> A parent's right to claim the universal credit child element or child tax credit for a particular child will stop as soon as that child goes into care The only exceptions are if the child is having planned short breaks away from home for respite care or the child is still living with the parent even though looked-after² If the child is in care only due to reasons relating to the child having special educational needs or a disability, then the situation is different. See Do parents' benefits change if their child is looked after in a residential placement because of special educational needs or a disability? If a parent loses all of their child tax credits, and the child then returns to live with them – they won't be able to claim child tax credit again. Instead, the parent would need to claim universal credit If a parent loses part of their child tax credit – for example, because one child goes to live elsewhere but another child remains at home – they would be able to add the returning child back onto their child tax credit claim (as long as they haven't already switched entirely to universal credit). 	<p>Parents who receive universal credit:</p> <ul style="list-style-type: none"> The Department for Work and Pensions (DWP) administers universal credit and they will be including an amount for the children within the universal credit payment, and it will need to be updated if a child moves. The reduction for the child no longer living there takes effect from the first day of the parent's universal credit assessment period in which they move. This could be as much as 4 weeks or so before they leave. Parents receiving universal credit should tell the DWP immediately that the child no longer lives with them, and when the child moved. They shouldn't rely on the social worker or child benefit centre to do it. Parents may have to pay back any universal credit that has been paid since the child moved. <p>Parents who receive child tax credit:</p> <ul style="list-style-type: none"> The Tax Credits Office is part of Her Majesty's Revenue and Customs (HMRC) Parents receiving child tax credit need to tell HMRC that the child no longer lives with them and when the child moved Parents may have to pay back any Child Tax Credit that has been paid after the actual date that the child moved.

² [Regulation 3 of the Council Tax Benefit Regulations 2006](#) and [regulation 4 \(6\) and \(7\) of the Universal Credit Regulations 2013](#)

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Understanding benefit caps and penalties



5. 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 benefit 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.
- When a child goes to live somewhere else, parents should let DWP or HMRC know. If they have more than two children, the amount of benefits they receive may be affected. For example, the parent 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 another child born 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 parent can then still receive benefits in relation to two children.
- If the third or subsequent child is disabled, the parent will be able to get the disabled child element of Universal Credit, but not the basic allowance for that child. The third or subsequent child also counts as a family member when working-out how many bedrooms the family are entitled to receive benefit for. If a child no longer lives at home, the number of bedrooms you can claim benefit for may therefore change (see below).

6. 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 getting certain disability benefits, or who are a carer for a disabled person or who work and earn the national living wage for at least 16 hours per week.
- Currently, the total benefit income cap for people with children is:
 - £384 a week outside London
 - £442 a week inside London.

If a parent no longer has one of their children living with them, then they should let DWP and the Housing Benefit Office know. It is important to do this, because the change of circumstances may mean that the benefit cap no longer applies to them.

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7. What happens to a parent's universal credit (housing cost element) and housing benefit if their child becomes looked after in the care system?

This table explains what will happen to a parent's **universal credit (housing cost element)** and their **housing benefit** if their child becomes looked after in the care system:

Type of benefit	What happens when the child becomes looked after and no longer lives with their parent?	What does the parent need to do about their benefit claim?
Universal credit (housing cost element) and housing benefit	<p>Universal Credit or Housing Benefit may be reduced (even if the child is only living away from the family home short-term).</p> <p>This is because the size of the family in the family home will have reduced.</p>	<ul style="list-style-type: none"> When a child is no longer living at home, the parents may be affected by the under-occupation penalty or 'bedroom tax' – see the information box below. <p>Parents who receive universal credit:</p> <ul style="list-style-type: none"> If a parent is being told that their benefits will be reduced, they can ask the local authority for a discretionary housing payment to cover the shortfall in their universal credit housing cost element. This can be a helpful solution if there is a plan or expectation that their child will return home. <p>Parents getting housing benefit:</p> <ul style="list-style-type: none"> Parents in this situation should contact their benefits office immediately to find out whether the amount of housing benefit they receive for their private accommodation will change. They can also ask for a discretionary housing payment as above.

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

- Parents who claim 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. Private tenants can find the LHA figure on <https://lha-direct.voa.gov.uk>
- 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 parent 'needs' under these rules. Parents in this situation must notify the benefit office (DWP or council) immediately of any changes to the number of people living in the family home. This would apply if a child or an 18-year-old who has been in care returns to live at home, as well as if any leave.
- If a parent 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
- Parents can also ask children's services for financial support under section 17 of the Children Act 1989. This might include children's services helping to meet their rental payments until a decision has been made about where the child is going to live. For more information about support for children in need under section 17 of the Children Act 1989, see our [Child in need](#) page.

9. What happens to a parent's universal credit, income support and jobseekers' allowance if their child becomes looked after in the care system?

This table explains what will happen to a parent's **universal credit, income support and jobseekers' allowance** if their child becomes looked after in the care system:

Type of benefit	What happens when the child becomes looked after and no longer lives with their parent?	What does the parent need to do about their benefit claim?
Universal credit, income support and jobseekers' allowance	<p>A parent may have to start looking for work as they will be treated as unemployed.</p> <p>Or they may be expected to spend longer looking for work if already treated as not employed enough or unemployed.</p>	<p>Parents need to let the DWP know about their change in circumstances. This is because:</p> <ul style="list-style-type: none"> • The parent may be getting income support because they are a single parent with a child aged under five years old. Once they stop being responsible for that child, they can no longer claim income support. They will need to make a new claim for universal credit instead. • If a parent is getting universal credit as a single parent with a child aged under three years old who goes into care, they will keep that benefit but will have to look for work as they will no longer be classed as unavailable for work. • Even if the parent keeps their income support or universal credit without having to look for work (because they have other young children still at home), they will need to start attending the job centre for regular interviews about preparing to look for work. • If a parent was on income support but becomes unfit for work, or disabled, they may need to claim universal credit. • If a parent was already on jobseekers' allowance and fell ill, they would need to make a claim for universal credit. • If a parent was already on employment and support allowance and their health improves (or DWP assesses that it has), they would also need to claim universal credit. Even if they are challenging the DWP decision. People in this situation should seek specialist benefits advice.

10. What happens to the child's disability living allowance and personal independence payments if the child becomes looked after in the care system?

This table explains what will happen to the child's **disability living allowance** and **personal independence payments** if their child becomes looked after in the care system:

Type of benefit	What happens when the child becomes looked after and no longer lives with their parent?	What does the parent need to do about their benefit claim?
Disability living allowance (under 16's) or personal independence payment (if aged 16 - 65)	<ul style="list-style-type: none"> The DLA or PIP follows the child, so it should become payable to the person who now cares for the child (for example, their foster carer). They must use this money for the child's benefit. If the young person is 16 or over, and capable of handling their own money, it can be paid direct to them. There are special rules which apply if the child moves to a residential placement because of special educational needs or a disability. See Do parents' benefits change if their child is looked after in a residential placement because of special educational needs or a disability? If DLA or PIP stop, any carer's allowance will also stop 	<ul style="list-style-type: none"> The parent needs to notify the disability benefit centre that pays the DLA or PIP. The address will be on letters that they have received or contact the Disability Living Allowance helpline (see Where to get more information) Anyone getting carer's allowance for the child or young person has to notify the Carers Allowance Unit. If they are also receiving universal credit, then they must also put a note in their online journal for universal credit. The parent needs to notify the DWP (for universal credit or income support) or tax credit and housing benefit office if getting those legacy benefits, as the disabled child element of those benefits will also stop once the child is no longer living at home.

11. What happens to child maintenance payments if a parent's child becomes looked after in the care system?

This table explains what will happen to any **child maintenance** payments which are paid to a parent if their child becomes looked after in the care system:

Type of benefit	What happens when the child becomes looked after and no longer lives with their parent?	What does the parent need to do about their benefit claim?
Child maintenance	<ul style="list-style-type: none"> A parent's entitlement to child maintenance will be affected if their child no longer lives with them. 	<ul style="list-style-type: none"> As child maintenance/child support has no effect on universal credit or legacy benefits, the fact it has stopped doesn't have to be declared Parents should tell the Child Maintenance Service about the new situation if they are involved, however - https://www.gov.uk/child-maintenance-service/change-of-circumstances

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Parents' welfare benefits and children looked after in the care system but living at home



12. Can parents continue to receive child benefit if their child is living at home, but under a care order or emergency protection order?

Sometimes, the court will make an order, such as a care order, which means that the child becomes looked after by children's services. But when the order is made, children's services can agree to the child continuing to live with their parents at home. This part of the advice sheet explains what happens to different types of benefits when a child is looked after but living at home. Parents whose children have been in care and living with foster carers, but who are now returning home, may also find this information helpful. The first benefit looked at is **child benefit**:

Type of benefit	What happens when the child becomes looked after, but is still placed with their parent?	What does the parent need to do about their benefit claim?
Child Benefit	<ul style="list-style-type: none"> As long as the child continues to live with their parent for at least one day³ each week on a regular basis, then child benefit does not stop at all⁴. If the child stays with their parent for at least one week (Monday to Sunday), child benefit can be paid for that week and any part-weeks either side of that week. This is important to remember if a child is returning home to their parents after having been in care. If parents find that their social worker questions their continuing entitlement to benefits, they could politely refer them to social work guidance here. 	<ul style="list-style-type: none"> If the child benefit remains in payment during the initial eight weeks. And then if the child lives with their parent for at least one day each week - the parent doesn't need to do anything. If the child benefit has already ended, the parent needs to notify the child benefit centre on 0300 200 3100 as soon as the child starts to come to stay regularly or for each complete week.

³ A day means a period of 24 hours, running from midnight to midnight. In reality, this means two nights. For example, a child is home from 5 pm on Friday to 6 pm on Saturday is not at home for a complete day. But a child home from 5 pm on Friday until 8 am on Sunday would be.

⁴ [Regulation 16 \(b\) \(i\) – \(iii\) of the Child Benefit \(General\) Regulations 2006](#)

13. Can parents continue to receive universal credit (child element) and child tax credit if their child is living at home, but under a care order or emergency protection order?

This table explains what will happen to **universal credit (child element)** and **child tax credit** when a child is looked after but living at home.

Type of benefit	What happens when the child becomes looked after, but is still placed with their parent?	What does the parent need to do about their benefit claim?
Universal Credit (child element) and child tax credit	<ul style="list-style-type: none"> Parents will be entitled to the child elements of universal credit, or child tax credit, if they can show that the child 'normally lives with them'⁵ even if 'looked-after' 	<ul style="list-style-type: none"> Nothing, if benefit hasn't been reduced and the child continues to 'normally live with them'. But if benefit has been reduced or the child does move at any point, then they must notify the DWP through the online journal for universal credit. Or notify the tax credits office on 0345 300 3900 or by post to HMRC, Tax Credit Office, BX9 1ER Parents can challenge a decision made by the tax credits office that the child does not live with them, by explaining the regular days on which the child lives with them.

⁵ See [Regulation 3 and Rule 4.1 of The Child Tax Credit Regulations 2002](#)

14. Can parents continue to receive universal credit (housing cost element) and housing benefit and council tax support if their child is living at home, but under a care order or emergency protection order?

This table explains what will happen to **universal credit (housing cost element)** and **housing benefit and council tax support** when a child is looked after but living at home.

Type of benefit	What happens when the child becomes looked after, but is still placed with their parent?	What does the parent need to do about their benefit claim?
Universal credit (housing cost element) and housing benefit and council tax support	<ul style="list-style-type: none"> No change to their benefits if their child becomes looked after, as long as their child is still normally living with them. Where a child is returning home to live with their parents, they may be entitled to more universal credit (housing cost element) or housing benefit⁶. This is because there may no longer be 'bedroom tax' being applied for an empty room or because the benefit calculation now needs to include an extra child. They may also be able to get more council tax support. Some local authorities will provide additional support to parents whose children are under five years old or are disabled. However, having an extra child living at home might mean that extra benefits that are claimed are then subject to the benefit cap limit (see above). This is £384 a week for a family outside of London, and £442 for a family living in London. 	<ul style="list-style-type: none"> Nothing, as long as benefit hasn't been reduced and the child is still normally living with them Where a child is returning home to live with their parents, they may be entitled to more universal credit (housing cost element) or housing benefit⁷. This is because there may no longer be 'bedroom tax' being applied for an empty room or because the benefit calculation now needs to include an extra child. To ensure they receive the correct amount of housing support, they should notify universal credit through the online journal. Or contact the local council regarding housing benefit and council tax support.

⁶ These Regulations set out the circumstances in which a person is treated as being a part of the household for the purpose of benefits: [Regulation 21 \(5\) of the Housing Benefit Regulations 2006](#); [Regulation 11 \(4\) of the Council Tax Benefit Regulations 2006](#); [Regulation 21 \(5\) of the Housing Benefit \(Persons who have attained the qualifying age for state pension credit\) Regulations 2006](#) and [Regulation 11 \(4\) of the Council Tax Benefit \(Persons who have attained the qualifying age for state pension credit\) Regulations 2006](#) -

⁷ These Regulations set out the circumstances in which a person is treated as being a part of the household for the purpose of benefits: [Regulation 21 \(5\) of the Housing Benefit Regulations 2006](#); [Regulation 11 \(4\) of the Council Tax Benefit Regulations 2006](#); [Regulation 21 \(5\) of the Housing Benefit \(Persons who have attained the qualifying age for state pension credit\) Regulations 2006](#) and [Regulation 11 \(4\) of the Council Tax Benefit \(Persons who have attained the qualifying age for state pension credit\) Regulations 2006](#) -

15. Can parents continue to receive a child's disability living allowance or personal independence payments if their child is living at home, but under a care order or emergency protection order?

This table explains what will happen to **disability living allowance or personal independence payments** when a child is looked after but living at home.

Type of benefit	What happens when the child becomes looked after, but is still placed with their parent?	What does the parent need to do about their benefit claim?
Disability living allowance (DLA) or personal independence payment (PIP) (Daily Living)	<ul style="list-style-type: none"> Disability living allowance or personal independence payments will continue to be paid to parents while their child is living at home. If the child or young person is spending some time at home and some time away from home, there are very complicated rules about how long that arrangement can last before DLA and PIP are affected but those benefits should always be paid for days spent at home, which include the day of travel to and from home. Seek advice from a social worker or benefits adviser in these circumstances 	<ul style="list-style-type: none"> Nothing, if the claim continues to be paid while the child is living at home. If the child moves out at any point and so the parent is no longer caring for them, the parent needs to notify the disability benefit centre that pays the disability living allowance or personal independence payments. The address will be on letters that they have received or contact the disability living allowance helpline on 0800 121 4600. Or personal independence payments helpline on 0800 121 4433 And anyone receiving carers allowance for the child or young person has to notify the carers allowance unit on 0800 731 0297. And put a note in their journal if also on Universal Credit.

Parent's welfare benefits and children moving to live with a relative or friend (a kinship carer)

16. What happens to parents' benefits if they 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 and the legal status of the arrangement.

Type of benefit	What happens when the child moves to live with a relative or friend?	What does the parent need to do about their benefit claim?
Child benefit	<ul style="list-style-type: none"> Once a child has been in a new placement for 56 days in the last 16 weeks, their parent (or previous carer) is no longer entitled to child benefit for them. 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. This rule does not apply if the child is living away from home in a residential school - such as a boarding school.⁸ If the new carer is a foster carer, even if a family member or friend, they will not be able to claim child benefit and the child benefit is unclaimed. 	<ul style="list-style-type: none"> 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.

⁸ Section 143 (2) and schedule 10 (paragraph 1) of the [Social Security Contributions and Benefits Act 1992](#)

Type of benefit	What happens when the child moves to live with a relative or friend?	What does the parent need to do about their benefit claim?
Universal credit (child element) and child tax credit	<ul style="list-style-type: none"> The parent will not be entitled to the child element of universal credit, or child tax credits unless they can claim the child still normally lives with them. Losing a child element may mean the parent has to change their status on universal credit. They may be exempt from looking for work, or only required to seek part-time work whilst they have a child but may have to seek full-time work if child-free Losing a child element may mean that a previous benefit cap may be lifted, however, and could mean that a younger child can be included within a 2-child limit when previously they were the 3rd child. 	<ul style="list-style-type: none"> Parents should tell the DWP or the tax credits office if the child no longer lives with them. It is advisable to do this immediately when the child moves to the new carer, to avoid having to pay any benefits back.
Universal credit (housing cost element) and housing benefit and council tax support	<ul style="list-style-type: none"> Universal credit or housing benefit may be reduced (even if the child is only living away from the family home short-term). This is because the size of the family in the family home will have reduced. 	<ul style="list-style-type: none"> Notify universal credit through the online journal. Or contact the local council regarding housing benefit and council tax support

Type of benefit	What happens when the child moves to live with a relative or friend?	What does the parent need to do about their benefit claim?
Disability living allowance or personal independence payments	<ul style="list-style-type: none"> Disability living allowance or personal independence payments should be paid to the person caring for the child at the time. The new carer should take over the claim within eight weeks of the child moving. 	<ul style="list-style-type: none"> The parent needs to notify the disability benefit centre that pays the disability living allowance or personal independence payments. The address will be on letters that they have received. Or they can contact the disability living allowance helpline on 0800 121 4600 or personal independence helpline on 0800 121 4433 Anyone getting carers allowance for the child or young person has to notify the carers allowance unit on 0800 731 0297. And put a note in their journal if also on Universal Credit.

Parents' welfare benefits and children looked after residential placements because of special educational needs or a disability

17. Do parents' benefits change if their child is looked after in a residential placement because of special educational needs or a disability?

If a child is in a residential placement due to their special educational needs or a disability, then this can impact on their parents' benefits.

Type of benefit	What happens when the child moves to live in a residential placement?	What does the parent need to do about their benefit claim?
Child benefit	<ul style="list-style-type: none"> Child benefit will continue for 12 weeks. It will continue indefinitely if the parent is still incurring expenditure for them.⁹ For example, giving pocket money or making visits to them. 	<ul style="list-style-type: none"> As long as parents are still 'incurring expenses' for their child, then they do not need to do anything in relation to their claim.

Type of benefit	What happens when the child moves to live in a residential placement?	What does the parent need to do about their benefit claim?
Universal Credit (child element) and child tax credit	<ul style="list-style-type: none"> In this situation, universal credit (child element) or child tax credit will continue, as long as the child is living away because of their disability special educational needs or disability. Or if their health would be at risk if they were not in the residential placement.¹⁰ 	<ul style="list-style-type: none"> Parents will still be entitled to their benefits and so do not need to do anything.
Universal credit (housing cost element) and housing benefit and council tax support	<ul style="list-style-type: none"> The child should remain as part of the benefit calculation and would still be entitled to a bedroom. There may be a dispute with the DWP or housing benefit if the placement is for 52 weeks a year. Seek specialist benefits advice in this situation. 	<ul style="list-style-type: none"> Notify Universal Credit through the online journal, or contact the local council regarding housing benefit and council tax support. But explain that they are still entitled to their bedroom.

⁹ Section 143 (3) (c) and (4) of the Social Security Contributions and Benefits Act 1992 - <https://www.legislation.gov.uk/ukpga/1992/4/section/143/enacted> and

Regulation 10 of the Child Benefit (General) Regulations 2006 - <https://www.legislation.gov.uk/uksi/2006/223/regulation/10/made>

¹⁰ Regulation 3 and Rule 4.2 of the of the Child Tax Credit Regulations 2002

<https://www.legislation.gov.uk/uksi/2002/2007/contents/made> and Regulation 9 of the Child Benefit (General) Regulations 2006 -

Type of benefit	What happens when the child moves to live in a residential placement?	What does the parent need to do about their benefit claim?
<p>Disability living allowance or personal independence payments</p>	<ul style="list-style-type: none"> • The 'mobility' aspect of the child's disability living allowance or personal independence payments will continue to be paid. • If the child receives disability living allowance - the 'care' aspect of the child's disability living allowance will stop as follows: <ul style="list-style-type: none"> ○ For children under the age of 16 – after 12 weeks ○ For children aged 16 and over – after 4 weeks • If the child receives personal independence payments - the 'daily living' aspect of the child's personal independence payments will stop after four weeks, however old they are • Parents can still get one seventh of the weekly rate of the benefit for each day or part of a day that they spend back home with their parents • Disability living allowance or personal independence payments do not stop if a child goes into hospital, following a decision of the Supreme Court in 2015 • Both Disability Living Allowance and Personal Independence Payments can be reclaimed for every day, or part of a day, that the child spends at home. • If a parent receives Universal Credit (carers element) or a Carer's Allowance, then this will be affected once the care or daily living aspects of Disability Living Allowance or Personal Independence Payments stops. 	<ul style="list-style-type: none"> • The parent needs to notify the disability benefit centre that pays the disability living allowance or personal independence payments. The address will be on letters that they have received or contact the Disability Living Allowance helpline on 0800 121 4600. Or PIP helpline on 0800 121 4433 • Anyone getting Carers Allowance for the child or young person has to notify the Carers Allowance Unit on 0800 731 0297 and put a note in their journal if also on Universal Credit.

Parental leave entitlement and children no longer living with their parent

18. What happens to parental leave if a child is no longer living with their parent?

If a parent has taken unpaid leave from work to care for their child (known as parental leave) and then the child no longer lives with them, they must tell their employer. It is likely they will need to return to work.

Challenging decisions about welfare benefits

19. How can parents challenge decisions about their benefits?

Unfortunately, mistakes are often made when benefit applications are processed, especially when it involves children in and around the care system, as that is not something that many DWP staff are familiar with. Most decisions about benefits can be challenged and there is usually a four-week time limit for doing this.

Parents will normally have to ask the Department for Work and Pensions, Housing Benefit Service or HMRC to 'revise' or review their decision first. This is called a Mandatory Reconsideration for DWP benefits. 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 and details of specialist advice agencies](#).

20. Have you come to the UK from abroad?

People who have moved to live in the UK should check that their immigration status does not prevent them from applying for welfare benefit. Or that a claim for benefit will not harm any immigration application they are making to the Home Office to remain living in the UK. If you are an EEA citizen, your right to benefit is largely governed by whether you have settled or pre-settled status. See <https://www.workrightscentre.org/universal-credit>

Parents in this situation should get specialist advice from an immigration solicitor, or an advice centre like Citizens Advice.

Where to get further information

Government information about benefit claims:

Type of claim	Contact details
Child Benefit	<p>Telephone: 0300 200 3100 Textphone: 0300 200 3103 Calling from abroad: +44 (0)161 210 3086 (Monday to Friday, 8am to 8pm, Saturday, 8am to 4pm) Website: www.gov.uk/browse/benefits/child https://www.gov.uk/child-benefit-for-children-in-hospital-or-care Address: PO Box 1, Newcastle-upon Tyne, NE88 1AA</p>
Universal Credit	<p>Telephone: 0800 328 5644 Textphone: 0800 328 1344 Relay UK (if you cannot hear or speak on the phone): 18001 then 0800 328 5644 Welsh language: 0800 328 1744 (Monday to Friday, 8am to 6pm, find out about call charges) Website: https://www.gov.uk/apply-universal-credit</p>
Child Tax Credit	<p>Telephone: 0345 300 3900 Textphone: 0345 300 3909 Calling from abroad: +44 2890 538 192</p>
Working Tax Credit	<p>Telephone: 0345 300 3900 Textphone: 0345 300 3909 Calling from abroad: +44 2890 538 192</p>
Employment support allowance	<p>Telephone: 0800 055 6688 Textphone: 0800 023 4888 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) Website: https://www.gov.uk/dla For the Disability Benefit Centre: 0345 605 6055 Address: Disability Benefit Centre 4, Post Handling Site B, Wolverhampton, WV99 1BY</p>

Type of claim	Contact details
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:</p> <p>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</p> <p>Fax: 0121 410 6230</p> <p>(Monday to Friday, 9am to 9pm; Saturday, 9:30am to 1pm)</p>

Specialist agencies providing advice about benefits

Agency	What they do, and contact details
<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 Email: debtadvice@marywardlegal.org.uk Website: https://www.marywardlegal.org.uk</p>
<p>Citizens Advice</p> <p>Helps people resolve their legal, money 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>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 (9 am – 5.30 pm Mondays-Fridays) Email: info@turn2us.org.uk Website: https://www.turn2us.org.uk</p>
<p>AdviceLocal</p> <p>Provides details of independent advice organisations across the UK able to offer free advice and support on welfare benefits and tax credits; council tax, including exemptions and discounts; debt and money advice; housing and homelessness; employment and work issues; disability and social care; and asylum and immigration.</p>	<p>Website: https://advice.local.uk/ You will need to insert your postcode and the type of advice required</p>