

# Additional amount for children (child element)

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## Contents

[Additional amount for children](#)

[Premium for the first child](#)

[April 17 changes – when the additional amount for children is limited to 2 children](#)

[How existing Universal Credit claimants are affected from 6 April 17](#)

[How new Universal Credit claimants are affected from 6 April 2017](#)

[Exceptions to the additional amounts for a maximum of 2 children](#)

[Evidence required to verify an exception](#)

[Multiple births](#)

[Children living long term in non-parental caring arrangements](#)

[Children cared for by friends and family carers](#)

[Child of a child](#)

[Evidence required for Children living long term in non-parental caring arrangements](#)

[Adoption](#)

[Children likely to have been conceived as a result of non-consensual sexual intercourse or coercive and controlling behaviour](#)

[How to 'order' Children or Qualifying Young Person\(s\) where an exception may apply](#)

[Definition of a Child or qualifying young person](#)

[Who is responsible for a child or children?](#)

[Ineligible partners with children](#)

[Verifying a child or qualifying young person's details](#)

[When the additional amount for children won't be paid](#)

[When a child or qualifying young person is looked after by a local authority](#)

[Disabled child addition](#)

[Child is aged 16 and over](#)

[When a child dies](#)

## Additional amount for children

Currently Universal Credit claimants who are responsible for a child or a qualifying young person (QYP) may be entitled to an additional amount for each eligible child or QYP.

Since 6 April 17, the additional amount for children is no longer paid for a third or subsequent child or QYP born on or after 6 April 17, unless an exception applies

(see [April 17 changes – when the additional amount for children is limited to 2 children](#)).

Universal Credit will include this additional amount for children until:

- the end of August following each child's 16th birthday or
- the end of August after each child's 19th birthday if they are still living at home and taking a non-advanced course at school or college, or taking part in approved training

### **Premium for the first child**

The additional amount for children or QYP is paid as part of the Universal Credit maximum amount. There are 2 different amounts:

- a higher amount for the first child or QYP (if the child was born before 6 April 2017)
- a standard amount for any subsequent children or QYPs or for all children born after 6 April 2017.

(see Rates for Universal Credit)

The higher amount will only be paid where the first child or QYP is born before 6 April 17. The standard rate will be paid for all children born after 6 April 2017 regardless of whether they are the first child.

### **April 17 changes – the additional amount for children is now provided for a maximum of 2 children**

#### **How existing Universal Credit claimants are affected from 6 April 17**

Claimants will remain on Universal Credit where they:

- are currently in receipt of Universal Credit
- have been in receipt of Universal Credit within the past six months and are making a re-claim

These claimants will continue to receive an additional amount for any children or QYPs who:

- are already part of their claim
- were part of their previous claim (in the case of re-claims)

However if a third or subsequent child or QYP is born on or after 6 April 2017, they will not receive an additional amount for that child or QYP, unless an exception applies ([see Exceptions to the additional amount for children limited to 2 children](#))

Where a claimant makes a re-claim and they have had a third or subsequent child, born on or after 6 April 17 in the period (up to 6 months) they have not been claiming Universal Credit, they:

- must still make a reclaim for Universal Credit, if eligible, as legacy benefits and Tax Credits do not apply in these circumstances
- will not receive an additional amount for the third or subsequent child (unless an exception applies)

Up to and including 31 January 2019, claimants will be entitled to an additional amount for any child or QYP born before 6 April. However, after this date, the two child maximum will apply to all entirely new claims to Universal Credit regardless of when the child or QYP was born.

To Note: for children who are adopted or in non-parental caring arrangements, it may not be their date of birth that is considered, but the date that they joined a household. (see [How to 'order' Children or Qualifying Young Person\(s\) where an exception may apply](#)).

Additional children will still be able to join an existing Universal Credit claim. For example, if a single parent claiming Child Tax Credits (CTC) forms a couple with a single parent already receiving Universal Credit. The CTC claimant and their children will be added to the Universal Credit claim.

The newly formed household in Universal Credit will be entitled to an additional amount for at least the number of children or QYPs born before 6 April 17 that they are responsible for (so long as they were part of a previous Universal Credit or CTC claim that had ended less than 6 months before).

However they won't be entitled to an additional amount for any third or subsequent child or QYP born on or after 6 April 2017, unless an exception applies.

## **How new Universal Credit claimants are affected from 6 April 2017 – 31 January 2019 (inclusive)**

### **Claimants with 2 children or fewer**

Claimants can make a new claim to Universal Credit if they have two or fewer children or QYPs (this includes claimants with no children).

If they meet the eligibility criteria and qualify to receive Universal Credit, their payment will include an additional amount for each child.

If they subsequently become responsible for more children or QYP, the 2 child maximum will apply. This means they will not receive an additional amount for a third or subsequent child or QYP who is born on or after 6 April 2017, unless an exception applies.

### **Claimants with more than 2 children**

Claimants with three or more children or QYPs will not be able to make a new claim for Universal Credit, unless the claimant:

- has been in receipt of Universal Credit within the previous six month period and is making a reclaim
- is making a new claim as a single person within one month of a previous joint claim ending, because they are no longer a member of a couple

Claimants with more than 2 children or QYPs will need to apply for Child Tax Credit and any other benefits they may be entitled to.

The new legislation to pay for two children will also apply to all legacy benefits and Tax Credits.

This will change after 31 January 2019 and all new claims will be made to Universal Credit. Guidance will be updated in due course.

### **Exceptions to the additional amounts for a maximum of 2 children**

A number of exceptions will apply to the two child maximum. This is because some parents are not in the same position as others to make the same choices about the number of children in their family.

Exceptions may apply to a third or subsequent child or QYP who:

- is born as part of a [multiple birth](#) e.g. twins, apart from one child in the multiple birth
- is [adopted](#) from local authority care
- is living with the claimant in a non-parental caring arrangement which includes:
  - a [formal caring arrangement](#) (or was in such an arrangement until their 16th birthday and has continued living with the claimant); or
  - an [informal caring arrangement](#), where it is likely they would otherwise be looked after by the local authority
  - the [child of a child](#) (under 16) that the claimant is responsible for
- was [conceived as a result of non-consensual sexual intercourse](#), or at a time when the claimant was subject to ongoing control or coercion by the other parent of the child

Exceptions currently only apply if they are the third or subsequent child or QYP in the household.

To determine which child or QYP is 3<sup>rd</sup> or subsequent in the household, they are ordered according to a set of rules (see [How to 'order' Children or Qualifying Young Person\(s\) where an exception may apply](#))

### **Evidence required to verify an exception**

If the claimant adds any children or QYP born after 6 April 17 to an existing Universal Credit claim and that child meets one of the exception criteria, they will need to provide relevant evidence. Further details of what evidence is required can be found in the sections below.

If evidence of an exception is not provided within 14 days (change of circumstances) or 1 month (new claim) the exception cannot be applied.

In cases where a claimant has already declared an exception with HMRC for example when claiming CTC, DWP will ask HMRC to confirm. Once confirmed the exception will be applied, if appropriate, without asking for evidence again.

## **Multiple births**

The multiple birth exception applies to all third or subsequent children or QYPs in a household who are born to a claimant as part of a multiple birth, apart from one child in that birth (the first in the order).

For example:

A claimant has 2 children on their claim, they then have twins. The additional amount for children will only be paid for one child in that multiple birth (meaning that in total the claimant will be entitled to an amount for 3 out of their 4 children).

A claimant currently has 2 children on their claim then has triplets. The additional amount for children will only be paid for 2 of the children in that multiple birth (meaning that in total the claimant will be entitled to an amount for 4 out of their 5 children).

If the first child of the multiple birth is either the first or second child in the household, the additional child amount of Universal Credit will also be awarded for that child (the first born of the multiple birth).

The claimant will need to supply the birth certificate of all of the children in the multiple birth as evidence for the exception.

## **Children living long term in non-parental caring arrangements**

This exception will apply to third or subsequent children or QYP who are either:

- being cared for by 'friend or family carers' as an alternative to being taken into local authority care (this may be a formal or informal arrangement)
- born to a child aged under 16, for whom the claimant is also responsible.

## **Children cared for by friends and family carers**

Friends and family care is an arrangement where a child or QYP who cannot be cared for by their parent(s) goes to live with a relative or a friend for an extended period of time (not just at weekends or for two weeks in holidays). This can be grandparents, siblings, aunts, uncles or other relatives, godparents, step-grandparents, or other adults who have a relationship with or connection to the child.

These can be:

- informal arrangements made by their parents with a close relative, for example because a parent has died
- formal arrangements, such as where a Guardianship Order is in place

The following conditions must be met for an informal caring arrangement to be considered for an exception:

- it is likely that the child would otherwise be looked after by a local authority (the friend or family carer will need to provide evidence from a Social Worker to support this)

The exceptions apply when the claimant is not the parent or step-parent of the child and has any of the arrangements listed in the paragraph below in place (see [Evidence required for Children living long term in non-parental caring arrangements](#))

### **Child of a child**

Where a child or a QYP, for whom the claimant is responsible, becomes the parent of a child, that new child should be exempt if they are also within the claimant's household.

This exception will remain in place until the young parent leaves the household, or turns 16 and is able to claim in their own right.

### **Evidence required for Children living long term in non-parental caring arrangements**

Formal arrangements evidence, the claimant will need to supply one of the following:

- entitlement to guardians allowance
- special guardianship order
- child arrangement order
- appointment as a guardian
- if claiming for a child of a child - birth certificate of the newly declared child

#### Scotland Only

- kinship care order
- permanence order which gives legal parental responsibilities or rights

Informal arrangements evidence, the claimant will need to supply the form 'Support for a child who is informally living with you where it is likely that they would otherwise be looked after by a Local Authority', this can be downloaded from Gov.uk. The form must be signed by a local authority social worker.

### **Adoption**

This exception applies to any third or subsequent child or QYP who is adopted by a claimant from local authority care.

The exception will not apply where:

- either the claimant or the claimant's partner is the biological parent of the child or QYP
- either the claimant or the claimant's partner was the child's or QYP's step-parent immediately prior to adoption
- the child or QYP is adopted from abroad

This is to ensure the exception only applies when the child or QYP would otherwise be in local authority care.

The claimant will need to supply either of the following evidence to verify this exception:

- an adoption certificate
- if the adoption has not formally completed yet, written evidence from a social worker which includes the date the child was placed with them and the name of the child and adoptive parent(s)

### **Children likely to have been conceived as a result of non-consensual sexual intercourse or coercive and controlling behaviour**

This includes children likely to have been conceived:

- as a result of non-consensual sexual intercourse
- at a time when the claimant was in a coercive or controlling relationship with the other parent of the child

In order to claim this exception, the claimant must no longer be living with the other parent of the child.

A claimant who was subject to coercion or control by the other parent of the child at the time the child was conceived is to be treated as not having consented to the sexual intercourse that led to the conception.

It is very important to have this exception in place to ensure claimants in these circumstances get the support they need in a not overly intrusive manner.

The claimant will need to supply either of the following evidence:

- evidence of a conviction or criminal injury compensation scheme, relating to the child
- form “Support for a child conceived without your consent, including rape or while you were in a coercive or controlling relationship” this can be downloaded from Gov.uk

Claimants will need to take the above form, to their chosen third party professional body to be completed.

Detailed instructions on how to complete the forms and guidance for Third party professional bodies can be found on Gov.uk.

Third party professional bodies include:

- health care professions (including GPs, other doctors and nurses, midwives and health visitors)
- registered social workers
- approved, specified organisations such as specialist rape charities recognised by the Secretary of State ( Universal Credit) or by the Treasury (Child Tax Credit)

DWP staff will not question the claimant about the incident other than to take the claim and receive the supporting evidence/information. Any data or information received will be handled in accordance with the rules that DWP already use for holding and using extremely sensitive data

## **How to 'order' Children or Qualifying Young Person(s) where an exception may apply**

To decide if a child or QYP is the third or subsequent child, the children and QYPs in a household are automatically ordered according to the following rules:

- Each child or QYP is assigned a date and then ordered, according to those dates, from the earliest to the latest date
- If the claimant or their partner (if they have one) is the natural parent of the child or QYP, then the date the child is assigned is their date of birth
- If neither the claimant nor their partner (if they have one) are the natural parent of the child or QYP, then the date the child or QYP is assigned is the date the claimant, or their partner, first became responsible for the child or QYP

For example: the claimant has three children and one of the children is adopted. The two natural born children of the claimant are aged 3 (born on or after 6th April 2017) and 10. The adopted child is aged 12. However, the claimant only took responsibility for the adopted child 5 years ago. For Universal Credit exception purposes, the order of these children will be – first child: aged 10, second child: aged 12 (adopted - claimant has only been responsible for the child for 5 years) and third child: aged 3. The claimant will therefore be entitled to an additional amount for their 10 year old child and the adopted child only (unless their 3 year old falls within an exception).

There is discretion to order children or QYPs in which ever order produces the greatest entitlement for the claimant If:

- two or more children or QYPs have the same date of birth or date of responsibility (e.g. twins or group adoption)
- the claimant gives birth to a child within 10 months of becoming responsible for a child or QYP who meets the non-parental caring exception (see below)

For example, in the case where a natural child is born within 10 months of a child or QYP who meets the non-parental care exception criteria, it may be more favourable to swap them around in the order, so that the natural child becomes the second child in the order, and the non-parental care child or QYP becomes the third and therefore entitled to an exception.

### **Definition of a Child or qualifying young person**

A child is someone who is under 16 years of age.

A qualifying young person is someone who is:

- aged 16 up to, but not including, 1 September following their 16th birthday
- under 20, from 1 September following their 16th birthday and they are:
  - in full-time non-advanced education
  - undertaking approved training
  - enrolled or accepted to undertake such education or approved training

The education or training must have started before they reach 19, or they must have been enrolled or accepted to undertake that education or training before then.

A person in receipt of Universal Credit, Employment and Support Allowance, or Jobseeker's Allowance in their own right is not a qualifying young person.

### **Who is responsible for a child or children?**

A person will be able to claim an additional amount for a child if they have main responsibility for the care of the child or QYP. This will normally be the person they live with most of the time but not in all circumstances.

For Universal Credit purposes the person with the main caring responsibility is known as the lead carer.

Where the child or QYP normally lives with two people in separate households they will be asked to jointly nominate the person who will be the lead carer.

If they cannot agree, a decision maker will decide who the responsible person is. This will be based on who has main caring responsibility for the child or QYP.

Only one benefit unit can receive the additional amount for children for a child or QYP.

A claimant cannot be responsible for a QYP who they are living with as part of a couple.

### **Ineligible partners with children**

A person is responsible for a child or QYP, who is normally living with them, regardless of whether they are the child of an ineligible partner (see ineligible partners).

If the eligible and ineligible partners are living together as a couple, the child is still "normally living with" the eligible partner and is therefore part of their Universal Credit claim. The child will be taken into account for the additional amount for children (subject to the 2 child maximum) and housing in the eligible partner's claim.

### **Verifying a child or qualifying young person's details**

Child Benefit Online (CBOL) is used to verify existence, residency and responsibility of the child or QYP. DWP have an agreement with HMRC which allows certain staff to have access CBOL.

Not being in receipt of Child Benefit does not necessarily mean that a claimant isn't entitled to the additional amount for children.

If the child or QYP is not on CBOL, for example, in the case of a new born child, the claimant will need to provide acceptable proof of:

- existence of a child or QYP, for example, adoption certificate, full birth certificate or passport
- child or QYP lives with the claimant(s) for example, letter from a Doctor, Medical card or a letter from School with the address on
- claimant has responsibility for the child or QYP, for example, child benefit award letter
- relationship of the child to the claimant, for example, adoption certificate, full birth certificate

The claimant does not need to provide all of the above but you need to be satisfied the claimant has responsibility for the child or QYP.

If the child or QYP is disabled, CIS will need to be accessed to confirm they receive Disability Living Allowance (DLA) or Personal Independence Payment (PIP)

If this cannot be verified through CIS the claimant will need to provide evidence. This could include:

- DLA or PIP award letter
- a letter from a Doctor or Ophthalmologist, if the child is blind

These are examples, not a complete list.

If the information on CBOL and CIS differ to what the claimant has entered on their account the information already held on CBOL or CIS will be used.

### **When the additional amount for children won't be paid**

The additional amount for children will not be paid if the child or QYP is:

- in prison
- the third or subsequent child in a household born on or after 6 April 2017 ([see Exceptions to the additional amount for a maximum of 2 children](#))
- looked after by a local authority (see below for exceptions)
- looked after by a foster carer (see Foster carers)
- temporarily absent from the household for 6 months or more
- absent from Great Britain for 1 month or more (this can be extended for a further month if the absence is due to the death of a close relative of the child or QYP)
- living outside the UK
- is no longer part of the benefit unit
- aged 16 and not in full-time non-advanced education
- currently part of someone else's benefit claim for:
  - Child Tax Credit
  - Employment and Support Allowance
  - Jobseeker's Allowance

## **When a child or qualifying young person is looked after by a local authority**

For Universal Credit, 'looked after by a local authority' refers to a child or QYP who is being cared for, or housed by, a local authority for a reason other than respite care.

The child may be placed with a foster parent or another family member.

The local authority will provide financial support for the child or QYP and the responsible person will no longer be eligible for the additional amount for children.

There are two exceptions where the additional amount for children will be awarded for a child or QYP who is looked after by a local authority. These are:

- during a short break of respite care (if this exceeds 6 months, temporary absence rules will apply)
- when the local authority places the child or QYP to live with, or continue to live with, their parent or a person who has parental responsibility for them

## **Disabled child addition**

Families with one or more disabled children or QYP may be eligible for extra support through the disabled child addition.

In most cases the disabled child addition can only be considered where the additional amount for children has already been awarded for the child or QYP with the disability.

However non-payment of the additional amount for children for any third or subsequent children or QYP will not prevent payment of the disabled child addition. For example, a claimant has 3 disabled children, and is only eligible for the additional amount for children for 2 of the children. The disabled child addition will be paid for all 3 children.

The disabled child addition is payable at 2 rates:

- Higher Rate when the child or QYP:
  - receives the higher rate DLA care component
  - receives PIP enhanced daily living
  - is blind (a child or QYP who is blind might not be in receipt of DLA/PIP the claimant will be asked to provide a Certificate of Visual Impairment)
- Lower Rate when the child or QYP receives:
  - DLA at the middle rate or lower rate care
  - DLA Mobility Allowance
  - PIP standard daily living rate
  - PIP standard or enhanced Mobility rate

## **Child is aged 16 and over**

Claimants must notify Universal Credit if their child is going to continue in full-time non-advanced education or approved training after the age of 16. This is so

they can continue to receive the additional amount for children and the disabled child addition if appropriate.

Non-advanced education is study up to the standard of the following:

- GCSEs
- A levels or equivalent
- NVQ/SVQ level 1, 2 or 3
- BTEC National Diploma, Ordinary National Certificate and First Diploma
- Scottish Standard Grades
- Scottish Highers

This is not a complete list.

If the child does not remain in full-time non-advanced education or approved training, the additional amount will stop.

In certain circumstances a person aged under 18 may be entitled to Universal Credit in their own right. (see [Under 18s](#))

### **When a child dies**

If a child dies the benefit unit will continue to receive an additional amount for the child, and the disabled child addition if appropriate, for the assessment period in which the child dies and the next two assessment periods. This is known as a run-on.

The run-on also applies where a new born child is added to a benefit unit and dies in the same assessment period.

Payments of the child addition, and disabled child addition if appropriate, for that child will stop, after the run-on period.

The run-on will apply either where the:

- claimant is the child's parent (either with responsibility for the child or a non-resident parent)
- child is part of the benefit unit, regardless of whether biologically related to the claimant

Where the first or second child in a 3 child family dies, the third child will then become eligible for the additional amount for children, once the run-on ends.

If a claimant reports the death of a child, work search and availability requirements can be switched off for 6 months or the next 6 assessment periods. (see Claimant Commitment Hub – Switching off work availability and work related activities)