

Under 18s

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Introduction

The lower age limit for Universal Credit is normally 18.

Young people aged 16 and 17 will not usually be able to get Universal Credit in their own right because they are expected to look to their parents guardians or the care system for support.

There is no direct entitlement to Universal Credit for any children under the age of 16.

In England 16 and 17 year olds are expected to be in education or training. If they are not in education or training they will be entitled to Universal Credit if they meet the eligibility conditions.

In Scotland, Northern Ireland and Wales there is no requirement to stay in education or training until the age of 18.

Although claimants can leave school before 18 in Scotland, Wales and Northern Ireland to get Universal Credit they still need to meet the eligibility conditions.

Staff need to be sure that Child Benefit is not being paid for the 16 and 17 claimant. If the 16 or 17 year old claims Universal Credit in their own right the child benefit will cease.

Universal Credit does not have the complex hardship rules that apply in legacy income-related benefits. However, staff must ensure they treat all claimants with empathy and understanding.

A young person may be entitled to Universal Credit if they satisfy at least one of the eligibility conditions.

Eligibility conditions for young people under 18

If the claimant is aged under 18 they are not normally entitled to Universal Credit in their own right.

However, there are exceptions where the young person:

- was on Employment and Support Allowance, has limited capability for work, is now claiming Universal Credit and is in education, they must also have Disability Living Allowance or Personal Independence payment
- is not in full time education and provides medical evidence of having a health condition or disability, is waiting for a work capability assessment
- is without parental support and not living with their parents
- is responsible for a child
- has regular and substantial caring responsibilities for a severely disabled person
- is part of a couple, the other person of which is responsible for a child – but only when the other person satisfies the basic conditions of entitlement for Universal Credit
- is pregnant and it is within 11 weeks or less of the expected week when the baby is due
- was pregnant and it is less than 15 weeks since the actual date of the baby's birth

As with adult claimants, under 18s will be placed in the Labour Market regime based on their personal circumstances and capability.

The young person may have complex needs or a health condition that needs to be taken into account when deciding the suitable Labour Market regime.

Young people are expected to accept their commitments in the same way that adult claimants are.

Eligibility while waiting for a work capability assessment

An under 18 does not have to wait to be referred for a work capability assessment (WCA) or its outcome, before an award is made if they:

- provide medical evidence or self certification, that they are not fit for work, on the grounds of health or disability
- continue to provide medical evidence until the outcome of the WCA

Refer to medical evidence and fit notes and Health conditions and disabilities – day 1 to day 29 for further information on the health journey.

Note: If the claimant is found not to have limited capability for work, entitlement will cease if at that point they are still under age 18 and don't meet one of the other lower age eligibility criteria.

Young people without parental support

A young person is without parental support if they are not being looked after by a local authority and any of the following applies to them:

- they have no parent or a person acting in the place of a parent
- they cannot live with their parents for either of the following reasons:
 - they are estranged from them
 - there is a serious risk to their physical or mental health, or would suffer significant harm if they lived with their parents
- they are living away from their parents and neither parent is able to financially support them because that parent:
 - has a physical or mental impairment
 - is detained in custody pending trial or sentence upon conviction or under sentence imposed by a court
 - is banned from entering or re-entering Great Britain

Being homeless does not entitle a claimant aged under 18 to Universal Credit. If they are without parental support for any of the reasons shown above and happen to be homeless, they may be entitled to Universal Credit. Refer to Homelessness and at risk of homelessness.

Couples - joint claims

One member of a couple may be aged 18 or over and the other member under 18. If the person under 18 does not satisfy any of the eligibility criteria from the age of 16, that person will not be eligible for Universal Credit. They will not form part of the benefit unit and will not be included in the calculation of the standard allowance. They will, however, form part of the assessment unit.

The term 'assessment unit' captures both members of a couple where one adult is not eligible for Universal Credit. This means that their income, earnings and capital, including that of the ineligible partner is taken into account in adjusting the actual Universal Credit award.

Care leavers

A young person previously looked after by a local authority can get a certain amount of on-going support after they leave care at age 16. This makes sure they are supported in the same way as any another young person would be supported by their parents. This means a young person who is under 18 and a care leaver cannot qualify for Universal Credit, unless they:

- are responsible for a child
- are a member of a couple, either of whom is responsible for a child or a qualifying young person, but only where the other member of the couple satisfies the conditions of entitlement
- have limited capability for work
- are waiting for an assessment for limited capability for work and supply medical evidence

Care leavers cannot qualify for Universal Credit even if they fall into the following exception categories:

- they are without parental support and not living with their parents
- pregnant and it is 11 weeks or less before the expected week of delivery
- was pregnant and it is 15 weeks or less since the birth
- regular and substantial care for a severely disabled person

Where the care leaver is still eligible, because they are a lone parent or are disabled, they will be excluded from the housing costs.

Claimants under 18 in full-time education or training

A basic condition for Universal Credit is that the claimant is not receiving education.

There are some exceptions where a young person in full-time education may still be eligible for Universal Credit.

If in non-advanced education only, this is any qualification up to A Level, or equivalent, a young person with no parental support will be able to qualify until either:

- up to the age of 21
- is aged 21 and reached that age whilst undertaking the course

These claimants are placed in the no work-related requirements regime. During the summer vacation, claimants will be allocated to the Labour Market regime based on their individual circumstances (as if they were not in education or training). For further information, refer to Eligibility: Students who may claim Universal Credit.

Work-related requirements

Claimants in this age group are assessed and allocated to a Labour Market regime, based on their personal circumstances and capability, as an adult claimant would be. However, the requirements set for under 18s are slightly different.

Claimants aged under 18 are placed into the Intensive Work Search regime if they are not in:

- full time education
- work based learning, such as an apprenticeship
- part time education if they are employed or self-employed

They are expected to look for work, education, training, work based learning, or any combination of the three, on a full time basis.

Claimants aged under 18 are placed into the no work-related requirements regime if they are in any one or combination of the following on a full time basis:

- full time work, above the threshold
- education or training
- work based learning

Their Commitments will be tailored to their individual circumstances. Refer to Claimant Commitment.

Work capability assessment outcome

Under 18 claimants claiming on the ground of a health condition or disability are either found to have limited capability for work or limited capability for work and work related activity or are fit for work. Refer to Work capability assessment outcomes for further information.