

UNIVERSAL CREDIT – REMOVAL OF THE HIGHER CHILD ELEMENT

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INTRODUCTION

- 1 This memo provides guidance on amendments to legislation, in particular those regulations which provide for the amount of the child element in UC.
- 2 These amendments are made by the Welfare Reform and Work Act 2016¹ and the Social Security (Restrictions on Amounts for Children and Qualifying Young Persons) Amendment Regulations 2017 (SI 2017 / 376) and come into force on 6.04.17²

1 WR & W Act 2016, s14(5)(b); 2 The Social Security (Restrictions on Amounts for Children and Qualifying Young Persons) Amendment Regulations 2017, reg 1

BACKGROUND

- 3 Support for children within UC is made by the addition of a child element which is awarded in respect of each child or qualifying young person for whom the claimant is responsible. There are two rates of child element with a higher rate being awarded for the first child or qualifying young person.

- 4 In the Written Ministerial Statement it was announced that from April 2017 the higher rate of child element will be removed for the first child where that child is born on or after 6.4.17. To achieve this a new regulation¹ is introduced.

1 The UC (TP)Regs, reg 43

CHANGES

Child element – higher rate

- 5 The higher rate of child element is not available for a claimant's first child or qualifying young person where that child or qualifying young person was born on or after 6.4.17. There will still be two rates of child element, but the higher rate will only be available and apply where the first child in the household is born before 6.4.17¹.

1 UC Regs, reg 36 table;

TIMING

- 6 Where the amendment covered by this memo applies to an existing award of UC, that amendment has effect¹ for the purposes of that award on 6.4.17.

1 UC, PIP, JSA & ESA (D&A) Regs, Sch 1, part 3, para 32:

ANNOTATIONS

Please annotate the number of this memo (ADM 11/17) against the following ADM paragraphs: F7040

CONTACTS

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 1S25, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in Memo DMG 3/13 - Obtaining legal advice and guidance from DMA Leeds.

DMA Leeds: April 2017