



Child Tax Credit, Universal Credit and Income Support

Guidance for registered social workers

Support for a child who is informally living with a claimant where it is likely they would otherwise be looked after by a local authority.

Overview of policy

From 6 April 2017 support through Child Tax Credit, Universal Credit or Income Support will generally only be available for the first 2 children the claimant is responsible for. In general, the claimant will continue to receive a child amount for all children born before that date.

For the purposes of this form, by “child” we mean anyone aged under 16, or a young person aged under 20 who enrolled on, accepted or started full-time non-advanced education, such as A-levels, or approved training before they turned 19.

In recognition that some claimants are not able to make choices about the number of children in their family, there are exceptions for certain groups and circumstances.

Since 28 November 2018, the policy for when we’ll pay for children in non-parental caring arrangements and children who are adopted has changed.

If a claimant is responsible for a child or children as part of a non-parental caring arrangement then they may be able to receive an additional amount for these children. This will not affect any amounts they may get for any other children in their household.

There are exceptions for further children and these are detailed at www.gov.uk/hmrc/ctc-exceptions and www.gov.uk/guidance/universal-credit-and-families-with-more-than-2-children-information-for-claimants

Non-parental caring arrangements means where a child lives with the claimant either:

- in a formal caring arrangement (for example, under a Residence Order – see appendix for the full list of these), or
- informally, and it is likely they would otherwise be looked after by a local authority

Informal caring arrangements

A child who is not living with the claimant in a formal caring arrangement may instead be in an informal caring arrangement.

An informal caring arrangement is an arrangement in which a child lives with an adult (the claimant), who is not their parent or step-parent, and who has taken on their care on a full-time basis, sometimes known as friends and family care.

Claimants who are caring for a child in this type of informal arrangement can qualify for an exception, as long as a registered social worker from a local authority is satisfied that it is likely the child would otherwise be looked after by a local authority.

Completion of this Informal Care form will help HMRC or DWP in their decision making process for this exception.

Areas of the form to complete

You should complete sections 2 and 3 of the Informal Care form. Please use your relevant professional training/guidance when making this assessment. The claimant must complete section 1.

At the end of section 3 please provide your registration number as a social worker.

The claimant must then return the completed form to DWP if they are claiming Universal Credit or Income Support, or HMRC if they are claiming Child Tax Credit.

Key requirement

You must have discussed the child's caring arrangement with the claimant during the course of your professional duties.

Further questions

1. Do I need to meet the child who is being cared for by the claimant?

Please use your professional judgement about whether seeing the child is necessary to making this assessment. If you have previously met this child in this caring arrangement it may not be necessary to see them again.

2. Do I need to meet the claimant?

Yes. However, if you or a colleague have recently met the claimant in the course of your professional duties as a registered social worker and feel capable of making this assessment, without meeting them again, then doing so for these purposes is not necessary. Please bear in mind that the circumstances of the claimant may have changed since they were last visited or met. Therefore, if a recent meeting has not taken place another should be scheduled for completing this form. Please use your own discretion in judging whether you need to meet the claimant in their home or not.

3. If the child has been cared for by the claimant for a long time, when should I assess the child as would likely otherwise be looked after by a local authority?

You should make an assessment at the point they joined the household.

4. Do I have any legal responsibilities to inform any authorities if I have any concerns about this caring situation?

Completing this form and meeting the claimant will not bring in any additional legal responsibilities to your existing professional role. You will continue to operate within your professional duty of confidence and any legal obligations you currently have. For example, safeguarding children and the public.

5. How should I judge if the child would otherwise be looked after by a local authority?

Please exercise your professional judgement in making a decision about whether the child would otherwise be looked after. This will involve an assessment of the credibility of what you have been told by the claimant and that it is consistent with the tick boxes in section 3. The claimant is not required to provide any documentation though they may wish to do so in your meeting(s).

6. Do I need to be a registered social worker in the local authority in which the claimant is a resident, or the local authority where the child was previously living with their parents?

For these purposes it does not matter which local authority you work for, as long as you feel able to make the judgement about whether the child would likely otherwise be looked after by a local authority.

Please exercise your professional judgement in making a decision about whether the child would otherwise be looked after.

7. What does the form mean by "normally living with them"?

The child is considered to be living with the carer as their normal residence, meaning regularly, usually, typically lives with them, which allows for temporary or occasional absences.

8. What should the claimant do with the form after completion?

It is the responsibility of the claimant to return the form to DWP (if the claimant is on Universal Credit or Income Support) or HMRC (if the claimant is on Child Tax Credit). There is guidance on the final page of the form to help them. HMRC or DWP may contact you to confirm your authentication.

More information

For more information please go to www.gov.uk/hmrc/ctc-exceptions and www.gov.uk/guidance/universal-credit-and-families-with-more-than-2-children-information-for-claimants

Appendix

Formal non-parental caring arrangements

An exception applies if the claimant has in place any of the following arrangements in respect of the relevant child or qualifying young person (or did so before the qualifying young person turned 16, and they have been continuously responsible for them since that time):

England and Wales

- Child Arrangement Order
- Appointment as Guardian
- Special Guardianship Order
- Entitlement to Guardian's Allowance

Scotland

- Kinship Care Order (as defined in section 72(1) of the Children & Young People (Scotland) Act 2014)
- Appointment as Guardian
- Permanence Order (which grants one or more parental responsibilities or parental rights in the claimant)
- Entitlement to Guardian's Allowance

Northern Ireland

- Residence Order
- Appointment as Guardian
- Entitlement to Guardian's Allowance