



DfC

Department
for Communities

www.communities-ni.gov.uk

Guidance for registered Social Workers in Northern Ireland

Payments of Universal Credit and Income Support for a child who is informally living with a claimant where it is likely that they would otherwise be looked after by a Health and Social Care Trust

Note: Guidance for payments of Child Tax Credits for a child who is informally living with a claimant where it is likely that they would otherwise be looked after by a Health and Social Care Trust can be found at www.gov.uk/government/publications/support-for-a-child-who-is-formally-living-with-you

Overview

Since 6 April 2017 families are usually able to claim support through Universal Credit or Income Support for up to two children. For the purposes of this form, by 'child' we mean anyone aged under 16, or a young person aged under 20 who is enrolled on, accepted or started full-time non-advanced education, such as A-levels or approved training before they turned 19. There may also be support for other children if they were born before 6 April 2017 or if an exception applies.

In recognition that some claimants are not able to make choices about the number of children in their family, there will be 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.nidirect.gov.uk/articles/universal-credit-two-child-limit. 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, because it is likely they would otherwise be looked after by a Health and Social Care Trust.

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 goes to live 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 an authority is satisfied that it is likely the child would otherwise be looked after by a Health and Social Care Trust.

Completion of this Informal Care Evidence form will assist Department for Communities and HMRC in their decision making process for this exception.

Areas of the form to complete

Please complete **sections 2 and 3** of the Informal Care Evidence 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 electronically, as soon as possible, to the Department for Communities Exceptions Team if they are claiming Universal Credit or Income Support.

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?
 - a. 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?
 - a. Yes. However if you or a colleague have recently visited the home of the claimant during the course of your professional duties as a registered Social Worker and feel capable of making this assessment without visiting 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 Health and Social Care Trust?
 - a. 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?
 - a. 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 Health and Social Care Trust?
 - a. 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 physical 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 health and social care trust in which a claimant is a resident, or the local health and social care trust where the child was previously living with their parents?
 - a. For these purposes it does not matter which health and social care trust 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 health and social care trust.

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”?
 - a. 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?
 - a. It is the responsibility of the claimant to return the form to Department for Communities to support their claim for Universal Credit or Income Support. There is guidance on the final page of the form to assist them doing so, and they should also have been notified of the process previously. Department for Communities may contact you to confirm your authentication.

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):

Northern Ireland:

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

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

More information

For more information go to

www.nidirect.gov.uk/articles/universal-credit-two-child-limit