



# ADOPTION AND BENEFITS



This factsheet summarises the main benefits for those who have adopted a child or are in the process of doing so.

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## • EXTRA BENEFITS FOR THE ADOPTED CHILD •

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### Child Benefit

Where a child is placed for adoption and the adoptive parents are getting an adoption allowance, no child benefit is payable.

After adoption they can claim for the child that they are maintaining even if they are still being paid adoption allowances as the child is no longer in Local Authority care.

### Child Tax Credits [CTC]

CTC is payable for a 'qualifying' child.

Where the child is being placed for adoption and the adoptive parents are getting an allowance, that child is not a qualifying child. Unless there are other children the parents are not eligible to claim CTC and any CTC is paid for the non-adopted children only.

Once the child is adopted the claim can include them and any continuing adoption allowance is ignored as income.

### SureStart Maternity Grant

This is payable to parents adopting a child under 12 months if they are on Income Support, income-based Jobseekers Allowance or income-related Employment & Support Allowance, or getting a certain level of Tax Credits if in work. It is paid even if the natural parents have already had a payment.

The payment is £500, claimable for up to 3 months after the adoption order.

### Disability Living Allowance

If the child is disabled a claim for DLA may be necessary if s/he is not already getting it. DLA is paid if the child has care needs over and above those of a child of the same age and/or problems with mobility.

If DLA Care is awarded, the adoptive parent can claim Carers Allowance (see later).

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## • **SPECIFIC BENEFITS FOR WORKING ADOPTIVE PARENTS** •

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### **Statutory Adoption Pay/Statutory Paternity Pay**

Adoptive parents can claim *Statutory Adoption Pay* (for up to 39 weeks) and/or *Statutory Paternity Pay* (for up to 2 weeks) if they have recently adopted a child. Only one parent can claim each benefit, but they can choose who should claim and which benefit to claim.

Both benefits are paid by the employer who is reimbursed some of the cost by the Government. These allowances are only available to working parents who have worked for their employer for at least six months and whose earnings were above the fixed limit.

### **Working Tax Credits [WTC]**

Paid to those in work to top up low earnings. If a child is not a “qualifying child” for CTC purposes (see above) s/he does not count as part of the family for WTC purposes. This may affect whether the parent can claim at all, as:

- \* Those with qualifying children can get WTC if working 16 hours or more. Otherwise one or both must be aged 25 or over and work at least 30 hours per week (unless they qualify as a ‘disabled worker’ or as 50+ returning to work);
- \* Only qualifying children count for childcare allowances with WTC.

Any adoption allowance received is ignored as income.

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## • **OTHER BENEFITS FOR ADOPTIVE PARENTS** •

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### **Contributory Benefits**

Main benefits:      Jobseekers Allowance if unemployed  
                             Incapacity Benefit or Employment & Support Allowance if  
                             too sick to work  
                             Bereavement Benefits if recently widowed  
                             Retirement Pensions if over 60/65

Adopting does not affect entitlement to these benefits which are paid for the claimant and partner, but not for children, whether adopted or not.

### **Carers Allowance**

Entitlement is based on caring responsibilities and not affected by adoption. The carer can work, but there is an earnings limit (changes annually). The amount paid is for the carer and partner – there are no allowances for dependent children for new claims after 2004 – claim Child Tax Credit instead. If not already getting Carers Allowance for someone else, the adoptive parent can claim for an adopted child who is disabled and getting DLA Care at the middle or higher rate.

## **Disability Benefits**

Main benefits:      Disability Living Allowance / Attendance Allowance  
                            Industrial Injuries Benefits  
                            War Pensions / Armed Forces Compensation Scheme

DLA can be claimed by adults up to the age of 65. It is paid to those who have difficulty walking and/or need help with personal care due to their disability. Attendance Allowance is for those aged 65 and over who have care needs. DLA/AA are neither means-tested nor taxable and can be paid on top of other income to meet the extra costs arising from disability.

Industrial Injuries Benefits give specific compensation for disability arising from an accident at work. The Armed Forces Pensions Scheme (War Pensions) do the same for those injured while in the armed services.

No extra allowances are paid for dependants.

## **Income-related Benefits**

Main benefits:      Income Support/Pension Credit  
                            Income-based Jobseekers Allowance  
                            Income-related Employment & Support Allowance

Entitlement to claim these benefits is not affected by the presence of the child prior to or after adoption. The benefit is paid for the needs of the adults in the family and the adoption allowance is ignored in full as income.

## **Housing and Council Tax Benefits [HB/CTB]**

Adoptive parents on a low income can claim these benefits whether they are in or out of work, and whether or not they have children. The amount of benefit varies with the size of the family.

No extra benefit can be awarded for a child being placed for adoption. However the adoption allowance for this child is fully disregarded as income.

### **Post Adoption**

Once the child has been adopted that position changes:

1. Adoptive parents aged 60 and over, on HB/CTB can claim extra HB/CTB for that child and the adoption allowance is ignored in full as income.
2. All other adoptive parents can claim extra HB/CTB for the child but the adoption allowance counts as income only up to the level of the amount given in the HB/CTB assessment for that child. It is completely ignored as income after that point.

If the HB is calculated based on a *local housing allowance* (private rented only) the 'size criteria' calculation should include any child placed for adoption.

**For further information contact any of the following agencies:**

**Rugby Citizens Advice Bureau [CAB]**

1<sup>st</sup> Floor, Chestnut House  
North Street  
Rugby, CV21 2AQ  
Tel: 0844 855 2327

**North Warwickshire CAB**

The Parish Rooms  
Welcome Street  
Atherstone, CV9 1DU  
Tel: 0844 499 4192

**Bedworth & District CAB**

(Covers Nuneaton & Bedworth)  
Old Market Tavern  
25 Congreve Walk  
Bedworth, CV12 8LX  
Tel: 0844 855 2322  
To book appt in Nuneaton  
call 024 7635 1049

**Warwick District CAB**

10 Hamilton Terrace  
Leamington Spa, CV32 4LY  
Tel: 01926 457900

**Stratford-upon-Avon CAB**

25 Meer Street  
Stratford-upon-Avon, CV37 6QB  
Tel: 01789 293299 for advice or  
01789 261966 to book appt

**For Disabled people .....**

**D.I.A.L.**

(Nuneaton & Bedworth only)  
New Ramsden Centre  
School Walk  
Attleborough  
Nuneaton  
CV11 4PJ  
Tel: 024 7634 9954

**The Rowan Organisation**

(Whole County)  
Eliot Park Innovation Centre  
Barling Way  
Nuneaton  
CV10 7RH  
Tel: 0800 783 1755  
e-mail: [info@therowan.org](mailto:info@therowan.org)

**For Carers Advice, Information and Support .....**

**Guideposts Carers Support Service**

(For Nuneaton, Bedworth, North  
Warwickshire and Rugby)  
44-45 Church Street  
Nuneaton  
CV11 4AD  
Tel: 024 7638 5888  
e-mail: [carerssupport@guidepoststrust.org.uk](mailto:carerssupport@guidepoststrust.org.uk)  
[www.guidepoststrust.org.uk](http://www.guidepoststrust.org.uk)

**S. Warks Carers Support Service**

(For Leamington Spa, Warwick,  
Stratford and South Warwickshire)  
8b Holly Court  
Holly Farm Business Park  
Honiley, Kenilworth CV8 1NP  
Tel: 01926 458486  
e-mail: [info@swccs.f9.co.uk](mailto:info@swccs.f9.co.uk)

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