

BENEFITS IF YOU ARE LOOKING AFTER SOMEONE ELSE'S CHILD [Private Fostering]

WHO IS THIS LEAFLET FOR?

Taking on the care of someone else's child is a big responsibility and looking after a child brings extra costs. This leaflet tells you about the financial help available when you take on responsibility for looking after another person's child through a private fostering arrangement.

It does not cover foster carers who have children placed with them by the Local Authority (see factsheet Pb30) or those who are adopting a child.

WHO COUNTS AS A CHILD?

The term "child" has a particular meaning for benefit purposes. You can only claim if the child you are looking after comes within the definition below.

A child means someone who is:-

- under 16 or
- 16 - 20 and in "full time relevant education" or "approved training".

"Relevant education" is the type of education you get in schools or sixth form and further education colleges.

It does not include "advanced education" (for example a university level course). You cannot claim benefits for them if they are doing this type of course even though you may still be financially supporting them. They will have to apply for student grants or loans instead.

'Approved training' in England is either Entry to Employment courses or Programme-Led Apprenticeships.

WHAT IS PRIVATE FOSTERING?

You are a private foster carer if you are looking after someone else's child who is under the age of 16 (under 18, if disabled) at the request of their parents (and without the involvement of a local authority) for 28 days or more AND you are not their sister, brother, grand-parent, aunt or uncle (whether of the full or half-blood or by marriage) or step-parent. You may have agreed to do this because:-

- The parents cannot look after them at present because of their working hours, divorce/separation, arguments at home or some other reason
- The child's parents live abroad but want their child to be educated here or to have access to health treatment.

This is not a full list and there may be other reasons why the child is living with you. Although the child is living with you their parents still have the main responsibility for major decisions about their lives.

Remember that if you are privately fostering someone else's child both you and their parents must notify Warwickshire County Council at least 6 weeks but no more than 13 weeks before the placement starts.

If the child has already been placed, for example by way of an emergency, or you were not aware that you were supposed to notify Warwickshire County Council, you must notify Children's Services immediately so that they can support you and make sure the child or young person living with you is safe and well.

WHAT BENEFITS CAN I CLAIM?

If the parent has asked you to care for their child they may also be giving you some money for doing so either on a regular basis so you can feed and clothe them or for one-off needs, for example school trips. This may be sufficient to cover the child's needs but you may still be able to claim extra money for looking after them.

Some benefits are affected by this income but you can claim others whether or not the parents are able to contribute towards the care of their child.

There are 4 main types of help and you can claim some or all of these:-

- extra weekly benefits to help meet the cost of looking after the child (for example Child Benefit, Child Tax Credit and Disability Living Allowance if the child is disabled)
- help with your rent, mortgage, Council Tax and other housing costs
- benefits for you as a carer (Income Support, Working Tax Credit or Carers Allowance if the child is disabled)
- lump sum grants to help you accommodate an extra child in your home (Social Fund Community Care Grants)

EXTRA BENEFITS FOR THE CHILD

Child Benefit

This is paid to everyone who looks after a child. You do not have to be their parent but they must be living with you and you must be their main carer. If you are already claiming Child Benefit for your own children you can get more for any additional children you care for.

The parent must tell the Child Benefit centre that you are now looking after the child and agree to give up their claim so that you can claim instead – you also have to fill in a claim form which you can get from a Post Office or local Jobcentre Plus office. This must be sent to the Child Benefit centre (see useful addresses). Alternatively, you can download the form from the Internet or even claim online at www.hmrc.gov.uk/childbenefit/online.

You can claim from the date the child first came to live with you but for administrative reasons benefit may continue to be paid to the parents for up to 3 weeks after this – if this happens make sure the parents give you the money towards the child's upkeep during this period.

NB:- The parents can continue to claim Child Benefit themselves but the law says that they can only do so if they give you this money each week so it can be spent on the child. Usually it is easier for you to claim instead.

Child Tax Credit

This is a weekly benefit which is paid as well as Child Benefit. Unlike Child Benefit the amount you get depends on the level of your income but the rules are generous and the lower your income the more you get. Many people qualify for at least the minimum amount of about £10.50 per week so it is worth claiming even if you think you may not qualify.

If the parent is already claiming Child Tax Credit s/he must notify the Tax Credits office that you are now looking after their child and confirm that they want you to claim instead. At the same time you must make a claim which you can do by ringing the Tax Credits helpline on **0845 300 3900**.

NB:- If you or your partner work for more than 16 hours a week you may also qualify for Working Tax Credit. Claim even if you have been refused before as you may qualify on the basis of a change of circumstances.

Free school meals

These are a big help with the cost of looking after the child but are only available if you and your partner have a low enough income. To qualify you must be on:-

- Income Support or income-based Jobseekers Allowance or income-related Employment & Support Allowance
- Pension Guarantee Credit
- Maximum Child Tax Credit (but if you are also getting Working Tax Credit you cannot get free school meals)
- Support under Part VI of the Immigration and Asylum Act 1999

You must provide proof of entitlement to these benefits when you claim.

You get an application form from the school secretary or by ringing 01926 742060 or sending an e-mail to freemeals@warwickshire.gov.uk. If you prefer you can claim online by going to the County Council website which is www.warwickshire.gov.uk.

Transport to school

Warwickshire County Council has several schemes providing transport to the child's school or college. This covers children from 4-19 and can help to reduce the costs of looking after the child. There are several different schemes including basic home to school journeys, bus passes for older students and special needs transport. Each scheme has its own rules.

To see if you qualify and for further details ring 01926 742059/742051 or e-mail educationtransport@warwickshire.gov.uk.

Disability Living Allowance (DLA)

DLA is paid if the child is disabled and needs extra looking after as a result *and/or* has problems with walking. It is paid at various different rates depending on the severity of the condition and the extent of the care or mobility difficulties. If the parents are already claiming this benefit for the child they must write to the Disability Benefits Centre and ask for payments to be made to you instead. You do not have to make a new claim but the social security office must agree to authorise you to receive payments. If for any reason they do not, seek advice from the Warwickshire County Council Social Worker who is supporting you. They can contact Warwickshire Welfare Rights Advice Service on your behalf to check what you need to do. In the meantime ask the parents to give you this benefit for looking after the child.

Once you are getting the Disability Living Allowance you could seek advice about whether the correct rate is being paid. If not you can apply for an increase. NB:- The rate of DLA can go down as well as up so be sure to get independent advice from your Warwickshire Welfare Rights Advice Service (through your Warwickshire County Council Social Worker) or the local Citizens Advice Bureau before you apply.

NB:-

- *If the child is getting DLA this will increase your entitlement to Child Tax Credit so tell the Tax Credit office that you are getting it*
- *If the child is getting the care component of DLA at the middle or highest rate you could claim Carers Allowance as their carer. See below*

HELP WITH HOUSING COSTS

Most of the benefits to help you pay for your housing costs are only paid if your income and savings are low enough but the fact you are caring for a child means you can have a relatively high income and still claim.

The benefits available are:-

- reductions in your Council Tax liability
- Rebates on your rent – Called Housing Benefit
- Rebates on your Council Tax – called Council Tax Benefit
- Payments towards your mortgage interest and any service charges if you are entitled to Income Support, income-based Jobseekers Allowance, income-related Employment & Support Allowance or Pension Credit
- Grants for home improvements, disability adaptations and to make your home more energy efficient

Reducing your Council Tax liability

Whatever the level of your income and savings, your Council Tax bill can be reduced if the child you are caring for has a disability. This is called the Disability Reduction and applies if you have one of the following and it is of major importance to the disabled child's well-being:-

- a room which is predominantly used by the disabled child e.g. for therapy, storing equipment or as a downstairs bedroom
- an extra bathroom or kitchen
- sufficient floor-space for wheelchair use

Apply to your local Council for a form to claim this reduction and ask for it to be paid from the time the child moved in.

Rent and Council Tax rebates

If you are currently getting a rebate tell your local Council as this could increase when you start to care for an extra child if you are not already fully rebated.

If you are not already getting a rebate on your rent and/or Council Tax you may qualify once the child comes to live with you and should make a claim – ask your local Council for the form.

You cannot get a rebate if you have savings over £16,000 (unless you get the Guarantee Credit or Pension Credit). If your income is sufficiently low, you get a full rebate which means you do not have to pay any rent or Council Tax. Otherwise you can get part of your rent and Council Tax paid – the higher your income the less you get and if your income is too high you do not qualify at all.

The calculation is complicated so if in doubt make a claim!

Help with mortgage interest

The only benefits which actually pay a contribution towards any mortgage costs for which you are liable are: Income Support, income-based JSA, income-related Employment & Support Allowance and Pension Credit.

You can normally only claim Income Support if you are a lone parent, caring for a disabled person or, for claims first made before 27/10/08, unfit for work. Those unfit for work after 27/10/08 claim (income-related) Employment & Support Allowance. If you are working more than 15 hours you cannot claim Income Support (but you may be able to get Working Tax Credit – see below).

If you do not qualify to claim you cannot get help with your mortgage either and must use your other income, including benefits, to meet this cost.

Housing Grants

Energy Efficiency Grants are available through the Warmfront scheme to families on certain benefits or Tax Credits who are looking after children. These can cover the cost of insulation, central heating and other costs. To check if you are entitled ring 0800 316 2808. Even if you are not entitled Warmfront can advise you on other grants that are available to families.

Disabled Facilities Grants are available if you are taking on the care of a disabled child. This pays for the cost of adapting the property for their needs. It is not based on your income or capital so you can qualify even if you are in work. Apply to your local District or Borough Housing department to find out about making an application.

BENEFITS FOR YOU AS A CARER

As well as the extra benefits you can claim to pay for the child's needs you can claim benefits for yourself if you are unable to work due to caring responsibilities, or you only work for less than 16 hours per week.

If you are already getting any of these your entitlement will not be affected by looking after another child. If you have to give up work or reduce your hours to care for the child you can make a claim.

Income Support / Employment & Support Allowance / JSA

Income Support is paid if you are a lone parent/carer of a child under 7 [under 5 from October 2011] or if you are looking after a disabled person who is getting a disability benefit (Disability Living Allowance or Attendance Allowance).

If you have a partner and they are working you cannot claim Income Support (but they could claim Working Tax Credit instead – see below). If your partner is unemployed s/he may have to claim Jobseekers Allowance for you as a couple instead. If you or your partner are unfit for work, from 27 October 2008 the benefit to claim is Employment & Support Allowance. Ask your Warwickshire County Council Social Worker to contact Warwickshire Welfare Rights Advice Service on your behalf to advise you which benefit to claim.

Ring the Jobcentre Plus office on 0800 055 6688 to register your claim.

Carers Allowance

This is paid if you are looking after a disabled person who is getting Disability Living Allowance for care needs (at the middle or higher rate) or Attendance Allowance. It can be the child you are looking after or someone else. They do not have to live with you.

If you were already getting it when you started caring for the child you can continue to get it at the same rate. If the child you are now looking after is disabled you can claim from the time you start caring for them. Ring the Carers Allowance unit on 01772 899655 or by ringing 0800 055 6688 to register your claim. If you prefer you can claim online at www.direct.gov.uk/carers.

You must be caring for the person for at least 35 hours per week. You can work and still get it but if you earn more than £100 net per week you are not entitled. You are also not entitled if you are a full time student.

- NB:
- if you get Carers Allowance you can claim Income Support as well unless you have a partner who is working more than 24 hours per week. Make sure you ask about both benefits when you claim.
 - you are credited with National Insurance contributions if you claim Carers Allowance which helps to protect your pension in the future.

Working Tax Credit

If you, or your partner, are working for at least 16 hours per week you can claim Working Tax Credit to top up your earnings. If you are already getting this make sure you tell the Tax Credits office as this is a relevant change of circumstances and may affect the amount you get, especially if you have child care costs for looking after the new child.

Tax Credits are paid by Her Majesty's Revenue and Customs (HMRC). To make a claim or tell them that you are caring for a child ring 0845 300 3900.

GRANTS AND OTHER LUMP SUM PAYMENTS

Some of the extra costs of looking after a child are one-off rather than weekly. For example when the child first comes to live with you it may be necessary to buy a new bed or other replacement household items, redecorate a room for them or buy new clothing.

If the parents are unable to provide for these needs you may be able to claim a grant for them but only if you or your partner are getting one of the following benefits:-

- Income Support
- Income-based Jobseekers Allowance
- Employment & Support Allowance (income-related)
- Pension Guarantee Credit

If you are working or getting other benefits you cannot get help unless the child comes to live with you at a point of crisis or in an emergency in which case you can get a Crisis Loan to meet any additional needs. However this is a loan not a grant and has to be repaid (though it is interest free).

Grants and loans from the Social Fund have to be claimed from the Social Fund section of the Jobcentre Plus office. Ring 0800 169 8649 or get a claim form from your local office.

ISSUES AND PROBLEMS

Claiming extra benefits may not seem a high priority when you are just getting used to caring for a child and there are potentially several benefits to be claimed, all from different offices and departments. However it is important to claim as soon as you can so that you have enough money to help meet the extra costs.

Maintenance

The parents may be able and willing to pay maintenance to help with the cost of bringing up their child.

This does not mean that you cannot claim other benefits and help but it will affect some benefits which depend on your income and savings. However you can claim Child Benefit, Child Tax Credit, Housing Benefit and Council Tax Credit without being affected by child maintenance.

Backdating

Most benefits have restrictions on how far back they can be backdated if you do not claim straight away. Backdating is not automatic and you must ask for arrears to be paid – it will not happen if you do not.

The time limit to claim is different for each benefit. It is:-

- 3 months for Child Benefit and Child Tax Credit
 - 6 months (aged under female pension age) or 3 months (aged over female pension age) for Housing and Council Tax Benefit but you must show a good reason for the delay
 - 3 months for Pension Credit (whatever the reason for delay)
 - 3 months for Income Support / ESA / Jobseekers Allowance but backdating is only possible in certain situations
- * The pension age for women is gradually increasing from 60-65 between April 2010 and March 2018. From 2018 – 2020 both men and women's pension age will increase to 66. During this period, other benefits previously available at 60 [such as Pension Credit] will also see the qualifying age gradually increase. You will therefore need to check what 'pension age' means.

NB:- Backdating of DLA is not possible ,so do not delay. You should also claim Social Fund grants as soon as the need arises

Disputes with the child's parents

Usually the parents have asked you to look after their child and they will want to make sure you have enough money to do this. They may however not be able to pay you for doing so. Claiming benefits to help pay for the extra needs of the child is a vital source of income.

If the parents are already getting benefits for the child the loss of income may mean they are reluctant to transfer the claim to you. If they refuse to do so you will need to contact the benefit office and explain the situation and ask them to pay you instead. However this can take time as they will need to investigate the situation and check that the child is now living with you.

The parents can in fact continue to claim Child Benefit and Child Tax Credit so long as they are paying this over to you for looking after the child/ren. However if they are claiming you have less control over the money and it may mean you cannot claim other benefits (such as Income Support or Carers Allowance) as the carer of the child.

It is usually best to get agreement with the parents and arrange for the claims to be transferred to you. If there is a problem the Warwickshire County Council Social Worker may be able to help sort this out.

HELP FROM WARWICKSHIRE COUNTY COUNCIL

When you look after someone else's child both you and the child's parents should tell Warwickshire County Council Children's Department. They are legally required to check that the arrangement is best for the child. They can also offer you practical support and advice to make sure the arrangement works well for all of you.

They may even be able to provide financial support and can contact Warwickshire Welfare Rights Advice Service on your behalf to get further information about benefits.

Make sure you take advantage of this support and help as it is for the benefit of you and the child.

USEFUL ADDRESSES

Child Benefit Centre

Washington
Newcastle upon Tyne
NE88 1ZD

Disability & Carers Unit

Warbreck House
Warbreck Hill
Blackpool
FY2 OYE

Nuneaton Children's Team

Warwick House
Wheat Street
Nuneaton
CV11 4AJ
Tel: 024 7635 1234

North Warwickshire Children and Family Services Team

Arden Hill, 55 South Street
Atherstone
CV9 1DZ
Tel: 01827 711101

Warwick District Children's Assessment Team

Holly Walk House, 56-58 Holly Walk
Leamington Spa
CV32 4JE
Tel: 01926 334111

Southam and Shipston Children's Team

The Grange, Coventry Road
Southam
CV47 1QB
Tel: 01926 813110

Tax Credits Office

Comben House
Farriers Way
Netherton
Merseyside L69 1BY

Bedworth Children's Team

Beada House
Newtown Road
Bedworth
CV12 8QB
Tel: 024 7664 3838

Rugby Children and Family Services

Oakfield Park
32 Bilton Road
Rugby
CV22 7AL
Tel: 01788 570011

Stratford and Alcester Children's Team

8 Rother Street
Stratford upon Avon
CV37 6LU
Tel: 01789 269391

The information in this factsheet is correct as of April 2011

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