

Information for Child Benefit Customers

Children who are being looked after by the local authority or Health and Social Services Board or Trust

On this form, where we use the term *child* or *children*, we also include *young person* or *young people*.

There are special rules about Child Benefit for children who are looked after by a local authority or Health and Social Services Board or Trust. By 'looked after' we mean the child is being cared for by a local authority or Health and Social Services Board or Trust or by someone else who the local authority or Health and Social Services Board or Trust have asked to look after them.

This may be because:

- you and the local authority or Health and Social Services Board or Trust have agreed to it, or
- a court has made an order, for example a care order, or protection order, or
- a children's hearing in Scotland has made a supervision requirement, or place of safety order.

When Child Benefit stops

Child Benefit usually stops when the child has been looked after by a local authority or Health and Social Services Board or Trust for 8 weeks. If the child spends some time with you and some time with the local authority or Health and Social Services Board or Trust, payment may stop when they have been looked after by the local authority or Health and Social Services Board or Trust for at least 2 nights a week for 8 weeks in a row.

When Child Benefit can be paid

Child Benefit can sometimes be paid after the 8 weeks if the child spends time at home. For more about this see the section **Child Benefit for time spent at home**.

If the child is placed with a relative or other person who receives no payment for looking after them, Child Benefit can be paid either:

- to you - if the money you pay towards their keep is at least as much as the weekly rate of Child Benefit, or
- to the person the child is living with.

If both of you claim, the benefit is normally paid to the person the child lives with.

Child Benefit cannot be paid to anyone who gets a fostering allowance, or to anyone who gets a payment from the local authority or Health and Social Services Board or Trust towards the cost of the child's accommodation or maintenance.

Disabled children

Sometimes local authorities or Health and Social Services Board or Trust arrange for a child who is mentally or physically ill or disabled to live in special accommodation, or at a special school. If this is the only reason the child lives away from home, the Child Benefit 'hospital rules' apply.

If a child is in hospital, or has to live in residential accommodation away from home because of a disability or illness, Child Benefit can continue if you regularly spend money on them. By this we mean money spent on clothes, books, toys or other things the child needs, or on fares to visit them.

You do not need to tell the Child Benefit Office if the child is in hospital or residential accommodation for 12 weeks or less and the only reason for this is because of their disability or illness. But if they are in hospital or residential accommodation for more than 12 weeks and you are not regularly spending money on them, you need to tell the Child Benefit Office.

Adopting Parents

If you are adopting a child you may be able to get Child Benefit as soon as the child starts to live with you, even if you get an Adoption Allowance. But you cannot get Child Benefit if the local authority or Health and Social Services Board or Trust pay you a fostering allowance, or any other payment to help with the cost of the child's accommodation or basic maintenance.

Child Benefit for time spent at home

Child Benefit can sometimes be paid for children who are being looked after by a local authority or Health and Social Services Board or Trust but who go home for part of the week, or longer.

Child Benefit can be paid for any week the child comes home:

- for 7 nights in a row, or
- for any extra nights which follow straight after the first 7, or
- on a regular basis for at least 2 nights in a row every week.

If the child is looked after by the local authority or Health and Social Services Board or Trust as part of an agreed voluntary arrangement, Child Benefit can sometimes be paid for a week in which they are at home for at least 2 nights in a row.

Reporting Changes

It is your responsibility to report any changes that may affect your Child Benefit. Please let the Child Benefit Office know:

- as soon as a child has been looked after by a local authority or Health and Social Services Board or Trust for more than 8 weeks
- about any order made in respect of the child by a court, or in Scotland by a children's hearing
- on what dates the child spends nights at home when benefit might be payable
- the date when the child stops being looked after by a local authority or Health and Social Services Board or Trust
- the date when any order made by a court or children's hearing ends.

For more information

If you want to know more about Child Benefit please get in touch with us. You can write to us at

Child Benefit Office
PO Box 1
Newcastle upon Tyne
NE88 1AA

Helplines, 7 days a week, 08.00 to 20.00

If you are in England, Scotland or Wales

Phone	0845 302 1444
Minicom/Textphone	0845 302 1474
Fax	0191 2251625

If you are in Northern Ireland

Phone	0845 603 2000
Minicom/Textphone	0845 607 6078
Fax	0191 2251625

Important

It is important that you report any changes that may affect your benefit. Failure to tell us of any changes could result in an overpayment of benefit which may be recovered from you.

When you get in touch with us please tell us your full name, your National Insurance number, your Child Benefit number and your daytime phone number.