



Department
for Work &
Pensions

Universal Credit 2 child policy

Detailed guidance for stakeholders

November 2017

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Important facts – during the period 6 April 2017 until February 2019

- Universal Credit will no longer pay an additional amount for a third or subsequent child or qualifying young person¹ born on or after 6 April 2017, unless certain exceptions apply.
- Claimants with three or more children will not be able to make a new [Universal Credit](#) claim – unless the claimant has been in receipt of Universal Credit within the previous six month period and is making a reclaim (during this period claimants are not able to claim legacy benefits).
- New claimants with three or more children may be able to claim [other benefits](#).
- From 6 April 2017, the first child premium will only be payable for a household responsible for a child or qualifying young person born before 6 April 2017.
- Claimants will be entitled to an additional amount for at least the number of children or qualifying young persons born before 6 April 2017 that they are responsible for.
- Claimants will still be entitled to additional support in respect of any disabled children, even if they aren't getting an extra child amount of Universal Credit for the disabled child.
- Claimants may still be entitled to [help with childcare](#) costs for any of their children, even if they do not receive the additional child amount of Universal Credit for all of their children.
- Passported benefits for children will not be affected (free school meals etc).
- Child Benefit will continue to provide support for families, regardless of the number of children or qualifying young persons in that household.
- To ensure claimants don't miss out on what they are entitled to, they should continue to report the birth of a child and any changes in their circumstances involving children or young people.

¹ For more information on 'qualifying young person' (QYP) please see the [last section](#) of this guide.

About this document

The purpose of this document is to help you in your conversations with clients. There is a natural sequence to the application of this policy:

- start with the claimant's circumstances, for example: already claiming Universal Credit, has two children and is expecting a third
- define the order of their children and
- consider if an exception applies.

We have aimed to provide re-assurance for claimants who are currently getting Universal Credit and may have more than 2 children. We understand that claimant circumstances can be complex and our aim has been to try and cover some of these complexities. This document does not aim to cover every individual claimant circumstance.

Background

This guidance outlines two important changes to Universal Credit entitlement, both of which take effect from 6 April 2017:

- **Removal of the first child premium for those starting a family on or after 6 April 2017 –**
The higher rate of child element for the first child (first child premium), currently £277.08 a month, will only be payable for a household responsible for a child, or qualifying young person, born before 6 April 2017.
- **Limiting the number of additional amounts for children to 2 –**
Between 6 April 2017 and 31 January 2019 claimants will no longer receive the child amount for a third or subsequent child born on or after the 6 April 2017 unless certain exceptions apply.

From February 2019, regardless of the child's date of birth, new claimants will not receive the child amount for three or more children unless an exception applies to the third or subsequent child. Households who have been in receipt of support for children or QYPs in Universal Credit, Child Tax Credits, Income Support or Jobseeker's Allowance in the last 6 months will be protected so that their existing level of entitlement is maintained (as long as they remain entitled and responsible for the same children and QYPs).

The exceptions where we will pay for a third or subsequent child is when the child:

- is born as part of a multiple birth e.g. twins, apart from one child in the multiple birth
- is adopted from local authority care

- is living with the claimant as part of either:
 - a formal caring arrangement such as a child arrangement order or special guardianship (or was in such an arrangement until their 16th birthday and has continued living with the claimant); or
 - an informal caring arrangement, often known as kinship care (in England) Friends and Family care or Connected Persons care, where it is likely they would otherwise be likely to be looked after by the local authority
- is the child of a child (under 16) that the claimant is responsible for
- was conceived as a result of a non-consensual sexual act (including rape), or at a time when the claimant was subject to ongoing control or coercion by the other parent of the child (for a full definition see [this section](#)).

Advice for claimants (6 April 2017 to 31 January 2019)

Existing claimants

Claimants who are currently in receipt of Universal Credit, or have been in receipt of Universal Credit within the past six months and are making a reclaim will remain on Universal Credit.

In general, claimants will be entitled to an additional amount for any child or QYP born before 6 April 2017.

However, in the circumstance where a claimant becomes responsible for a child born before 6 April 2017, through adoption or as part of a friend and family care arrangement, and they already have a second child born on or after 6 April 2017 we won't automatically pay an additional amount for **the new child added**. This is because we'll continue to pay for the second child who is born after 6 April 17. We would still pay for the new child added if an exception applies.

Additional children will still be able to join an existing Universal Credit claim. For example, if a single parent claiming Child Tax Credits forms a couple with a single parent already receiving Universal Credit, the Child Tax Credit claimant and their children will be added to the Universal Credit claim. The newly formed household in Universal Credit will be entitled to an additional amount for at least the number of children or QYPs born before 6 April 17 that they are responsible for. However, they will not be entitled to an additional amount of Universal Credit for a third or subsequent child born on or after 6 April 2017, unless an exception applies. This is explained in further detail in the [family formation section](#).

New claimants

Claimants with 2 children or fewer

Claimants can make a new claim to Universal Credit if they have two or fewer children (this includes claimants with no children). If they meet the eligibility criteria and qualify to receive Universal Credit, their payment will include an additional amount for each child. For example: if they have one child (or qualifying young person) they will receive one additional child amount of Universal Credit as part of their payment. If they subsequently become responsible for more children, the limit will apply; they will not receive an additional amount of Universal Credit for a third or subsequent child who is born on or after 6 April 2017, unless an exception applies.

Claimants with more than 2 children

If they already have three or more children, they will not be able to make a new claim for Universal Credit, unless the claimant is either:

- in Universal Credit **full service**, has been in receipt of Universal Credit within the previous six month period and is making a reclaim
- in Universal Credit **live service**, and is making a new claim as a single person within one month of a previous joint claim ending, because they are no longer a member of a couple

All other new claimants will need to apply for [Child Tax Credit](#) and any [other benefits](#) they may be entitled to.

How to ‘order’ children or Qualifying Young Person(s) where an exception may apply

Claimants entitled to Universal Credit can normally only get an additional amount for the first and second child or qualifying young person (QYP) who they are responsible for.

Exceptions to this restriction may apply to the third (or any subsequent) child or QYPs.

To determine if a child or QYP is the third or subsequent child, the children and QYPs in a household should be ordered according to the following rules:

- Each child or QYP is assigned a date. They are then ordered chronologically according to those dates, from the earliest to the latest date.
- If the claimant (or their partner in a joint claim) is the (non-adoptive) parent of the child or QYP, then the date they are assigned is their date of birth.
- For example: the claimant has three (natural) children. The youngest is aged three (born on or after 6th April 2017), the eldest is aged twelve and the middle child is aged seven. For Universal Credit exception purposes, the order of these children will be – first child: aged twelve, second child: aged seven and third child: aged three. The claimant will only be entitled to an additional amount for their

twelve and seven year old children (unless the three year old child falls within an exception)

- If the claimant (or their partner in a joint claim) is not the natural parent or step-parent of the child or QYP, then the date they are assigned is the date the claimant (or their partner) first became responsible for the child or QYP.

For example: the claimant has three children and one of the children is adopted. The two natural born children of the claimant are aged three (born on or after 6th April 2017) and ten. The adopted child is aged twelve.

However, the claimant only took responsibility for the adopted child five years ago. For Universal Credit exception purposes, the order of these children will be – first child: aged ten, second child: aged 12 (adopted - claimant has only been responsible for the child for five years) and third child: aged three. The claimant will therefore be entitled to an additional amount for their 10 year old child and the adopted child only (unless their three year old falls within an exception).

- If:
 - two or more children or QYPs have the same date of birth or date of responsibility (e.g. twins or group adoption)
 - the claimant gives birth to a child within 10 months of becoming responsible for a child or QYP who meets the non-parental caring exception (see below)

There is discretion to order those children or QYPs only (between themselves) in whichever order produces the greatest entitlement for the claimant.

- For example, in the case where a natural child is born within 10 months of a child or QYP who meets the non-parental care exception criteria, it may be more favourable to swap them around in the order, so that the natural child becomes the second child in the order, and the non-parental care child or QYP becomes the third and therefore entitled to an exception.

For examples of how to order children or QYPs, please see [Annex A](#).

Exceptions

If the claimant(s) are responsible for a third or subsequent child and they meet the criteria for an exception listed below, the claimant will get the additional child amount of Universal Credit for that child.

The following sections describe the exceptions to the restriction of entitlement to the additional child amount.

Multiple birth

This exception will apply to all third or subsequent children or QYPs in a household who are born to a claimant as part of a multiple birth, apart from one child in that birth, i.e. the exception applies to the additional children in that birth. The claimant

must remain responsible for at least two children or QYPs born as part of the multiple birth in order to be entitled to an exception for any of them.

The multiple birth exception has been included on the basis that families do not plan for a multiple birth which will present additional burdens and expense. Whilst a family may choose to have one additional child, and bear the cost of that child, they do not generally choose to have a multiple birth.

For example: if the claimant is already receiving additional amounts of Universal Credit for two existing children, then has twins, we will only pay an extra additional child amount of Universal Credit for one child in the multiple birth (meaning that in total the claimant will be entitled to an amount for three out of their four children).

For example: the claimant currently has two children and is receiving the additional child amounts of Universal Credit for those children. If the claimant then has triplets we will pay the additional child amount of Universal Credit for two of the children in that multiple birth (meaning that in total the claimant will be entitled to an amount for four out of their five children).

This exception will ensure the additional child amount of Universal Credit is awarded for all third or subsequent children in a family born as part of a multiple birth, other than one child in that birth.

Where the first child of a multiple birth is either the first or second child in the household, the additional child amount of Universal Credit will also be awarded for that child (child amount will be paid for all children in the multiple birth).

For examples and scenarios on multiple birth exception, please see [Annex B](#).

Adopted children

The exception will apply from the date the claimant becomes responsible for the adopted child. This could be the date of formal adoption, or the date of placement, depending on when parental responsibility for the child passes to the claimant.

The intention is that this exception applies where it's likely that the child would otherwise be in local authority care. On that basis, it will not apply in relation to adoptions from abroad (an overseas or 'Convention' adoption). Nor will the exception apply where, immediately prior to that adoption, the claimant (or their partner) was a step-parent of the adopted child, or their biological parent.

If the claimant is in the process of adopting a child and an adoption certificate is not available, they will need to provide written evidence from a social worker. This must include:

- the date the child was placed with you
- the name of the child
- the name(s) of the adoptive parent(s)

For examples and scenarios on adoption exception, please see [Annex C](#).

Children living in non-parental caring arrangements

This exception will apply to third or subsequent children who are in one of two groups:

- a. Children or QYPs being cared for by 'friend and family carers' as an alternative to being taken into local authority care; and
- b. Children born to a child aged under 16, for whom the claimant is also responsible.

Friend and family carers

The exception will apply where a formal caring arrangement is in place, such as where the claimant is appointed by a court as legally responsible for the child or QYP, and/or a person with whom the child or QYP is living, and where the caring arrangement is made on an informal basis.

Informal caring arrangements

In the case of informal caring arrangements, the exception will only apply if it is likely that the child would otherwise be looked after by a local authority. The claimant will need to provide supporting evidence from a registered social worker. This [form](#) is required to request this exception.

Formal caring arrangements

Claimants can get extra Universal Credit for a third and subsequent child if they care for them under a formal caring arrangement, for example:

- a Child Arrangements Order
- a Guardianship Order
- a Special Guardianship Order
- you're appointed as a Guardian (in Scotland)
- a Kinship Care Order (in Scotland)
- a Permanence Order (in Scotland)

The exception also applies if one of these formal arrangements was in place but ended on the child's 16th birthday, as long as the claimant has continued to be responsible for them since.

The claimant will be asked to provide supporting evidence to meet this exception.

This exception will not apply when the claimant (or their partner) is a parent or a 'step-parent' of the child.

An additional amount is not payable for a foster child, because foster children are 'looked after' by the local authority.

Under 16s who have a child

This exception applies where a child under 16, for whom the claimant is responsible, becomes the parent of a child. The claimant will be eligible for an exemption for that

new child if they are also within the claimant's household. This exception will remain in place until the young parent turns 16 and is able to claim Universal Credit on their own.

The exception will cease to apply if the dependant leaves the household, leaving their own child in the care of the claimant. The claimant would lose the additional child amount of Universal Credit for one less dependant to reflect that they would be responsible for one less child.

In cases where the claimant loses two additional child amounts of Universal Credit (e.g. if the parent-child were themselves exempt), the claimant could be entitled to the friends and family carers exception (in respect of the new child) if they enter into a relevant formal care arrangement, or it can be shown that the child would otherwise be likely to go into care.

For examples and scenarios on friends or family carers exception, please see [Annex D](#).

Children likely to have been conceived as a result of a non-consensual sexual act (including rape), or at a time when the claimant was subject to ongoing control or coercion by the other parent of the child

This exception will apply to third or subsequent children in a household who are likely to have been conceived as a result of a sexual act to which the claimant did not or could not consent. This means that it will apply to a claimant in respect of a child who is likely to have been conceived as a result of a non-consensual sexual act or at or around a time when the claimant was subject to ongoing control or coercion by the other parent of the child.

We recognise that the handling of this exception is extremely sensitive. However, it is very important to have this exception in place to support claimants in these circumstances. Care has been taken in delivery of this exception to strike the right balance between ensuring claimants get the support they need in a not overly intrusive manner, whilst at the same time providing the right assurance to Government that the additional support is going to those for whom it is intended.

DWP staff will not question the claimant about the incident other than to take the claim and receive the supporting evidence/information. Any data or information received will be handled in accordance with the rules that DWP already use for holding and using sensitive data.

In order to apply for this exception (for a third or subsequent child) the claimant must no longer be living with the other parent of the child (of the non-consensual sexual act or coercive or controlling behaviour). The claimant will be asked to confirm this.

The claimant can apply for this exception by:

- providing evidence of a conviction for rape or controlling or coercive behaviour in an intimate or family relationship, where this relates to the non-consensual conception of the child; or
- providing evidence of an award made under the Criminal Injuries Compensation Scheme in respect of a relevant sexual offence, physical abuse or mental injury, where this relates to the conception of the child; or
- completing this [form](#) and having a third party professional to fill in part of it. The third party professional will need to confirm to DWP that the claimant has been in contact with them (or another approved professional) and that their circumstances as presented are consistent with those of a person who meets the conditions of the exception.

Note: even where a claimant cannot get all the supporting evidence from a third party they should still give the form to their work coach, as this carries a Right of Appeal.

Claimants will not be placed in the position of having to give details about the circumstances of the conception to DWP officials and the eligibility criteria for the exception can be met without reporting it to the Police, a conviction or any judicial finding.

Evidence process for third party professionals

This applies to the following exceptions:

- Non consensual conception - where child was conceived as a result of a non-consensual sexual act (including rape), or at a time when the claimant was subject to ongoing control or coercion by the other parent of the child
- Informal care - where the child or QYP is living with the claimant as part of an informal caring arrangement, where it is likely they would otherwise be likely to be looked after by the local authority

These exceptions will use a third party professional model, where the claimant will need to ask a third party to complete a form to evidence that they qualify for the exception.

Note: even where a claimant cannot get confirmation from a 3rd party they should still send the form in for a Decision Maker's decision, as this carries a Right of Appeal.

Non-consensual conception

The claimant will be directed to GOV.UK to download and print the form (the form can be provided by DWP staff if the claimant does not have internet access or the ability to download the form), which they will take to their chosen third party

professional body or specified charity to be completed. The claimant will then need to return the completed form to their work coach.

The form includes self-declarations that must be completed by the claimant to confirm that they are not living with the other parent of the child (biological father) and that they believe that their child qualifies for the exception.

A list of third party bodies for the non-consensual conception exception can be found [here](#).

Guidance to assist third party professional evidence providers in completion of the form can be found [here](#).

Informal care

The claimant will be directed to GOV.UK to download and print the form (the form can be provided by DWP staff if the claimant does not have internet access or the ability to download the form), which they will need to take to a local authority social worker to be completed. The social worker will need to demonstrate on the form that if the child were not living with the claimant under an informal caring arrangement, the child would otherwise be in local authority care. The claimant will then need to return the completed form to DWP.

Guidance to assist social workers in completion of the form can be found [here](#).

How to claim an exception

When the claimant tells us about a new child (third or subsequent) in their household, they will be given information about the exceptions. This will be done by:

- using their [Universal Credit online account](#), if they have one, or
- calling the helpline if they do not have an online account.

If **claimants have** an online Universal Credit account they are using Universal Credit full service.

If claimants **do not have** a Universal Credit online account they are using Universal Credit live service.

Universal Credit full service

Telephone 0345 600 4272

Textphone 0345 600 0743

Monday to Friday, 8am to 6pm

Universal Credit live service

Telephone: 0345 600 0723

Textphone: 0345 600 0743

Monday to Friday, 8am to 6pm

[Find out about call charges](#)

If the informal care exception is being applied for, the claimant will need to either download the evidence [form](#) or collect one from their work coach. They will then need to follow the third party professional evidence process above.

If the non-consensual conception exception is being applied for (and the claimant has no evidence e.g. conviction for rape or controlling or coercive behaviour), the claimant will need to either download the evidence [form](#) or collect one from their work coach. They will then need to follow the third party professional evidence process above.

In all other circumstances, the claimant will need to provide DWP with evidence to support the exception they are applying for - as outlined in the [exceptions](#) section above. New Universal Credit claimants will be given 30 days to provide their evidence and existing claimants will be given 14 days if they are adding an additional child to their claim.

The claimant can ask us to reconsider the decision if their claim for an exception is refused. They will need to do this within one month of the date they receive their exception refusal notification.

Additional information

Step-parents and exception run-on

Step-parents

Step-parents will be excluded from entitlement to the exceptions in their own right. In the case of the non-parental caring exception, neither claimant may be a step-parent of the child. This is because a step-parent could have deliberately split from the child's parent in order to gain an exception for a child who would not have been exempt had the couple not split.

Step-parents are also excluded from claiming the non-consensual conception exception and the multiple birth exception in their own right (they can claim it as part of a joint claim with the child's parent), because these are about the original (lack of) choice to have the child and therefore are only available to the natural parent(s).

Similarly, the adoption exception may only be claimed by the adoptive parent of the child.

Exception run-on

In order to avoid a cash loss, where a step-parent takes responsibility for the children after a joint claim with their parent ends, an exception that was in place in a previous joint claim will continue to be applied to the step-parent in their new single claim whilst they remain responsible for the child in respect of whom it applies. This 'run-

on' applies to the multiple birth, adoption, and non-consensual conception exception. No continuation is needed in respect of the friend or family carer exception, because the claimant would not be a 'step-parent' in that scenario and could continue to claim it in their own right.

The exception run-on will continue to apply until either the step-parent is no longer responsible for the relevant child, or there is a break in their Universal Credit entitlement of over 6 months. This means that, if the step-parent re-partnered with a different person, the run-on would continue in their new joint claim. However, if the step-parent then left that relationship, leaving the child within the sole responsibility of the ex-partner, the exception would stop. This is because the child would now be looked after by a person who is neither a parent nor a step-parent, meaning that the connection to the original reason for paying the exception would be lost. While the exception run-on would stop, the claimant could be entitled to the exception for friend and family carers or adoption in respect of that child, as an alternative, if the relevant conditions were met.

When a child leaves or joins the household

The order of children in a household may change over time, should another child/children or QYPs join or leave the household. Each time this happens the order of the children and QYPs in the household needs to be reassessed to work out which are the first and second children in respect of whom an additional amount of Universal Credit is automatically payable, and which are the third and subsequent children to whom any of the exceptions may apply.

In other words, any first or second child or QYP, at any given time, will receive the additional child amount of Universal Credit, regardless of historic circumstances.

This means that if the second eldest child in a three child household left the household, the third child would become the second child and so the claimant would receive the additional child amount of Universal Credit in respect of that child. For example, the second child could leave the household because they leave full time non-advanced education or move to live with another person. A third child (that no additional child amount of Universal Credit was previously being paid for) would become the second child (for Universal Credit child 'ordering' purposes) and the additional child amount of Universal Credit would then be paid for that child.

When a new child or QYP joins an existing claim, the order of children in the household may change and children or QYPs who were previously first and second in the household may become third or subsequent in the overall order. At that point it may become necessary to identify whether the children who are now third or subsequent in the household fall within an exception. For example, if a child's parents are separated and the child has been living with their father, they then decided they want to live with their mother, the ordering of the children in the mother's household would need to be re-visited.

Bereavement

If a child dies, the Universal Credit bereavement run-on will apply. This means that the award is calculated as though the child had not died for the assessment period in which the death occurs, and for the following two assessment periods. The additional child amount of Universal Credit would continue to be paid in respect of the deceased child for that period.

If the first or second child in a three child family died, the third child would move into position two in the household, but only at the end of the bereavement run-on period.

Family formation (6 April 2017 to 31 January 2019)

This is where two claimants join together to form a new family. The two single people who form a couple while claiming Universal Credit will be treated in the same way as they would if they had formed a couple before they claimed. They will be entitled to an additional amount for at least the number of children or QYPs born before 6 April 17 that they are responsible for. However, they will not be entitled to an additional amount of Universal Credit for a third or subsequent child born on or after 6 April 2017, unless an exception applies, even if the additional amount was previously paid for this child in a previous single person claim.

For example, where a single Universal Credit claimant who is receiving the additional child amount of Universal Credit for two children born before 6 April 2017 forms a couple with a new Universal Credit claimant who has two children born on or after 6 April 2017, the newly formed household is limited to two additional child amounts of Universal Credit in total (unless exceptions apply) - in the same way as an established family with four children who make a new claim would be. If all four children were born before 6 April 2017, the newly formed household will receive additional child amounts of Universal Credit for all four children.

2 child restriction and Housing Benefit

For guidance on the implications of the 2 child restriction on Housing Benefit please see the specific [Housing Benefit Guidance](#).

From February 2019 onwards

From February 2019 Universal Credit will accept new claims from claimants with three or more children. For these new claims, Universal Credit will no longer pay an additional amount for any third or subsequent child or qualifying young person, **regardless of when they were born**, unless exceptions apply.

Households who have been in receipt of support for children or QYPs in Universal Credit, Child Tax Credits, Income Support or Jobseeker's Allowance in the last

months will be protected so that their existing level of entitlement is maintained (as long as they remain entitled responsible for the same children and QYPs).

Claimants will remain entitled to their protected child amounts of Universal Credit for as long as they remain responsible for that child and do not have a break in their Universal Credit entitlement of more than six months. If there is a change of circumstance, such as a family formation change, transitional protection will apply so that the claimant will remain entitled to an additional amount for at least the number of children or QYPs born before 6 April 2017 that were part of the original claim.

Exceptions that applied in a claimant's previous award of Universal Credit, Child Tax Credits, Income Support or Jobseeker's Allowance will continue to apply in the claimant's new Universal Credit award, unless the conditions for that exception are no longer met. For example, an exception for non-parental care or adoption would cease to apply if the claimant subsequently partnered with the child's parent.

Additional information about the restriction on entitlement to amounts for children and QYPs from February 2019 onwards will be published nearer the time.

Annex A – examples of how to order children or QYPs

Example	How to order
The claimant (or their partner) is a natural parent or step-parent of the children or QYP.	Order the children or QYPs by their date of birth - starting with the eldest.
The claimant is not a natural parent (or step-parent) of the children or QYP.	Order the child or QYP by the date the claimant (or either joint claimant) first became responsible for them.
Due to multiple birth (twins, triplets etc) or group adoption, the children/QYPs have the same date of birth, or the same date the claimant became responsible for them.	Order the children in the order which gives the greatest entitlement to Universal Credit
The claimant gave birth to a child less than 10 months after becoming responsible for a child who meets the conditions for the non-parental caring exception.	Order the new born child and the child in the non-parental care arrangement (only between themselves) in the order which gives the greatest entitlement to Universal Credit
Claimant has three children; parent of 5 year old, parent of 7 year old and there is a 10 year old which joined the household 6 years ago which the claimant is not parent of.	The order of children would be: child 1 – 7 year old child 2 – 10 year old child 3 – 5 year old

Annex B – examples on multiple birth exception

Example	Outcome
Claimant is already in receipt of Universal Credit. They have 3 children all born on or before 6 April 2017. They have twins born after 6 April.	Continue to pay for the first three children and one of the two twins - the claimant would expect to have one child in pregnancy so will not be paid for that child. The additional child amount of Universal Credit will be paid for 4 children in total.
Claimant is already in receipt of Universal Credit but with no children. They have twins born after 6 April 2017.	We will pay the additional child amount of Universal Credit for up to 2 children. The additional child amount of Universal Credit will be paid for both children (twins) – as the first and second children in the household.
Claimant is already in receipt of Universal Credit. They have 1 child born before 6 April 2017. They have twins born after 6 April.	All three children will be paid for. Only 1 child born prior to 6 April (child 1), so one of twins will be paid as child 2, and 2nd twin meets multiple birth exception.
New claim for Universal Credit after 6 April 2017. Claimants has 3 children born before 6 April 2017 and has twins born after 6 April 2017.	Claimant cannot claim Universal Credit will be directed to claim tax credits and other legacy benefits instead (Child Tax Credit will pay an individual element for 4 children - the 3 born before 6 April 2017 and the 2nd twin born after 6 April 2017).

Annex C – examples on adoption exception

Example	Outcome
Claimant is already in receipt of Universal Credit before 6 April 2017. They have more than 2 children and one of those children is adopted from local authority care.	The additional child amount of Universal Credit will be paid for all children.
Claimant is already in receipt of Universal Credit before 6 April 2017. They have more than 2 children. They are also adopting a child from local authority care post 6 April 2017.	They will be paid the additional child amount of Universal Credit for all children because the adoption exception applies.
Claimant is already in receipt of Universal Credit before 6 April 2017. They have 2 children – 1 natural and 1 adopted. They have a third child (natural) born after 6 April 2017.	They will still be paid the additional child amount of Universal Credit for the 2 original children on the claim (1 natural and 1 adopted). As the third child is not adopted from local authority care, it is a natural child, they will not be paid the additional child amount of Universal Credit for the new child born after 6 April 2017 (unless a different exception applies to that child) - as the ordering rules mean that the new birth is the third child in order.
Claimant is already in receipt of Universal Credit before 6 April 2017. They have 3 children – 2 natural and 1 adopted. They have a fourth child (natural) born after 6 April 2017.	They will still be paid the additional child amount of Universal Credit for the 3 original children on the claim (2 natural and 1 adopted). They will not be paid the additional child amount of Universal Credit for the new child born after 6 April 2017 unless an exception applies.

Example	Outcome
New claim for Universal Credit after 6 April 2017. They have 3 children – 2 natural and 1 adopted.	Claimant cannot claim Universal Credit will be directed to claim tax credits and other legacy benefits instead (receipt of Child Tax Credit will depend on date of birth of children. If they were all born before 6 April 2017, they will be paid the individual element of Child Tax Credit for all children - without the need to check the exception for the adopted child).

Annex D - examples on non-parental caring arrangement exception

Example	Outcome
Claimant is already in receipt of Universal Credit before 6 April 2017 with more than 2 children (one is being cared for as family/friend carer). All children were born before 6 April 2017.	The additional child amount of Universal Credit will be paid for all children.
Claimant is already in receipt of Universal Credit before 6 April 2017 with more than 2 children. Claimant starts caring for a child as a family/friend carer post 6 April 2017 – and that child was born before 6 April 2017.	Existing additional child amount of Universal Credit paid for all children on the existing claim. Claimant will also be paid the additional child amount of Universal Credit for new child.
Claimant is already in receipt of Universal Credit before 6 April 2017. They have 2 children – 1 natural and 1 as a family/friend carer. Claimant expecting a third child (natural) after 6 April 2017.	They will still be paid the additional child amount of Universal Credit for the 2 original children on the claim (1 natural and 1 as a family/friend carer). They will not be paid the additional child amount of Universal Credit for the new child born after 6 April 2017, unless an exception or the 10 month ordering discretion rule applies.
Claimant is already in receipt of Universal Credit before 6 April 2017. They have 3 children – 2 natural and 1 as a family/friend carer. They are expecting a fourth child (natural) after 6 April 2017.	They will still be paid the additional child amount of Universal Credit for the 3 original children on the claim (2 natural and 1 as a family/friend carer). They will not be paid the additional child amount of Universal Credit for the new child born after 6 April 2017, unless an exception applies.

<p>New claim for Universal Credit. They have 3 children – 2 natural and 1 as a family/friend carer.</p>	<p>Claimant cannot claim Universal Credit and so will be directed to claim tax credits and other legacy benefits instead (receipt of Child Tax Credit will depend on date of birth of children. If they were all born before 6 April 2017, they will be paid the individual element of Child Tax Credit for all children - without the need to check the exception for the family/friend carer child).</p>
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Definitions

Definition of a Qualifying Young Person (QYP)

A Qualifying Young Person is someone aged 16-19 who is in education or training. In more detail:

Aged over 16 in any of the following situations:

- from his / her 16th birthday until 31 August following that birthday, whether or not they are in full time education;
- up to 31 August following their 19th birthday if they are enrolled in, or accepted for approved training or a course of education which is :
 - non-advanced education; and which is
 - provided at a school or college or provided elsewhere but approved by the SoS; and
 - where the average time spent during term-time in tuition, practical work, supervised study or taking exams (minus meal breaks or unsupervised study) exceeds 12 hours a week; or
 - approved training
- Where the qualifying young person is aged 19, they must have started, or been enrolled on or accepted on the education or training before reaching that age.

What is non-consensual conception?

It means conception that results from an act to which the claimant did not agree by choice, or did not have the freedom or capacity to agree by choice. This can be where the claimant was raped (whether by a partner, someone they knew, or a stranger). It can also include circumstances in which at or around the time of conception the claimant was subject to repeated or continuous controlling or coercive behaviour in an intimate or family relationship.

What is controlling or coercive behaviour?

Controlling or coercive behaviour is a type of domestic abuse or violence.

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Controlling or coercive behaviours might include (this is not an exhaustive list):

- Isolating a person from their friends and family;

- Depriving them of their basic needs;
- Monitoring their time;
- Monitoring a person via online communication tools or using spyware;
- Taking control over aspects of their everyday life, such as where they can go, who they can see, what to wear and when they can sleep;
- Depriving them of access to support services, such as specialist support or medical services;
- Repeatedly putting them down such as telling them they are worthless;
- Enforcing rules and activity which humiliate, degrade or dehumanise the victim;
- Forcing the victim to take part in criminal activity such as shoplifting, neglect or abuse of children to encourage self-blame and prevent disclosure to authorities;
- Financial abuse including control of finances, such as only allowing a person a punitive allowance;
- Threats to hurt or kill;
- Threats to a child;
- Threats to reveal or publish private information (e.g. threatening to 'out' someone).
- Assault;
- Criminal damage (such as destruction of household goods);
- Rape;
- Preventing a person from having access to transport or from working.