
Child responsibility

Check a client is responsible for a child

If the birth mother is not named on the Best Start Grant (BSG) application, the client or their partner must be responsible for a child to be eligible.

Pregnancy and Baby Payment

The child must also be under 12 months old on the BSG application date to be eligible.

Early Learning Payment

The child must also be between their second birthday and six months after their third birthday on the BSG application date to be eligible.

The client or their partner are responsible for a child if they either:

- have a 'responsibility benefit' award for the child
- have a 'legal order' for the child

Verify child responsibility

When an application is made by the client child responsibility will run automatically if there are no ID&V verifications (name, address and date of birth) raised on the client.

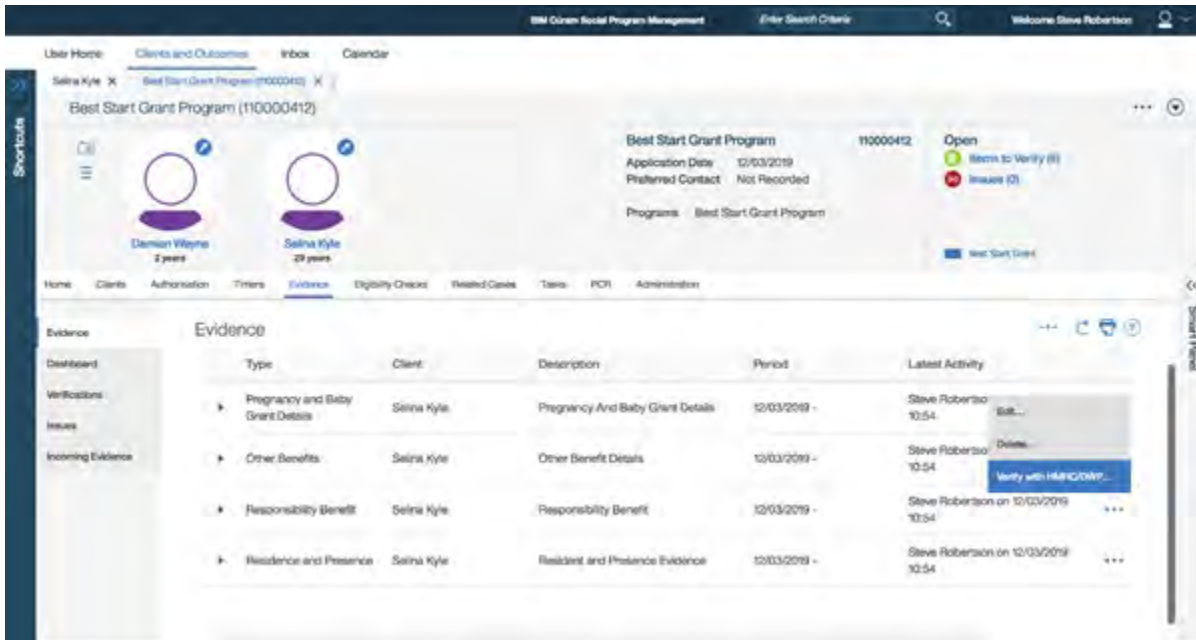
If there are verifications to clear on the client record, you'll need to check child responsibility manually. If you'll need to do this, you'll get a notification to verify child responsibility. This will appear in the top right hand side of the screen in SPM under 'items to verify'.

Run a manual check

To do this:

1. Log in to SPM.
2. Search for the client record.

3. Go to the BSG application case.
4. Select 'Evidence' from the top menu bar.
5. Select 'Evidence' on the left of the screen.
6. Select the action menu (...) and select 'Verify with DWP/HMRC batch files'.



The Responsibility Benefit will show as 'Not Determined' before it's verified. If a match is found then:

- the evidence will be updated with the Responsibility Benefit type
- the verification will be updated and cleared automatically

If no match is found then you'll see the below screen. You'll need to perform an additional check on Searchlight.



If there's no match to HMRC and DWP system

If there's no match on the system, do this:

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1. Log in to Searchlight.
 2. Check the client's and their partner's benefit interests.
 3. Check if there's a Child Benefit interest.

If there's a Child Benefit interest

Use the HMRC clerical process to confirm child responsibility.

If HMRC confirms child responsibility is met through Child Benefit, update 'Responsibility Benefit' evidence and verification.

If there's no Child Benefit interest but Child Tax Credit (CTC) interest shows on Searchlight

If the award date for CTC or WTC is less than 10 days ago, create a task to run the responsibility check again in 1 week.

If there is no Child Benefit Interest but Universal Credit (UC) shows on Searchlight

If the award date for UC is less than 5 weeks ago, create a task to run the responsibility check again in 1 calendar month.

If there is no Child Benefit interest but State Pension Credit (PC) shows on Searchlight

Contact DWP.

If the 'Responsibility Benefit' cannot be verified by the processes above, send the client a letter asking them to provide evidence of child responsibility.

Responsibility benefit

The child must be named on the client's or their partner's:

- Child Tax Credit
- Child Benefit
- Universal Credit claim

There's a limit to the number of dependants that Child Tax Credit or Universal Credit will cover. This does not affect BSG eligibility of the client.

Most clients who are responsible for a child will qualify for BSG as they receive a responsibility benefit. You should always first check this before considering other responsibility criteria.

If the client does not have a responsibility benefit for the child, see the 'Responsibility through legal order' section.

Verify Child Tax Credit or Child Benefit

To do this:

1. Log in to e-SEF.
2. Search for the client.
3. Select 'Award History'.
4. Look for a Child Tax Credit award.
5. If there's no award of Child Tax Credit, select 'Interests History' and look for a Child Benefit interest.
6. If there's a Child Tax Credit award or a Child Benefit interest on the BSG application date for the client or their partner, you must verify this by contacting HMRC.

When you contact HMRC you must give the following:

- full name of the client or their partner
- National Insurance Number (NINO) of the client or their partner
- date of birth of the client or their partner
- full name of the child
- date of birth of the child
- BSG application date

The HMRC staff member will confirm if the child was named on the client's or their partner's Child Tax Credit or Child Benefit award on the BSG application date.

You can also verify the following on the call:

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- the child's date of birth held by HMRC matches that provided by the client
 - other children under 16 for whom the client or their partner receive Child Tax Credit or Child Benefit. See 'Other children under 16 in the household' guide.

Update SPM

During application, the client will be asked if they or their partner have been awarded Child Tax Credit, Child Benefit or Universal Credit Child Element for the child. If they answer:

- 'Yes', then SPM will create a 'Responsibility Benefit – Child Tax Credit' evidence and an associated verification
- 'No', then SPM will not create any 'Responsibility Benefit' evidence or verifications

Once you complete verification of responsibility benefit, update SPM:

If the child is named on the Child Tax Credit award

Do this:

1. Log in to SPM.
2. Search for the client record
3. Go to the BSG application case.
4. Select 'Evidence' from the top menu bar.
5. Select 'Evidence' on the left of the screen.
6. If there is a 'Responsibility Benefit – Child Tax Credit' evidence, update it in the comments box with:
 - name of the HMRC member of staff
 - information provided by them
 - date and time of the call

See the SPM 'BSG application case evidence: Responsibility benefit evidence' guide on how to do this.

7. If there's no 'Responsibility Benefit – Child Tax Credit' evidence, create it and update it in the comments box with:
 - name of the HMRC member of staff
 - information provided by them
 - date and time of the call

See the SPM ['BSG application case evidence: Responsibility benefit evidence'](#) guide on how to do this.

8. Update the 'Responsibility Benefit – Child Tax Credit' verification (if there's one) by selecting 'confirmed by HMRC'. See the SPM ['BSG application case verifications'](#) guide on how to do this.

If the child is named on the Child Benefit Claim

Do this:

1. [Log in to SPM.](#)
2. [Search for the client record.](#)
3. [Go to the BSG application case.](#)
4. Select 'Evidence' from the top menu bar.
5. Select 'Evidence' on the left of the screen.
6. If there's a 'Responsibility Benefit – Child Tax Credit' evidence, delete it.

See the SPM ['BSG application case evidence: Responsibility benefit evidence'](#) guide on how to do this.

7. Create a new 'Responsibility Benefit – Child Benefit' evidence and update it in the comments box with:
 - name of the HMRC member of staff
 - information provided by them
 - date and time of the call

If the Child is not named on the Child Tax Credit or Child Benefit Claim

Do this:

1. [Log in to SPM.](#)
2. [Search for the client record.](#)
3. [Go to the BSG application case.](#)
4. Select 'Evidence' from the top menu bar.
5. Select 'Evidence' on the left of the screen.
6. If there's a 'Responsibility Benefit – Child Tax Credit' evidence, delete it.

See the SPM '[BSG application case evidence: Responsibility benefit evidence](#)' guide on how to do this.

7. Add a note in the application case stating that HMRC have confirmed that the child is not named on the client's or their partner's Child Tax Credit or Child Benefit award.

Verify Universal Credit

If there is no Child Tax Credit or Child Benefit award associated with the child, look for a Universal Credit award. To do this:

1. Log in to e-SEF.
2. Search for the client.
3. Select 'Award History'.
4. Look for a Universal Credit award.

If there's no Universal Credit Award on BSG application date

Do this:

1. Log in to SPM.
2. Search for the client record.
3. Go to the BSG application case.
4. Select 'Evidence' from the top menu bar.
5. Select 'Evidence' on the left of the screen.
6. If there's a 'Responsibility Benefit – Child Tax Credit' evidence, delete it.

See the SPM '[BSG application case evidence: Responsibility benefit evidence](#)' guide on how to do this.

7. Add a note in the application case with:
 - information that there's no Universal Credit Child Element associated with the child
 - date and time you checked e-SEF

If there's a Universal Credit award on the BSG application date

Ask the client to send in evidence that the child is named on their Universal Credit award (We cannot get confirmation of Universal Credit Child Element from DWP).

See the ['Ask a client for more information or evidence'](#) guide.

The evidence must be either:

- a letter from DWP
- print out from the client's or their partner's Universal Credit online account

This must be dated within the last two months and should include:

- full name of the client or their partner
- National Insurance Number (NINO) of the client or their partner
- current address of the client or their partner
- full name of the child
- date of birth of the child

Once you receive suitable evidence, do this:

1. [Log in to SPM](#).
2. [Search for the client record](#).
3. [Go to the BSG application case](#).
4. Select 'Evidence' from the top menu bar.
5. Select 'Evidence' on the left of the screen.
6. Create a 'Responsibility Benefit – UC Child Tax Credit' evidence and update it in the comments box with details of the evidence provided.

See the SPM ['BSG application case evidence: Responsibility benefit evidence'](#) guide on how to do this.

If the client has a responsibility benefit

If the client or their partner have a responsibility benefit, they meet the responsibility criteria.

They do not need to provide evidence of a kinship care order. You should remove any associated kinship care order verification from SPM. To do this:

1. Delete the 'Kinship Care' relationship held on the client or partner's client record for the relevant child (if held).

Responsibility through a legal order

If the client does not have a responsibility benefit for the child they can meet the responsibility criteria by providing evidence of having one of the following legal orders for the child:

Adoption

In this situation:

- the child has been placed with the client or their partner by an adoption agency
- the child is treated by law as the client's or their partner's child by reason of an adoption

Guardianship

In this situation the client or their partner are a Guardian of the child appointed by deed, will or by a court.

Parental order

In this situation the child is treated by law as the child of the client or their partner by virtue of an order under section 54 of the Human Fertilisation and Embryology Act 2008.

Kinship care

In this situation a child lives full-time or most of the time with a relative or family friend because they are not able to live with their birth parents. For example, a child moves to live with a grandparent because their mum or dad is ill or having problems with drugs or alcohol.

Kinship carers can be any age over 18.

Responsibility test

Most people will meet responsibility under Test 1, meaning they receive Child Benefit, Child Tax Credit, Universal Credit (Child element) or Pension Credit (Child element) for the child.

Some kinship carers are not able to get these benefits as they receive kinship care allowance from the local authority. This means they will need to provide evidence under Test 2, to prove responsibility for the child. The evidence might include:

- a Compulsory Supervision Order (CSO) as defined in Section 83 of the Children's Hearings (Scotland) Act 2011
- an Interim Compulsory Supervision Order (ICSO) as defined in Section 86 of the Children's Hearings (Scotland) Act 2011
- a Kinship Care Order made within the meaning of section 72(1) of the Children and Young People (Scotland) Act 2014 (sometimes referred to as a Residence Order or Section 11 Order)
- a Permanence Order under Section 80 of the Adoption and Children (Scotland) 2007 Act
- a letter from social work to show that a voluntary kinship care arrangement has been agreed between the parent and local authority under Section 25 of the Children (Scotland) Act 1995

There may be informal or private kinship arrangements. This means the change in who is caring for the child has not been formalised. In these circumstances carers **will not**:

- have any formal evidence to prove they are looking after a child
- be eligible for Best Start Grant

Verify responsibility through a legal order

The client must provide evidence of an appropriate legal order if:

- the responsibility benefit check has shown there's no Child Tax Credit, Child Benefit or Universal Credit award associated with the child
- the client has stated on their application they have a legal order that makes them responsible for the child

Ask the client for evidence by following the ['Ask a client for more information or evidence'](#) guide.

The document must include:

- name of the client or their partner
- name of the child
- date of birth of the child
- name of issuing body
- type of order
- date of issue

Interim Compulsory Supervision Orders and Compulsory Supervision Orders

These are issued when children are placed in foster or residential arrangements (who are not eligible for BSG).

If you receive one of these orders, you must ask the client for additional evidence to confirm the type of placement. This should be a letter from the Local Authority who implemented the order.

If a parental order is provided

If the client stated either that:

- they or their partner have a legal order that makes them responsible for the child
- they or their partner are the Kinship Carer of the child

this will create a Kinship Care Relationship on the client or their partner's client record and a Kinship Care Order Verification in the application case.

All types of Parental Orders should be recorded in SPM as a Kinship Care Order.

If responsibility is met through a 'Responsibility Benefit' then you should remove the Kinship Care Relationship evidence from the client's or their partner's client record.

If the client has provided evidence of a relevant court order, do this:

1. If there's no 'Kinship Care' relationship on the client's or their partner's client record for the child, create one.
2. Update the 'Kinship Care Order' verification by noting the type of order provided in the comments box.

See the SPM ['BSG application case verifications'](#) guide on how to do this.

If a relevant Kinship Care Order is not provided

If the client does not provide evidence of a relevant parental order, do this:

1. Delete the 'Kinship Care' relationship held on the client's or their partner's client record for the child (if held).
2. [Add a note in the application case](#) stating the client does not have a relevant parental order for the child.

Verify the child's date of birth

If the client or their partner have a responsibility benefit for the child, verify the child's date of birth as part of the [responsibility benefit](#) verification process.

If the client or their partner are responsible through a parental order, accept the order as proof of the child's date of birth. The child's date of birth is included in the order.

Ask the client to send a copy of the child's birth certificate if the child's date of birth is not verified by:

- HMRC
- a Universal Credit award letter

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- a parental order

Update SPM

When the child's date of birth has been verified, record it as follows:

1. If responsibility is met through a 'Responsibility Benefit', record means of verification in associated Responsibility Benefit Evidence comments box.
2. If responsibility is met through a Parental Order, record means of verification in Kinship Care Order Verification comments box.

See the SPM ['BSG application case verifications'](#) guide on how to do this.

Duplicate payments

If the Pregnancy and Baby Payment has already been awarded for a pregnancy or child, a second payment cannot be made for the same child.

SPM will check for a previous Pregnancy and Baby Payment award for the client and their partner. If one is identified, SPM will return an ineligible result due to a duplicate payment.

Change in responsibility

There's usually one payment for each child for the 3 different BSG payments.

If a parent or carer has taken over responsibility for a child, the application window is extended to the child's first birthday.

If there's been a change in responsibility for a child within the application window a second payment can be issued.

For a second payment to be issued, at the time of the first payment, the client or their partner must not have been:

- the partner or the first payment recipient
- a dependant of the first payment recipient

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- an individual, or the partner of an individual, for whom the first payment recipient is a dependant

Only one additional payment can be awarded per child, no matter how many changes in responsibility take place during the 'application window'.

Support for parents and carers

Adoption

Callers should contact the agency who is organising, or organised their adoption for support in the first instance. This may be either the local authority or a charity.

Adoption UK

This charity offers advice, support and information to families who want to adopt, or who have already adopted.

Helpline: 0131 201 2489

Email: scotland@adoption.org.uk

Kinship care

Citizens Advice Bureau

Direct carers to their nearest [Citizens Advice Bureau](#) or advise to call the helpline. There are trained kinship care advice workers throughout Scotland who can refer carers to a specialist kinship care adviser.

Helpline: 0800 800 9060

Website: www.cas.org.uk/bureaux

Kinship Care helpline

This facility offers confidential advice. Calls are free from landlines and most mobiles.

Helpline: 0808 800 0006

Local authority social work or children's services department

Advise the carer that if the child they care for has recently been living in a different local authority, they'll need to deal with that local authority.

Mentor UK's guide to kinship care in Scotland

[Download the Mentor Kinship Care Guide 2016 \(PDF\)](#)

Surrogacy

British Infertility Counselling Association (BICA)

This charity is a professional infertility counselling Association.

Website: www.bica.net

Surrogacy UK

This not-for-profit surrogacy organisation offers support to surrogates and intended parents through all the stages of surrogacy.

Website: surrogacyuk.org