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## Best Start Foods eligibility

### Client's eligibility for Best Start Foods (BSF)

Best Start Foods (BSF) is a payment for eligible women during their pregnancy and for children under the age of 3. To be eligible for BSF the client or the person applying must be either:

- a pregnant client, the partner of a pregnant client, or the pregnant client's parent/carer
- a person responsible for the child

The table below shows which qualifying benefits (QB) are required by clients, their partner or dependant(s).

<b>Client group</b>	<b>Age of recipient</b>	<b>Qualifying benefit required – could be applicant, partner or dependant who is awarded the QB</b>
<b>Pregnant person (their partner, parent/carer)</b>	Under 18 years old	No
<b>Pregnant woman (their partner, parent/carer)</b>	18 years old and over	Yes
<b>Child or person responsible for the child</b>	From birth to 1 year of age	No, if responsible person for the child (i.e. mother) is under 18 years old
	From birth to 1 year of age	

<b>Child or person responsible for the child</b>		Yes, if responsible person for child (i.e. mother) is over 18 years old
<b>Child or person responsible for the child</b>	Aged from one until the 3rd birthday	Yes, if responsible person for child (i.e. mother) is over 18 years old

### **Pregnant woman**

All pregnant clients under the age of 18 are eligible for BSF without the need of a qualifying benefit. They receive the equivalent of £4.25 a week for the duration of the pregnancy. If the pregnant applicant turns 18 during their pregnancy, their eligibility continues for the duration of that pregnancy, until the birth of the child. Once their child is born, eligibility passes to the child (see child's eligibility).

All pregnant clients aged 18 or over must be in receipt of a qualifying benefit, or be the partner or dependant of someone who is in receipt of a qualifying benefit to be eligible for BSF. She will receive the equivalent of £4.25 for the duration of her pregnancy.

Eligible pregnant women can access BSF as soon as they know they are pregnant. Any change in circumstances (for example, the end of pregnancy) should be addressed as set out in the change of circumstances section below.

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A pregnant woman's partner can apply for BSF on her behalf and be issued the smartcard on the pregnant woman's behalf.

A pregnant woman's parent or carer (e.g. grandparent) will be able to apply for BSF on the pregnant woman's behalf and to be issued the smartcard on the pregnant woman's behalf provided that they meet the dependency test (the same as the BSG dependency test).

### **A child from birth to 1 year old**

The responsible person for the child will receive the equivalent of £8.50 per week per child until the child turns 1 year old, or up until the 1st anniversary of the estimated date of delivery, if this date is later than the child's 1st birthday. This is to allow payments to continue beyond a year if the baby is premature. This 'double payment' in the 1st year of a child's life is to support costs for healthy foods whilst a mother is breastfeeding, or the costs associated for providing first infant formula milk.

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If the person responsible for a child is under 18 years of age, they do not need to be in receipt of a qualifying benefit to be eligible for BSF. If the responsible person turns 18 whilst in receipt of BSF for a child under the age of 1, the eligibility should continue until that child turns 1 years old, or up until the 1st anniversary of the estimated date of delivery, if this date is later than the child's 1st birthday.

When the person responsible for a child is aged 18 years and over, they or their partner or dependant needs to be in receipt of a qualifying benefit to be eligible for BSF.

Any change in circumstances (i.e. loss of qualifying benefit or losing responsibility for the child) should be addressed as set out in the change of circumstances section below.

### **A child aged 1 year old until 3rd birthday**

The responsible person will receive £4.25 a week for a child from their 1st birthday or from the date of the 1st anniversary of their estimated date of delivery if this date is later than the child's 1st birthday up until the child turns 3. The responsible person must be in receipt of a qualifying benefit to receive BSF. Payments should continue until the week of the child's 3rd birthday with the last payment being a full week's payment.

Any change in circumstances (i.e. loss of qualifying benefit or losing responsibility for the child) should be addressed as set out in the change of circumstances section below.

### **Change of circumstances**

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There is a requirement for clients to notify the agency of any change of circumstances even if it means that they will no longer be eligible to receive BSF.

If a client falls out of eligibility for BSF, for example, loses responsibility for the child, their pregnancy has come to an end or they are no longer on a qualifying benefit then they will no longer be eligible for BSF. The payments will stop once the agency has been notified of this change.

There should be no reclaim of any over-payments made. If there is a break in claim due to a client dropping out of eligibility within a 12 week period the client should be able to continue receiving BSF without having to re-apply.

## Qualifying benefits

The qualifying benefits for BSF are:

- Income Support
- Income-based Job seeker's allowance
- Income-related Employment and Support allowance
- Child Tax credit up to a maximum income of £16,190 per annum
- Working Tax Credit up to an income of £7,320 or less
- Pension Credit
- Housing Benefit with a weekly income of £311 and under
- Universal Credit (UC) with an earned income limit of £610 or less per month.

For Universal Credit, the monthly income limit should refer to an earned income or commonly referred to as 'take-home pay', which is the money a household receives from work after tax, National Insurance and any pension contributions have been taken off.

<b>Qualifying Benefit</b>	<b>Income Threshold</b>
Income Support	Not applicable
Income-Based Job Seeker's Allowance	Not applicable

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Income-Related Employment and Support Allowance	Not applicable
Child Tax Credit	Up to a maximum income of £16,190 per annum
Working Tax Credit	Income of £7,320 or less
Pension Credit	Not applicable
Housing Benefit	Weekly income of £311 or less
Universal Credit	Earned income limit of £610 or less per month

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## **Responsibility for a child**

To be classed as responsible for a child, the client must meet the same responsibility test as BSG as follows:

- 'Test 1' – this means they have been awarded Child Benefit, Child Tax Credit, Pension Credit (Child Element) or Universal Credit (Child Element) for the relevant child
- 'Test 2' – this means they have a court order which transfers parental rights, for example an adoption or a court order
- 'Test 3' – this means they are dependant of another person, they are the child's parent and the child normally lives with them, for example they are under 18, or 18-19 and are dependent on their own parent

### **If the client is not receiving a responsibility benefit under Test 1**

Then the client can meet the responsibility criteria under one of the following:

- adoption
- guardianship
- kinship care
- parental order

### **Adoption**

In this situation either:

- the child has been placed with a person or couple by an adoption agency (as defined by section 119 of the Adoption and Children (Scotland) Act 2007)
- baby or child has been adopted under section 28 of the Adoption and Children (Scotland) Act 2007

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## **UK legislation**

Courts in England and Wales may make children subject to care orders, supervision orders or educational supervision orders under the Children Act 1989.

Courts in Northern Ireland may make children subject to care orders, supervision orders or educational supervision orders under the Children (Northern Ireland) Order 1995 (the 1995 Order).

### **Guardianship**

In this situation the client or their partner have been appointed guardian of the child under Section 11 of the Children (Scotland) Act 1995.

### **Kinship care**

In this situation either:

- the child has been placed in kinship care by a Children's Hearing under a Compulsory Supervision Order (CSO) as defined in Section 83 of the Children's Hearings (Scotland) Act 2011
- the child has been placed in kinship care by a Children's Hearing under an Interim Compulsory Supervision Order (ICSO) as defined in Section 86 of the Children's Hearings (Scotland) Act 2011
- a kinship care order has been made within the meaning of section 72(1) of the Children and Young People (Scotland) Act 2014
- a kinship care placement is subject to a Permanence Order under Section 80 of the Adoption and Children (Scotland) 2007 Act
- a voluntary kinship care arrangement has been agreed between the parent and local authority under Section 25 of the Children (Scotland) Act 1995

### **Parental order**

In this situation, a parental order has been made under section 54 of the Human Fertilisation and Embryology Act 2008.



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## **Change of circumstances**

There is a requirement for clients to notify the agency of any change of circumstances, even if it means that they are no longer eligible to receive BSF.

If a client falls out of eligibility for BSF i.e. loses responsibility for the child, their pregnancy has come to an end or they are no longer on a qualifying benefit, then they will no longer be eligible for BSF. The payments will stop once the agency has been notified of this change.

There should be no reclaim of any overpayments made.

If there is a break in claim due to a client dropping out of eligibility within a 12 week period, the client should be able to continue receiving BSF without having to re-apply.

## **Application process**

The application for BSF can start from when a woman knows they are pregnant. The application process enables the applicant to apply for both BSF and BSG at the same time. The application form takes into account the difference between BSF, as an on-going benefit and BSG as a series of one-off payments.

- clients will be able to apply by telephone, web based application or by paper (submitted by post)
- the date of application is the date on which a completed application is received by the Agency i.e. date the online application is submitted, the postal application is received, or when a telephone call is made to the Agency
- a decision will be made based on the applicant meeting the requirements for entitlement on the date of their application
- where the Agency has verified information or evidenced information which suggests that the applicant is entitled to Best Start Foods and they are currently not claiming it, they will use it to proactively prompt an application

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- where the agency requires any evidence that is needed to substantiate the application, including evidence of identity, this should be the original and / or photographed or scanned
  - there will be certain conditions to meet to determine that a valid claim has been made, for example using an approved Agency process for application with all relevant questions completed and supplying required evidence
  - applications which do not meet this standard will follow a process for defective applications

### **Backdating**

A client in receipt of BSF during pregnancy has a 4 month window to notify the agency of the birth of the child, making them able to receive backdated payments from the birth date of their child (based on the difference between the pregnancy rate and the new born rate).

A new client will not be eligible for backdated payments if they apply from birth.

### **Existing awards**

BSF will replace Healthy Start Vouchers (HSV).

The rules around duration of payment and voucher value for BSF differ from those for the UK Healthy Start Vouchers. Transitional protection has been included to ensure the financial impact on existing recipients is minimised.

Scottish beneficiaries of Healthy Start Vouchers with children aged over 2 years old (on the date of application) will continue receiving payments at the new rate of £4.25 up until their child turns 4. Beneficiaries with children under 2 years old will move onto the new duration with the payments stopping when their child turns 3. If there is a break in the claim of beneficiaries who have transitional protection of less than 12 weeks, their transitional protection should continue to apply until their child reaches the age of 4.

### **Residency**

All clients must meet the residency conditions for Scotland.

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## Award amounts

Best Start Foods is made up of a weekly payment of:

- £4.25 for pregnancy (single weekly payment for pregnancy)
- £8.50 for each child under the age of 1
- £4.25 for each child aged one until they turn 3

In practice, these payments will be delivered through a pre-paid payment card on a 4 weekly basis in advance. The applicant will receive the payment card pre-loaded in the post. The payment card requires the client to validate the card when first received.

There is only 1 weekly payment per pregnancy. If a client is expecting a multiple pregnancy, they will receive £4.25 for the pregnancy.

It is the clients responsibility to notify us of the birth. We will then issue out £8.50 per child.

In the cases when eligibility stops or starts the payments will be made for the whole week.

## Evidence

To process an application we need to ask the following information from the client:

- their National Insurance number (from a National Insurance card, benefit letter, payslip or P60) - for example, 'QQ 12 34 56 A'
- their bank details - sort code and account number

If the details cannot be verified via e-SEF or BabyBox provider:

- a MAT B1 form, before the 30th week of pregnancy, to confirm the due date of the child, if still to be born
- a birth certificate, if the child has already been born
- proof, if they've taken custody of the child - for example, a parental order

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Clients can send in scanned originals. See the [list of accepted evidence](#).

Clients can apply for BSF as soon as they know that they or their partner are pregnant and do not need to wait to provide verification.