

Parents claiming for young people in further education or training

Parents claiming for young people in further education or training is one of a series of Child Poverty Action Group in Scotland leaflets giving guidance to advisers who are working with people who are studying or thinking about doing a course of education. Child Poverty Action Group promotes action for the prevention and relief of poverty among children and families with children.

Introduction

The aim of this leaflet is to explain when a parent, or someone responsible for a child, can continue to claim benefit for a child aged 16 or over.

A parent can claim benefits for a **'qualifying young person'**. This is someone aged 16 to 19 who is

- doing a full-time course of further, or non-advanced, education or an approved training course; AND
- under 19; or
- aged 19 and accepted on, enrolled on or started the course when they were under 19.

If someone meets the above conditions, then their parents may be able to claim the following benefits for them:

- child benefit (CB)
- child tax credit (CTC) (or income support/jobseeker's allowance (IS/JSA) if they do not yet have CTC)
- housing benefit/council tax benefit (HB/CTB)

Are they a qualifying young person?

As well as being the right age (see above), they must be on a **full-time course of non-advanced (further) education**. Non-advanced education is study below the level of HNC, and includes standard grades, Highers and advanced Highers, SVQ up to level 3 and National Certificates.

In order to be full-time, the course must be more than 12 hours a week during term time. In counting the 12 hours, include classes and supervised study, but do not include meal breaks or unsupervised study at home or at college.

Young people on **approved training** courses are treated as being in full-time non-advanced education. This applies if they are on a Skillseeker, Modern Apprenticeship, or Get Ready for Work course, but only if the training is not provided by a contract of employment.

Examples

Della is 18 and starts an SVQ level 2 in social care in August 2009, which is 24 hours a week. She turns 19 on 14 October 2009 during her course. She is still a qualifying young person until her course ends in June 2010.

Bill is 17 and on a Skillseekers course at college. He is treated as being in full-time non-advanced education and is a qualifying young person

In these two examples, the young person's parent is eligible to claim benefits for them.

When someone leaves full-time non-advanced education or training

When a young person finishes one full-time non-advanced course and is enrolled on another, they continue to be a qualifying young person between courses. Otherwise, when a young person leaves their course of education or training, you may still be able to claim for them for a while.

- **September after age 16:** if someone leaves a full-time non-advanced course or approved training course, you can continue to claim benefit for them until 31 August following their 16th birthday.
- **Extension period:** if someone leaves a course aged 16 or 17, and registers with Careers Scotland, you can continue to claim benefit for them for a further 20 weeks (unless they reach their 18th birthday before then) from the day after they leave the course.

- **Terminal date:** otherwise, you can claim until the next terminal date that falls after the course ends. This is either the last day in February, May, August or November. Benefit stops if they reach their 20th birthday before then. **Note that this does not apply to CTC.** If the young person is doing Highers/advanced Highers and finishes earlier than a comparable course in England or Wales would finish, the young person is treated as being in education until the date that comparable course would end.

Examples

Trey turns 16 in March and leaves school on 29 June. His parents can claim for him until 31 August. If he registers with the Careers Service, they could claim beyond 31 August under the extension period rules.

Keira sits her last Higher on 22 May. Her terminal date should be 31 May, but because the comparable exam in England is in June, she is treated as being in education until that date and the terminal date that applies is 31 August.

If your benefit runs out under the rules above, you can reclaim if the young person starts another course of full-time non-advanced education or approved training, and still counts as a qualifying young person (see *Introduction* and *Are they a qualifying young person?*).

Claiming benefits for qualifying young people

Who can claim?

You must be responsible for the young person, for example, they must normally live with you. You do not have to be the young person's parent. You could be a grandparent, brother or sister, or something else.

When can you not claim?

You usually cannot claim benefit for a young person who:

- claims benefits for themselves (see CPAG's leaflet *Benefits for young people in further education* to see when a young person can claim benefit for themselves)
- is in prison or local authority care
- works 24 hours a week or more (see below)
- lives with their partner.

Claiming when a young person is working

A young person can work fewer than 24 hours a week without your benefit being affected. If they work more than that your benefit for them stops unless they work:

- while they are on the course
- during a gap between courses (eg, over the summer), so long as they are enrolled on another course
- until 31 August after their 16th birthday.

Student/trainee funding and parent's benefits

A qualifying young person's student/trainee funding does not affect your award for CB, CTC, or HB/CTB.

If you do not yet get CTC, then their funding may affect your IS/JSA award. Education maintenance allowances (EMAs) are ignored as income, but a bursary maintenance allowance or training allowance would count as income and reduce the amount of IS/JSA that you get for the young person.

Examples

Sam is doing an SVQ level 2 and receives an EMA. His parents get CB and CTC for him, and these are not affected by his EMA.

Ellie is doing a Get Ready for Work course and gets a training allowance. Her mother is getting IS but does not yet get CTC. The amount of IS that she gets for Ellie is reduced.

Reporting changes

You should let the relevant office know about changes to the young person's circumstances, for example, if they start or leave a course, enroll on another course, or register with Careers Scotland. You should also let the Tax Credit Office know if a young person continues in non-advanced education after 31 August following their 16th birthday. For tax credits contact the Tax Credit Office and for child benefit the Child Benefit Office (both part of HM Revenue and Customs). For HB/CTB contact the local authority, and for IS/JSA the Department for Work and Pensions.

Further information and advice

Child Poverty Action Group in Scotland

0141 552 0552 advice line for advisers on benefits and tax credits

Monday, Tuesday, Wednesday and Thursday 10 am to 12 pm

This advice line is only for advisers. For help with your own benefits contact your college/university student welfare services, or your local citizens advice bureau.

E-mail: advice@cpagscotland.org.uk

e-mail advice for advisers on benefits and tax credits

Web:

for more information about

- CPAG in Scotland's Benefits for Students Project and more leaflets go to www.cpag.org.uk/scotland/studentbenefitsproject
- CPAG's *Benefits for Students in Scotland Handbook* go to <http://scottishhandbooks.cpag.org.uk>
- CPAG's *Welfare Benefits and Tax Credits Handbook*, go to www.cpag.org.uk

**CHILD
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in SCOTLAND

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