



FIXING A UC INCONSISTENCY – STUDENT CARERS

A BRIEFING FROM CPAG’S EARLY WARNING SYSTEM

September 2022

When universal credit (UC) was designed, most full-time students were excluded from claiming.

But it was decided that some full-time students, such as parents, *would* be able to get UC.

The problem

These individuals are nonetheless excluded from getting UC’s ‘carer element’. This element is intended for anyone who spends significant amounts of time providing unpaid care, usually to a family member or friend, but it is currently denied to *all* full-time students.¹

Why? The rule has been carried straight over to UC from the separate and pre-existing benefit, carer’s allowance – but it is inconsistent with the decision to allow some students to access UC.

The justification for this is not clear.

Case study from the Early Warning System

Roya² and her husband have two children. She is a full-time student nurse. After her husband became terminally ill, they claimed UC to help make ends meet. Roya was told she cannot get a carer element, worth £168.81 a month, even though she satisfies the means test and cares for her husband more than 35 hours a week.

It doesn’t matter that she’s a student with children, and so entitled to UC – or that she’s an NHS frontline worker. There is simply a blanket ban on carer element for full-time students.

¹ [Regulations 29\(1\) and 30\(1\) of the Universal Credit Regulations 2013](#) and [section 70\(3\) of the Social Security Contributions and Benefits Act 1992](#)

² Roya is a real claimant but her name has been changed.

Recommendations

The rules on eligibility for a UC carer element should be changed, so that anybody who is eligible to claim UC can get one, including full-time students.

A similar change has already been made for earners: many were excluded from getting carer's allowance but there is no such exclusion from the UC carer element. This change preserves UC's aim of rewarding work. The same fix needs to be implemented to uphold the policy decisions that have been made about UC and students.

Expanding eligibility for the carer element would involve a simple change to the law.³ This would make a huge difference to the modest number of student carers in the UK, like Roya, who would qualify. Unlike carer's allowance, UC is means-tested, so making an extra UC element available to students will only help those in financial need.

It would introduce fairness into an inconsistent system and would cost the government very little to implement.

About CPAG

Child Poverty Action Group works on behalf of the more than one in four children in the UK growing up in poverty. It doesn't have to be like this. We use our understanding of what causes poverty and the impact it has on children's lives to campaign for policies that will prevent and solve poverty – for good. We provide training, advice and information to make sure hard-up families get the financial support they need. We also carry out high profile legal work to establish and protect families' rights.

About the Early Warning System

Our Early Warning System helps us get a better understanding of how changes to the social security system are affecting the lives of children and families. The information we gather from frontline advisers informs much of our policy, research and campaigning work, and also feeds into our advice services.

Thank you to everyone who has contributed to our Early Warning System – to every adviser who has submitted a case and to rightsnet which hosts invaluable benefit forums for advisers.

³ An amended version of regulation 30(1) of the Universal Credit Regulations 2013 might read:

For the purposes of Part 1 of the Act and these Regulations, a person has regular and substantial caring responsibilities for a severely disabled person if:

- (a) they satisfy the conditions for entitlement to a carer's allowance; or*
- (b) they would satisfy those conditions but for the fact that —*
 - (i) their earnings have exceeded the limit prescribed for the purposes of that allowance; or*
 - (ii) they are receiving full-time education; or*
 - (iii) both (i) and (ii) apply.*