



## BENEFITS IF YOUR CHILD IS IN RESIDENTIAL ACCOMMODATION

If your child has overnight stays away from home in a residential care or a residential educational setting, some of the benefits you receive are likely to be affected. This factsheet looks at what happens to benefit payments when a disabled child is in residential accommodation.

### WHAT IS RESIDENTIAL ACCOMMODATION?

The following settings are defined as residential accommodation:

- **residential school or college**
- **residential care home**
- **respite or short break placement in a residential setting.**

### HOW DOES IT AFFECT MY BENEFITS?

There are different rules for each benefit. Some may stop altogether, some may be reduced, while others may continue to be paid as usual. It is important that you tell the relevant benefit offices when your child goes into residential care even if they only go in for a few nights each month.

### WHO SHOULD I TELL?

You need to tell each office separately as they do not always pass on information. No one else will do this on your behalf, so tell them as soon as you can to avoid any overpayments.

### Universal Credit

You can use the *Report a Change* section of your online account or contact:

 Universal Credit helpline: **0800 328 5644**



### Disability Living Allowance (DLA) or Personal Independence Payment (PIP)

If you get either of these benefits for your child, contact:

 DLA Unit: **0800 121 4600**  
PIP office: **0800 121 4433**

### Carer's Allowance

If you get Carer's Allowance, contact:

 Carer's Allowance Unit: **0800 731 0297**

### Child Disability Payment, Adult Disability Payment and Carer Support Payment

Social Security Scotland administer these three benefits. Contact them on:

 Freephone: **0800 182 2222**

## Child Benefit

If you get Child Benefit contact:

 Child Benefit Office: **0300 200 3100**

## Housing Benefit or Council Tax reduction

Tell your local council.

The rules for each benefit are explained on the following pages.

### DISABILITY BENEFITS

When we refer to a disability benefit in this factsheet, we mean one of the following:

- Disability Living Allowance (DLA)
- Personal Independence Payment (PIP)
- Child Disability Payment (Scotland only), and
- Adult Disability Payment (Scotland only).

## WHEN MIGHT YOUR CHILD'S DISABILITY BENEFIT STOP?

If your child is in:

- *a residential care home, including for respite breaks, or*
- *in residential school or college*

and this is being paid for out of public funds, payment of the care component/daily living component of their disability benefit stops after 28 days.

The 28 days do not have to be consecutive. Overnight stays in a residential setting separated by 28 days or less are added together (see section on the Linking Rules). The day your child goes into residential care and the day they leave do not count as days in care.

If they receive the mobility component as part of their disability benefit this should continue to be paid as normal.

## WHAT ARE PUBLIC FUNDS?

'Public funds' usually means that your local authority's social services or education department is meeting some or all of the costs of your child's accommodation, board or personal care in that residential setting. If your child's residential care is fully funded by the NHS different rules may apply – see page 3.

If someone else (for example a charity) meets the costs or if you meet the costs yourself different rules apply, call our free helpline for advice.

## THE LINKING RULES

When working out whether your child's care component or daily living component payments will stop, it is important to know that any stays in residential accommodation that are separated by 28 days or less at home will be added together. This is known as the 'linking rule'.

This means that if your child has regular short breaks in a residential setting, the number of days in each of these separate breaks can be added together. Once your child has spent a total of 28 'linked days' in a residential setting, they will stop being paid the care component during any subsequent days in care. They will still get payments as normal for the days they spend at home.

### EXAMPLE A

Sean qualifies for DLA. He goes into residential care funded by his local authority. Initially this is only for a short temporary period and he is treated as in care for 10 days. He returns home for three weeks, before moving into a residential school. Once he has been in his residential school for 18 days, payment of the care component stops. This is because he has had 28 linked days in residential accommodation – made up of 10 days in temporary care + 18 days in residential school. The two periods in residential accommodation are linked together, as they were separated by less than 29 days at home. His mobility component continues as normal.

If at any point your child spends a continuous period of 29 days or more at home in between stays in a residential setting, the 'link' is broken. If they go back into residential accommodation after breaking the link, they will be allowed another 28 days in care before their daily living/care component is once again suspended.

#### EXAMPLE B

Sean has now been in residential school for several months and his DLA care component payments have been suspended. He comes home for periodic weekends and his parents receive the care component at a daily rate for those days that he comes home. Sean then returns home for the long summer vacation, and his parents receive payments of the DLA care component during the school break. Because Sean is at home for more than 28 days, he breaks the link with his previous stays in residential accommodation. This means that when he returns to residential school after the long summer holiday, his DLA care component is paid for the first 28 days of his return to school before once again being suspended.

#### What if my child comes home for visits?

Even if the care component/daily living component of their disability benefit is suspended when your child is in a residential setting, they are still entitled to payments at a daily rate for any days that they come home.

These payments are normally made in arrears after you have notified the relevant benefits office of the days your child has spent at home. The DWP sometimes call these 'boarders payments'.

**Make sure that you tell the office paying your child's disability benefit about any days that your child comes home and goes back into their residential placement.**

#### Counting the number of days away from home

The day your child enters residential accommodation and the day they leave are both treated as days at home. For example, if your child goes into a residential school on a Monday and comes back on a Friday, then only Tuesday, Wednesday and Thursday will count as days away from home. This is a total of three days, so you would receive four days' worth of the care component/daily living component of their disability benefit in that week.

#### SHORT BREAKS

When planning short breaks it is helpful to keep in mind the 'linking rule'.

For example, it may be possible for you to arrange two separate nights' of a short break which would mean that your child's disability benefit would not be reduced.

#### EXAMPLE C

Amara lives in Scotland and qualifies for Child Disability Payment. She has two nights per week short break, on a Friday and on a Wednesday. When she goes to respite care on Friday, this is not counted as a day in care and when she goes back home on Saturday, that day is not counted as a day in care either. The same applies on the Wednesday. This means that her DLA is not affected by her short breaks.

If the short breaks were to be changed so that Amara spent Friday and Saturday nights in care, returning home on Sunday, then the Friday she goes in is not counted and the Sunday she returns home is not counted, but the Saturday is counted as 1 day in care. If the same pattern is followed every week, then the days link up and after 28 weeks, Amara will have spent 28 'linked days' in respite care. This means that the following week when she goes for a short break she will lose 1 days' worth of DLA care component. However, if Amara were then to have a gap between her short breaks for at least 29 days then the link would be broken and she could continue with the Friday and Saturday nights respite care for a further 28 weeks without it affecting her DLA.

## WHAT HAPPENS TO THE MOBILITY COMPONENT?


The mobility component of your child's disability benefit award continues to be paid as normal, despite the fact that they are in a residential setting.

### Can I keep the Motability car?

If you use your child's higher rate mobility to lease a car through the Motability scheme, you are likely to be allowed to keep the car if it is being used for the benefit of your child, for example, if you visit them regularly and use the car to take them out or if they come home regularly for weekends or holidays and are benefiting from the car during these returns home.

The decision on whether you can retain the Motability car or not is made by the Motability Unit itself rather than by the DWP or Social Security Scotland. If you have to give up the Motability car before the end of the agreement you could be liable for charges.

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 Contact Motability on **0300 456 4566** or go to [motability.co.uk](https://www.motability.co.uk) to discuss your situation.

### If you stop using the Motability scheme

You will receive payments of the mobility component instead. Normally the office paying your child their disability benefit are happy to continue making these payments to you as your child's appointee for benefits purposes. However, sometimes another person, such as the manager of your child's care home, may be made their appointee instead. This means that they are then responsible for receiving your child's disability benefits and spending it on their needs rather than you. The decision on whether someone should replace you as your child's appointee is made by the DWP or Social Security Scotland.

## WHAT IF MY CHILD'S CARE IS FUNDED BY THE NHS?

Different rules can apply if your child's residential care is funded by the NHS and they receive treatment from, or are under the direct supervision of, qualified doctors or nurses who are employed by the care home. In these cases, your child falls under the hospital rules rather than the care home rules.

Under DLA rules a child in residential care can only fall under the hospital rules if the costs are met in full by the NHS AND they receive treatment from suitably qualified health professionals.

However, if your son or daughter gets PIP or Adult Disability Payment there is a risk that they could fall under the hospital rules even if the NHS is only meeting

part of the costs. For Child Disability Payment you fall under the hospital rules if you are treated as a 'hospital in-patient'. This has not been legally defined as yet, so it should be given its everyday meaning.

If your child is:

- **Aged 18 or over** when they first go into a residential care setting funded by the NHS and they fall under the hospital rules – both the care and mobility parts of their disability benefits, are suspended after 28 days.
- **Under 18** when they first go into residential care funded by the NHS and they fall under the hospital rules, both components of their disability benefit should continue to be paid in full.

### What if my child's care doesn't fall under the hospital rules despite being funded by the NHS?

If your child is not receiving care supervised by doctors or nurses then they should fall under the normal residential care rules, even if the costs are fully met by the NHS. This means they should continue to receive the mobility component of their disability benefit. However, the care/daily living component of their disability benefit will stop after 28 days in the care home.

The rules are complex so seek further advice if you are not sure whether your child should fall under the hospital rules.

## CARER'S ALLOWANCE OR CARER SUPPORT PAYMENT (IN SCOTLAND)

If your child is in a residential setting, your Carer's Allowance/Carer Support Payment could be affected. This may be for one of two reasons:

1. You need to be providing at least 35 hours a week care to your child, and may not be doing so while they are in care, and
2. To be treated as a carer you not only need to be providing 35 hours a week care but the person you are looking after needs to be getting payments of the care component/daily living component of a disability benefit for the days that you look after them. These payments are likely to have been suspended if they've been in residential accommodation for more than 28 days. This means that your child must be coming home regularly in order for you to continue getting a carer benefit for them.

## Can I still get Carer's Allowance/Carer Support Payment?

Even though your child is in residential accommodation you may be able to continue getting Carer's Allowance/Carer Support Payment if your child regularly spends at least two days or more at home in one 'benefit week'. A benefit week for Carer's Allowance/Carer Support Payment runs from Sunday to the following Saturday midnight. To get Carer's Allowance/Carer Support Payment, you must provide at least 35 hours care during that single 'benefits week'.

This does not have to be spread over the whole week. If you provide 35 hours care over a two or three day period, this should be sufficient. And time spent driving your child to and from their residential placement, preparing your home for their visit or cleaning up afterwards should count towards the 35 hours' care.

### What if my child comes home at weekends?

Because the benefit week runs from Sunday to the following Saturday midnight, the care you provide over a single weekend is divided between two separate benefit weeks. If your child only comes home some weekends, you are unlikely to qualify as a carer unless they come home on consecutive weekends.

If your child does come home every weekend, this will allow you to add the care you provide on the Sunday and Monday of one weekend to that provided on the Friday and Saturday of the following weekend.

#### EXAMPLE D

Julie's son is at residential college and gets PIP enhanced daily living component. He comes home every Friday at 6pm and returns to college on Monday morning. The hours care between Friday evening and all day Saturday up to midnight don't add up to 35 hours but if Julie's son was home the previous weekend she can also add the hours from the previous Sunday and Monday, giving her over 35 hours in the 'benefit week'. This means she would qualify for Carer's Allowance.

If you stop qualifying for Carer's Allowance/Carer Support Payment because your child is in residential accommodation, you will also lose any carer element being paid as part of a Universal Credit claim.

## CHILD BENEFIT

Child Benefit normally continues for a child who is in residential school. It can also continue for a child in residential care, but only if you continue to spend money on them of at least the same amount as the Child Benefit. For example, if your child comes home or you visit them regularly or if you buy them clothing, food, games or pay for their activities. Otherwise, payments normally stop after 12 weeks in residential care.

## UNIVERSAL CREDIT

If your child is in a residential setting and is treated as 'looked after' by the local authority, they will stop being treated as part of your Universal Credit claim immediately.

This means that:

- **You'll stop receiving any Universal Credit payments for that child** so any child element and any disabled child addition you get for them stops.
- **You will stop getting any help with childcare costs** for that child within your Universal Credit award.
- **If you are a working parent and you only have one dependent child who becomes 'looked after' by the local authority**, you will stop receiving a work allowance in your Universal Credit calculation (unless you or your partner has been assessed as having a limited capability for work-and-work-related activity). The work allowance is an earnings disregard. Losing it may mean you see an increase in the amount that's deducted from your Universal Credit for earnings.
- **If you are in rented accommodation and get Universal Credit towards your housing costs**, the amount of help you get with rent continues to be calculated as if your child was still living with you for the first six months of a temporary absence. After 6 months you may get less help with rent, e.g. because you are seen as having an extra bedroom. Seek advice about applying to your local authority for discretionary housing payments (DHPs) if this happens to you.

The only exceptions to this are where a child is only looked after as part of a planned short break or where a looked after child has been placed with someone who has parental responsibility for that child. In either of these circumstances, you continue to be treated as responsible for your child despite their looked after status and can receive Universal Credit payments as normal.

Your child is likely to have looked after status if they are in a residential care home. Some children in residential school can also have looked after status. This will depend on the reason that the local authority is funding that residential school or college placement.

### **What does 'looked after' mean?**

For Universal Credit purposes, a looked after child is one who has been accommodated under one of the following provisions:

- *section 22 of the Children Act 1989*
- *section 17(6) of the Children Act (Scotland) 1995, or*
- *section 74 of the Social Services and Well-being (Wales) Act 2014.*

In Northern Ireland your child is looked after if the Health and Social Care Trust has responsibility for that child's maintenance and care including a duty to accommodate the child and have a care plan.

This can include children who are being looked after on a voluntary basis. For instance, a child who is being provided with care and accommodation voluntarily under section 20 of the Children Act, falls under section 22 and therefore has looked after status.

### **What happens if my child doesn't have 'looked after' status?**

If your child is in residential accommodation but doesn't have 'looked after' status, you can continue to receive Universal Credit payments for them so long as their absence from home is seen as temporary and is expected to last for less than six months.

The Universal Credit regulations do not include any rules linking separate periods in residential accommodation together. Given this it may be possible to argue that if your child comes home for a short period before six months have passed, that one temporary absence has ended and a new temporary absence has started. This may allow Universal Credit payments for them to continue.

### **Can I continue to get Universal Credit if Carer's Allowance/Carer Support Payment stops?**

If your Carer's Allowance/Carer Support Payment stops, you will also stop being treated as a carer for Universal Credit. You will lose a carer element from your Universal Credit award. However, your Universal Credit may continue without the carer element as long as you can satisfy work-related conditions or you can be exempt from these conditions for other reasons. For example, you might be a full-time carer for someone else.

### **When will I not be expected to look for work?**

If you stop being treated as a carer you may find that your Universal Credit work coach expects you to look for work. If you have a child who is under one-year-old you will not be asked to look for work. Or if you have health problems which would affect your ability to work you can submit 'fit notes' from your GP stating that you have limited capability for work. You would be asked to undergo a 'work capability' assessment but work-related conditions may be reduced in the meantime. Call our helpline for more information.

### **PENSION CREDIT**

If a child in residential accommodation does not have 'looked after' status (see above) you can continue to receive an additional Pension Credit child amount for them as long as their stay is temporary and they are not expected to be in residential accommodation for more than 52 weeks (longer in some exceptional cases). If you are entitled to a Carer Support Payment for them and this stops, the extra carer addition that you get as part of your Pension Credit will stop 8 weeks later.

However, if your child has 'looked after' status, you no longer get an additional child amount for them in your Pension Credit, unless they are only being looked after as part of a planned short break.

### **SCOTTISH CHILD PAYMENT**

You continue to be entitled to the Scottish Child Payment for a child in residential accommodation so long as you meet the normal qualifying rules e.g. you are still receiving a means tested benefit such as Universal Credit and remain responsible for that child.

For the purposes of the Scottish Child Payment you are treated as responsible for a child so long as you or your partner get either:

- *Child Benefit for them;*
- *Universal Credit child elements for them; or*
- *A child amount in Pension Credit for them.*

This means that even if your child has looked after status and your Universal Credit child elements have ceased, you can still get the Scottish Child Payment so long as you continue to get Child Benefit for them and still get some Universal Credit or Pension Credit, after elements for the looked after child have been stopped.

## **HOUSING BENEFIT AND COUNCIL TAX REDUCTION**

The majority of parents no longer receive Housing Benefit as it has been replaced by Universal Credit housing payments. However, you may still get Housing Benefit if you are in certain types of specialist accommodation such as temporary accommodation or supported accommodation. The Housing Benefit rules are complicated but, usually your child should continue to be treated as part of your claim so long as they are not 'looked after' by the local authority and their absence from home is expected to last for less than 52 weeks.

### **When will my Housing Benefit be reduced?**

If your child's absence is likely to last for more than 52 weeks or they are 'looked after' by the local authority, they will normally stop being treated as part of your Housing Benefit claim straightaway. How this will affect the amount of Housing Benefit you get will depend on your other circumstances. For instance, if you start to be treated as having an extra bedroom because your child lives away from home this could mean a reduction in your Housing Benefit.

### **What to do if your Housing Benefit is reduced**

If your Housing Benefit is reduced, leaving you to pay a shortfall in rent you can ask your local Housing Benefit Office to consider awarding a 'discretionary housing payment' (DHP). DHP awards are at the discretion of the local council and are usually only made for short periods of time.

### **Help with council tax**

Whether a child's absence from home in a residential setting will impact on the help you get with Council Tax will depend on the Council Tax reduction rules that apply in your council's area. You may no longer be eligible for some non-means tested disregards or discounts applied to your Council Tax bill. Seek advice from a local advice service.

## **HOUSEHOLD BENEFIT CAP EXEMPTION**

The household benefit cap limits the amount of benefit you can be paid if you get Universal Credit or Housing Benefit. Some people are exempt from the cap. This includes those working sufficient hours or earning a set minimum amount. However, you are also exempt if you or a member of your household gets certain disability or carers benefits.

If the only reason that you are exempt from the household benefit cap is because you have a child on a disability benefit, you will lose that exemption if your disabled child is no longer counted as part of your claim for Housing Benefit or Universal Credit because they are 'looked after' in a residential setting. This could mean a reduction to your Universal Credit or Housing Benefit.

## **WHAT HAPPENS IF YOUR CHILD CLAIMS BENEFITS AS A DISABLED ADULT?**

If your son or daughter is a young adult and gets Universal Credit in their own right they will continue to receive this in full while in a residential setting. It is not reduced simply because they are 'looked after', although if they have their own tenancy any Universal Credit rent payments will stop if they either give their tenancy up or are likely to be absent for six months or more.

### **If your child's care is funding by social services or social work (Scotland)**

If social services (social work in Scotland) fund your child's accommodation, most of the Universal Credit they receive will be clawed back via charges for the care they receive. After charging they will be left with only a small amount called the personal expenses allowance. In 2026/27 this is only £31.80 per week in England, £35.90 per week in Scotland and £44.65 per week in Wales.

Your local authority has a discretionary power to increase the amount of the personal expenses allowance that your child gets to keep, if they have certain needs relating to their disability or enjoy activities which help to increase their independence and which are not fully met by their care package.

### **Does my child have the option of claiming benefits as an adult in their own right?**


Where a child is aged 16-19 and remains in full-time non-advanced education there may be some choice over whether you continue to claim benefits for them as part of your family or whether they claim Universal Credit as a young person in their own right. If benefits you get for them as a dependent child – such as Universal Credit child amounts – have stopped because they are looked after, you may be interested in trying to help them claim Universal Credit as a young adult instead.

However, this is a hugely complex area and what is in your family's best interests will vary depending on your child's circumstances including their age, the type of education they are in if any, and who is funding their residential accommodation.

The rules are very complicated so seek individual advice. Call our helpline on 0808 808 3555 to arrange a detailed benefit calculation.

Different rules apply where a child is in hospital. For more information:

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 For more information see our free factsheet on [Disability Living Allowance when your child is in hospital](#)

## HOW CONTACT CAN HELP

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Get in touch with our free helpline if you would like more information about how a stay in residential accommodation affects benefits:

**0808 808 3555** [helpline@contact.org.uk](mailto:helpline@contact.org.uk)

We have a range of free guides for parents, including:

- [Claiming Disability Living Allowance for children](#)
- [Money Matters – England, Northern Ireland and Wales - a checklist of financial help available](#)
- [Money Matters – Scotland - a checklist of financial help available](#)
- [Claiming Universal Credit for a young disabled person](#)

All our guides are free to parents who contact our helpline, or to download from [contact.org.uk](http://contact.org.uk)



FREEPHONE HELPLINE

**0808 808 3555**

[helpline@contact.org.uk](mailto:helpline@contact.org.uk)

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