

FINANCIAL HELP FOR FAMILIES FLEEING DOMESTIC ABUSE

May 2020

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 work to understand what causes poverty and the impact it has on children's lives, and how it can be prevented and solved – for good.

We provide training, advice and information to make sure hard-up families get the financial support they need.

Introduction

Financial help for families fleeing domestic abuse is one of a series of Child Poverty Action Group leaflets giving guidance to advisers and those working with families about aspects of the social security system of particular concern.

If you are experiencing domestic abuse, the financial implications should not be a barrier to making yourself and your children safe. There are special social security rules that are aimed at helping you in this situation.

Refuges can always provide support in an emergency, regardless of your income or resources, and can help you sort out your finances in the longer term.

Under UK social security legislation, the term 'domestic violence' is used and defined as any incident or pattern of incidents of controlling behaviour, violence or abuse, including physical, sexual, psychological, financial or emotional abuse, by a partner, former partner or family member, regardless of your gender or sexuality.

This leaflet gives a brief overview of what benefits you may be able to get if you have to flee your home due to domestic abuse. It is not a full statement of the law and you should seek specialist advice in your individual circumstances.

What financial help is available if you need to flee your home due to domestic violence?

Scottish Welfare Fund / English Local Welfare Assistance Schemes / Welsh Discretionary Assistance Fund

Some of the help available is different depending on where you live.

In Scotland, you can apply to the Scottish Welfare Fund for a Crisis Grant for living expenses if you need to leave your home in an emergency. You can also apply for a Community Care Grant for other needs such as travelling expenses or household items if you are moving into a new home, and are facing exceptional pressures due to domestic violence. You should be without income or on a low income, such as getting certain benefits, but this is not essential. You should apply to your local authority for a Crisis Grant and/or Community Care Grant from the Scottish Welfare Fund. You should also claim any benefits you are eligible for and request an advance payment.

In England and Wales, if you need to leave your home in an emergency you can apply to your local authority's Local Assistance Scheme in England, or Discretionary Assistance Scheme in Wales. Each local authority runs its own scheme. These schemes have replaced the discretionary part of the Social Fund in England and Wales. Please note, not all English Councils run a local welfare assistance scheme and the rules about eligibility and the level of help available vary between schemes. Ask your local council for details of the scheme they run. Applications are usually online and you can apply for emergency living expenses and the costs of any travel involved in fleeing domestic violence. You may also be able to apply for the costs of essentials such as white goods if you have had to move in a hurry and need to settle somewhere new. You should also claim any benefits you are eligible for and request an advance payment.

[More information on local welfare assistance schemes](#)

Universal credit

Throughout the UK, universal credit is a working age means-tested benefit, payable in or out of work, including amounts for children, childcare costs and housing. It replaces income support (IS), income-based jobseeker's allowance (JSA), income-related employment and support allowance (ESA), housing benefit and tax credits (known as 'legacy benefits') for new claimants.

If you have fled domestic abuse, you will have to claim universal credit in the following circumstances:

- You have children and were previously getting tax credits as a couple;

- You have become liable for rent for the first time, or liable for rent in a new local authority area;
- You have stopped working, or become unable to work due to illness; or
- You are not entitled to any of the other 'legacy benefits'.

If you get universal credit and then move into a refuge provided by a local authority, charity or voluntary organisation because you have left your home due to domestic violence, or are placed in temporary homeless accommodation, you continue to get universal credit for yourself, but you need to claim housing benefit from your local authority to get help with your housing costs.

Universal credit is usually only paid after a monthly assessment period, followed by 7 days before the first payment. You can request a short-term advance if you are in financial hardship – this can be up to 100% of your estimated entitlement, and is usually repaid from your future payments over 12 months. Universal credit is usually paid all in one monthly payment into your account. You can ask for your payment to be made twice a month, or for the amount for rent to go direct to your landlord.

A change of circumstances takes effect from the start of a monthly assessment period. So if you were previously getting universal credit as a couple and have left your former partner, you must notify that you are now claiming as a single person and for any children you are responsible for. You will be paid as a single person for the whole of the monthly assessment period in which you left your former partner, and your claim will continue to run on the same monthly assessment period. If universal credit was being paid into your former partner's account, it is vital that you notify your own account details for your single claim before your first payment is due. Ask the DWP for help if you have difficulties opening an account.

Most universal credit claimants are subject to work-related requirements, which include attending work-focused interviews if your youngest child is aged one, and preparing for work if your youngest child is aged two. If your youngest child is aged three or over, you are subject to all work-related requirements, but can agree limitations on hours of work. You are at risk of a sanction if you do not comply with your work-related requirements without good reason (note, your requirements may be relaxed during the COVID-19 pandemic).

If you have been affected by domestic violence within the last six months, you should not be subject to any work-related requirements for a period of 13 weeks if you provide evidence of the abuse from a person acting in an official capacity, such as police or social worker. This exception can only be applied once in any 12-month period. If you have children, you should not have to be available for or look for work for a further 13 period of weeks, but may be required to attend work-focused interviews or prepare for work.

If you are responsible for a child who has been a victim of, or witness to, violence or abuse, or has been affected by the death of a family member in the last two years, and this has disrupted their school or childcare, you can be allowed a month in which you do not have to

look for work or be available for work. This can be allowed once in each six month period in the two years following the event. However, if the incident is the same episode of domestic violence for which you have been allowed the period of 26 weeks described in the above paragraph, the month runs at the same time.

Two child limit

There is a two child limit in child tax credit and universal credit which can mean no child element is payable for a baby born on or after 6 April 2017 if you are already claiming for two or more other children. However, there is an exception if the child was conceived as a result of rape or in a controlling or coercive relationship. You must not be living at the same address as the alleged perpetrator at the time the exception applies. A controlling or coercive relationship includes behaviour which causes you to fear on at least two occasions that violence will be used against you, or that causes you serious alarm or distress which has a substantial adverse effect on your day-to-day activities. You must provide evidence from an approved person that you had contact with them or another approved person about the rape or coercive or controlling relationship. A list of approved persons is set out in guidance and includes health care professional, social worker or other approved organisations. Third party evidence is not required if there has been a conviction for the offence of rape or coercive controlling behaviour in the UK, or a similar offence abroad, or a Criminal Injuries Compensation award in respect of a sexual offence, physical abuse or mental injury, and it is likely that the offence or injury resulted in the conception. [More information on support for a child conceived without your consent.](#)

Housing Benefit

If you are in a refuge or temporary homeless accommodation, you claim housing benefit for your rent even though you claim universal credit for yourself and your children. If you have fled your home due to fear of violence but intend to return, for example when your former partner has been excluded or convicted, you can continue to receive housing benefit for up to 52 weeks of a temporary absence. In this situation, you can also receive housing benefit on another home, for example if you are liable for rent in temporary accommodation.

The benefit cap

Housing benefit and universal credit can be reduced if your total from benefits including universal credit, IS, JSA, child benefit, child tax credit and housing benefit is more than the 'benefit cap', currently around £385 a week for parents and couples (£442 if you are inside Greater London), less if you are a single person without children. This is most likely to affect you if you have a large family or are living in accommodation with a high rent. If you are staying in a refuge, this type of accommodation is usually exempt from the benefit cap, so your housing benefit can cover the higher charges usually associated with the additional support and security provided. If you are getting housing benefit on two homes under the rule described above, you may be affected by the benefit cap.

Child tax credit

If you were getting tax credits as a couple, your joint claim can be ended and you will usually have to make a new single claim for universal credit instead. You will still receive a final decision about your old joint claim. If there was an overpayment in your old joint tax credits claim with your partner, you will be asked to repay no more than 50% of the overpayment.

If you report that you have been affected by domestic violence, your case should be handled by a dedicated team who must ensure that your claim is dealt with appropriately, for example that you are not asked to provide information that could put your safety at risk.

Child benefit

Child benefit is usually paid to the person responsible for the child. If you were not the child benefit claimant before fleeing domestic violence, you should make a new claim for a child or children you are responsible for. It can take several weeks to change claimants, unless your former partner agrees to withdraw his/her claim.

If you had opted not to receive child benefit due to the 'high income tax charge' because your former partner's income was over £50,000, you should ask for payment to be reinstated once you have separated.

Pension credit

If you are over pension age (rising to 66 by November 2020), you can claim pension credit as a single person. Pension credit is a means-tested benefit for older people. You are allowed more to live on and are not required to look for work, and cannot be sanctioned. If you have children, a child element can be included in your pension credit.

Means-tested benefits and your former partner, property or savings

If you are claiming universal credit, income support, income-based JSA, income-related ESA, housing benefit or a council tax reduction, your claim is not affected by your former partner's income. Any payment of child maintenance is ignored. If you receive spousal maintenance, this counts as your income and does affect your claim.

If you have fled a property of which you were the owner or joint owner, the value of the property is ignored for at least 6 months following a relationship breakdown, or longer in other circumstances, for example if your former partner is a lone parent, or if you are taking legal advice to return to the property or take steps to sell your share.

If you had a joint account with your former partner, you will need to open an individual account in your own name to receive payments of benefits and tax credits. You may be treated as having a 50 per cent share of jointly held savings, but if you are unable to access a joint account due to domestic violence, you should argue that the value is nil for means-

tested benefits. You should also seek legal advice on gaining access to your share and other financial issues.

People from abroad

European Economic Area (EEA) nationals may find that their rights to claim benefits are limited, depending on their circumstances, and should seek specialist advice.

People from abroad who entered the UK as the partner of a British citizen or settled person and have fled domestic violence may be entitled to claim benefits and tax credits under a special concession. If you have 'no recourse to public funds' as a condition on your stay in the UK, this concession allows you access to public funds so that you are not at risk. You can apply for a 'Destitute Domestic Violence Concession' from the Home Office to allow you limited access to benefits and tax credits for three months. You should seek specialist immigration advice to apply for indefinite leave to remain in the UK. [More information on applying for benefits if you have a visa.](#)

People from outside the European Economic Area (EEA) who entered the UK as the partner of an EEA national and have fled domestic violence may also be able to obtain rights to claim benefits under European law.

Further information and advice

In an emergency call 999

Women's Aid is a federation of frontline domestic abuse services, supporting women and children.

Women's Aid (England)

Live online chat: chat.womensaid.org.uk Monday- Friday 10 - 4pm, Saturday and Sunday 10-12pm

Email: helpline@womensaid.org.uk Website: www.womensaid.org.uk

Welsh Women's Aid

Live Free Helpline 24 hour: 0808 80 10 800 Text 24 hour: 07860077333

Email: info@livefearfreehelpline.wales

Websites: www.welshwomensaid.org.uk and www.livefearfree.gov.wales

Scottish Women's Aid

Scottish Women's Aid is the lead organisation in Scotland working towards the prevention of domestic abuse, and is the collective voice for 36 local member groups. Contact your local group on 0131 226 6606.

Website: www.scottishwomensaid.org.uk

Domestic abuse and forced marriage helpline (Scotland)

Help and support for support anyone in Scotland with experience of domestic abuse or forced marriage and their friends and family.

Freephone 24-hour helpline: 0800 027 1234 (7 days a week)

Email: helpline@sdafmh.org.uk Website: www.sdafmh.org.uk

Refuge

Help and support for all victims of domestic violence. Refuge can help you find a refuge vacancy for you and your children and support you to find local assistance.

Freephone 24-hour National Domestic Abuse Helpline 0808 2000 247

Online chat: www.nationaldahelpline.org.uk/Chat-to-us-online Monday - Friday 3-6pm

Send a message: www.nationaldahelpline.org.uk/Contact-us

Men's Advice Line

Help and support for male victims of domestic violence.

Freephone helpline: 08 801 0327 Monday – Friday 9am-5pm

Email: info@mensadviceline.org.uk

Website: www.mensadviceline.org.uk

Galop

Help and support for lesbian, gay, bisexual and transgender victims of domestic violence.

Freephone helpline: 0800 999 5428 Mon - Fri 10am - 5pm, Wed - Thurs 10am - 8pm

Contact online: www.galop.org.uk/report

Website: www.galop.org.uk

Financial support through the benefits system

There is [a range of help through the benefits system](#) for victims of domestic abuse, and there is further [specific support available](#) from the DWP if you are claiming universal credit during the COVID-19 pandemic.

This includes (from [the DWP website](#)):

“We can help you access temporary accommodation such as a refuge, and put you in touch with expert local advice and support networks. The jobcentre can support you by helping you make a new application for Universal Credit, and you can apply for an advance payment where needed, which can provide quicker access to money. From this moment your ex-partner will not have access to any information about your new claim.”

CPAG advice lines for advisers and support workers

England, Wales and Northern Ireland

020 7812 5231 Monday to Friday, 10am to 12 noon and 2pm to 4pm.

Email advice@cpag.org.uk for universal credit, tax credit, or child benefit issues.

Scotland

0141 552 0552 Monday to Thursday, 10am to 4pm, Friday 10am to 12 noon.

Email: advice@cpagscotland.org.uk for any benefit issue.

CPAG’s advice lines are only for frontline workers. If you are having problems with your own universal credit claim and are in need of advice you should contact your local [Citizens Advice Bureau](#) or other local welfare rights service.

CPAG publishes the [Welfare Benefits and Tax Credits Handbook](#), a comprehensive guide to benefits and tax credits for claimants and advisers.

CPAG Early Warning System

The Early Warning System gathers information and case studies about how changes to the benefit system are affecting the wellbeing of children, families and the communities and services that support them. This helps us explain the impact on families and work for improvements in the system, to deliver better outcomes for children.

Find out more and how to get involved at cpag.org.uk/early-warning-system, and in Scotland cpag.org.uk/scotland/ews.

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