

FINANCIAL HELP FOR FAMILIES FLEEING DOMESTIC ABUSE

April 2022

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

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 or coercive behaviour, violence or abuse, including (but not limited to) 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 and rules that may apply if you have to leave 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 Welfare 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.

For more information on local welfare assistance:

- in England, see [AdviceLocal.uk](https://www.adviceuk.org/england)
- in Scotland, see mygov.scot
- in Wales, see gov.wales

Universal credit

Universal credit is a working-age means-tested benefit, payable whether you are in or out of work, which can include amounts for children, childcare costs and housing costs. 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 and have a low income, you will have to claim universal credit in the following circumstances:

- you have children and were previously getting tax credits as a couple; or
- you have become liable for rent for the first time, or in a new local authority

area; or

- you are not getting any of the 'legacy benefits'. If you are getting a legacy benefit, get advice to see if you would be better off on universal credit.

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

Universal credit payments

Universal credit is usually paid monthly in arrears. Payment is made for each monthly assessment period, normally a week after the end of the assessment period. This means you may wait 5 weeks for your first universal credit 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 24 months. In Scotland, you can ask for your universal credit to be paid twice a month, and for the amount for rent to go direct to your landlord. In some circumstances, in England and Wales it may be possible to have payments more frequently than once a month and for the amount for rent to go direct to your landlord but such 'alternative payment arrangements' are discretionary.

A change of circumstances normally takes effect from the start of a monthly assessment period. If you have left your former partner and were previously getting universal credit as a couple, notify the DWP via your online universal credit account or the universal credit helpline that you are now claiming for yourself as a single person and for any children you are responsible for. You can be paid as a single person (or lone parent) 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 as before. If universal credit was being paid into your former partner's account, it is vital that you notify the DWP of your own account details before your first payment is due. Get advice if you have difficulties opening a bank or building society account. If you are a professional supporting someone who has experienced domestic abuse contact **CPAG's Survivors Welfare Advice Project** for help (for contact details, see below).

Universal credit work-related requirements

Most universal credit claimants are subject to work-related requirements, such as attending work-focused interviews if their youngest child is aged one, preparing for work if their youngest child is aged two, and if their youngest child is aged three or over, they are normally 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.

If you have experienced or been threatened with 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 the police or a social worker. This exception can only be applied once in any 12-month period. If you have a child under 16, you should not have to be available for or look for work

for a further 13 weeks, but may be required to attend work-focused interviews or prepare for work.

If you are responsible for a child under 16 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 your normal childcare responsibilities, 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 13 or 26 weeks described in the above paragraph, the month runs at the same time.

Two-child limit

No child element is included in your universal credit or child tax credit for a child born on or after 6 April 2017 if you are already claiming for two or more other children. This is known as the 'two-child limit'. There are some exceptions to the two-child limit eg, an exception applies if the child was likely to have been conceived as a result of rape or in a controlling or coercive relationship and you are not, or are no longer, living at the same address as the alleged perpetrator.

A controlling or coercive relationship includes behaviour which caused you to fear on at least two occasions that violence would be used against you, or that caused you serious alarm or distress which had a substantial adverse effect on your day-to-day activities. You must provide evidence from an 'approved person' confirming that you had contact with them or another 'approved person' about the rape or coercive or controlling relationship. A list of who counts as an 'approved person' is set out in guidance and includes a health care professional, social worker or other approved organisations. This third-party evidence is not needed 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.

For more information on this exception to the two-child limit, see [gov.uk](https://www.gov.uk)

Housing benefit

If you are in a refuge or temporary homeless accommodation, you claim housing benefit for your rent and universal credit for yourself and your children.

If you have fled your home due to fear of violence but intend to return, eg, when your former partner has been excluded or convicted, you can continue to receive housing benefit or the universal credit housing element for that home for up to 52 weeks of a temporary absence. In this situation, if you are in temporary accommodation, you can get housing benefit for your temporary home as well as housing benefit or the universal credit housing element for the home you are temporarily away from.

The benefit cap

Universal credit and working-age housing benefit can be reduced if your total income from

certain 'specified benefits' is more than the 'benefit cap'. If you live outside Greater London the benefit cap is £384.62 a week, or £1,666.67 a month, for lone parents, and £257.69 a week, or £1,116.67 a month, if you are a single person without children. If you live in Greater London it is £442.31 a week, or £1916.67 a month, if you are a lone parent, and £296.35 a week, or £1284.17 a month, if you are single without children.

In some circumstances the benefit cap does not apply eg, if you get ESA and are in the support group, or your universal credit includes the limited capability for work-related activity element or the carer element, or you get working tax credit or carer's allowance, or if you, or a child you are responsible for, get personal independence payment, adult disability payment, disability living allowance or child disability payment. The benefit cap also may not apply if you are in a nine-month (or, for housing benefit, 39-week) 'grace period' after stopping work, or, for universal credit, if you work and your net earnings are £658 a month or more.

'Specified benefits' include JSA, ESA, child benefit and maternity allowance. If you are claiming universal credit, universal credit is also a specified benefit and if you are claiming housing benefit, housing benefit, income support and child tax credit are also specified benefits.

The benefit cap 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, the housing benefit you get for this type of accommodation does not count towards 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.

For further information on the benefit cap, see [gov.uk](https://www.gov.uk).

Universal credit, housing benefit and the sanctuary scheme

If you or a member of your household have been subject to domestic violence, or been threatened with it, and you are living in social rented property that has been adapted under the 'sanctuary scheme' (which is a scheme to provide additional security in the home) your housing benefit or your universal credit housing costs element is not reduced if you have more bedrooms than you are thought to need (ie, the bedroom tax does not apply to you). In order for the bedroom tax not to apply you normally must not be living with the perpetrator and you must provide evidence from someone acting in an 'official capacity' which confirms that you have been in contact with them about the domestic violence or threat of it and that you live in property that has been adapted under the sanctuary scheme.

Child tax credit

If you were getting tax credit as a couple, your entitlement ends when you are no longer part of that couple and usually you will have to make a new claim for universal credit instead. You will still receive a final decision about your old joint child tax credit claim which you made with your ex-partner. If there was an overpayment in the joint tax credit claim, you should not be asked to repay 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, eg, you should not be 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 the 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 child benefit charge' because your former partner's income was over £50,000 a year, you should ask for payment to be reinstated once you have separated (unless your own income is over £50,000).

Pension credit

If you are over pension age, 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, an additional amount for your child(ren) may 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 you receive is ignored when working out your benefit entitlement. If you receive spousal maintenance, this counts as your income and does affect your entitlement.

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, eg, if your former partner is a lone parent, or if you are taking legal advice to return to the property or taking 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. 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 on other financial issues.

More information on help available for the DWP if you have experienced domestic abuse or violence, see [gov.uk](https://www.gov.uk).

People from abroad

People from abroad may find that their rights to claim benefits are limited, depending on their immigration status, 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 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 for three months. You should seek specialist immigration advice to apply for indefinite leave to remain in the UK.

To apply for a destitution domestic violence (DDV) concession, see [gov.uk](https://www.gov.uk)

Further information and advice on domestic abuse

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 8am - 6pm, Saturday and Sunday 10am-6pm

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

Welsh Women's Aid

Free 24-hour Helpline: 0808 80 10 800 Text 24 hour: 078600 77 333

Type Talk 18001 0808 80 10 800

Email: info@livefearfreehelpline.wales

Website: welshwomensaid.org.uk

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. For your local group contact

0131 226 6606 or see womensaid.scot/find-nearest-wa-group/ .

Website: womensaid.scot

Scotland's domestic abuse and forced marriage helpline

0800 027 1234 (24 hours a day, 7 days a week)

Email: helpline@sdafmh.org.uk

Website: sdafmh.org.uk

Online chat: sdafmh.org.uk/contact-us/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: nationaldahelpline.org.uk/Chat-to-us-online Monday - Friday 3-10pm

British sign language helpline: nationaldahelpline.org.uk/en/bsl Monday - Friday 10am-6pm

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

Respect Men's Advice Line

Help and support for male victims of domestic violence.

Freephone helpline: 0808 801 0327 Monday - Friday 9am-

8pm

Email: info@mensadviceline.org.uk

Website: mensadviceline.org.uk

Webchat: mensadviceline.org.uk/contact-us/ Wednesday - Friday 10-11am and 3-4pm

Galop

Help and support for LGBT+ people who have experienced domestic abuse.

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

Email: help@galop.org.uk

Webchat: galop.org.uk/get-help/helplines/ Wednesday and Thursday 5-8pm

Website: galop.org.uk

CPAG advice lines for advisers and support workers

CPAG's Survivors Welfare Advice Project

The Survivors Welfare Advice Project (SWAP) is a free UK-wide service run by CPAG which offers advice to professionals working with domestic abuse survivors on issues relating to their benefit claims and entitlement by telephone and email.

07983 946608

Monday, Tuesday, Thursday and Friday 10am-12pm and 2pm-4pm.

Email: swap@cpag.org.uk

CPAG Advice Service for Advisers

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](#) 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 which is available [in print](#) or online by subscription to [AskCPAG](#).

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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