



Benefits for people who have experienced domestic abuse

Factsheet 3: Exceptions to the two-child limit

April 2023

Note: This factsheet was updated in April 2023. Social security law and guidance changes frequently and such changes may affect the accuracy of the information given in this factsheet.

If you qualify for a means-tested benefit such as universal credit or housing benefit, or for child tax credit, and you have more than two dependent children, the amount of benefit you get may be restricted by what is called the 'two-child limit'. This factsheet explains one of the exceptions to the two-child limit which may be relevant to survivors of domestic abuse.

Amounts for children in universal credit, housing benefit and child tax credit

You normally qualify for additional amounts within your universal credit (UC), housing benefit (HB), and child tax credit (CTC) for each child, or qualifying young person, you are responsible for. In this factsheet we call them your 'dependent children'. These additional amounts are called child elements or, for HB, personal allowances for children. However:

- for **UC and CTC**, if you already have at least two child elements included in your award, you cannot get a child element for a third or subsequent dependent child unless:
 - the child was born before 6 April 2017; *or*
 - an exception applies to the child (see below).
- for **HB**, if you already have at least two personal allowances for children included in your award, you cannot get a personal allowance for a third or subsequent dependent child unless:
 - the child was born before 6 April 2017; *and*
 - your HB claim was not made on or after 6 April 2017; *and*
 - the child joined your household before 6 April 2017; *or*
 - a child element for the child has been included in the assessment of your entitlement to CTC.

This rule is known as the 'two-child limit'.

Note: if you get a child element in your UC or CTC or an allowance in your HB for a child who lives with you under a 'non-parental caring arrangement', or who you have adopted or had placed with you for adoption by the local authority, then in some circumstances, the child element or allowance

for that child is not counted when calculating whether you already have two child elements or two allowances for children included in your UC, HB or CTC.

Exceptions to the two-child limit

There are a number of reasons why an exception may apply to a child. For a [full list of the exceptions see our Welfare Benefits and Tax Credits Handbook](#) (subscriber content). This factsheet explains an exception which may be relevant if you have experienced domestic abuse.

An exception applies to a child if:

- it is likely that the child was conceived as a result of a sexual act which either:
 - you did not consent to by choice; *or*
 - you did not have the freedom or capacity to consent to. This might include, for example, if it was at a time when you were in an abusive relationship, involving controlling or coercive behaviour by the other biological parent of the child which led you to fear violence on at least two separate occasions or caused you serious alarm or distress which had a substantial adverse effect on your day-to-day activities; *and*
- you are not living with the perpetrator (although it does not matter if you previously lived together).

Evidence

Except in the circumstances detailed below, you must provide supporting evidence from an ‘approved person’. A list of who counts as an ‘approved person’ is given in official guidance, and includes healthcare professionals, social workers and support workers from approved organisations such as specialist rape and domestic abuse charities including the Survivors Trust, Refuge, Rape Crisis England and Wales, and members of the Women’s Aid Federation of England. [Find a list of all approved persons on gov.uk](#).

You do not need to provide supporting evidence from an approved person if there is a conviction for rape or coercive or controlling behaviour in the UK, or for a similar offence abroad. There is also no requirement to provide supporting evidence from an approved person if you have been awarded criminal injuries compensation after a sexual offence, physical abuse or mental injury. In both cases it must be likely that the offence or criminal injury resulted in the child’s conception.

You can be treated as having provided evidence for universal credit if you have already provided it to HM Revenue & Customs (HMRC) for CTC purposes.

How to request an amount for a child under this exception

For both UC and CTC, if you want to request a child element for a child for whom this exception applies using evidence from an ‘approved person’ (see above), submit a completed NCC1 form ‘Support for a child conceived without your consent’. Part 1 of the NCC1 form should be completed by you, and Parts 2 and 3 by the approved person. This is likely to be the most straightforward way to make your request.

For UC, you can either [download the NCC1 form from gov.uk](#), request one on your UC online journal, ask your work coach for one, or telephone the [UC helpline](#) on 0800 328 5644 (Textphone: 0800 328 1344; Relay UK: 18001 then 0800 328 5644; Welsh language: 0800 328 1744).

For CTC, you can either [download the NCC1 form from gov.uk](#), or telephone the [Tax Credit Helpline](#) on 0345 300 3900 (Relay UK: 18001 then 0345 300 3900) and ask to speak to the Specialist Exceptions Team to obtain a copy of the form.

If you are not able to get evidence from an 'approved person' or you prefer not to, and you are not required to because there is a conviction or criminal injuries award which relates to the conception of the child, submit evidence of this either to the Department for Work and Pensions (DWP) for UC, or to HMRC for CTC.

Submitting the form or evidence

For **UC**, if you have an online UC account you can ask for a link to upload the completed NCC1 form, or evidence, to your online account or you can give it to your work coach at the Jobcentre. If you do not have an online account, you can give the form or evidence to your work coach at the Jobcentre or ask your UC case manager where to send it.

For **CTC**, send the completed NCC1 form or evidence to the Tax Credits Office Exceptions Service at the address in Part 4 of the form.

For **HB**, notify your local authority's housing benefit section that you have been awarded a child element within CTC for the child, and if possible provide evidence of this. Evidence could be a copy of a recent letter from HMRC explaining how your child tax credit has been calculated.

[For details of other exceptions to the two-child limit, such as multiple births or for children who have been adopted, see our *Welfare Benefits and Tax Credits Handbook* \(subscriber content\).](#)

Further information

CPAG test case on the two-child limit: [R \(SC and Ors\) v SSWP \[2021\] UKSC 26](#)

CPAG in Scotland: [Five years of the two-child limit](#)

DWP guidance: [Para F1022 Advice for decision making: staff guide](#)

Factsheets in this series

To access all the following factsheets, go to the [Survivors of domestic abuse](#) topic on AskCPAG.

Benefits for people who have experienced domestic abuse:

Factsheet 1. Financial help for families fleeing domestic abuse

Factsheet 2. Unwanted payments of abuser's benefit into your account

Factsheet 3. Exceptions to the two-child limit

Factsheet 4. Work-related requirements if you have recently experienced domestic abuse

Factsheet 5. Separated but living in the same property

Factsheet 6. Value of property and its effect on means-tested benefits

Further help on benefits and tax credits

CPAG's Advice Service for Advisers

England, Wales and Northern Ireland:

Tel: 020 7812 5231

Monday to Friday: 10am - 12 noon and 2pm - 4pm.

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

Scotland:

Tel: 0141 552 0552

Monday to Thursday: 10am - 4pm,

Friday: 10am - 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 need advice, please contact your local [Citizens Advice](#) or other local welfare rights service.

CPAG's publications

[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's 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:

England and Wales: cpag.org.uk/early-warning-system

Scotland: cpag.org.uk/scotland/ews

Further information and advice on domestic abuse:

If you are in immediate danger: phone 999

Women's Aid

A federation of frontline domestic abuse services, supporting women and children

Women's Aid (England)

Live online chat: [womensaid.org.uk/information-support/](https://www.womensaid.org.uk/information-support/)
Monday- Friday 8am - 6pm, Saturday and Sunday 10am-6pm
Email: [womensaid.org.uk/information-support/help-by-email/](mailto:info@womensaid.org.uk)
Website: [womensaid.org.uk/](https://www.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
For email address: [welshwomensaid.org.uk/what-we-do/live-fear-free-helpline/](https://www.welshwomensaid.org.uk/what-we-do/live-fear-free-helpline/)
Website: [welshwomensaid.org.uk](https://www.welshwomensaid.org.uk)

Scottish Women's Aid

For local groups contact
0131 226 6606 or see [womensaid.scot/find-nearest-wa-group/](https://www.womensaid.scot/find-nearest-wa-group/)
Website: [womensaid.scot](https://www.womensaid.scot)

Scotland's domestic abuse and forced marriage helpline

Tel: 0800 027 1234 (24 hours a day, 7 days a week)
For email address: [sdafmh.org.uk/en/contact-us/](mailto:info@sdafmh.org.uk)
Website: [sdafmh.org.uk/en/](https://www.sdafmh.org.uk/en/)
Online chat: [sdafmh.org.uk/en/contact-us/](https://www.sdafmh.org.uk/en/contact-us/)

National domestic abuse helpline

Tel: 0808 2000 247 (Freephone, 24 hours a day, 7 days a week)
Online chat: [nationaldahelpline.org.uk/Chat-to-us-online](https://www.nationaldahelpline.org.uk/Chat-to-us-online)
Monday - Friday 3-10pm
British sign language helpline: [nationaldahelpline.org.uk/en/bsl](https://www.nationaldahelpline.org.uk/en/bsl)
Monday - Friday 10am-6pm
Send a message: [nationaldahelpline.org.uk/contact-us](https://www.nationaldahelpline.org.uk/contact-us)

Respect Men's Advice Line
Help and support for male victims of domestic violence

Tel: 0808 801 0327
Monday - Friday 9am-8pm
Email: info@mensadviceline.org.uk
Website: [mensadviceline.org.uk](https://www.mensadviceline.org.uk)
Webchat: [mensadviceline.org.uk/contact-us/](https://www.mensadviceline.org.uk/contact-us/)
Wednesday - Friday 10-11.30am and 2.30-4pm

Galop

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

Tel: 0800 999 5428
Mon - Fri 10am - 5pm, Wed - Thurs 10am - 8pm
For email address: [galop.org.uk/get-help/helplines/](mailto:info@galop.org.uk)
Webchat: [galop.org.uk/get-help/helplines/](https://www.galop.org.uk/get-help/helplines/)
Wednesday and Thursday 5-8pm
Website: [galop.org.uk](https://www.galop.org.uk)

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.

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