



Adult Care Services | **Money Advice Unit**

Financial Information

Factsheet

Promoting independence, wellbeing and health

Domestic abuse and benefits

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Contents

Introduction	3
What financial help is available?	3
Do you need to provide evidence about the abuse?	4
Can you get universal credit?	5
What happens if universal credit is paid to your partner?.....	7
Do you need to look for work?.....	8
Can universal credit help with your rent and council tax?.....	8
Are you over pension age?	11
Council tax	11
Is your universal credit claim affected by your ex-partner's income or joint property or savings?	12
Does the benefit cap affect you?.....	13
What is a universal credit advance?.....	13
What is a universal credit budgeting advance?	14
'Two-child limit' rules for universal credit and child tax credit	14
What help can you get for your children?	15
Has domestic abuse affected your health?	17
Help if you are from abroad	17
Destitute domestic violence concession.....	18
Unwanted payments of abusers' benefits	19
What other help is there?	19



Introduction

This factsheet sets out some of the most common benefit problems faced by people who have been subject to domestic abuse. It can't cover every situation so there is a list of helpful agencies at the end.

The factsheet covers the situation where you have left the relationship, and the family home, and concentrates mostly on universal credit, the main benefit now for people who are not working or in lower-paid work.

It also covers circumstances where you are able to claim universal credit as a single person even if still living in the same property as your ex-partner. Or if you are still in a relationship with them and getting benefit as a couple, to make 'alternative payment arrangements' to have your benefit payments split.


You may be able to get help with your rent through universal credit or housing benefit.

There are exemptions to what is known as the 'two-child limit' if you have a child who is likely to have been conceived as a result of rape or in a coercive or controlling relationship.

Getting good advice as soon as possible is crucial to getting what you are entitled to as well as protecting yourself.

What financial help is available?

Financial help when in or leaving an abusive relationship:

- 
- child benefit
 - child tax credit (if you already have a claim)
 - housing benefit and discretionary housing payments
 - council tax reductions
 - local welfare assistance
 - pension credit
 - universal credit


The benefits you are entitled to depend on your circumstances. You may already be getting one of these benefits and will need to update your claim if you have a joint claim with your former partner.

Getting advice about the help you are entitled to is important. You can make an appointment with an adviser at Citizens Advice (0808 223 1133), at a specialist domestic abuse charity, such as [Solace](#) or [Refuge](#) or with a work coach at the Department for Work and Pensions (DWP). If you are staying at a refuge, there may be an adviser there who can help you. You can ask for your appointment to be in private.

If your problems also relate to housing, employment, immigration, debt etc., then go to [advice local](#) to find specialist advice agencies in your area, or an area that you may be moving to.

Do you need to provide evidence about the abuse?

If you are asked to provide evidence of the abuse, you can supply written evidence from a 'person acting in an official capacity', such as a healthcare professional, social worker, a police officer, your employer or a domestic abuse caseworker assigned to you by a charity. If you have been in direct



contact with a voluntary group or charity (such as Refuge or Solace) about the abuse, that body can provide written evidence for you.


The evidence should show that your circumstances are consistent with those of someone who has had domestic abuse threatened or inflicted during the previous six months. You need to have made contact with the 'person acting in an official capacity' and told her/ him about the abuse. You usually need to give the DWP or HM Revenue and Customs the evidence within one month of making a claim.

Can you get universal credit?

If you have left an abusive relationship, whether you can get universal credit depends on your circumstances, whether you have a current benefit claim and whether you have a joint claim with your ex-partner. If you did not previously get universal credit, you can make a new claim as a single person if you meet the usual qualifying conditions such as having less than £16,000 in savings, being aged 18 or over (16 in some cases), being able to claim due to immigration status. See our factsheet on Universal Credit.

The following circumstances may mean that you are now eligible:

- you are liable to pay rent for the first time
- you have moved to a new local authority area and can no longer claim housing benefit
- you have children and were previously getting child tax credit as a couple
- you have stopped working or become unable to work due to illness, stress or fear.
- your income or capital is now low enough
- you now need to pay for childcare




Universal Credit is made up of certain elements, such as money for yourself, your child(ren), certain housing costs, extra money if you are a carer of a disabled person or have very little chance of finding work or training due to a health problem. Help with up to 85% of childcare costs can be added if you are working, up to certain limits. That gives you a universal credit maximum amount.

If you are working, your wages (or profit from self-employment) are then taken partly into account and reduce that maximum amount. What's left is your monthly universal credit. You would then be expected to pay your rent from your total income.

Alex is now a single parent. Their maximum universal credit is £1100 a month, which includes £500 rent. Alex works and earns £944 a month. The DWP ignore a fixed amount for someone with children who is renting (£344) so take £600 into account but reduce the maximum amount by 55% of that - £330. So the actual UC that Alex will receive, on top of her £944 wages, is £1100 minus £330 = £770.

If you were getting universal credit as part of a couple before leaving the relationship, you should report a change of circumstances. If you are part of a joint UC claim, the DWP recommend that you go into the jobcentre to tell them in person or make a phone call to their helpline so that the joint claim can be separated out before making the change of address, to prevent the abusive partner from seeing the new address on the claim. Private rooms are available in most jobcentres for discussions with the work coach, and a high number of jobcentres are now recognised as [J9 safer places](#). For further information see:

[Domestic abuse - Understanding Universal Credit](#)



You will be paid as a single person for the whole of the ‘assessment period’ in which you left your partner, and your claim will continue to run on the same monthly assessment period.


If you have ended your relationship but are still living in the same property as your ex-partner, you may be able to claim universal credit as a single person. You will need to provide information and evidence to show you are no longer living as a couple – such as whether you shop, cook, eat, do laundry etc. separately.

If you currently get any legacy benefits, they will stop when you make a new claim for universal credit. (Legacy benefits are those that are being replaced by universal credit, such as income-based jobseeker’s allowance, income-related employment and support allowance, income support, housing benefit, child tax credit and working tax credit.)

However, if you were getting housing benefit, that will run on for two weeks from the date you claim universal credit if you still have rent to pay. If you were getting income-based jobseeker’s allowance, income-based employment support allowance or income support, these will run on for two weeks as well.

What happens if universal credit is paid to your partner?

If your universal credit is usually paid to your partner, and you still live with him/her, you can ask the DWP to split the monthly payment between you both, or pay it all to you. The DWP must decide that it is in your, or your child’s, interest to be paid in this way. These ‘alternative payment arrangements’ are supposed to avoid hardship.



If universal credit was being paid into your former partner's bank account, give the DWP your own account details for your single claim before your first payment is due.

Do you need to look for work?


'Work-related requirements' mean that most universal credit claimants need to look for work or face having a 'sanction' applied. But even if you would *normally* have to look for work in order to get universal credit, you don't have to do that for 13 weeks (or 26 weeks if you have children) if you have recently experienced domestic abuse and you no longer live with the abuser. That's to give you some time to make personal and domestic arrangements such as housing, childcare, schools, legal advice etc without the extra pressure of looking for a job.

If you are the main carer of a child, at the end of the first 13 weeks, you can be asked to take part in 'work-focused interviews' or take steps to prepare for work. You can only be exempted from your work-related requirements once in any one-year period under this rule.

If your children have been affected by witnessing or experiencing domestic abuse, you can have a further break on your work-related requirements of up to one month every six months for up to two years after the abuse.

Can universal credit help with your rent and council tax?

Universal credit can help pay your rent, as one part of your total payment, but help with council tax comes from the local council.



Universal credit can include an amount for certain costs called the 'housing costs element'. The housing costs element can cover your rent and some service charges. It usually only covers the housing costs for the home you live in. However, in certain situations, it can be paid for a home you are not living in.


If you have left your home due to a reasonable fear of violence at your accommodation but intend to return home, the housing costs element can be paid in your absence for up to 12 months. If you have moved into alternative accommodation, you can receive the housing costs element for both properties for up to 12 months as long as you intend to return to your main home.

Sometimes, you cannot get a housing costs element – e.g, if you are paying rent to a close relative and you are also living with her/him.

If you move into privately rented housing, the amount of help that you can get is affected by the local housing allowance which limits the help that DWP or Housing Benefits will give, based on family size. You can find out the figure for where you live or where you might move to by going to [Search for Local Housing Allowance](#) rates by postcode or local authority.

Many private landlords advertise and manage their properties for rent through letting agents. They usually charge at least one month's full rent in advance and an additional one or more month's rent as a deposit.

Some councils can provide free loans to you, known as rent deposit and rent in advance payments to some residents who don't have the deposit and are



on a low income or on benefits. Check what the council can do in your area. They can also help with those costs with a Discretionary Hardship Payment if you are getting housing benefit or universal credit.


If you are staying-on in a rented family home and the abuser has moved-out, the DWP may say that you have an 'untidy tenancy' especially if the abusers name is on the tenancy. That means they may only pay you half of the rent.

This is wrong. Get immediate advice before rent arrears build up. You are entitled to have the full rent included in your universal credit if its reasonable that you pay it and its unreasonable to expect you to move. You don't need a new sole tenancy either.

Jane lives in a council property and gets universal credit, including a housing element for her rent. She leaves the property due to domestic abuse and is placed in a refuge. She claims housing benefit for the refuge accommodation and informs the Department for Work and Pensions about her situation, stating that she intends to return to her property when it is safe. Her housing costs for her own home should be paid in her universal credit for up to 12 months, unless she says she doesn't intend to return.

You may be able to get 'discretionary housing payments' from your council if your universal credit or housing benefit does not cover your housing costs in full. That could be because you are in a property that is deemed to have too many bedrooms for what you need, or you've been caught by the two-child policy or benefit cap.

DHP's can also be used to meet costs of rent in advance, deposits and removal expenses. The local authority has discretion whether or not to pay



you, how much to pay you and over what period. Check your local authority's website for details.

If you are staying in a 'refuge' or emergency temporary accommodation, you may be able to claim housing benefit from the council even though you claim universal credit for yourself and your children. The refuge staff should be able to help you make a claim.


If your previous home is rented and you intend to return to it when it is safe to do so, you can get the housing cost element of universal credit, or housing benefit from the council, for the rent on both homes for up to 52 weeks. This applies if you are in fear of domestic abuse in your main home or in fear of violence from an ex-partner with whom you no longer live. If you do not intend to return to your old home, you can still get help with the rent on both homes for four weeks.

Are you over pension age?

If you are 'pension age' (currently 66) or over, you can claim pension credit as a single person instead of universal credit. You are allowed more to live on compared to universal credit and are not required to look for work. If you have children, a child addition can be included in your pension credit. If you have rent or council tax to pay, you can claim both from your local council.

Council tax

There are a number of ways that your council tax bill can be reduced. If you are now the only adult in the property for example, you can get a 25% reduction no matter what you earn. There is also help if you are on universal



credit, on low wages or getting other benefits. Ask at your local council for more information.

Is your universal credit claim affected by your ex-partner's income or joint property or savings?

Your universal credit claim is not affected by your former partner's income. Any payment of child maintenance is ignored. If you receive maintenance that is just for you however, that counts as your income and does affect what you'll get.

If you have left a property that you were the owner or joint owner of, the value of the property is ignored for at least six months following a relationship breakdown, or longer in other circumstances – e.g, if you are taking legal advice to return to the property or taking steps to sell your share.

If you've stayed in the mortgaged property, the help you will get from the benefit system is very limited. The DWP will only help through universal credit with interest payments, and only up to certain limits. They also won't help for the first 9 months of your claim, nor if you are working, and will only loan you that part of your universal credit, to be repaid when you move or sell. In these cases, speak urgently to your mortgage provider.

If you had a joint bank 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 abuse, you should argue with the DWP that the value of the savings is nil because you do not have access to them.



Does the benefit cap affect you?

The total amount of benefit you can be paid may be limited by a 'benefit cap'. This sets a maximum figure in Hertfordshire of £20,000 a year (£384 a week) to cover all your benefits, including child benefit and help with rent (unless you are on housing benefit in a refuge).


A 'grace period' of 9 months can provide protection from the benefit cap for some people leaving domestic abuse. If there was a 12-month period when you lived as a couple with your former partner and you earned over £658 a month (£617 before April 2022), then the grace period will apply to you, even if you are now separated. It is important to seek advice if you think this may apply to you because the DWP is unlikely to pick this up.

You are also exempt from the cap if you, or a child you are responsible for, gets Personal Independence Payment or Disability Living Allowance or if you are a carer or if unfit for work and have limited capacity for work-related activity.

What is a universal credit advance?

An 'advance' is a payment you can request while you are waiting for your first payment of universal credit to enable you to cover essential expenses. As universal credit is paid around 5 weeks after you first claim, for the period since the date of claim, it can be a struggle without the advance payment. The amount you can request is up to 100 per cent of your estimated monthly award. You can only get an advance once your ID has been verified and your eligibility has been checked.

Advances are recovered from future universal credit payments, and you can choose over what period, up to a maximum of 24 months.



You can also apply for an advance when you have had a change in circumstances that will lead to an increase in your award but are waiting for the increase to be implemented.


What is a universal credit budgeting advance?

A 'budgeting advance' is a discretionary payment, up to a maximum of £812, which can be paid to you straight away to help with emergency costs such as essential furniture or household equipment. It is recovered by deductions from future payments of universal credit. Your universal credit payments will be lower until you pay it back.

'Two-child limit' rules for universal credit and child tax credit

In some circumstances, you can only get amounts in your universal credit or child tax credit for a maximum of two children. This is known as the 'two-child limit' and it generally applies to children born after April 8th 2017.

There are exemptions to the 'two-child limit' for a child likely to have been conceived as a result of rape or in a coercive or controlling 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 that causes you to fear on at least two occasions that violence will be used against you, or that causes you serious alarm or distress that has a substantial adverse effect on your day-to-day activities.



You must provide evidence from an ‘approved person’ that you had contact with her/him or another approved person about the rape or coercive or controlling relationship. 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 Scheme 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.


What help can you get for your children?

Child benefit is usually paid to the person responsible for a child or young person. If you were not the child benefit claimant before leaving domestic abuse, you should make a new claim if you are the main carer of the children now. If your former partner argues s/he should continue receiving child benefit, HM Revenue and Customs has to decide who to pay based on the circumstances, so be sure to disclose the domestic abuse and other relevant details.

If you did not get child benefit before because your partner’s income was more than £50,000 and you now no longer live with that person, you can ask HM Revenue and Customs to reinstate payment of child benefit or make a new claim yourself.

If you were already getting child tax credit as part of a couple, call the HM Revenue and Customs helpline on 0345 300 3900. It will put you in touch with a team that deals with domestic abuse cases.

If you were not previously getting child tax credit, you cannot make a new claim and will need to claim universal credit instead. If you were previously getting tax credits as a couple, your joint claim must end. You will have to make a new single claim for universal credit instead. The only exception



would be if you also had a single claim for child tax credit in the last financial year before you formed the joint claim that is now ending.


If there was an overpayment in your joint tax credits claim with your partner, you should be asked to repay no more than 50 per cent of the overpayment.

If you are getting child maintenance from your ex-partner and have experienced domestic abuse, you should tell the Child Maintenance Service and it should explain how to make a direct pay agreement that will keep you safe. Alternatively, the Child Maintenance Service can collect the money from the other parent and then pay you. That is known as 'collect and pay'. You will not be charged for that service. See [Get help arranging child maintenance - GOV.UK \(child-maintenance.service.gov.uk\)](https://www.gov.uk/get-help-arranging-child-maintenance)

For more information about how to safely collect maintenance see [Domestic abuse and child maintenance - Gingerbread](#)

Check with your local authority or your child's school whether your children can get free school lunches or any other help. Qualifying criteria are given at [Apply for free school meals - GOV.UK \(www.gov.uk\)](https://www.gov.uk/apply-for-free-school-meals). This site can also help you if you are moving outside of Hertfordshire.

If you're more than 10 weeks pregnant or have a child under 4, you may be entitled to get help to buy healthy food and milk. If you're eligible, you'll be sent a Healthy Start card with money on it that you can use in most UK shops, topped-up every 4 weeks. You will also get Healthy Start vitamins for yourself and vitamin drops for your children.



Your previous child-care arrangements may have ended because you've moved, or you are worried about safety. See [Find free early education and childcare - GOV.UK \(www.gov.uk\)](https://www.gov.uk) or speak to your council's Early Years' Service. Don't forget that universal credit can help with up to 85% of your child costs as part of your Universal Credit.


Has domestic abuse affected your health?

If the domestic abuse you have experienced has affected your physical or mental health, you may be able to receive other benefits.

If your health condition/s affect(s) your ability to work, you should make sure you declare this when making your universal credit claim or report your health condition using your online journal if you have an existing claim. You will need to supply medical certificates from a doctor, nurse or similar health professional to cover the period of your ill health. You should then be put through the 'work capability assessment' procedure. This may lead to a reduction or removal of the need to be looking for work. If you have a severe health condition, you may get an additional element in your universal credit.

If you have a long-term health condition that affects your mobility, or that means you need help with daily activities, you may be entitled to personal independence payment. If you have reached state pension age and need someone to help look after you, you may qualify for attendance allowance instead.

Help if you are from abroad



If you are from the European Economic Area and have ‘settled status’, you have a full ‘right to reside’ and have the same access to benefits as British citizens. If you have ‘pre-settled status’, you will need to prove another right to reside to be eligible for means-tested benefits.

If you have left domestic abuse and are the spouse of a European Economic Area national who has worker status, you will have a right to reside. If you are the primary carer of children in education, whose parent is or has been a European Economic Area worker in the UK, you may have a right to reside in this way.


If you are from outside the European Economic Area and entered the UK as the partner of a European Economic Area national and have left domestic abuse, you may also be able to obtain rights to claim benefits under European law.

Destitute domestic violence concession

If you are from abroad and you entered the UK as the partner of a British citizen or settled person, you may be entitled to claim benefits and tax credits under a ‘destitute domestic violence concession’ when you leave an abusive relationship.

If you have ‘no recourse to public funds’ as a condition on your stay in the UK, the destitute domestic violence concession allows you access to public funds so that your welfare is not at risk.

You can apply for a destitute domestic violence concession from the Home Office. This concession allows you limited access to benefits and tax credits



for three months while you apply for indefinite leave to remain in the UK. You should seek specialist immigration advice if you are in this situation.

Unwanted payments of abusers' benefits

Some people who have left an abusive relationship find that they continue to have the perpetrator's benefits paid into their bank account. This can be used as a tool to maintain contact and to continue abusive behaviour. If you contact the DWP you may be told that data protection regulations prevent them discussing the abuser's claim. Your bank will say that it cannot stop incoming payments. If this happens to you, seek specialist advice as soon as possible.

What other help is there?

Until April 2024, there is a Household Support Fund from the County Council to help with fuel, food and in exceptional circumstances, housing costs. Contact via Citizens Advice or HertsHelp (see below)

These schemes may be particularly useful to help with the costs of setting up a new home. You can apply for emergency living expenses and the costs of any travel involved in leaving domestic abuse.

The Children's Services department of the County Council can help in exceptional circumstances with cash help too if you have children who are classed as being vulnerable and in need.

We hope you have found this factsheet useful. If you have any comments to make

about content – things you would like to see or other changes you think we should make, please let us know on moneyadvice.unit@hertfordshire.gov.uk

Unfortunately, we can't assist with individual benefit queries – please see list of advice agencies below.

Please also see [the benefit calculator](#) supplied by Policy in Practice



Further help and advice

Herts Domestic Abuse Helpline is a confidential, free, support and signposting service for anyone affected by domestic abuse

Call 08 088 088 088

9am-9pm Monday to Friday and 9am-4pm weekends

Confidential email: Kim@mailpurple.org

DWP

Universal credit helpline 0800 328 5644

[Online information](#)

[Understanding universal credit](#)

[Universal credit guides and toolkits for partner organisations](#)

Citizens Advice 0344 4111 444

[Online information](#): Information about [local CA and](#) opening times

[Help to Claim information](#) 0800144 8444

How you can contact Hertfordshire County Council

Our website

Information about [adult social care](#) – find about care services, day centres and apply online for meals on wheels or a Blue Badge. You can also comment, compliment and complain.

You can also find a range of [Money Advice Unit factsheets](#)

[Hertfordshire Directory](#)



Find national and local community groups, charities, services and activities

[HertsHelp](#)

Independent information and advice on local community services and care funding

Telephone: 0300 123 4044

Minicom: 0300 456 2364

Email: info@hertshelp.net

Contact us

For information on how to get care and support

Email: contact@hertfordshire.gov.uk

Telephone: 0300 123 4042

Textphone: 01992 555506

Text us: 07507306911

[Contact us using SignVideo](#), our live BSL video interpreting service. (Monday to Friday, 8am – 6pm)

Drop in to your [local library](#)

If you are worried that you or someone you know is at risk of abuse or neglect

Call us on 0300 123 4042 (24 hours a day)

If you need help to understand

Call 0300 123 4042 if you would like help to understand this information or need it in a different format. You can also ask to speak to someone in your own language.

Calls to 0300 cost no more than a national rate call to a 01 or 02 number

Whilst every effort has been made to provide accurate information, this factsheet is for guidance only and should not be considered an authoritative statement of the law. Please see [our website](#) for updates to this factsheet.