

Chapter F6: Carer element

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Legislation Used in Chapter F6

Abbreviation	Full Title
UC Regs (NI) 16	The Universal Credit Regulations (Northern Ireland) 2016 No. 216
WR (NI) Order 15	The Welfare Reform (Northern Ireland) Order 2015 No. 2006
SS C&B (NI) Act 92	Social Security Contributions and Benefits (Northern Ireland) Act 1992
UC, PIP, JSA & ESA (C&P) Regs (NI) 16	The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016 No. 220
UC, PIP, JSA & ESA (D&A) Regs (NI) 16	The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Decisions and Appeals) Regulations (Northern Ireland) 2016 No. 221

Chapter F6: Carer element

Introduction

F6001 The maximum amount of Universal Credit will include a carer element for each eligible adult claimant in the benefit unit who has regular and substantial caring responsibilities for a severely disabled person¹.

1 WR (NI) Order 15, art 17(2)(c)

F6002 The carer element is paid at one rate. If the conditions for a carer element are met, the carer element, at £209.34 per month, should be included in the claimant's maximum amount¹ of Universal Credit.

1 WR (NI) Order 15, art 13

F6003 – F6009

Conditions for award of a carer element

Regular and substantial caring responsibilities

F6010 To qualify for an award of a carer element, the claimant must have regular and substantial caring responsibilities for a severely disabled person¹.

1 WR (NI) Order 15, art 17(2)(c); UC Regs (NI) 16, reg 30(1)

F6011 A Universal Credit claimant will have regular and substantial caring responsibilities for a severely disabled person¹ where they

1. satisfy the conditions of entitlement to Carer's Allowance² (see F6013) or would do so but for the fact that

1.1 their earnings have exceeded the prescribed limit for Carer's Allowance³.
This means that a Universal Credit claimant will qualify for the carer element irrespective of their earnings, provided they satisfy the other conditions of entitlement for Carer's Allowance (see the Note to F6013)
or

1.2 they are resident, or treated as resident, in Scotland **or**

1.3 have a genuine and sufficient link to Scotland **or**

1.4 they are entitled to Carer Support Payment.

1 UC Regs (NI) 16, reg 31(1); 2 SS C&B (NI) Act 92, sec 70;

3 UC Regs (NI) 16, reg 31(1)(a)

No claim for Carer's Allowance necessary

F6012 The test at F6011 can be satisfied whether or not the claimant has made a claim for Carer's Allowance¹. Where no claim for Carer's Allowance has been made the Universal Credit decision maker will have to consider whether the claimant could satisfy the conditions of entitlement to Carer's Allowance.

1 UC Regs (NI) 16, reg 31(2)

Example

Tim receives the middle rate care component of Disability Living Allowance and confirmed that he is cared for by Mary, who is on Universal Credit, for at least 35 hours per week. Mary has not made a claim to Carer's Allowance but still receives the carer element as part of her Universal Credit award.

Conditions of entitlement to Carer's Allowance

F6013 The conditions for entitlement to Carer's Allowance are that

1. the claimant is engaged in caring for a severely disabled person for any day (see DMG 60033 - 60042). A severely disabled person is a person to whom one of the benefits listed in DMG 60033 is payable **and**
2. the claimant is regularly and substantially engaged in caring for that person for at least 35 hours a week (see DMG 60035 - 60042) **and**
3. the claimant is not gainfully employed (see DMG 60051 - 60052) - but see the Note below for the Universal Credit carer element **and**
4. the claimant is aged 16 or over (see DMG 60058) **and**
5. the claimant is not in full time education (see DMG 60068 - 60081) **and**
6. the claimant satisfies prescribed conditions of residence or presence in Northern Ireland (see DMG Chapter 07 Part 2) **and**
7. no-one else is already entitled to Carer's Allowance for that severely disabled person.

Note: The condition in **3.** does not need to be satisfied for a claimant to qualify for the Universal Credit carer element. A Universal Credit claimant will qualify for the carer element if the conditions in **1.** and **2.** and **4.** to **7.** are satisfied. Universal Credit decision makers therefore do not need to consider the amount of the claimant's earnings when considering entitlement to the carer element (but see F6014).

Earned income from caring

F6014 A claimant is not entitled to a carer element where they derive earned income from their caring responsibilities¹. See ADM Chapters H3 and H4 for the meaning of earned income.

¹ UC Regs (NI) 16, reg 31(3)

F6015 – F6023

Breaks in regular and substantial caring

F6024 A temporary break or series of temporary breaks in care may be ignored, in certain circumstances, enabling a person who does not satisfy the "caring condition" at F6013 **1.** to be treated as satisfying that condition. DMG 60045 provides guidance on the circumstances where temporary breaks still amount to regular and substantial caring.

Temporary hospital breaks

- F6025 If there is a break in caring because the severely disabled person is in hospital, entitlement to the carer element will continue in the circumstances described in DMG 60050.

F6026 – F6030

Caring responsibilities - joint claimants

- F6031 Where the conditions for the award of a carer element are met by both joint claimants, then a carer element for each of them should be included in their maximum amount¹, but only if they are not caring for the same severely disabled person.

Note: It is possible that both members of a couple are severely disabled themselves and each one meets the criteria set out in F6011 for the care they provide for the other or another severely disabled person. In such a case a carer element should be included for each of them.

¹ UC Regs (NI) 16, reg 30(2)

Example

Max lives with his wife Amy and they are both entitled to Carer's Allowance. They each satisfy the conditions for the award of a carer element. At the time of the Universal Credit claim the standard allowance is £666.97 per calendar month and the rate of carer element is £209.34 per calendar month. Their maximum amount is £1085.65 per calendar month (£666.97 + £209.34 + £209.34).

Two or more carers for the same person

- F6032 Where two or more people are regularly and substantially caring for the same severely disabled person, only one of them will be entitled to have the carer element included in the Universal Credit award. It will be up to them to choose and elect who will be entitled to the carer element. If there is no joint election the Department should decide who should have entitlement to the carer element¹.

¹ UC Regs (NI) 16, reg 30(3)

Example 1

Max lives with his wife Amy and they are both providing regular and substantial care for Amy's mother. They would each satisfy the conditions for the award of a carer element. However as the care they provide is for the same severely disabled person

only one of them can qualify for a carer element. The couple elect that Amy should have entitlement to the carer element.

Example 2

Bill and Ted are brothers who both provide care for their father George. Bill is in receipt of Universal Credit and provides regular and substantial care for his father. Ted also provides regular and substantial care for George, he does not get Universal Credit, and neither brother is in receipt of Carer's Allowance for caring for George. As Bill and Ted both provide the relevant care they must elect who should have entitlement to the carer element. They decide that as Bill is in receipt of Universal Credit he would benefit most from receipt of the extra allowance and they nominate Bill to receive the carer element.

Subsequently Ted is awarded Carer's Allowance, the consequence of this award means Bill cannot be regularly and substantially caring for George and the carer element is withdrawn from his Universal Credit entitlement (to be regularly and substantially caring Bill has to satisfy the conditions of entitlement for Carer's Allowance and he cannot do that where Carer's Allowance has been awarded to somebody else).

No election as to who is entitled to the carer element

F6033 Where the relevant people have failed to make an election as to who should receive the carer element the decision maker will have to make the determination by having regard to all the circumstances¹. Decision makers could consider, when deciding who should receive the carer element.

1. Which carer made the first claim?
2. Has the original carer relinquished payment to Carer's Allowance/Carer Support Payment?
3. Does the disabled person live with one of the carers but not the other?
4. Are the two carers married/partners but living apart and disputing the care?
5. Will the decision maker's decision adversely affect one carer's financial position more than the other?
6. Could more information be obtained by arranging for a Visiting Officer to see both carers individually?
7. Where 2 persons are caring for the same severely disabled person, one of whom is entitled to Carer Support Payment, the other the carer element, they

must jointly elect who shall have entitlement to the carer element. If they cannot, the Department, in consultation with Scottish ministers, shall decide.

1 UC Regs (NI) 16, reg 30(3)

Entitled to a carer element and limited capability for work or limited capability for work and work-related activity element

One claimant entitled to both

F6034 Where a claimant would qualify for

1. the carer element **and**
2. the limited capability for work and work-related activity element

only one of those elements may be included in the award¹.

Note 1: From 27.9.17 where it is determined that a Universal Credit claimant has, or is treated as having, limited capability for work, their award cannot include the limited capability for work element. But see the Appendix to ADM Chapter F5 (The limited capability for work and work-related activity element) for exceptions where the removal of the limited capability for work element does not apply.

Note 2: Whilst a claimant is serving the 'relevant' period' (see ADM F5031) and the limited capability for work and work-related activity element is not yet included in the claimant's Universal Credit award, an amount for the carer element can be included in that claimant's Universal Credit award.

1 WR (NI) Order 15, art 17(2); UC Regs (NI) 16, reg 30(4)

F6035 The element to be included is the limited capability for work and work-related activity element if the claimant qualifies for it or, if not, the carer element¹. See ADM Chapter F5 for guidance on the limited capability for work and work-related activity element.

1 UC Regs (NI) 16, reg 30(4)

Example

Joe and Helen are entitled to Universal Credit. Joe cares for their severely disabled son Sean and in doing so would qualify for the carer element. Joe also has limited capability for work and work-related activity. Joe and Helen's award of Universal Credit includes the limited capability for work and work-related activity element but not the carer element.

Joint claimants each entitled

F6036 Where each of a joint claim couple qualifies for a different element, either

1. the carer element **or**
2. the limited capability for work and work-related activity element

then both of those elements may be included in the award.

Example

Joe and Helen are entitled to Universal Credit. Helen cares for their severely disabled son Sean and in doing so would qualify for the carer element. Joe has limited capability for work and work-related activity. Joe and Helen's award of Universal Credit includes the limited capability for work and work-related activity element and the carer element.

F6037 The table below gives details of which additional amount or amounts can be paid in situations where there are combinations of the additional amounts. This includes single claims (claimant 1) or joint claims (claimant 1 and 2).

Additional amount awarded to Claimant 1	and	Additional amount awarded to Claimant 2	and	Additional amount to be paid to Claimant 1	Additional amount to be paid to Claimant 2
Carer				Carer	
LCWRA				LCWRA	
Carer	LCWRA			LCWRA	
Carer		Carer		Carer	Carer
LCWRA		LCWRA		LCWRA	
		Carer			Carer
Carer		LCWRA		Carer	LCWRA
		LCWRA			LCWRA
Carer				Carer	
Carer	LCWRA	Carer		LCWRA	Carer
Carer	LCWRA	LCWRA		Carer	LCWRA

Carer		Carer	LCWRA	Carer	LCWRA
Carer	LCWRA	Carer	LCWRA	Carer	LCWRA

F6038 – F6040

Run on after death of disabled person

F6041 Where

1. a claimant, who is providing regular and substantial care, is awarded a carer element **and**
 2. the severely disabled person, in respect of whom that care is provided, dies
- the carer element award will continue in payment until the end of the second assessment period following the assessment period in which the death occurred¹.

¹ UC Regs (NI) 16, reg 39

Example 1

Amy is entitled to Universal Credit, which includes the carer element, for an assessment period that runs from the 10th of each month. The person she is caring for dies on 12.8.25. The carer element is included in the Universal Credit award up to and including 9.11.25.

Example 2

Max lives with his wife Amy and they are both entitled to Carer's Allowance. They each satisfy the conditions for the award of a carer element. At the time of the Universal Credit claim, on 6.5.26, the standard allowance is £666.97 per calendar month and the rate of carer element is £209.34 per calendar month. Their maximum amount in respect of each assessment period is £1085.65 per calendar month (£666.97 + £209.34 + £209.34). Max dies on 10.8.26. Amy continues to receive the couple standard allowance and two carer elements, £1085.65, until 5.11.26 when the Universal Credit claim terminates. Amy will be entitled to Universal Credit as a single person without having to submit a claim¹.

¹ UC, PIP, JSA & ESA (C&P) Regs (NI) 16, reg 8(10)

F6042 Where a new claim to Universal Credit is made by a carer and

1. Carer's Allowance is in payment **and**
2. the severely disabled person, in respect of whom the care was provided, died before the claim to Universal Credit was made

the carer will be entitled to the carer element for any assessment period where the Carer's Allowance is still in payment on the last day of that assessment period¹.

¹ UC Regs (NI) 16, reg 30(1); reg 31(1); UC, PIP, JSA & ESA (D&A) Regs (NI) 16, Sch 1, para 20

Example

Tony has cared for his wife Helen for many years and Carer's Allowance is in payment to him. Helen dies on 10.6.25 and, as the couple's entitlement to means tested benefits ends on her death, Tony claims Universal Credit on 14.6.25. He continues to receive Carer's Allowance for 8 weeks following Helen's death and the carer element is included in his award of Universal Credit up to and including 13.7.25.

Note: Carer element will only run on following death where there is no run on for any other reason (such as following admission to hospital or residential care - temporary break rules would apply in these instances).

F6043 – F6999