

Kinship and Foster Care, including Adoption leave

Do Kinship Carers qualify under eligible working parent definition?

Kinship Carers and Carers who hold a special guardian order are able to access the Offer providing they meet the earnings criteria and are caring for a child who is the correct age to receive the Offer. The special guardianship allowance does not count towards their earnings. Kinship Carers are family and friends who have taken responsibility for a child or step child who is not their own because;

- the child has no parents or has parents who are unable to care for the child;
- it is likely that the child would otherwise be looked after by a local authority because of concerns in relation to the child's welfare.

Do Foster Carers qualify under eligible working parent definition?

If a foster parent meets the wider eligibility criteria, they can access the Offer for their own child and for their foster child, providing the childcare is in line with their foster child's care plan. Foster Carers are able to use their fostering allowance as proof of earnings to meet the minimum income criteria for the Offer.

Do Parents on Adoption Leave qualify under eligible working parent definition?

Eligible parents who are on adoption leave are able to access the Offer for any eligible children, however the child who is the subject of the adoption would not be eligible to receive the Offer even if the child is within the eligible age range.

N.B The only exceptions to both parents (in a two parent family) having to meet the earnings criteria is where an [exemption](#) may apply.

Statutory Unpaid Parental Leave

Under section 76 of the 1996 Employment Rights Act, a person can take up to 18 weeks of unpaid parental leave for each child up until the child reaches 18 years of age.

This would normally be restricted to a maximum of 4 weeks per year for each child. However, in the case of employees reaching the end of their maternity leave it is possible to take the full entitlement to unpaid parental leave immediately following the end of their maternity leave.

In either case the parent would continue to be eligible for the offer providing they have a letter from their employer stating that they are employed, ordinarily meet the eligibility criteria and are taking qualifying parental leave.

Maternity Leave

N.B The only exceptions to both parents (in a two parent family) having to meet the earnings criteria is where an [exemption](#) may apply.

