

# ALSO

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**Topic: Child benefit and related topics (01.01.2016)**

## Preamble

A few years ago ALG II (short for "Arbeitslosengeld II", i.e. unemployment benefit II), the need-based basic social benefit for people capable of working, was introduced in Germany. Because of this, the previous unemployment benefits and basic social security benefits were combined on the lower level of basic social security benefits. In the preamble of their leaflet "Zum Leben zu wenig" (i.e. "Too little for a living") the social welfare organization "Paritätischer Wohlfahrtsverband" writes: "The usual standard benefit rates do not protect from poverty; instead, they establish it." By now, one out of five children in Germany grows up in poverty. The probability that a child of well-off parents starts university is 7.4 times higher than the probability that a child of lower-income parents does.

In this leaflet we have summarized the possibilities for receiving support for children living in a benefits community, although unfortunately there are quite few of these.

## Need

For children between the age of 0 and 5, a monthly amount of 237 € is considered sufficient by the authorities, for children between the age of 6 and 13 this amount is 270 €, and between the age of 14 and 17 it is 306 €. The standard benefit rate is calculated based on the standard benefit rate for adults. It is, however, not independent from political developments. This is evidenced by the introduction of a higher rate for children between the age of 6 and 13 in 2009 – before this, the rate used to be the same for all children between the age of 0 and 13! This distinction was chiefly introduced due in response to

campaigns by organizations representing unemployed people, after several courts of law had already criticized the lack of distinction.

In addition there are a few additional benefits for special needs, see the table at the end of the leaflet.

## Pregnancy

Expectant mothers are entitled to additional benefits comprising 17% of their standard benefit rate from the 13<sup>th</sup> week of their pregnancy onward. This amounts to 68,68 € (= 17% of 404 €) for pregnant single women, and 61.88 € (= 17% of 364 €) for married pregnant women; see the table below.

Similar to the case of social security benefits, a pregnant woman is entitled to non-recurring benefits for basic purchases. In Oldenburg, this currently amounts to 77 €. If a higher need is proved to and accepted by the agency, additional benefits can be granted. However, these sometimes have to be enforced, if necessary by challenging the agency's decision.

Pregnant women without health insurance are entitled to all benefits covered by health insurance, such as medical treatment, midwife treatment, standard medication, care benefits (as laid out in SGB XII, the Social Code Book, part XII) and abortion. These all have to be applied for at the health insurance agencies.

In addition, you can apply for benefits from the Foundation "Mutter und Kind" ("mother and child"), typically under the condition that the third month of pregnancy has not yet passed. These have the advantage that they are not deducted from ALG II.

Around 12 to 8 weeks before birth an application for basic purchases for birth can be filed. In Oldenburg, an amount of 154 € is currently granted for this. Note that this additional need is not covered by the standard benefit rate. However, as confirmed by several German courts of law, the basic purchases for birth are part of a mother's need.

## *Birth*

Newborn children are entitled to basic purchases for the parents' apartment, including, for instance, a crib, a mattress and a baby changing table. In Oldenburg, an amount of 158 € is currently granted for this. Note that the Social Court of Hamburg has recently decided that the actual need of a newborn child can be higher than this rate. In effect, the agency has to cover the actual costs, but this has to be enforced, if necessary!.

## *Parental allowance*

In principle women and men can receive parental allowance amounting to at least 300 € a month for up to 12 months. If one of the partners had a larger income during the year preceding the birth of the child, this allowance can be higher. If the partner cares for the child for an additional two months, then parental allowance is granted for an additional two months.

In contrast, "thanks" to a 2011 decision by the German federal government, unemployed people often do not benefit at all from parental allowance, because it is deducted from ALG II. In effect, children of unemployed parents have become second-class children – they are treated in the same way as children of rich parents earning at least 250,000 € (who also do not receive parental allowance). The only exceptions are parents who were self-employed or held a job which included social security insurance contributions until shortly before the birth of the child. In this case, they will receive parental allowance amounting to 300 € which is not deducted from ALG II.

## *Child benefit*

For the first and second child you receive an amount of 190 €, for the third one 196 € and for every additional child 221 €. Starting from the fourth child, the amount of child benefit is distributed equally amongst all children. Child benefit is always granted at least up to the age of 18; young adults officially looking for a job can receive it up to the age of 21. This also holds for school education or job training up to the age of 25 and includes situations, where job training cannot be started or continued because job training positions are not available.

According to SGB II, child benefit is viewed as income of underage children in the context of ALG II or social security benefits. If an underage child has an insurance which is either mandatory or accepted as suitable by the Jobcenter, an portion of 30 € of the child benefit will not be deducted from ALG II. Please

make sure to ask for advice from the ALSO for which types of insurance this applies.

If a child cannot meet their own need, including housing costs, using only child support (if applicable), child benefit and housing benefit, then the parents **CAN** apply for children housing benefit (they don't have to!). In this case the Jobcenter may deduct that part of child benefit which is not needed by the child for her or his sustenance, from the parents' benefits. However, the Jobcenter must then not deduct the 30 € for insurance (see above) from the benefits of the parent that the child lives with, so that the family receives more money in total.

Hint: If parents receive ALG II or social security benefits, but their child is of age and does not receive these - for instance because of job training - then the Jobcenter may only partially deduct child benefit from the parents' benefits if the parents provably hand over the child benefit directly to their child at once after receiving them. Furthermore, young adults aged 18 or older not living with their parents may submit an application at the Family Benefits Office to have the child benefit paid directly to them. The agency may deduct child benefit only from that benefits community receiving the child benefit. Finally, if young adults aged 18 or older still live with their parents, then they are entitled to the 30 € for insurance discussed above and potentially an additional allowance for mandatory insurance, such as car insurance.

## *Kindergarten*

Children are entitled to a place at a child care center or Kindergarten from the age of 1 to the time they start primary school. The covering of Kindergarten fees has to be applied for at the Youth Welfare Office.

All recipients of ALG-II are entitled to a free half-day place. If the children of ALG-II recipients eat lunch in the child care center or Kindergarten, their parents can **apply** for coverage of the costs (except for a contribution of 1 € to be paid by the parents) at the Jobcenter. If the parents receive child allowance or housing benefits, the application has to be filed at the Federal Employment Agency's Family Benefits Office instead. Upon application, the Jobcenter or the Family Benefits Office, respectively, also covers the costs for field trips and journeys organized by the child care center of Kindergarten. If you have a job, the Kindergarten fees are professional allowances. In this case it should be checked whether your allowances exceed the usual lump-sum. If so, a larger allowance sum can be registered at the tax office; this will increase your net income.

## *School*

All students up to the age of 18 are members of the benefits community if they go to a Grundschule (i.e. primary school) or to a Hauptschule, Realschule or Gymnasium (all of which are secondary schools). In this case they receive Sozialgeld (social benefit) up to the age of 14 and ALG II thereafter.

The SGB II states that the costs for school trips are covered by the state in addition to the standard need. As confirmed by the Federal Social Court, this may not be turned into a lump sum; **the actual costs** of the trip must be covered.

The situation is more complicated for students not going to one of the types of schools listed above, including students going to a Berufsschule (vocational school) as part of their job training. In this case you should seek advice at the ALSO.

### *What about school supplies?*

School supplies are not part of the standard ALG II needs and weren't covered at all before 2005. By now, a yearly amount of 100 € is supposed to be paid for every student below the age of 25. This amount is paid automatically together with the regular ALG II in two steps: 70 € on August 1 and 30 € on February 1.

In addition, parents can apply for **private tutoring** for children who are in danger of not being allowed to move up to the next grade at their school. Recipients of ALG II have to apply for this at the Jobcenter, whereas recipients of housing benefits or of child allowance have to apply at the Family Benefits Office. Homework assistance and related support, on the other hand, has to be applied for at the Youth Welfare Office as part of the program "Hilfe zur Erziehung" (education support). In particular, support for dyslexic and dyscalculic children can be applied for through this program. For more information, contact the Bundesverband Legasthenie und Dyskalkulie e. V., PF 1107, 30175 Hannover, (see <http://www.bvl-legasthenie.de/>, unfortunately only in German).

Student tickets for public transportation: According to SGB II, the Jobcenter (or the Family Benefits Office, respectively) has to pay for the travel costs of students who require transportation to attend the closest school of the chosen type. However, this is only applicable if a certain minimum distance between the home and the school, depending on the student's age, is exceeded.

### *Fees for sports clubs or music schools*

The German society apparently thinks that an incredible monthly amount of 10 € is sufficient for poor children to "participate in social and cultural life". This amount has to be applied for at the Jobcenter (or the Family Benefits Office, respectively) and can be used to pay membership fees for sports clubs or

for attending music or artistic schools. The Jobcenter prefers to pay this amount directly to the facility in question (see [OL-Card](#), unfortunately only in German) rather than the parents.

Additional support, e.g. for football boots, can be obtained through the special program "Dabei sein" (taking part) of the Foundation Familie in Not. Applications for an amount of most 100 € in two years have to be filed through a non-statutory social welfare organisation such as Pro Familia, see [http://www.ms.niedersachsen.de/download/107872/Wegweiser\\_fuer\\_Betroffene\\_Englisch\\_.pdf](http://www.ms.niedersachsen.de/download/107872/Wegweiser_fuer_Betroffene_Englisch_.pdf).

### *Single parents*

A single parent caring on her or his own for underage children is entitled to additional benefits (see the table below). Underage parents living with their children in their parents' home are also entitled to these additional benefits.

If the children of separated parents alternate between their parents' homes, then the Jobcenter has to divide the standard child benefit rate between the parents. This is done by calculating a separate rate for each of the parents based on the number of days the children spend with the respective parent. The resulting amounts are then paid separately. In this case the additional benefits for single parents are paid to the parent where the children spend the majority of their time. If the children alternate between the parents' homes on a weekly basis, then both parents receive half of the additional benefits.

### *Child allowance*

The calculation of child allowance is complicated and the details should be looked up in more extensive commentaries or asked about at the ALSO. Here is a brief introduction.

Child allowance is meant for parents living with underage children whose income is high enough to sustain themselves, but not their children. Such parents can receive up to 140 € of child allowance. Similar to ALG II, any income earned by the children is deducted from this. The need is also calculated as for ALG II. Child allowance is paid for at most 36 months. Potential recipients are tested for applicability as in the case of ALG II, but in contrast to this there is no pressure to look for a different job or earn further qualification.

Gefördert durch:



Niedersächsisches Ministerium  
für Soziales, Gesundheit  
und Gleichstellung

As a complement to child benefit, child allowance can be applied for at the Family Benefits Office of the

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### Standard Need (SN) for ALG II

As of 01. 01.2016

Person	Percentage	Amount
Children between the age of 0 and 5	60 % of the SN	237 €
Children between the age of 6 and 13	70 % of the SN	270 €
Young adults between the age of 14 and 17	80 % of the SN*	306 €
Underage single parents living in their parents' household	100 % of the SN	404 €
Young adults between the age of 18 and 24 living with their parents	80 % of the SN	324 €
Adults who are married or live in cohabitation	90 % of the SN	364 €
Single Adults	100 % of the SN	404 €

### Additional Need

Pregnant women in at least the 13 <sup>th</sup> week of their pregnancy	17 % of the SN (404€/ 364€)	68,68 € / 61,88 €
Single parents:		
• for every child under the age of 18	12 % of the SN	48,48 €
Upper bound:	60 % of the SN	242,40 €
Exceptions:		
• at most three children under the age of 7	36 % of the SN	145,44 €
• two children under the age of 16	36 % of the SN	145,44 €

### Non-recurring benefits for pregnancy and birth – Lump sums in Oldenburg

Basic purchases for newborn babies (fur furniture etc.)	158 €
Basic purchases for clothing during pregnancy	77 €
Basic purchases for clothing at birth	154 €

\* this is bounded from above, because statisticians working for the government have calculated that members of this group have a lower need than the one granted to them in 2010.

## ALSO-Counseling

Tuesday, Thursday and Friday

For the exact times please check the yellow ALSO-leaflets or make an appointment by sending an email to

lk-beratung@also-zentrum.de

local Employment Agency. If you are not sure whether your family is entitled to ALG II or to child allowance, you should definitely first apply for ALG II at the Jobcenter. The point is that, if granted, ALG II is paid from the first day of the month in which you submitted the application, whereas the application for child allowance can be submitted retroactively. It's the Jobcenter's task to determine which of these is applicable and to let you know whether you should contact the Family Benefits Office or the agency responsible for housing benefits.