

Introduction

These guidance notes give you information to help you make a decision about when to apply for Home Responsibilities Protection (HRP). Please read the notes and then keep them in a safe place for future reference. If you decide you want to apply for HRP please fill in the application form CF411 *Application form for Home Responsibilities Protection (HRP)* that came with these notes.

What is HRP?

HRP is available for **full tax years from 6 April 1978 to 5 April 2010** and can:

- count towards your spouse or civil partner's entitlement to bereavement benefits
- help protect your basic State Pension position if you
 - did not work at all, or
 - worked but did not earn enough in a tax year to make the year count for State Pension purposes, and
 - were awarded Child Benefit for a child under age 16, or
 - cared for a sick or disabled person at home and you were not getting Carer's Allowance for the same period, or
 - were an approved foster carer for tax years from 6 April 2003 to 5 April 2010
- in some circumstances, earn you extra pension through State Second Pension for the period from 6 April 2002 to 5 April 2010.

From 6 April 2010 HRP has been replaced with credits for parents and carers. If you want to claim credits for parents and carers you will need to fill in form CF411A *Application form for credits for parents and carers*. For further information on credits for parents and carers go to www.hmrc.gov.uk

How HRP works

If you reached State Pension age before 6 April 2010 you can get HRP (providing you satisfy the conditions). The number of years you get HRP are used to reduce the number of qualifying years you need to receive a full basic State Pension. A qualifying year is a year in which sufficient National Insurance contributions or credits have been made.

Can I get HRP?

You may be able to get HRP retrospectively, for complete tax years between 6 April 1978 and 5 April 2010, if you were:

- looking after someone for 35 hours or more per week
- an approved foster carer - for tax years from 6 April 2003 to 5 April 2010.
You must be an approved foster carer for the whole of the tax year (6 April to 5 April).

For further information go to www.hmrc.gov.uk

You will have received HRP automatically if between 6 April 1978 and 5 April 2010, you were awarded:

- Child Benefit, for a child under 16
- Income Support because you were looking after a sick or disabled person and were not available for work.

Important: You will still need to apply for HRP if you think that it is missing from your National Insurance account. See 'Who should apply?' on page 2.

Married women and widows

If you are a married woman or a widow and had the right to pay reduced rate National Insurance contributions (NICs) as an employee, or not to pay Class 2 NICs when self-employed you will not have qualified for HRP for any tax year between 6 April 1978 and 5 April 2010 where the reduced rate election was in force.



In most cases entitlement to HRP is dependent on the payment of benefit. If you have any additional evidence (copies of correspondence or written evidence of entitlement to a benefit) that you can provide to support your application these should be sent with your application form.

Further information

If you need further information or advice about your HRP application please contact:

HM Revenue & Customs
National Insurance Contributions Office
Individuals Caseworker
Benton Park View
Newcastle upon Tyne
NE98 1ZZ.

Phone **0845 302 1479**

Textphone **0845 915 3296**

Open from 8.00am to 5.00pm, Monday to Friday.

For further information about basic State Pension or Additional State Pension through State Second Pension, you can get leaflet PM2 *State Pensions your Guide* at www.direct.gov.uk

Your rights and obligations

'Your Charter' explains what you can expect from us and what we can expect from you. For more information go to www.hmrc.gov.uk/charter

How to apply

Fill in application form CF411 *Application form for Home Responsibilities Protection (HRP)* if you were:

- a carer looking after a sick or disabled person for 35 hours or more a week
- an approved foster carer. To confirm entitlement as an approved foster carer, you need to send us a letter of confirmation, which you can get from the local authority or fostering agency you were registered with. Your application cannot be considered without this letter
- awarded Child Benefit for a child under 16 and you think that HRP is missing from your National Insurance account
- not the person who was awarded Child Benefit for a child under 16. You may be able to transfer HRP from the Child Benefit claimant's National Insurance account to your account if you reach State Pension age on or after 6 April 2008. Please see 'Safeguarding entitlement to HRP' below.
- awarded Income Support because you are looking after a sick or disabled person.

State Second Pension

From 6 April 2002 to 5 April 2010, if you:

- looked after a sick or disabled person (including a child over six) you can also build up additional State Pension through State Second Pension. Fill in the application form CF411 *Application form for Home Responsibilities Protection (HRP)* that came with these notes
- were awarded Child Benefit for a child under six you will automatically build up additional State Pension through State Second Pension and do not need to apply for HRP.

If between 6 April 2002 and 5 April 2010 you received Child Benefit for a child over six who had a long term illness or disability, you may be able to claim HRP as a carer. Fill in form CF411 *Application form for Home Responsibilities Protection (HRP)* that came with these notes.

Time limits

For periods of caring up to 5 April 2002 applications for HRP can continue to be made at any time up to State Pension age. For periods of caring from 6 April 2002 to 5 April 2010 applications must be made within three years of the end of the tax year in which the caring took place.

This rule does not apply if you were awarded HRP automatically for:

- Child Benefit
- Income Support as a carer, or
- you were an approved foster carer.

Voluntary NICs

If you reach State Pensions age on or before 5 April 2010, even if you get HRP you may get a higher rate of basic State Pension if you pay Class 3 voluntary NICs. Please read CA5603 *Voluntary National Insurance contributions*, which you can get from your local HMRC Office. Or go to www.hmrc.gov.uk

Safeguarding entitlement to HRP

Child Benefit is sometimes claimed by the person who was in paid employment rather than the person who was staying at home to care for the child. For tax years from 6 April 1978 to 5 April 2010, if the person who was awarded Child Benefit already had a qualifying year on their National Insurance account during the period of HRP, their spouse, partner or civil partner can apply to transfer the HRP to their own National Insurance account.

Certain conditions need to be met to enable the HRP to be transferred. These are:

- you reached State Pension age on or after 6 April 2008, or in the case of a bereavement benefit claim your spouse or civil partner died on or after that date
- the Child Benefit claimant cannot themselves benefit from HRP because their earnings were equal to or above the qualifying earnings factor for that year
- you were residing with the Child Benefit claimant for the relevant period and you were sharing the care for a child under 16
- you would have been able to get Child Benefit if your spouse, partner or civil partner had not been awarded it.

How we use your information

HM Revenue & Customs is a Data Controller under the Data Protection Act 1998. We hold information for the purposes specified in our notification to the Information Commissioner, including the assessment and collection of tax and duties, the payment of benefits and the prevention and detection of crime, and may use this information for any of them.

We may get information about you from others, or we may give information to them. If we do, it will only be as the law permits to:

- check the accuracy of information
- prevent or detect crime
- protect public funds.

We may check information we receive about you with what is already in our records. This can include information provided by you, as well as by others, such as other government departments or agencies and overseas tax and customs authorities. We will not give information to anyone outside HM Revenue & Customs unless the law permits us to do so. For more information go to www.hmrc.gov.uk and look for Data Protection Act within the Search facility.