

99107012017001

Heruntergeladen am 27.06.2025

<https://fimportal.de/services/99107012017001>

Modul	Sachverhalt
Leistungsschlüssel	99107012017001
Leistungsbezeichnung I	
Leistungsbezeichnung II	Applying for social assistance for minors in foster care
Typisierung	3 - Bundesaufsichtsverwaltung: Regelung
Quellredaktion	Baustein Leistungen
Freigabestatus Katalog	fachlich freigegeben (gold)
Freigabestatus Bibliothek	fachlich freigegeben (silber)
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt mit Verrichtung
Leistungsgruppierung	Sozialleistungen (107)
Verrichtungskennung	Bewilligung (017)
SDG-Informationsbereich	Rechte und Pflichten im Bereich der sozialen Sicherheit in der Union, auch im Zusammenhang mit Renten
Lagen Portalverbund	Jobsuche und Arbeitslosigkeit (1040300), Existenzsicherung und staatliche Unterstützung (1140100)
Einheitlicher	

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Ansprechpartner	
Fachlich freigegeben am	03.08.2023
Fachlich freigegeben durch	Ministry of Labor, Health and Social Affairs of the State of North Rhine-Westphalia
Handlungsgrundlage	<ul style="list-style-type: none"> • §§ Sections 27 - 40 of the Twelfth Social Code (SGB XII) • §§ Sections 82 - 96 of the Twelfth Social Code (SGB XII) • Ordinance on the implementation of § 82 • Ordinance on the implementation of § 90 https://www.gesetze-im-internet.de/sgb_12/ https://www.gesetze-im-internet.de/sgb_12/ https://www.gesetze-im-internet.de/bshg_76dv/BSHG%C2%A776DV.pdf https://www.gesetze-im-internet.de/bshg_88abs2dv_1988/BJNR001500988.html
Teaser	Minor children who live in another family (foster family or relatives) can receive benefits to secure their livelihood in accordance with SGB XII in order to secure the necessary livelihood of the foster child. Foster carers can also receive these benefits.
Volltext	<p>Minor children who live in another family (foster family or with relatives) can receive benefits to secure their livelihood in accordance with SGB XII if the income and assets of the child or foster family are not sufficient for the necessary livelihood of the foster child.</p> <p>The scope of benefits under SGB XII depends, among other things, on the individual needs of the foster child. The needs generally correspond to the actual costs of accommodating the foster child, provided these are reasonable. These include, among other things, costs for</p> <ul style="list-style-type: none"> - food, - clothing, - physical and health care, - accommodation,

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- heating,
- household energy (electricity),
- school supplies,
- pocket money and
- leisure activities.

Because it is very time-consuming to determine the needs of each foster child individually, many social welfare offices use the lump sums of the youth welfare services. These amounts can vary depending on the federal state.

In exceptional cases, needs can also be calculated on the basis of the "normal" regulations for assistance with living expenses (applicable standard flat-rate needs, any additional needs, actual costs for accommodation and heating as well as school requirements).

Claims for benefits can also be made by the caregiver.

It is generally assumed that the foster family provides for the living expenses of the foster child, insofar as this can be expected based on the income and assets of the foster carers (so-called "household community"). Therefore, the income and assets of the entire household must be considered. This includes, for example

- Earned income,
- maintenance payments and
- pension income.

Child benefit paid for minors and any maintenance payments are due to the child to cover their needs.

Certain assets are not considered to be protected assets, for example

- Small amounts of cash (financial assets per adult: EUR 10,000, per child: EUR 500) or

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- an appropriate house property.

These are not included in the calculation of benefits.

There are also allowances on certain incomes. Not all available income and assets have to be used up before you receive social assistance.

Benefits for past periods are generally not paid.

Erforderliche Unterlagen

- Valid identity documents (birth certificate, confirmation of registration)
- Authorization of the parents or guardians (power of attorney for personal care)
- Statement from the youth welfare office
- Determination of whether educational assistance is required in accordance with the German Social Code (SGB VIII)
- Proof of the child's income (e.g. child benefit, orphan's pension, half-orphan's pension, alimony, maintenance advance or other income)
- Proof of the child's assets - e.g. for capital-forming insurance policies (life insurance, building society insurance, Riester pension contracts and similar), savings accounts, land, real estate, valuables, bank statements of the child
- Proof of the child's health and long-term care insurance
- Tenancy agreement (if applicable, rent change letter) or proof of accommodation and heating costs
- Permission for full-time care from the youth welfare office

This proof is not required for the following persons

- Grandparents or great-grandparents Siblings Uncle or aunt Nephew or niece

Note: The scope of the documents required, especially for proof of income and assets, depends on the individual case. Your social welfare office may ask you for further documents, for example current bank statements, divorce decrees, contracts for the transfer of assets or maintenance titles.

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Voraussetzungen

Prerequisites:

- The child has not yet reached the age of 15 (exceptions are possible)
- Placement outside the parental household (living with relatives or in a foster family)
- No entitlement to educational assistance from the youth welfare office (and therefore no entitlement to economic youth welfare)
- Insufficient income and assets of the child
- No (sufficient) maintenance claims of the foster child against other persons (e.g. against the biological parents)
- No sufficient claims of the foster child or the foster carer for other benefits (e.g. child supplement)

The foster family's income and assets are also not sufficient to ensure the foster child's livelihood

Kosten

Verfahrensablauf

Approval for minors in kinship care can be applied for at the social welfare office. However, it must also be granted without an application if the social welfare agency (e.g. district or independent city) or the agencies commissioned by it learn that a person is in need of assistance or in an emergency situation and meets the requirements for granting assistance.

You can report a need for assistance with living expenses online via the social platform, for example, or in writing.

- The decision depends on the income and financial circumstances, for which a corresponding form may also need to be submitted.
- Submit all the necessary documents together with the form.
- The social welfare office will decide on your needs.
- The social welfare office must decide on your application and inform you of the result. This is done by means of a decision, which is usually sent to you by letter.
- If your need has been determined, you will receive an approval notice, if it has not been determined, you will

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	<p>receive a rejection notice.</p> <ul style="list-style-type: none"> • In both cases, the notification must contain the reasons for the decision as well as information on the possibility of lodging an appeal. It must also state the deadline within which you can lodge an appeal. • The approval notice must also state the amount of the benefit to be paid and the start date of the payment. From the date stated, the social welfare office will transfer the money to your account at the beginning of the month. You can also specify a third party account for the transfer. <p>Please note: You are obliged to inform the social welfare office immediately of any changes to your income and financial circumstances.</p>
Bearbeitungsdauer	Note for further information on the processing time: The processing time depends on the individual case. It is a maximum of six months from the date on which all documents are complete.
Frist	There is no deadline.
weiterführende Informationen	<p>Information on social assistance benefits on the website of the Federal Ministry of Labor and Social Affairs</p> <p>URL: https://www.bmas.de/DE/Soziales/Sozialhilfe/Leistungen-der-Sozialhilfe/leistungen-der-sozialhilfe-art.html</p> <p>Information on the standard needs levels of subsistence assistance on the website of the Federal Ministry of Labor and Social Affairs</p> <p>URL: https://www.bundesregierung.de/breg-de/themen/arbeit-und-soziales/regelsaetze-erhoehung-2222924</p>
Hinweise	There are no indications or special features.
Rechtsbehelf	If you do not agree with the approval or rejection notice, you can lodge an appeal within one month. Further information on how to lodge an appeal can be found in the notification.

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Kurztext

- Assistance with living expenses for minors in foster care
- Minor children who live with a family other than their parents (foster family or relatives) can receive benefits to secure their livelihood in accordance with SGB XII. These benefits can also be claimed by the foster carer.
- However, assistance with living expenses for children living in a foster family or in kinship care can only be considered if no economic youth welfare benefits (SGB VIII) are granted.
- This is the case if no educational youth welfare services are required and it is only a matter of ensuring the minor's necessary subsistence.
- From their 15th birthday, children in foster care or in a foster family are generally entitled to citizen's allowance under SGB II. The local job center is then responsible for this.
- The scope of the benefits depends, among other things, on the individual needs of the foster child. The needs generally correspond to the actual costs of accommodating the foster child, provided a reasonable amount is not exceeded. This includes, among other things, costs for food, clothing, personal and health care, accommodation, heating, household energy (electricity), school supplies, pocket money and leisure activities.
- Because it is very time-consuming to check and determine the needs of each foster child individually, many social welfare offices use the lump sums of youth welfare.
- The calculated need is then compared with the foster child's income and assets. For this purpose, it is also checked whether the foster child could have maintenance claims against other persons (e.g. against the biological parents) and whether the foster carer could be entitled to child benefit, child supplement or other benefits.
- In addition, it is assumed that the foster family

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generally provides for the living expenses of the foster child, insofar as this can be expected based on the income and assets of the foster parents (so-called "household community"). Therefore, the income and assets of the entire household must generally be considered.

- Certain assets are not taken into account, for example small amounts of cash (protected assets, per adult: EUR 10,000, per child: EUR 500) or an appropriate house.
- With a few exceptions: no benefits for past periods (no retroactive benefits).
- Applications can be made (if necessary during a consultation) at the social welfare office or online, an informal application can be submitted in advance.
- Responsible authority: Local social welfare office

Ansprechpunkt

Zuständige Stelle

Formulare

Forms available: Yes

Written form required: No

Informal application possible: Yes

Personal appearance necessary: No

Ursprungsportal