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Applying for social assistance for minors in the care of relatives

Heruntergeladen am 27.06.2025

<https://fimportal.de/xzufi-services/272628266/L100039>

Modul	Sachverhalt
Leistungsschlüssel	99107012017001, 99107012017001
Leistungsbezeichnung I	Applying for social assistance for minors in the care of relatives
Leistungsbezeichnung II	Applying for social assistance for minors in the care of relatives
Typisierung	2b - Bundesauftragsverwaltung: Regelung, Land: Ausführungsvorschriften, Kommune: Vollzug
Quellredaktion	Rheinland-Pfalz
Freigabestatus Katalog	unbestimmter Freigabestatus
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

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Lagen Portalverbund	Existenzsicherung und staatliche Unterstützung (1140100), Jobsuche und Arbeitslosigkeit (1040300)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	03.08.2023
Fachlich freigegeben durch	Ministry of Labour, Health and Social Affairs of the State of North Rhine-Westphalia
Handlungsgrundlage	<ul style="list-style-type: none"> • §§ 27 – 40 Twelfth Social Code (SGB XII) • §§ 82 - 96 Twelfth Social Code (SGB XII) • Ordinance on the Implementation of Section 82 • Ordinance on the Implementation of Section 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 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. Caregivers can also receive these.
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 subsistence of the foster child.</p> <p>The scope of benefits according to SGB XII depends, among other things, on the individual needs of the foster child. In principle, the need corresponds to the actual costs of placing the foster child, provided that these are reasonable. These include, among other things, costs for</p>

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- Nutrition
- Clothing
- Personal and health care,
- Accommodation
- Heating
- household energy (electricity),
- school supplies,
- Pocket money and
- Leisure.

Because it is very time-consuming to determine the needs for each affected foster child individually, many social welfare offices are guided by the lump sums of the youth welfare service. These amounts may differ from one state to another, among other things.

In exceptional cases, the need can also be calculated on the basis of the "normal" regulations of subsistence assistance (relevant flat-rate standard needs, any additional needs, actual costs for accommodation and heating as well as school supplies).

Entitlements to benefits can also be claimed by the carer.

In principle, the presumption applies that the foster family ensures the foster child's livelihood, insofar as this can be expected according to the income and assets of the foster parents (so-called "household community"). Therefore, in principle, the income and assets of the entire household must be considered. These include, for example:

- earned income,
- alimony and
- Pension income.

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The child benefit paid for minors as well as any maintenance payments are due to the child in order to cover his or her needs.

Certain assets are considered to be protected assets that are not to be taken into account, for example:

- Small cash amounts (financial assets per adult: EUR 10,000, per child: EUR 500) or
- a reasonable house plot.

These are not taken into account when calculating the benefits.

There are also allowances on certain incomes. You don't have to use up all your disposable income and assets before you can get social assistance.

Benefits for past periods are usually not paid.

Erforderliche Unterlagen

- Valid personal documents (birth certificate, confirmation of registration)
- Power of attorney for parents or guardians (power of attorney for personal care)
- Statement of the Youth Welfare Office
- Determination of whether assistance for upbringing is necessary in accordance with the Social Security Code (SGB VIII)
- Proof of income of the child (e.g. child benefit, orphan's pension, half-orphan's pension, maintenance, maintenance advance or other income)
- Proof of the child's assets - e.g. for capital-forming insurance (life insurance, building society insurance, Riester pension contracts and the like), savings accounts, land, real estate, valuables, bank statements of the child
- Proof of the child's health and long-term care insurance
- Rental agreement (if applicable, rent change letter) or proof of the costs for accommodation and heating
- Permission for full-time care from the Youth Welfare Office

This proof is not required for the following persons:

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

Note: The scope of the required documents, especially for proof of income and assets, depends on the individual case. Your local social welfare office may require you to provide additional documents, such as current bank statements, divorce decrees, contracts for the transfer of assets or maintenance orders.

Voraussetzungen

Preconditions:

- The child has not yet reached the age of 15 (exceptions are possible)
- Placement outside the parental household (in the care of relatives or living in a foster family)
- No entitlement to educational assistance from the Youth Welfare Office (and thus 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)
- Insufficient entitlements of the foster child or caregiver to other benefits (e.g. child supplement)

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

Kosten

Verfahrensablauf

The permit for minors in the care of relatives can be applied for at the Social Welfare Office. However, it must also be granted without an application if the social assistance institution (e.g. district or independent city) or the bodies commissioned by it learn that a person is in need of assistance or in an emergency situation and fulfils the requirements for granting assistance.

You can announce your need for help with your livelihood, e.g. online via the social platform or in writing.

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- The decision depends on the income and financial circumstances, for which a corresponding form may also have to be submitted.
- Submit all the required documents along with the form.
- The social welfare office will decide on your needs.
- The Social Welfare Office must decide on your notification of need and inform you of the result. This is done by means of a notice, which is usually sent to you by letter.
- If your need has been determined, you will receive a notice of approval, if it is not determined, you will receive a rejection notice.
- In both cases, the decision must contain the reasons for the decision, as well as information on the possibility of appealing against it. For this purpose, an indication of the deadline within which you can lodge an objection must be included.
- The notification of approval must include the amount of the benefit to be paid as well as the start of the payment. From the date mentioned, the social welfare office will transfer the money to your account at the beginning of the month. You can also specify a third party's account for the transfer.

Please note: You are obliged to inform the Social Welfare Office immediately of any changes in your income and financial situation.

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

Information on social assistance benefits can be found on the website of the Federal Ministry of Labour and Social Affairs

URL:

<https://www.bmas.de/DE/Soziales/Sozialhilfe/Leistungen-der-Sozialhilfe/leistungen-der-sozialhilfe-art.html>

Information on the standard needs levels for

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	<p>subsistence assistance can be found on the website of the Federal Ministry of Labour and Social Affairs</p> <p>URL: https://www.bmas.de/SharedDocs/Downloads/DE/rege-lbedarfstufen.html https://www.bmas.de/SharedDocs/Downloads/DE/rege-lbedarfstufen.html</p>
Hinweise	There are no hints or specifics.
Rechtsbehelf	<p>If you do not agree with the approval or rejection notice, you can file an objection within one month. Further information on how to file an objection can be found in the notification.</p>
Kurztext	<ul style="list-style-type: none"> • Livelihood assistance for minors in the care of relatives • Minor children who live in a different family than with 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 caregiver. • However, subsistence assistance for children who live in a foster family or in the care of relatives can only be considered if no benefits from economic youth welfare (SGB VIII) are granted. • This is the case if no educational services from youth welfare are required and it is only a matter of ensuring the necessary livelihood of the minor. • From their 15th birthday, children in the care of relatives or in a foster family are usually entitled to a citizen's allowance according to SGB II. The local job centre is then responsible for this. • The scope of the benefits depends, among other things, on the individual needs of the foster child. In principle, the need corresponds to the actual costs of placing the foster child, provided that a reasonable amount is not exceeded. These include, among other things, costs for Nutrition

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- Clothing Personal and health care, Accommodation Heating Household energy (electricity), school supplies, Pocket money as well as Leisure.
- Because it is very time-consuming to check and determine the needs of each affected foster child individually, many social welfare offices are guided by the lump sums of the youth welfare service.
- The determined needs are then compared with the income and assets of the foster child. For this purpose, it is also examined whether the foster child could have maintenance claims against other persons (e.g. against the biological parents) and whether the caregiver could be entitled to child benefit, child supplement or other benefits.
- In addition, it is presumed that the foster family generally ensures the foster child's livelihood, insofar as this can be expected according to the income and assets of the foster parents (so-called "household community"). Therefore, as a rule, the income and assets of the entire household must be considered.
- Certain assets are not included, such as small amounts of cash (protected assets, per adult: EUR 10,000, per child: EUR 500) or an appropriate house plot.
- With a few exceptions: no benefits for past periods (no retroactive benefits).
- Applications can be submitted (if necessary as part of a counselling session) at the Social Welfare Office or online, an informal application can be submitted in advance.
- Competent authority: Local Social Welfare Office

Ansprechpunkt

Zuständige Stelle

Formulare

Forms available: Yes

Written form required: No

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	Informal application possible: Yes
	Personal appearance required: No
Ursprungsportal	Sozialhilfe für Minderjährige in Verwandtenpflege beantragen, Applying for social assistance for minors in the care of relatives