

BenefitsBulletin

Aberdeen City & Shire Advice Forum is a local network for people working in advice services to share information and experiences. The Forum meets quarterly throughout the year.



Social Security Scotland
Tearainteachd Shòisealta Alba

- ♦ Regulations and notes on handling [appeals on claims for Carers Allowance Supplement from outside the UK](#)
- ♦ [Amendment of residency conditions](#) for Carers Allowance Supplement and Young Carer's Grant to include those living in EEA & Switzerland with a genuine and specific link to Scotland
- ♦ Eligibility for [Social Care Staff Support Fund](#) extended
- ♦ Consultation on [draft regulations for Adult Disability Payment](#)
- ♦ New regulations allowing Scottish Ministers to [appoint person to act for claimant](#) in relation to applications for top-up assistance
- ♦ [Adult Disability Payment will use PIP descriptors](#) from 2022 until review in summer 2023
- ♦ Scottish Affairs Committee launches [survey of experience of benefits system](#)
- ♦ Scotland announces [pilot areas for Child Disability Payment](#)
- ♦ Legislative changes to [Council Tax Reduction Scheme](#) on disregard of benefits
- ♦ Scotland will use its [Evaluation of Carers Allowance Supplement](#) to help establish its own Carers Allowance

Mon 08th Feb 2021 - Issue.35 (Fortnightly)

Free HRMC Training

Fri, 12 February 2021 14:00 – 15:30

This Seminar is intended for Money Advisers who are working in the free sector and who have clients that are struggling with HRMC Self-Assessment debt.

The Seminar will examine:

- Deadlines that must be met
- Payments on Account
- Balancing Payments
- Time to Pay Arrangements
- Methods to minimise liability; and
- Financial Penalties

The Event will be delivered via Microsoft Teams.

www.eventbrite.com/e/hmrc-and-self-assessment-debts-tickets-137512223763?s=09

IMPACT on-line training session on the adverse effects of smoking on mental health



Smoking & mental health

We are running four sessions over February and March. One hour sessions on **17th February** and **17th March** and two hour sessions on **24th February** and **10th March**.

There are more details about the training on the IMPACT website, <https://impact.scot/events/> or you can visit Eventbrite and register directly [here](#).

www.ashscotland.org.uk

Free Disability Confident webinars

A number of webinars are available which provide practical advice on key disability employment subjects.

Register through the links below.

- **11 Feb – 11.30-12.00:** [Practical strategies for effective and inclusive remote team working](#)
- **18 Feb – 11.30-12.00:** [Supporting employees to return safely back to work](#)

You can access recordings of all previous events on the [Do-IT website](#).

More information about the Disability Confident scheme is available on [GOV.UK](#).

The Human Cost of Brexit: Roundtable Discussion

Date And Time: Tue, 23 February 2021 16:00 – 18:00 GMT

Shared Futures and NRNE host a virtual roundtable highlighting the impact of Brexit on the lives of EU nationals residing in Scotland.

Shared Futures aims to bring together communities to develop understanding of issues facing minority communities. This is a virtual event and will be hosted on Zoom. Meeting details will be distributed to ticket-holders in advance of the event. Please direct any queries to mmccall@grec.co.uk.

www.eventbrite.co.uk/e/the-human-cost-of-brexit-roundtable-discussion-tickets-136623970975?aff=ebdssbonlinesearch



<http://citizensrightsproject.org>



CitzRights



EURightsProject



citzrights

Company limited by guarantee in Scotland, company number SC561815
Regulated by the OISC Ref No. N201900077
St Margaret's House | 151 London Rd | Edinburgh | EH7 6AE

Update; Brexit and Welfare Benefit Entitlement for EEA/ Swiss Nationals and their Family Members

[This long form article](#) explains rights to benefits for EEA/Swiss nationals and their family members after the end of the transition period on 11pm 31 December 2020. It is based on what we now know due to very recent legislation, some of which is still open to interpretation.

Guidance

Public funds

Immigration staff guidance for how to make decisions about what UK public funds foreign nationals can claim and what action it must take if they claim funds they are not entitled to.

Care home workers at risk of missing out on EU settled status

Care workers eligible for the EU Settlement Scheme seem unaware of the need to apply, a [new report](#) has found.

[The Joint Council for the Welfare of Immigrants](#) (JCWI) surveyed 290 care home workers and found that as many as one in three had never heard of the Settlement Scheme, which allows EU citizens and their family members who apply before 30 June 2021 to remain in the UK despite Brexit.

Read article [HERE](#)

Benefits Bulletin: EEA Nationals and Benefits

City of Wolverhampton Council have published their [Benefits Bulletin: EEA Nationals and Benefits](#) to provide information on the social security benefit rights of EEA nationals post 31 December 2020.

Updates from the NR, NE Partnership:

- **Turning Point Scotland's funding for the NRPF project** across Aberdeen City and Aberdeenshire has been extended **until 31/03/2021**, which is fantastic news! I've attached the service overview information previously circulated as a reminder of the criteria and referral process for the project.
- Turning Point Scotland also have a small amount of **Flexible Funding** still available until the end of March 2021 and have a full allocation of funding again from 1st April 2021 for the next financial year.
- We have met to discuss a **Data Collection Framework** in order to allow us to capture the scale of the impact of NRPF issues across Aberdeen City and Shire, including the impact on EEA nationals who have no right to reside/do not yet have status under the EU Settlement Scheme. The facilitators will be meeting along with Lynsey Blaney from TPS to take this forward and we will bring a proposed framework to the Partnership. We would encourage as many organisations as possible to contribute to this if they are able, as there has been long term recognition of the fact that we do not have an accurate picture of the level of need in the North East when it comes to NRPF issues.
- As we shared just before Christmas, the Court of Appeal handed down a significant victory for CPAG and its clients meaning that **individuals with Pre-Settled Status can no longer be denied entitlement to benefits - [Fratila and Tanase v SSWP \[2020\] EWCA Civ 1741](#)**. A short stay has been applied until 26th of February 2021 but from that date all EEA nationals with Pre-Settled status will be considered to have a relevant right to reside and entitlement for means-tested benefits. Those who were denied benefits on the basis of not having a right to reside whilst holding Pre-Settled Status should look to appeal refusals made within the appeals/ revisions time limit (13 months) and should seek advice to do so. Full judgement attached again.
- A wee reminder that the **application deadline for the EU Settlement Scheme application is 30th June 2021** – this may feel like plenty of time, but we would encourage all partners to recommend that their service users apply as soon as possible and seek immigration advice if their case is a complex one. CAB continue to be able to assist with EUSS applications throughout the lockdown over the phone or via video call.
- Kirsty Allan's **overview of human trafficking** delivered to the partnership at our last meeting. We are currently finalising a date for further training on this in February or March so we will circulate further info on this in due course.
- As previously circulated, **[JustRight Scotland launched a new 2nd Tier Immigration and Asylum Advice Line](#)** today, which will now be available every Wednesday from 2-4pm. Flier attached again for info.



No Recourse
North East

Flexible Funding

Aberdeen City has been awarded funding by the Scottish Government to provide personalised support and emergency funds to prevent and resolve rough sleeping.

Turning Point Scotland, Aberdeen Cyrenians, Aberdeen City Council, ACVO, and Marywell Health Centre will manage and distribute the fund.

Overview

Flexible funding should be used to empower frontline workers to have access to a rapid response fund, once all other avenues have been exhausted. Referrals should be creative, individualised and outcomes focused to move those who are, or are at risk of, rough sleeping into safe accommodation.

Access to the fund is designed to facilitate on the day outcomes. Frontline staff can approve referrals up to £150, via the process outlined below.

Referrals for over £150 will be assessed by a multiagency team, requiring approval from at least 3 organisations from Aberdeen Cyrenians, Aberdeen City Council, ACVO, Turning point Scotland and Marywell Health Centre.

Decisions on referrals over £150, will be made within 24 hours.

Turning Point Scotland will co-ordinate and record applications for the fund and manage the overall balance.

TPS will organise the transfer of funds to the associated organisation on request for over £150. Turning Point Scotland will have a float available for payments of under £150.

Individuals who access the fund should be informed that their information will be shared with the above named organisations.

To ensure the effectiveness of the fund, follow up work may also be carried out by the named organisations by way of housing support referral, to ensure that repeat homelessness is avoided.

Flexible Funding Referral Form:

Applications should include all the following information

Please complete the form with as much details as possible, including why existing resources and opportunities have been exhausted.

Name of person requiring fund:

Contact Number:

Support Worker Name:

Support Worker Contact Details:

What amount is requested?

What is the money going to be spent on?

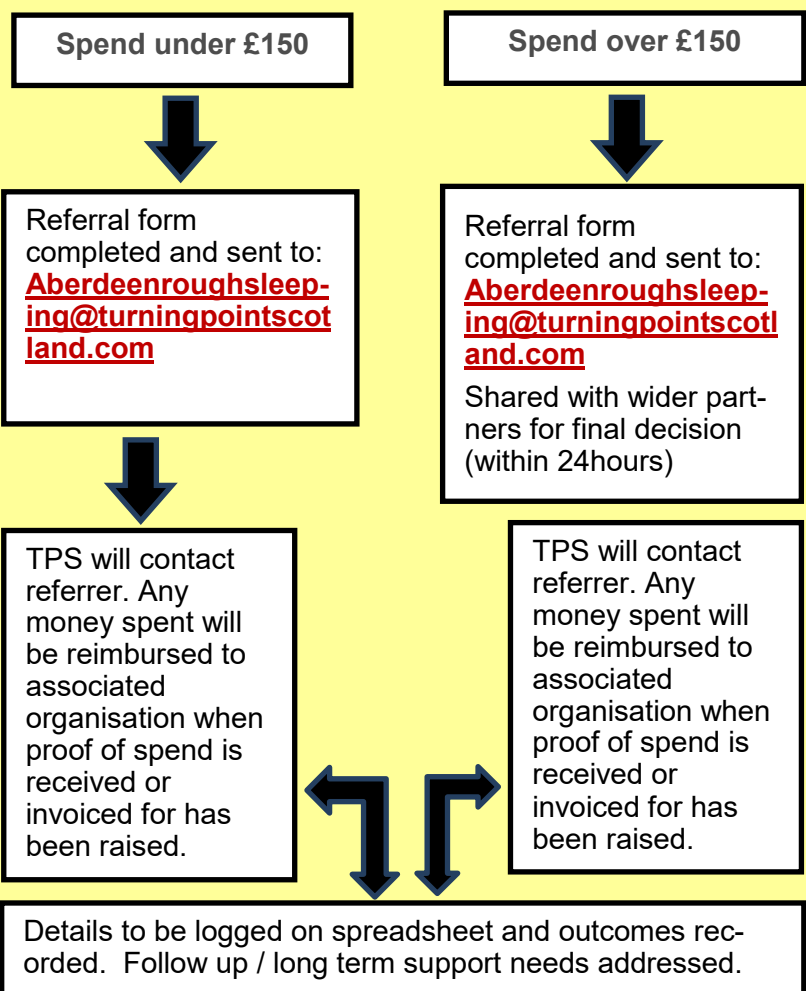
How does it prevent rough sleeping?

Why is this application the last resort?

Has information sharing been explained to the individual?

Are there longer term support needs to be addressed?

Flexible Funding Process



NRPF Aberdeen & Aberdeenshire

Background and overview

In response to the COVID19 pandemic and related Scottish Government guidelines, Turning Point Scotland, in partnership with Aberdeen City Council and Aberdeenshire Council, has been awarded funding from the Well-being Fund to support single adults who have been assessed as having No Recourse to Public Funds (NRPF).

We are focused on meeting the accommodation and housing needs of single adults in Aberdeen City and Aberdeenshire who are homeless and have engaged with their local authority Housing Advice and Options teams, have received an ineligible decision due to NRPF and are therefore at increased risk from Coronavirus and are unable to have their needs met by existing service provision.

People with NRPF face particular risks of homelessness and rough sleeping as well as food insecurity and poverty during the COVID-19 pandemic. They may live in insecure accommodation or casual arrangements. Associated with this they face significant risks of financial hardship and insecurity as a result of loss of income if they are unable to work.

Turning Point Scotland will receive referrals directly from local authority Housing Advice and Options teams and financially support the individual with accommodation in hotel or bed and breakfast within Aberdeen City. In addition each successful referral will receive:

- An assessment of their situation
- A named support worker and point of contact
- Assistance with food and essential items
- Support to identify long term solutions (e.g. employment or alternative accommodation)
- Support to return to area of local connection (within the bounds of travel restrictions)

Criteria

We accept applications for single applicants only, and those who are NRPF who are pregnant or have children must contact their duty social work teams for assistance. Referrals will only be accepted from Local Authority Housing options and advice teams.

We can only assist with accommodation costs and associated support during the time of the pandemic and resultant restrictions. Please consider this before making the application.

Application process

Before submitting applications please consider the following:

- Have we established NRPF, what steps have been taking to confirm this?
- Does the individual already have stable accommodation?
- An application to TPS will not override the ineligible decision and therefore should not be viewed as "specialist pathway" into local authority housing.

Please complete the form below with as much detail as possible. Incomplete or vague applications will be returned to the referrer and will delay the process.

Individuals who access the fund must be informed that their information will be shared with the aforementioned organisations in order to enhance the effectiveness of the funding.

Applications should include all the following information:

Name of person:

Contact Number or best method of contact:

Name of worker making referral:

Referrers Contact Details:

Decision given at time of presentation:

On what ground does the person have NRPF?

What has been done to establish NRPF?

What alternative housing options have been investigated?

Has information sharing been explained to the individual?

Is there a barrier to language and if so what?

The Human Cost of Brexit: Roundtable Discussion

Date And Time: Tue, 23 February 2021 16:00 – 18:00 GMT

Please see the information for an upcoming event hosted by Shared Futures and No Recourse North East, highlighting issues faced by communities in Aberdeen following Brexit. The event will have speakers from local and national agencies and an opportunity to discuss issues faced in your roles and how we may work together to ensure the needs of affected communities are met.

Shared Futures and NRNE host a virtual roundtable highlighting the impact of Brexit on the lives of EU nationals residing in Scotland.

Shared Futures aims to bring together communities to develop understanding of issues facing minority communities in Aberdeen, increase awareness of the support available, and take collective action to promote justice and equality in the city.

No Recourse North East is a partnership group working on developing good policy and practise in relation to NRP issues in the North East of Scotland.

On the 1st of January 2021, the Brexit transition period came to an end and the United Kingdom officially ceased to be a member of the European Union. The impact that Brexit has had, and will continue to have, on the UK and its residents is varied and far reaching. Every town, trade and industry will feel Brexit's effect- as will every EU citizen who calls Scotland home.

Shared Futures and No Recourse North East invite community groups and third & public sector organisations to join us on on **Tuesday, 23rd February at 4pm** as we discuss the ways Brexit will impact EU citizens living in North East Scotland, amplify the concerns of local communities, and identify action which can be taken to better support individuals and communities in Aberdeen and the North East.

This is a virtual event and will be hosted on Zoom. Meeting details will be distributed to ticket-holders in advance of the event. Please direct any queries to mmccall@grec.co.uk.

www.eventbrite.co.uk/e/the-human-cost-of-brexit-roundtable-discussion-tickets-136623970975?aff=ebdssbonlineresearch

Please note this is a Zoom event.

People urged to apply to the EU Settlement Scheme

Deadline to apply to the EU Settlement Scheme **30 June 2021**.

With less than 6 months to go before the EU Settlement Scheme's application deadline of 30 June 2021, European citizens are being urged to [apply now](#) to secure their rights in UK law.

The [latest official statistics](#) published today (21 January 2021) show that up to 31 December 2020 there had been almost 4.9 million applications to the EU Settlement Scheme.

This includes more than 4.4 million applications from England, 243,600 from Scotland, 80,700 from Wales and 78,500 from Northern Ireland up to 31 December 2020. In December alone there were 402,300 new applications to the scheme as people applied before the end of the transition period.

If you are an EU national who started living in the UK before 2021, you can apply for a Pre-Settled or a Settled Status depending on your circumstances.

The Pre-Settled Scheme, or Limited Leave to Remain, grants you the right to work, live and access healthcare. However, it does not give access to welfare benefits by itself, as you will still need to show a "right to reside."

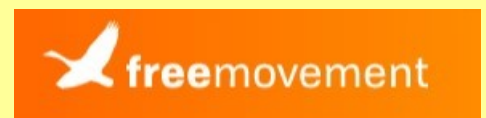
The Settled Scheme, or Indefinite Leave to Remain, grants you the right to work, live, access healthcare and welfare. It is evidence that you have a "right to reside" in the UK.



Six very frequently asked questions about the EU Settlement Scheme

1. What if... I don't have an identity document?
2. What if... I don't have evidence of residence?
3. What if... some of my documents are not in English?
4. What if... I was outside the UK for more than six months?
5. What if... I was stuck abroad due to COVID-19?
6. What if... I already have a UK residence card?

Read the full article on [FreeMovements](#) website [HERE](#)



Testing 'what works' and addressing gaps in financial education: eight pilots for children and young people



Policy manager Sophia Spence-Cheng shares thoughts on a new £900,000 programme funded by the Money and Pensions Service that tests innovative ways to deliver meaningful financial education to children and young people across the UK.

Here at the Money and Pensions Service (MaPS), we lead on a vast programme of policy, research, and insight to understand what works in the provision and delivery of financial education. However, there are areas that require further exploration, and the needs of some groups of children and young people remain unmet – and, while there are a laudable number of financial education interventions, only 48% of the UK's children and young people currently receive a meaningful financial education.

Our newly launched Children and Young People Financial Education Innovation and Evaluation Programme aims to explore these areas and address these unmet needs. As the Money Advice Service, we were invited to become an affiliate member of the What Works Network in 2018, and we as MaPS continue to create, share, and use high-quality evidence to inform decision-making. By taking a 'test and learn' approach, findings from our Innovation Programme will strengthen the evidence base of what works and best practice to support providers of financial education to deliver and fund meaningful financial education.

Read article here - moneyandpensionsservice.org.uk/2021/01/13/eight-financial-education-pilots/

Housing First supporting hundreds of Scots

A revolutionary initiative which aims to get those who face homelessness rehomed quickly has helped hundreds of people in Scotland already.

Housing First provides permanent housing as a first, rather than last, response for people at the sharpest end of homelessness.

The first data on the initiative indicates the programme continued to scale up despite Covid restrictions. The total tenancies created by Scotland's Housing First Pathfinder up to 31 December 2020 was 404, with an additional 22 added that month.



The key indicator of 'tenancy sustainment', which shows how many people kept their tenancy, remains high over the full first year of the Pathfinder, lying at 88% this month.

Housing First includes a support package tailored to the individual and is proven to be a better and more lasting response for people with experiences such as trauma, abuse, addictions and mental ill health who experience homelessness.

Returns for December show that Glasgow, the city with the highest number of homelessness applications in Scotland, hit the significant 150 tenancies milestone. Aberdeen / Aberdeenshire stands at 80, with the highest per-

centage of people remaining in their home at 93%. In Dundee, the number of tenancies is 64, more than half their target; Edinburgh has 92 and Stirling 11, over halfway towards its target of 20.

tfn.scot/news/housing-first-supporting-hundreds-of-scots

The number of 'employments' furloughed under the Coronavirus Job Retention Scheme (CJRS) stood at 3.9 million at 31 December 2020, according to new statistics from HMRC

HMRC figures also show that total value of claims to scheme since it was introduced in March 2020 exceeds £49 billion

[Coronavirus Job Retention Scheme statistics: January 2021](#) and [HMRC coronavirus \(Covid-19\) statistics: Self-employment Income Support Scheme: January 2021](#) are available from gov.uk

End Child Poverty coalition launches Holyrood election manifesto

All political parties in Scotland should commit to at least doubling the value of the new Scottish Child Payment to stem the rising tide of child poverty, a coalition of anti-poverty groups, children's charities and women's organisations have urged today.

www.povertyalliance.org/end-child-poverty-coalition-launches-holyrood-election-manifesto/

If not now, when? - Social Renewal Advisory Board report: January 2021

The Social Renewal Advisory Board was set up by Scottish Ministers to make proposals that can renew Scotland once we start to emerge from the pandemic. The final report "If not now, when?", sets a course towards this future.

Download report here - www.gov.scot/publications/not-now-social-renewal-advisory-board-report-january-2021/

SE v Secretary of State for Work and Pensions: [2021] UKUT 1 (AAC)

Read the full decision in [CPIP/1653/2019](https://www.cpip.gov.uk/cpip/1653/2019).

Judicial Summary

The decision examines the definition of "basic written information" in the context of the various descriptors governing activity 8, including what is meant by "signs", the relevance of "dates" and their respective interaction with "words" in descriptor 8(e); what is meant by "standard size text"; and the relationship between descriptors 8 (d) and (e).

As regards activity 10, it examines the definitions of "simple budgeting decision" and "complex budgeting decision", noting that the requirements within each definition are cumulative; and that each definition requires the capacity for a "decision" to be considered. It also examines the relationship between descriptors 10(c) and 10 (d).

Published 27 January 2021

Understanding DWP Advances and Emergency Help

BUDGETING LOANS - We enquired to our Member of Parliament and DWP Minister, how it is that some people can have two budgeting advances on Universal Credit while others only have one.

The allowance is up to £348 for a single person but if you have paid much of this loan back and now only owe £50, why should you not get a second loan in an emergency?

This is the response from the DWP.

On the matter of when Universal Credit payments are sent to those entitled, it is set very strictly in line with their Assessment Period. The Assessment Period begins on the very date someone makes a claim to Universal Credit and lasts for one month. For example - 05/01/2021-04/02/2021. This cycle would continue for every month that follows (05/02/2021-04/03/2021 etc) and any entitlement that is calculated on the end of each period would be paid 7 days later. We have worked closely with Social and Private landlords in the local area to make them aware of how this can impact tenants in respect to managing their bills.

There are 4 types of advance under Universal Credit, as follows:

- **New Claim Advance** - Available to those in need in the first two Assessment Periods of their claim. Mr Collyer has passed this threshold.
- **Change of Circumstances Advance** - Available to those who have had a verified change in their circumstances that would increase their monthly entitlement of Universal Credit.
- **Benefit Transfer Advance** - Available to those who have transferred onto Universal Credit from a previous benefit (i.e. Job Seeker's Allowance), and is only available for their first Assessment Period. Mr Collyer is not eligible as he does not meet this condition.
- **Budgeting Advance** - Available for those who need help with domestic emergencies or for support upon the confirmation of a start date of employment. The policy with a Budgeting Advance is that if there is already one outstanding that has not been fully repaid, we are unable to offer a second. It is possible that someone may have a New Claim Advance and a Budgeting Advance open at the same time, but never two Budgeting Advances. This could be perhaps where Mr Collyer has understood people to have two advances at the same time.

www.abccorg.net/item/3612-understanding-dwp-advances-and-emergency-help

Government provides update on cases where PIP claimants will not have had their award extended as a result of Covid-19

rightsnet

Specified cases 'are not included in Covid-19 easements and will not be extended as part of this exercise', says DWP Minister

DWP Minister Justin Tomlinson has provided an update on cases where personal independence payment (PIP) claimants will not have had their award extended as a result of Covid-19.

In May 2020, [Mr Tomlinson told Parliament](#) that short, fixed-term awards of PIP that were due to expire during the coronavirus pandemic would be automatically extended, and [last week said](#) that around 756,000 notifications had been issued to claimants to advise them of their extension.

However, responding to a Parliamentary written question yesterday, Mr Tomlinson advised that -

'The Department has been automatically applying extension of awards ... for all claims due to end between March 2020 and January 2021, except those where a new decision has been made since review and reassessment activity resumed in July. Additionally, a small number of awards have not been extended where action on their case is pending. These are not included in Covid-19 easements and will not be extended as part of this exercise.'

[Mr Tomlinson's written answer](#) is available from Hansard.

Parents encouraged to apply for School Age Payment before deadline



Eligible families are being encouraged to apply for the School Age Payment before applications close on **28 February**.

The one-off £250 Payment is currently open to families with a child born between **1 March 2015 and 29 February 2016**. It can be used for anything from a warm coat to books and toys.

Parents who have deferred their child's entry to school from August 2020 to August 2021, or those home schooling, must still apply before the 28 February closing date or they will lose out on their payment.

The payment is part of the Best Start Grant, a package of three payments for families who get tax credits or certain benefits – including Universal Credit, Income Support and Housing Benefit.

Parents can find out more and apply at mygov.scot/beststart

CT v Secretary of State for Work and Pensions: [2021] UKUT 6 (AAC)

Read the full decision in [CE/2770/2019 & CE/145 & 146/2020](#).

Judicial Summary

Recoverable overpayment of income-related Employment and Support Allowance following failure to disclose receipt of occupational pension - Civil penalty imposed under section 115D Social Security Administration Act 1992 -whether "reasonable excuse" for failure to disclose and scope of discretion - VT v Secretary of State for Work & Pensions (SSWP) [2016] UKUT 178 (AAC); [2016] AACR 42 considered.

Published 2 February 2021

Working mum wins claim challenging rule for Universal Credit parents to pay childcare costs upfront

[\[2021\] EWHC 102 \(Admin\)](#)

[In a judgment](#) handed down today, Friday 22 January 2021, it was ruled that the Department of Work and Pensions' mechanism for assessing and paying the childcare costs element of Universal Credit (the "Proof of Payment" rule), which requires proof of payment from working parents before they receive funding, is unlawful.

Introducing his judgment in *Salvato, R (On the Application Of) v Secretary of State for Work and Pensions* [2021] EWHC 102 (Admin) (22 January 2021), Mr Justice Chamberlain highlights that the case is about the mechanism for assessing and paying the CCE under the Universal Credit Regulations 2013 (the UC Regulations)

The judgment said the Proof of Payment rule subjected Nichola Salvato and other mums in her situation, to indirect sex discrimination, contrary to Article 14, read with Article 8, and Article 1 of the First Protocol ECHR. The judge also decided that the Proof of Payment rule is irrational.

Read article [HERE](#)

Work Capability Assessments update



Department for Work & Pensions

To protect vulnerable claimants during the pandemic, face-to-face Work Capability Assessments (WCAs) remain suspended. The Department has been building its capacity and capability to do more telephone WCAs since they were first introduced in June 2020.

We are now expanding the types of cases that can go through to decision which will result in an increase in the number of Limited Capability for Work and Fit for Work decisions. This will ensure claimants receive the correct benefit entitlement and labour market support as quickly as possible, and reduce the time those who may be entitled to a higher award have to wait for their assessment.

More information about [Universal Credit](#) and [New Style ESA](#)

Guidance Universal Credit and prison leavers

Last updated 27 January 2021

Information for prison leavers, work coaches and probation officers about Universal Credit.

www.gov.uk/government/publications/universal-credit-and-prison-leavers

Guidance Easy read: Universal Credit

Last updated 27 January 2021

These easy read guides explain what Universal Credit is and how you can apply for it.

www.gov.uk/government/publications/easy-read-universal-credit

Guidance Universal Credit: support for a maximum of 2 children: information for claimants

Last updated 27 January 2021

Information for existing and new Universal Credit claimants with more than 2 children.

www.gov.uk/guidance/universal-credit-and-families-with-more-than-2-children-information-for-claimants

Guidance Advice for decision making: staff guide

Last updated 26 January 2021

Advice for DWP decision makers on Universal Credit, PIP and contribution-based JSA and ESA for people who are eligible for Universal Credit.

www.gov.uk/government/publications/advice-for-decision-making-staff-guide

A1/2021: Housing Benefit uprating: 2021-22 (revised)

Published 28 January 2021

We apologise for any inconvenience caused but this circular is being reissued as the original contained a number of errors

Read the revised version [HERE](#)

Removal of SDP Gateway and eligibility for transitional SDP element in universal credit for new claimants

New DWP Guidance

See [ADM Memo 1/21](#)

Easy read Pension Credit

Published 20 January 2021

This easy read guide explains how you can get help from Pension Credit and how to claim it.

www.gov.uk/government/publications/easy-read-pension-credit

UC50 form: Universal Credit capability for work questionnaire

Last updated 18 January 2021

Only fill in this capability for work questionnaire (UC50) if you're asked to do so, this is not a claim form.

www.gov.uk/government/publications/uc50-form-universal-credit-capability-for-work-questionnaire

Disability Living Allowance (DLA) for children claim form

Updated 18 January 2021

Use this claim form to apply for DLA for children under 16.

www.gov.uk/government/publications/disability-living-allowance-for-children-claim-form

Easy read Personal Independence Payment (PIP)

Last updated 20 January 2021

These easy read guides explain how you can get help from Personal Independence Payment (PIP) and how to claim it.

www.gov.uk/government/publications/about-pip-what-it-is-and-how-to-claim-it-easy-read-guide

Aberdeen City Council launches new discretionary business support fund

A new business support fund for businesses impacted by COVID-19 restrictions has been opened by Aberdeen City Council. The local authority has been given £1.3million of funding to distribute on behalf of the Scottish Government.

The aim of the fund is to mitigate short term issues being experienced by businesses that are struggling due to the Coronavirus restrictions and regulations that have been introduced since October 2020. The priority for these grants is local smaller and micro businesses within the Aberdeen City area.

One-off grants of £3,000 will be made to sole traders, partnerships or limited companies with no employees. Businesses registered as employers will receive a one-off payment of £5,000.

For full criteria and to apply to the Discretionary Business Support please visit: [Covid-19 Discretionary business Fund](#)

Aberdeenshire Council pays out £1.2million in business support and announces new small business grants through Discretionary Fund



Small businesses which have not received any financial assistance to combat the impact of Covid-19 since October 2020 are being [urged to apply to a new Discretionary Fund](#).



Support for adult carers in Aberdeen

From Monday 7 December social care charity Quarriers took delivery of carers support for the Aberdeen city area.

We'd like all carers and organisations in the area to know how to contact us for advice, support or information that may help their role.

Get in touch:

Aberdeen City Carers Support Service

37 Albert Street

Aberdeen

AB25 1XU

Tel: 01224 914036

Email: aberdeencarers@quarriers.org.uk

Its aim is to mitigate the short-term financial challenges being experienced by businesses adversely impacted by restrictions and regulations introduced since October to control the spread of Covid-19.

It enables individual councils to direct additional financial support to specific groups, sectors or businesses within their local business communities who are experiencing immediate financial challenges as a result of current restrictions and regulations.

Aberdeenshire Council is hoping to support more than 800 small businesses with a grant of up to £2,000.

Applications to the Discretionary Fund will open at 9am on Monday, 25 January. Details of the fund together with other available business support can be found at www.aberdeenshire.gov.uk/business/business-covid-19

JETS to launch jobseekers back into work in Scotland

Thousands of jobseekers throughout Scotland will benefit from a new employment programme launched this week targeted at helping those who have lost jobs in the pandemic.

JETS (Job Entry Targeted Support) is backed by a 21.7 million investment in Scotland and comes on top of the £8.6bn already provided to Scotland by the UK Government as part of its comprehensive response to the pandemic.

Targeting those out of work for three months or more, JETS will see DWP boost support for claimants to give jobseekers access to the tailored, flexible support needed to quickly move back into employment.

Jobseekers will also receive specialist advice on how they can move into growing sectors where jobs are available, as well as CV and interview guidance.

The programme has already had early successes across England and Wales since it launched in October – with more than 40,000 jobseekers referred to the programme in its first 50 days, equating to around 800 per day.

[Find out more](#)

Review of statutory debt solutions update

The Minister for Business, Fair Work and Skills, Jamie Hepburn has committed to the Scottish Government to take forward a wide-ranging review of Scotland's debt solutions.

There has been a high level of stakeholder consultation on this review and at the Minister's meeting with the Working Group on Statutory Debt Solutions on 26 October 2020 it was agreed that the review would be conducted in a three stage process. The first stage of this involved an examination of immediate priorities that could be taken forward during this Parliamentary session – specifically looking at measures that would help address the consequences of the COVID-19 pandemic.

A further series of five stakeholder meetings were held between 9 and 11 November. These meetings highlighted a number of areas of insolvency which should be changed immediately - making permanent some of the temporary changes introduced to help those struggling with debt during the pandemic.

These recommendations were put forward to Scottish Ministers and the [Bankruptcy \(Miscellaneous Amendments\) \(Scotland\) Regulations 2021](#) have today been laid in Parliament.

The specific proposals which have been brought forward are outlined as follows:

- Reduction of the Minimal Asset Process (MAP) debtor application fee to £50
- Reduction of full administration bankruptcy application fee to £150
- Removal of all bankruptcy debtor application fees where prescribed benefits are in payment
- Increase in the debt threshold for access to the Minimal Asset Process route into bankruptcy from £17k to £25k
- Removal of student loans for consideration in the MAP debt threshold;
- Enablement of electronic signatures on applications for bankruptcy
- Increase the time scale for a trustee to submit their initial debtor contribution proposal to AiB from six weeks to 12 weeks

If approved by the Parliament they will come into effect from 29 March 2021.

The final proposal relating to debtor contribution order would bring the temporary provisions included in the Coronavirus Acts into bankruptcy law. This particular issue was considered as part of the recent consultation on the bankruptcy reforms made in 2015 where general consensus was that the timescale should be increased beyond six weeks. It is considered appropriate to make this change in legislation at the present time as it is entirely consistent with dealing with the response to the pandemic. However, it is recognised that this may require further consideration during the subsequent stages of the wider review.

Mr Hepburn has today also written to the Economy, Energy and Fair Work Committee and to members of the Ministerial Working Group on Statutory Debt Solutions providing a progress update. A copy of the letter to members can be found below.

[Letter from the Minister for Business, Fair Work and Skills - Working Group](#)

Volunteers sought to take part in working groups

Volunteers are being sought to take part in working groups which will look at aspects of the Scottish statutory debt solutions.

If you would like to be involved or have any feedback on the areas that are proposed for consideration, please [find out more here.](#)

Buy now, pay later firms to be regulated – and all shoppers will now face affordability checks

The government has confirmed its intention to bring unregulated Buy Now Pay Later (BNPL) loans into Financial Conduct Authority (FCA) regulation.

In the FCA-commissioned Woolard review of change and innovation in the unsecured credit market - led by the FCA's former Interim Chief Executive Chris Woolard and published today - an advisory panel of stakeholders from the consumer credit and advice sectors investigated whether more needs to be done to ensure a healthy, sustainable unsecured lending market, in particular taking account of the Covid-19 pandemic and its impact on lending and debt levels.

Key findings include -

- the use of BNPL products nearly quadrupled in 2020 and is now at £2.7 billion, with 5 million people using them since the beginning of the pandemic;
- more than one in ten customers of a major bank using BNPL were already in arrears; and
- as a result of the pandemic, the demand for debt advice is likely to more than double, with an estimated 1.5 million additional people needing some form of debt advice.

For more information, see [Buy now pay later products to be regulated](#) from gov.uk

Increased demand for council-funded advice services

Advice services were seeing increased demand for money and welfare rights advice even before COVID-19 and expect this trend to continue, according to a report published by the Improvement Service.



The 6th annual report of the **Common Advice Performance Management Reporting Framework** (CAPMRF), published on 28 January 2021, measures key performance indicators for welfare and money advice services funded by Scottish Local Authorities on both an in-house and commissioned basis. The report aims to help 'tell the story' of the value of advice services, as well as provide a mechanism for councils to benchmark their performance and identify scope to further improve the impact and value for money of these services.

The report highlights that in 2019/20:

- Local Authorities invested approximately £28.2m in money and welfare rights advice services.
- Services have supported an increasing volume of clients, including a large proportion of individuals experiencing the greatest social and economic inequality.
- Every £1 invested in money and welfare rights advice provision by Local Authorities in Scotland provides financial gains of £13 to £14 for clients.

The findings in this report help demonstrate the demand already facing advice services prior to the COVID-19 crisis, and how Local Authority investment has and will continue to play an important role in supporting communities across Scotland.

This report has been produced by the Improvement Service (IS) in conjunction with Scotland's Local Authorities. www.improvementservice.org.uk/news/january-2021/increased-demand-for-council-funded-advice-services

[Download the 2019/20 Common Advice Performance Management Reporting Framework Annual Report](#)

The Scottish Budget sets out the Scottish Government's proposed spending and tax plans for 2021 to 2022, as presented to the Scottish Parliament

Funding plans include £68m for first full year of Scottish Child Payment but also confirm that Scottish Welfare Fund budget will be frozen

Chapter 14 **[Social Security and Older People](#)**

Free Guide for Scots Struggling with Problem Debts.



It contains links to online tools, videos and information on how to deal with problem debts.

In the Guide you will find information on

- How to Maximise Income.
- Draft a Budget.
- Different Debt Repayment Strategies.
- Debt Enforcement Procedures; and
- Formal Debt Solutions

[Download your Free Guide](#)

The Scottish Government has announced changes to its Self-Isolation Support Grant scheme to provide support to more people on low incomes

Additional 200,000 people expected to be eligible for help from the scheme as a result of changes being introduced from 16 February 2021

Setting out the changes today - that are expected to result in an additional 200,000 people being eligible for the grant if they are asked to self-isolate - Social Security Secretary Shirley-Anne Somerville said -

'Supporting people to self-isolate is critical to controlling the spread of the virus. We always said we would review this grant to make sure it worked for people who face financial hardship as a result of self-isolation. That is why we are making changes to considerably increase the eligibility of the grant to those on low incomes.'

To be introduced from 16 February 2021, the changes will result in -

the grant being available to workers earning the Real Living Wage or less, as well as those in receipt of a council tax reduction because of low income;

- eligibility for people with caring responsibilities for someone over 16 who is asked to self-isolate, where the carer meets the other eligibility criteria; and
- a lengthening of the period during which applications need to be made, with people being able to apply within 28 days of being told to self-isolate.

For more information, see **[More people supported to self isolate](#)** from gov.scot

Two wages in one month

Following the court case last year which ruled that the way the DWP treat claimants who receive two monthly payments within one monthly assessment period is irrational, we have an update on the process for claimants who find themselves caught up in this long running saga. As previously reported, following the case, the DWP stated that affected claimants needed to get in touch, as each case was being dealt with manually, month by month.

We now have an update from Will Quince (Minister for Welfare Delivery), who promises that the automated process should be put into place in 'early 2021'.

'We expect to automate identification of affected claimants early in 2021. This will allow us to proactively correct awards before they are paid, without the need for the claimant to raise the issue.'

Watch this space!

<https://committees.parliament.uk/publications/4196/documents/43190/default/>



Lowest paid most likely to have lost income and increased debt since start of Covid-19 pandemic

New TUC survey finds that half of workers with income of less than £15,000 experienced fall in income, while three-in-ten reported increased debt

For more information, see [The impact of the pandemic on household finances](#) from tuc.org.uk

Expenditure on crisis grants in Scotland up by more than 20 per cent compared to same period last year

New statistics also report an increase in awards made to people coming from less deprived areas, possibly indicating a change in the demographic profile of applicants as a result of Covid-19

For more information see [Scottish Welfare Fund Statistics: update to 30 September 2020](#) from gov.scot

Checking your credit score is easy – and it can save you money



We reveal everything you ever wanted to know about credit ratings (but were afraid to ask)

The Big Issue [has teamed up with Experian](#) as part of their [United for Financial Health programme](#), and are working with a range of experts to share helpful advice and tips on how to keep in control of your money and be in as strong a position as you can be through the pandemic, and beyond.

www.bigissue.com/latest/finance/checking-your-credit-score-is-easy-and-it-can-save-you-money/

Closing the SDP gateway

The Severe Disability Premium (SDP) gateway has been revoked. A longform article on what this means for clients and answering frequently asked questions on transitional payments

<https://medium.com/adviser/closing-the-sdp-gateway-2763adf273fe>

Effects of social security policy reforms on mental health and inequalities: A systematic review of observational studies in high-income countries

The [study of major welfare reforms](#) in high-income countries including the UK, the US and Canada also found that policies aimed at making benefits more generous were associated with positive mental health outcomes.

A Liverpool University study last year linked universal credit – with its panoply of “stressors”, such as the five-week wait for a first payment – to [increased psychological distress](#). A separate [2018 study](#) of universal credit in Gateshead found it a “threat to public health” because it triggered such high levels of anxiety and depression.

Highlights

- Social security systems have experienced major reforms over the past few decades
- First systematic review on the effects of social security reforms on mental health
- Found that expansions in social security benefits improve mental health outcomes
- Reductions in social security support lead to adverse mental health outcomes
- This is important for developing evidence-based policies for post Covid-19 recovery

[Effects of social security policy reforms on mental health and inequalities: A systematic review of observational studies in high-income countries](#) is available from sciencedirect.com

Two week run-on of IS, JSA(IB) and ESA(IR)

Freedom of Information (FoI) request received on 21 January.

You wrote:

"RE: 'Two week run-on of IS, JSA(IB) and ESA(IR) - for claimants whose awards of those benefits terminate when they claim UC on or after 22.7.20'.

How does this process work? Is it automated or operated manually, and how does the UC digital platform identify those receiving the two-week run-on, to avoid overpayments?"

DWP Response:

We can confirm that we hold the recorded information to respond to your request.

When any claimant, including those in receipt of IS, JSA(IB) and ESA(IR), make a claim for Universal Credit the system automatically checks to identify if existing benefits are currently in payment and if they are then a to-do is generated.

This to-do is picked up and completed by a specialist team to ensure every effort is made to avoid any over-payments. Except by rare chance should any overlapping payments be made beyond the two-week run-on, the specialist team would take the necessary steps to recover the payments and inform the claimant accordingly.

Ferret's Pay Periods in UC

Reckoner - 2020/ 2021



Ferret's reckoners provide useful calculations to help advisers. This reckoner produces estimates of the payment cycles of Universal Credit related to actual payment cycles.

The effect on Universal Credit is based on the net pay and Universal Credit monthly amounts entered. It assumes that no other income changes or circumstances alter. It cannot take account of changes in normally fixed payment dates because of e.g. Christmas or weekends.

NOTE. Universal Credit rules may take into account earnings during periods of non-entitlement in following periods. See Ferret's Surplus Earnings Reckoner (linked above) for help with this.

Assessment dates for Universal Credit in payment assume the relevant period starts 7 days before the payment date. If this is not the case, please adjust the dates.

Banking days are relevant only for those paid on the last banking day of the month and relate to the location of the bank used. Some people in this situation may find that, although not normally entitled to Universal Credit, if the benefit is claimed on an appropriate day they will have no earnings for that period and may become entitled.

Work allowance questions help assess Universal Credit entitlement increases when there are no payday in the assessment period.

Capping - This reckoner cannot take account of circumstances when normal Universal Credit is capped. The calculated capping figures assume that no capping applies to the usual UC figure.

These calculations do not form financial advice and no reliance should be placed on them.

Are you entitled to receive Free School Meal payments?



Families who are on a low income but not currently in receipt of Free School Meals can check entitlement by completing the following online form: https://aberdeenshirecouncil.formstack.com/forms/free_school_meals_school_clothing_grant_application_form

More details [HERE](#)

UK Disability Survey



Closes 23 Apr 2021
Opened 15 Jan 2021

The Disability Unit at the Cabinet Office is developing a National Strategy for Disabled People. Publication is planned for Spring 2021.

To help the government with understanding the barriers that disabled people face and what it may need to focus upon to improve the lives of disabled people, we need to hear about your views and know more about your experiences.

This survey will ask about your life experiences either as a disabled person, a carer or parent or as someone who has an interest in disability issues.

disabilityunit.citizenspace.com/cabinet-office/ukdisabilitysurvey/

Severe mental impairment (SMI) and Council Tax discount

A case law update looking at [Brown v Hambleton District Council \[2021\] EWHC 1 \(Admin\) \(15 January 2021\)](#)

What the case was about

Mr Brown applied for a 25% single persons council tax discount on the grounds that his wife had a severe mental impairment (SMI) as she had Alzheimer's disease and should therefore be ignored when counting the number of adults in their household.

[Schedule 1\(2\) of the Local Government Finance Act 1992](#) provides that to be entitled to a SMI discount a person must have a 'severe impairment of intelligence and social functioning, however caused, and this appears to be permanent'. This can include people who have Alzheimer's or other forms of dementia.

In order to claim the discount the claimant must:

1. have a GP's certificate stating the date when the SMI first started, and
2. be 'entitled to a qualifying benefit' as described by [Article 3 of the Council Tax \(Discount Disregards\) Order 1992](#)

Qualifying benefits include:

- attendance allowance
- the standard or enhanced rate of the daily living component of PIP
- employment and support allowance
- universal credit with the limited capability for work element or limited capability for work and the work related activity element

(see CPAG Council Tax Handbook for a full list)

In this case Mrs Brown was first diagnosed with Alzheimer's on 1 February 2018 but didn't start getting a qualifying benefit (attendance allowance) until 29 November 2018. The council agreed that Mr Brown was entitled to the SMI discount, but only from 29 November 2018, the first day of her entitlement to attendance allowance.

Mr Brown appealed to the Valuation Tribunal on the ground that the SMI discount should be backdated to 1 February 2018, arguing that his wife had been eligible for attendance allowance when she was first diagnosed with Alzheimer's and was therefore entitled to it even though she did not make a claim at that time. The Tribunal dismissed the appeal, deciding that the benefit entitlement rules for SMI qualifying benefits require entitlement via a claim and that meeting the qualifying conditions without claiming wasn't enough. Mr Brown appealed to the High court.

What the court decided

The court confirmed that:

- there's an underlying statutory rule that a person is not entitled to a benefit until they have made a claim ([S1 of the Social Security Administration Act 1992](#))
- Schedule 1 of the Local Government Finance Act and Article 3 of the Council Tax (Discount Disregards) Order together set out the qualifying conditions for a Council Tax Discount based on Severe Mental Impairment
- Before a successful claim can be made there must be a GP's certificate that someone in the household has a Severe Mental Impairment and that the person is entitled to a qualifying benefit, in this case attendance allowance
- A person cannot however be "entitled to" attendance allowance until they've made a claim. This is clearly set out in section 1 of the Administration Act.
- Nothing in either the Local Government Finance Act 1992 or the Discount Disregards Order excludes section 1 of the Administration Act.

What this means for advisers

This case acts as a reminder of the rules relating to a SMI discount clarifying that a claim for a qualifying benefit must have been made. It's useful to note that the discount can be backdated to the date a qualifying benefit was first claimed and that there is no time limit to this even if it is many months or many years later (if your client has a claim going back more than 6 years see CPAG Council Tax Handbook chapter 7 for further details).

Source - <https://medium.com/adviser/severe-mental-impairment-smi-and-council-tax-discount-8d65d526111e>