

November 2021 Newsletter

Budget 2021



Universal Credit taper rate to be reduced to 55%, the Universal Credit work allowances will be increased by £500 a year (this means both work allowances will rise by £42/mth to £335/mth and £557/mth respectively), the national living wage will increase to £9.50 an hour.

In addition, the Budget document confirms that the Government will continue to keep the temporary £2,500 'surplus earnings' threshold for Universal Credit claimants until April 2023, when it will reduce to £300.

The changes to universal credit don't appear to be replicated in tax credits which may mean that some tax credit claimants may be better off under universal credit once they are implemented.

However, the changes are complex, they interact with tax and national insurance and they affect people differently depending on their circumstances. It is very important for people to seek specialist advice before making a claim for universal credit if they are already in receipt of tax credits or any other benefits universal credit is replacing.

Benefit calculator

Our benefits calculator will help you find out what benefits you can claim.

If you are affected by Coronavirus please go through the calculator and we will tell you about your entitlements. Also see our guide To [benefits for people affected by Coronavirus](#).

The calculator is free to use, and the details you provide are anonymous.

Before you start, make sure you have information about your savings, income, pensions and existing benefits (for you and your partner).

If you run out of time, you can save your calculation and come back to it later, and pick up right where you left off.

- ⇒ Should take 10 minutes to complete
- ⇒ Please complete all fields with an asterisk(*)

START >>>



Win £500 towards your energy bills!

Good news for households all across the North East our competition is back, giving you the chance to win £500 towards your energy bills!

You have until Monday 28 February 2022, to put your energy-saving knowledge to good use. By testing your knowledge in our competition and leaving your details, you'll not only be in with a chance to win big, but you will pick up some very useful money-saving tips along the way. Could it be you?

How good is your energy-saving knowledge?..

TAKE QUIZ TO FIND OUT!



Submit your appeal online

HM Courts &
Tribunals Service

HMCTS has confirmed that the Submit Your Appeal online service has now been extended to all cover all DWP benefits. Previously, only appeals for Universal Credit, Personal Independence Payment and Employment and Support Allowance could be made in this way. Paper appeals are still possible, and the paper form has been updated with a new SSCS1.

For more information, visit [Appeal a benefit decision - GOV.UK \(www.gov.uk\)](https://www.gov.uk/appeal-a-benefit-decision)

Post Office Accounts and HMRC payments

 POST
OFFICE

HMRC have confirmed their intention to stop making payments of Child Benefit, Guardian's Allowance and tax credits into Post Office Card Accounts from 30 November 2021. Customers who fail to provide alternative details will have their payments suspended. Although HMRC have been writing to affected customers since August 2019, there is a high likelihood that customers may believe that the extension of a year given to DWP administered benefits also applies to HMRC payments – it doesn't.

For more information, visit [Time is running out for tax credits and Child Benefit customers with Post Office card accounts - GOV.UK \(www.gov.uk\)](https://www.gov.uk/time-is-running-out-for-tax-credits-and-child-benefit-customers-with-post-office-card-accounts)

Attending a face-to-face health assessment during COVID-19

Guidance on attending a face-to-face health assessment for a Work Capability Assessment, Industrial Injuries Disablement Benefit and Personal Independence Payment.

This guide is to help you safely attend your face to face health assessment in England, Scotland or Wales for:

- Work Capability Assessment (WCA), if you are claiming **Employment and Support Allowance (ESA)** or **Universal Credit (UC)**
- Industrial Injuries Disablement Benefit (IIDB)
- **Personal Independence Payment (PIP)**
- Other benefits that require a health assessment delivered by Centre for Health and Disability Assessments (CHDA) on behalf of the Department for Work and Pensions

The Department for Work and Pensions (DWP) and the assessment providers have put a range of measures in place so that assessments can take place safely and follow government guidelines because of Coronavirus (COVID-19).

Do not attend your assessment if any of the following reasons apply. Instead please contact the assessment provider straight away, using the contact details in your appointment letter. They will discuss and re-arrange your assessment.

- you or anyone coming with you has symptoms of COVID-19
- you or anyone coming with you is following guidance to self-isolate, including after

- entering the UK from abroad, or
- the NHS has contacted you or anyone coming with you and advised you or them to stay at home

If possible, please come to your assessment alone. If you need to have someone with you to support you, you can bring one adult.

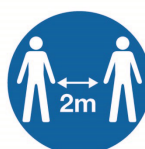
If you need support from an interpreter or support worker, please contact the assessment provider. Please do not bring children with you to your assessment. If you have children and cannot make childcare arrangements, please contact the assessment provider straight away using the contact details in your appointment letter so they can discuss the best way to carry out your assessment.

DWP needs face coverings to be worn in its buildings. This means you, and anyone who comes with you to your assessment, must wear a suitable face covering when you attend your appointment unless you have a reason for not wearing one in line with government guidance

When you, and anyone you bring with you, come to the assessment centre you will be asked for some information to help support the NHS contact tracing service. This information will be kept for 21 days.

You do not have to give your information, but it could help stop the spread of COVID-19 if you do.

More information [HERE](#)



Social Distancing
Stay 2 metres apart

CHRISTMAS PAYMENT DATES - Plus the ten pounds bonus payment.

The £10 bonus payment can make a small difference to a person's budget over the expensive winter period says the government.

All benefits, pensions and allowances are normally paid into an account of a person's choosing, such as a bank account, building society and credit union account.

The DWP has explained the matter, saying people should look out for a key sign on a bank statement. The bonus should appear as 'DWP XB'.

People must be present or 'ordinarily resident' in the UK, Channel Islands, Isle of Man or Gibraltar during the qualifying week concerned this year to get this bonus..

The qualifying week is particularly important for the Christmas Bonus as this secures eligibility. The DWP has confirmed that this is the first full week of December.

This unfortunately means those who are expats living abroad might not be able to benefit in this way. Those who live in a European Economic Area (EEA) country or Switzerland are encouraged to contact the Government about the matter.

Universal Credit, state pension and PIP are a number of payments which can benefit from the Christmas Bonus, however, there are various other benefits and payments which could be eligible.

These include:

- Attendance Allowance
- Carer's Allowance
- Disability Living Allowance
- Pension Credit - the guarantee element
- War Widow's Pension
- Widow's Pension

People should get this benefit automatically.



Warm Home Discount Scheme for Winter 2021/22

The Warm Home Discount (WHD) is a government scheme that obligates the largest energy suppliers to credit a £140 discount onto the electricity bills of certain low income households.

Recipients of the Guarantee Credit element of Pension Credit will receive a letter by mid-December advising whether the discount will be paid automatically by their energy supplier, or if they need to contact the WHD Helpline by 28 February 2022 to confirm their eligibility.

The WHD Helpline opens on 18 October 2021 - Tel: 0800 731 0214.

A limited number of WHDs are also available to other low income households. Non-Pension Credit customers should contact their energy supplier for further information.

[Find out more](#)

New one stop service for GOV.UK unveiled

Plans to make it easier for the public to access online government services via an app have been set out this week.

The plans mean that the public will no longer have to remember multiple usernames and passwords to access services such as free school meals, support for disabled family members and changing driver licence details in the future.

The new - optional - app will allow people to access services much more easily, instead of having to go through multiple online processes. It will give users the option to use the technology in their smartphones to quickly access government services online via GOV.UK.

[Read the full news story](#)

Personal Independence Payment: Medical Examinations

Question for Department for Work and Pensions

Question

To ask the Secretary of State for Work and Pensions, what assessment she has made of the potential merits of (a) suspending personal independent payment assessments (PIP) until recording equipment is provided and (b) allowing disabled claimants to be granted the right to refuse a PIP assessment without punitive action until a recording provision is in place.

Answered on 28 September 2021

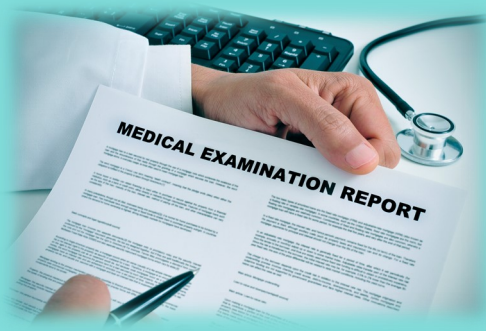
The department continues to work closely with both Independent Assessment Services (IAS) and Capita to deliver an audio recording service for Personal Independent Payment (PIP) face to face assessments that removes the requirement for the claimant to provide the equipment. Arrangements are being finalised and we hope to have this in place as soon as practicably possible.

At present, claimants may use their own equipment to record their face to face assessment, should they wish to, as stated in the PIP Assessment Guide (PIPAG).

The option for a claimant to request an audio recording of their Personal Independent Payment (PIP) telephone assessment is available with both assessment providers.

PIP assessments will not be suspended whilst we are working to deliver an audio recording service for face to face assessments that removes the requirement for the claimant to provide the equipment.

Claimants are not penalised if they are unwilling to attend an assessment until their request for audio recording can be fulfilled. Any claimants who request an audio recording of their face to face assessment will be given the option of waiting for this to be implemented before their assessment takes place. In the meantime, claimants may use their own equipment to record their face to face assessment, should they wish to, as stated in the PIP Assessment Guide (PIPAG).



<https://questions-statements.parliament.uk/written-questions/detail/2021-09-16/50783>

PENSION CREDIT - Have you claimed this top-up to your state pension?

What is Pension Credit?

Pension Credit is a separate benefit from the State Pension and it's designed to top up your income to meet a minimum amount. It's there to give those over the State Pension age extra assistance towards things such as rent, heating costs and general living costs.

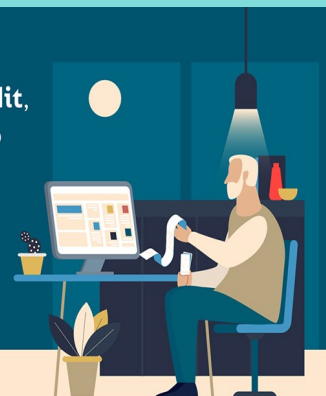
Those who receive Pension Credit will also typically be entitled to other help, including:

- Housing Benefit
- Support for Mortgage Interest for those who own the property they live in
- Council Tax Reduction
- A free TV licence (aged 75 or over)
- Help with NHS dental treatment, glasses and transport costs for hospital appointments
- Help with heating costs

Launched earlier this year, the helpline has helped people claim Pension Credit, with many of them already receiving more than one benefit.

If you think you might be entitled to Pension Credit, you can contact the free phone helpline on **0800 112 4763**, or you can use the online Pension Credit calculator [here](#).

If you get **Pension Credit**, you may get other help too, like with housing costs, council tax or heating bills.





Social Security Scotland
Tèarainteachd Shòisealta Alba



The Scottish Government
Riaghaltas na h-Alba

The Scottish Government has announced that it is to invest £200 million in adult upskilling and retraining opportunities as part of its Covid-19 recovery strategy

rightsnet

Funding to focus on workers in areas of economy particularly impacted by pandemic and transition to Net Zero

Introducing the new **Covid Recovery Strategy: For a Fairer Future**, the Scottish Government says that its purpose is to address systemic inequalities made worse by Covid-19, improve people's wellbeing, and remobilise public services to be more focused on people's needs, with actions to include -

- investing £200 million in adult upskilling and retraining opportunities to help retrain and reskill workers in areas of the economy particularly impacted by the pandemic and **the transition to Net Zero**;
- helping low income families most at risk of experiencing poverty with £8.65 million for the Parental Employability Support Fund in 2021/2022, and at least a further £15 million across 2022/2024;
- providing £15 million to local authorities in 2021/2022 to deliver locally-based mental health and wellbeing support for children and young people aged 5 to 24;
- rolling out the Scottish Child Payment to children under 16 by the end of 2022;
- providing free school lunches to every child in primary school and to all children in state-funded special schools by August 2022;
- ensuring staff delivering direct adult social care are paid at least the real Living Wage, with additional funding of £64.5 million this year;
- assisting long-term unemployed people to gain fair work through the No One Left Behind approach with local government and the third sector, with £20 million funding over the next 12 months; and
- ensuring every one aged between 16 and 24 will have the opportunity this year to study, take up an apprenticeship, job or work experience, or formal volunteering, as part of the Young Person's Guarantee, with funding of up to £70 million.

Deputy First Minister and Covid Recovery Secretary John Swinney said -

'The impacts of this pandemic have not been felt evenly with the most disadvantaged suffering disproportionately from the virus, and the social and economic effects of lockdown restrictions.

For that reason, our recovery must go further than how life was before Covid. This strategy sets out how we will do that, working with local government, the third sector, and businesses large and small...

By working together with the same energy, imagination, and urgency as we approached the pandemic, we can drive a recovery that delivers more for all of Scotland.'

For more information, see **A fairer future** from gov.scot

Scottish Government on course to significantly miss its interim child poverty target for 2024

Joseph Rowntree Foundation also warns that while planned doubling of Scottish child payment is a move in the right direction, government must show 'far greater urgency and commitment'

For more information, see **Poverty in Scotland 2021** from jrf.org.uk

Scottish Government announces £41 million Winter Support Fund to help low-income households and people at risk of homelessness

Funding to help people struggling financially during the winter is part of a new £41 million support package.

The Winter Support Fund will help those on low incomes, children and people at risk of homelessness against a backdrop of rising living and fuel costs.

Key elements of the package include:

- £10 million to help people who are struggling to pay fuel bills
- £25 million flexible funding to help local authorities support wellbeing and respond to financial insecurity based on local needs
- £6 million for third sector partners to support low income families

Full article **HERE**



Social Security Scotland
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The Scottish Government
Riaghaltas na h-Alba



Carer's Allowance Supplement Bill passed

Bill provides for December payment of carer's allowance supplement to be doubled to £462.80

Unpaid carers to receive double additional payment. Tens of thousands of unpaid carers will receive a double payment of the Carer's Allowance Supplement this winter under legislation passed unanimously by the Scottish Parliament this evening.

Recognising the additional pressures unpaid carers face as a result of the pandemic, the December payment of the Carer's Allowance Supplement will be doubled to £462.80, benefitting more than 91,000 people.

www.gov.scot/news/carers-allowance-supplement-bill-passed/

Ending the need for food banks: Consultation on a draft national plan

This consultation seeks views on the Scottish Government's vision and approach to ending the need for food banks as a primary response to food insecurity, and invites further suggestions on what more can be done to shape a national plan. Views are sought by 25 January 2022.

The draft national plan sets out what the Scottish Government are currently doing and what more we intend to do, alongside others, to end the need for food banks as a primary response to food insecurity.

Consultation questions are included at the end of the document with a focus on helping us to identify further practical action that can be taken at all levels to deliver this vision.

Responses to the consultation are invited by **25 January 2022**.

www.gov.scot/publications/ending-need-food-banks-consultation-draft-national-plan/

Ending Homelessness Together: annual report 2021

Annual report setting out the progress made in the last 12 months by national government, local government and third sector partners against actions in the Ending Homelessness Together action plan.

The Scottish Government and COSLA updated the joint [Ending homelessness together action plan](#) in October 2020. Since then, a number of other policy statements have recognised just how important a secure and settled home is for people's wellbeing.

In March 2021, the Scottish Government published Scotland's first long-term national housing strategy, [Housing to 2040](#). The same month the Scottish Government and COSLA published an anti-destitution strategy, [Ending destitution together](#), and we also provided an [initial response](#) to the report of the Social Renewal Advisory Board. In September 2021, the Scottish Government published its programme for government for 2021/22, [A fairer, greener Scotland](#). What all four documents share is the message that decent housing is a fundamental human right.

This annual report describes our progress towards ending homelessness in Scotland and how we are turning the words and policies in [Ending homelessness together](#) into meaningful action.

www.gov.scot/publications/ending-





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Writing to Social Justice and Social Security Committee, Minister says transfer is a 'safe and secure' process and requires no action on behalf of the individual wherever possible

Letter about the start of the Child Disability Payment case transfer process

Letter from Minister for Social Security and Local Government, 11 October 2021

Case Transfer

I am pleased to inform you that from today, 11 October 2021, the first Disability Living Allowance for Children awards will be selected for transfer as part of our ambitious Child Disability Payment case transfer process. In the coming weeks, the first individuals will receive letters from Social Security Scotland informing them that their benefit is to be transferred. Case transfer involves Social Security Scotland taking administrative responsibility for ongoing disability and carer benefit awards being administered by the Department for Work and Pensions and replacing individual benefit awards with the equivalent Scottish form of assistance. Individual cases will be selected for transfer in phases, with the final Disability Living Allowance for Children cases completing the transfer process in spring 2023.

The Case Transfer Process

It is important to note that case transfer is not a simple administrative process. It is a complex transfer of data, forms and evidence, and legal entitlement. Despite its complexity, we have worked with the Experience Panels and other key stakeholders to design a process with dignity and respect at its heart.

It was through this intensive stakeholder engagement that we developed our case transfer principles:

- no one will be required to apply for the Scottish benefit as part of the transfer process;
- clients will continue to receive the right payment, at the right time;
- no one will be subject to a DWP face-to-face assessment after Adult Disability Payment launches nationally where possible;
- we will complete the transfer process as soon as possible while ensuring it remains safe and secure;
- we will clearly communicate with our clients.

We have developed a safe and secure process, which will require no action on behalf of the individual wherever possible, in line with these principles. We have set out below the process as it applies for transfers from Disability Living Allowance for Children to Child Disability Payment. The transfer processes for assistance to be delivered in future will be largely similar, though there will be some key deviations due to fundamental differences in how each form of assistance works and interacts with the reserved system. We will write to the committee to describe these individual processes as they are developed.

Disability Living Allowance to Child Disability Payment

When an individual's disability benefit has been selected for transfer, Scottish Ministers will receive from DWP data and information relevant to the individual's most recent Disability Living Allowance for Children award. Once Scottish Ministers have received this information, they will issue the individual with a notice of intention to transfer, which will set out the process and timescales for that transfer.

Scottish Ministers will use the information from DWP to make a determination without application of the individual's entitlement to Child Disability Payment on a like for like basis within a set timeframe. This timeframe can be extended if both Scottish Ministers and the Secretary of State for Work and Pensions agree there is good reason to do so. The determination of the individual's entitlement to Child Disability Payment will end the corresponding award of Disability Living Allowance for Children ensuring continuous entitlement.

Redeterminations and Appeals

A determination of entitlement in respect of Child Disability Payment made as a result of the case transfer process comes with the same rights to re-determination and appeal as any other determination made under section 52 of the Social Security (Scotland) Act 2018.

Differences between Disability Living Allowance and Child Disability Payment

As there are some differences in the eligibility criteria between Disability Living Allowance and Child Disability Payment, there may be some limited circumstances where an individual's entitlement to Child Disability Payment should be higher than their Disability Living Allowance award. Where Social Security Scotland have identified such a case, either from the information provided by DWP or additional information from the individual, provision has been made to pay Child Disability Payment at the relevant higher rate from the point of transfer.



To ensure that individuals whose case is selected later in the process have not been disadvantaged when compared to those that have been selected earlier where they meet one of these exceptions, we have introduced backdating provisions in our proposed amendments to the Child Disability Payment regulations. These provisions are legally complex and describe a complicated process we have developed with the Department for Work and Pensions. It highlights that even the smallest changes in eligibility rules between our Scottish forms of assistance and the benefits they replace creates a more complicated, and therefore higher risk, case transfer process.

Residence and Presence Conditions

To ensure we can complete the transfer of a case without any breaks in payment, an individual will be assumed to meet the residence and presence conditions for Child Disability Payment at the point of transfer if they have a Scottish postcode. If we determine after transfer that an individual should not have transferred because they fail to meet the residence and presence conditions, a further determination without application will be made that will nullify the case transfer Child Disability Payment determination and the resulting entitlement. This will in turn also nullify the termination of the Disability Living Allowance award.

Appointees

Similarly, because our appointee provisions require different checks are completed, all individuals appointed by DWP in respect of a Disability Living Allowance award will be temporarily deemed to act as an appointee for the purposes of Child Disability Payment until it is reasonably practicable for Scottish Ministers to consider whether to make an appointment under the Social Security (Scotland) Act 2018. This ensures no payments will have to be suspended or otherwise delayed while these checks are being completed during or immediately after the transfer process.

Communications

We will clearly communicate the case transfer process so clients understand when and how their benefits will be transferred. As above we have set a clear timetable of our timelines to transfer benefits for children and young people currently receiving Disability Living Allowance to ensure clients and other stakeholders have clarity about when we are planning on completing the process. We have undertaken a number of external roadshows that describe the process in detail. Stakeholders have been positive about the process and its limited impact on clients.

We will also clearly communicate to clients what they need to do as part of the transfer process. While we have endeavoured to automate things as far as possible so clients do not need to intervene, there are some circumstances where we will not have, and will not be receiving from the Department for Work and Pensions, relevant information. Firstly, with regards to some of the differences in eligibility criteria highlighted above, we will require clients to get in touch with us if they feel one of the exceptions apply. Similarly, where clients are in receipt of benefits for which Disability Living Allowance for Children or Child Disability Payment is a qualifying benefit or to which they passport, individuals will need to get in touch with the agencies awarding those benefits. This is largely similar to how the process works currently. These scenarios will be clearly set out in the communications we send to clients. It is important to note that Disability Living Allowance for Children and Child Disability Payment are the same for these purposes, and there should therefore be no break in entitlement.

Conclusion

I hope this information reassures the committee that the transfer process we have developed is safe and secure with dignity and respect at its core. No client will have to make an application as part of this process, no one will have their award changed (though a small fraction may see their award increased), and everyone will continue to be paid on the dates they are used to being paid. We are doing things quickly, but will not risk continuity of entitlement for clients, and we will be clear with clients about when and how their award will transfer.

This is an incredibly complex process that will take time to complete the right way and I want to thank the committee for its part in making the safe and secure transfer of benefits a reality.

www.parliament.scot/chamber-and-committees/committees/current-and-previous-committees/session-6-social-justice-and-social-security-committee/correspondence/2021/letter-informing-the-start-of-the-child-disability-payment-case-transfer-process





<http://citizensrightsproject.org>



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EU court considers Comprehensive Sickness Insurance

Advocate General Hogan's opinion in **case C-247/20 VI v Commissioners for Her Majesty's Revenue & Customs** concludes that someone no longer requires **Comprehensive Sickness Insurance** (CSI) once they have permanent residence under EU law.

The opinion is only advisory; it is not legally binding. But the opinion of the Advocate General is taken into account, and often followed, by the Court of Justice of the European Union when it issues its final decision. That final decision will not be binding in the UK **due to Brexit**; British judges can however take it into account in similar cases.

Read **FreeMovement's** full article **HERE**



Better protecting migrants' human rights in Scotland

A new report, '**Human Rights for All: Some recommendations for the Scottish Human Rights Bill on protecting migrants' human rights**' summarises some of the key points raised throughout this project.

hrcscotland.org/2021/10/29/better-protecting-migrants-human-rights-in-scotland/



Human Rights
Consortium
Scotland

A10/2021: Claimants without a status under the European Union Settlement Scheme at the end of the Grace Period

This circular provides details about European Economic Area (EEA) and Swiss citizens (and their family members), who have yet to acquire status under the European Union Settlement Scheme (EUSS) prior to the end the Grace Period.

Applications made by 30 June 2021

Where an EEA or Swiss citizen made an application for EUSS prior to the end of the Grace Period on 30 June 2021 and a decision was still pending on their EUSS application, they retain access to HB and other income related benefits until a decision is made on their EUSS application.

Additionally, they can continue to access HB and other income related benefits if they are appealing against a negative decision on their application.

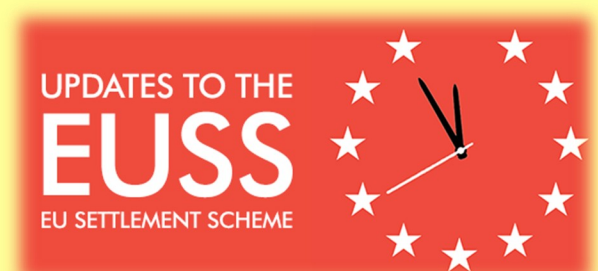
Applications made after 30 June 2021

There are provisions in place from the Home Office which enable EEA and Swiss citizens to submit a late application to the EUSS after 30 June 2021. It is for the Home Office to determine whether the claimant has a reasonable justification for submitting the late application.

Where a claimant has received a certificate of application from the Home Office, local authority (LA) Decision Makers should accept that the claimant has submitted a late application which has been verified and validated by the Home Office and treat it the same way as those who submitted an EUSS application before 30 June 2021. These individuals can access HB and other income related benefits until the outcome of their application has been decided or they have exhausted their appeal rights.

www.gov.uk/government/publications/housing-benefit-adjudication-circulars-2021/a102021-claimants-without-a-status-under-the-european-union-settlement-scheme-at-the-end-of-the-grace-period

[a-status-under-the-european-union-settlement-scheme-at-the-end-of-the-grace-period](https://www.gov.uk/government/publications/housing-benefit-adjudication-circulars-2021/a102021-claimants-without-a-status-under-the-european-union-settlement-scheme-at-the-end-of-the-grace-period)





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Supporting migrant families

Expert report proposes new measures

Migrant families to Scotland could be better supported by series of changes to UK Government immigration rules, an independent expert group has said.

The Expert Advisory Group on Migration and Population [report on family migration](#) has been published online.

Its recommendations include:

- Enabling family migration to remote and rural areas through bespoke schemes, drawing on good practice from Canada
- Removing the minimum income requirement
- Providing better information for family members pre-arrival, so that they can start identifying potential employment, childcare or schools and accommodation
- Supporting family members to find suitable work
- Helping access to childcare, through providing better information, support networks, and ensuring migrant families access early Education and Childhood support
- Establishing advice hubs, providing a range of services and support to migrants, including tailored integration plans
- Promoting community and migrant peer networks, building on good practice with English to Speakers of Other Languages (ESOL) networks
- Helping find suitable accommodation
- Reducing the costs of applying for Indefinite Leave to Remain and citizenship
- Joining up good practice, in order to link up and expand successful initiatives



The independent [Expert Advisory Group](#) on Migration and Population was established in October 2018.

EU citizens face losing benefits if they fail to update DWP profile

People unaware they need to input code on universal credit website could drop off system, charities warn

EU citizens on benefits could lose their universal credit in three weeks' time unless they evidence their right to be in the UK, charity workers have warned.

The [Work Rights Centre \(WRC\)](#) says it has been told by staff at the Department for Work and Pensions (DWP) that EU and European Economic Area nationals must upload a special [Home Office](#) code to prove they have the right to reside in the UK before the end of the month.

If they do not update the online DWP profile with this "share code" they could fall off the system, says WRC. Other charities have expressed similar fears.





In The NEWS



⇒ [Universal credit cut will cost carers for disabled £1,000 a year](#)



⇒ [The big squeeze: Assessing the changes to family incomes over the next six months](#)



⇒ [Food banks warn of smaller parcels due to HGV supply shortages](#)



⇒ [Gordon Brown warns 3.5m households face fuel poverty this winter](#)



⇒ [Over 1 million UC claimants have received financial support from family and/or friends during the pandemic](#)



⇒ [Poverty in Scotland 2021](#)



⇒ [Soaring energy bills will turn cost of living crunch into a crisis](#)



⇒ [Theresa Coffey plans benefit shake-up](#)

⇒ [The Boris Budget - analysis of Autumn Budget and Spending Review 2021](#)



Guardian articles require a free subscription



Response to Shaping future support: The Health and Disability Green Paper

Citizens Advice Scotland is pleased to respond to this Green Paper consultation on the future of disability support. Last year, the Citizens Advice network in Scotland gave out over 168,500 pieces of advice on disability benefits, making it our biggest area of advice.

The experience of clients coming to the Citizens Advice network in Scotland for advice shows that Department for Work and Pensions (DWP) disability benefits are often inadequate, difficult and complex to access, and can feature distressing and undignified medical assessments - all while being too restrictive in their eligibility criteria.

Throughout this response, we draw on case examples from across Scotland and suggest solutions which would profoundly improve clients' experiences.

We welcome this Green Paper as the beginning of a discussion to improve the benefits and support available to people with disabilities, but caution that this should not be seen as a cost-saving exercise and should seek to maximise options and supports rather than limit them.

As we will go into in more depth in the course of this paper, some of the proposals made in the Green Paper could lead to a better experience for many people, but more detail is required. Importantly, independent advice and advocacy should always be available for all who wish to access it.

[Download Publication](#)



The impact of the transition to Personal Independence Payment on claimants with mental health problems

This paper examines the impact of major social security reform on mental health claimants by analysing the transition to Personal Independence Payment in the UK. Personal Independence Payment was introduced in April 2013, replacing Disability Living Allowance as the main non-means tested disability benefit intended to assist with the additional costs associated with disability or long-term health conditions. It is important to gain a better understanding of how people with mental health problems have experienced this reform. Twelve service users were interviewed for this qualitative research.

Analysis identified three main themes: problems with the Personal Independence Payment claims process; problems conveying mental health problems during the assessment process; and positive experiences associated with the transition to Personal Independence Payment. This research demonstrates that major changes in benefit policy are challenging for people with mental health problems, particularly when delivered in a climate of austerity.

Points of interest

- The UK Government has changed the main disability benefit for disabled adults. From April 2013, Disability Living Allowance (DLA) has been phased out and replaced by Personal Independence Payment (PIP).
- This research found that this significant change caused difficulties for people with mental health problems.
- Everyone who took part reported increased anxiety, problems with claiming PIP, communicating with benefit officials and the medical assessment.
- It is important to learn from these problems so that future benefit changes, both in the UK and in other countries, can be developed and rolled-out in ways which are more appropriate for people with mental health problems.



NAWRA's response to the Health and Disability Green Paper consultation

NAWRA has **submitted a response** to the **Health and Disability Green Paper consultation**.

We have asked the government to focus on needs, not affordability and to provide support, not sanctions for disabled people. We have asked them to listen to and believe claimants and provide choices. We have also emphasised the importance of funding good quality advice and advocacy. We have suggested that the DWP would do well to look at Social Security Scotland and its values of 'dignity, fairness and respect'.

Voluntary Move to UC campaign

DWP have confirmed that the Voluntary Move to UC campaign is now live -

The UC campaign is now live on DWP channels. The campaign focuses on increasing understanding of Universal Credit to help address legacy claimant barriers to moving to UC. **How could Universal Credit help you? - Understanding Universal Credit**

DWP say they are not encouraging anyone to move, or advising anyone to - they are giving information to enable people to see if they would be better off.

Be aware that once UC is claimed there is no moving back to legacy benefits. If someone is misadvised to claim UC then their only redress is to put in a complaint to see if they can get compensation. Also, even if someone is apparently better off on UC, they may suffer owing to deductions taken for old debts they may not have known they owed.

UC - don't claim without getting advice first





Even with the £20 uplift, half of universal credit claimants are food insecure and a quarter are severely food insecure

rightsnet

New research finds that significant fall in food insecurity would require broader increase in benefit levels, including abolition of bedroom tax and benefit cap

Research from [Welfare at a \(Social\) Distance](#) has shown that, even with the £20 Covid-19-related uplift, half of universal credit claimants are food insecure and a quarter are severely food insecure. In a new report, *Hunger and the welfare state: Food insecurity among benefit claimants during Covid-19*, Welfare at a (Social) Distance - a national research project investigating the benefits system during the pandemic - examines levels of food insecurity among benefit claimants using two measures -

- any food insecurity, where the quality and variety of people's diets were affected by lack of money (eg people couldn't afford to eat balanced meals in the last 30 days); and
- severe food insecurity, where the amount of food that people eat has been reduced by lack of money (eg cutting the size of/skipping meals in the last 30 days).

The report's key findings - based on surveys of the general public and claimants conducted earlier this year - include that, although keeping the £20 per week universal credit uplift would help, a significant fall in food insecurity would require a broader increase in the level of benefits -

'Covid-19-related changes (including the £20 per week uplift) were associated with an improvement in food security among universal credit claimants compared to those on legacy benefits who did not receive them. But they are a sticking plaster on a broader problem: even with the uplift, half of universal credit claimants were food insecure, and around one-quarter were severely food insecure. Even among universal credit claimants receiving the £20 per week uplift and not subject to any of policies that raise the risk of food insecurity, we estimate that 29.4 per cent were food insecure, and 16.1 per cent were severely food insecure.'

Welfare at a (Social) Distance goes on to find that, in order to reduce food insecurity -

- the bedroom tax and the benefit cap should be abolished, in light of evidence that food insecurity is higher among people subject to these policies;
- less money should be deducted from people's benefits, and the five-week wait for payment in universal credit should be abolished;
- the DWP needs to better help people deal with their wider debts, in light of evidence that claimants repaying debts are 20 per cent more likely to be food insecure and 10 per cent more likely to be severely food insecure; and
- policymakers need to make sure that disabled people receive adequate benefits, in light of evidence that levels of food insecurity among employment and support allowance claimants, who did not receive the uplift, have sharply increased during the Covid-19 pandemic, unlike universal credit claimants.

The report also concludes that the [recently announced Household Support Fund](#) will not compensate for the end of the £20 universal credit uplift -

'A £500 million fund can only make up for the loss of £20 per week for 1 million households (probably 1.3 million adults). Even if the fund is targeted perfectly, it cannot cover all of the 1.7 million who were severely food insecure, and can cover less than half of the 3.0 million who had any food insecurity. The end of the uplift not only risks more people falling into food insecurity; most universal credit claimants already in food insecurity will lose £20 per week as well.'

The [Welfare at a \(Social\) Distance Hunger and the welfare state: Food insecurity among benefit claimants during Covid-19](#) is available from distantwelfare.co.uk





I am writing to let you know of some changes within the service over recent weeks.



Some of you may be aware that our Aberdeenshire Central and South Epilepsy Outreach worker left to go to pastures new in Edinburgh recently. This left that post vacant and due to uncertain funding options it was decided at that time to have a holistic look at the overall service.

Due to a number of reasons, and on the whole, mainly financial ones, we have agreed that Naomi Stevenson, the Epilepsy Outreach worker in Aberdeen City will take over the Aberdeenshire post on 1st November 2021. This will leave the Aberdeen City post temporarily vacant until such times that we can secure adequate funding to reinstate an Epilepsy Outreach worker in that area.

It is Quarriers vision that we strive to increase epilepsy community services across Scotland and not reduce them and so we will make every endeavour to secure funding for the Aberdeen City area as soon as we possibly can. We are incredibly sorry to be in the position to make this difficult decision, and letters have been sent to all clients in the Aberdeen City area last week, along with suggestions of signposting.

I would like to thank you all for your ongoing support in this difficult time for us, and would be glad to receive any feedback on your thoughts.

Please share with interested colleagues.

Kind regards

Norma Crawford Project Manager | Epilepsy Community Outreach

norma.crawford@quarriers.org.uk

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BENEFIT SANCTIONS RESEARCH: HELP US SHAPE A FAIRER SYSTEM

PLP is researching the barriers that welfare benefit claimants face in challenging and appealing benefit sanction decisions – but we need your help!

So we can build a picture of current practices, **we're keen to hear from:**

- **Benefit claimants** who have been sanctioned by DWP (either recently or in the past)
- **Advisors** and other individuals who have experience of providing advice or other support to sanctioned claimants.

Your experiences can help shape our strategy for improving access to justice for claimants who have been unfairly or unlawfully sanctioned.

Want to take part? Fill out this short form and we'll be in touch.

Taking part

After we've made initial contact with you, we'll arrange a one-off phone or video call at a time that suits you with Research Fellow, Caroline Selman, who is leading the research.

For any questions, or if you have any concerns about accessibility and would like to participate in a different format, please get in touch with Caroline: c.selman@publiclawproject.org.uk,
Tel: 020 7843 1268.

For further information about the research project, including how we will ensure the confidentiality and safe processing of any information you provide, in the [Participant Information Sheet](#) and [Consent Form](#).

**"BY THE THIRD
WEEK OF THE
SANCTION I WAS
ONLY EATING
ONCE A DAY"**



Hunger and the welfare state Food insecurity among benefit claimants in the UK

ESA claimants levels of food insecurity sharply increase during COVID-19 pandemic: new research report

ESA claimants did not receive the £20 per week uplift claimants, and probably as a result, their levels of food insecurity have sharply increased during COVID-19 relative to Universal Credit (UC) claimants, according to new research.

The study by [Welfare at a \(Social\) Distance](#) considers two levels of food insecurity:

- any food insecurity, where the quality and variety of people's diets were affected by lack of money (e.g. people couldn't afford to eat balanced meals in the last 30 days);
- severe food insecurity, where the amount of food that people eat has been reduced by lack of money (e.g. cutting the size of/skipping meals in the last 30 days).

The new research also finds that disabled people are much more likely to be food insecure or severely food insecure.

The [Welfare at a \(Social\) Distance Hunger and the welfare state: Food insecurity among benefit claimants during Covid-19](#) is available from distantwelfare.co.uk





Reintroduction of the universal credit minimum income floor

rightsnet

New DWP guidance

The DWP has issued new guidance in relation to the reintroduction of the universal credit minimum income floor (MIF).

In ADM Memo 15/21, published today, the DWP sets out guidance to decision makers on the procedures to be followed as a result of the ending of the temporary Covid-19-related suspension of the MIF by the *Universal Credit (Coronavirus) (Restoration of Minimum Income Floor) Regulations 2021 (SI.No.807/2021)* which came into force on 31 July 2021.

In particular, the DWP advises that -

'... with the exceptions given in paragraphs 1(c) and (d) of [regulation 2](#) of the *Social Security (Coronavirus) (Further Measures) Regulations 2021*, decision makers should continue to follow the guidance in [ADM Memo 04/20](#) up to and including 31 July 2021.'

The DWP goes on to say that, where the MIF easement is being applied to a claimant from 31 July 2021, the decision maker must, subject to the exception below, cease to apply that easement from the assessment period immediately after the assessment period in which the following

conditions are met -

- the Secretary of State has determined that the claimant continues to be in gainful self-employment; and
- if the claimant was in a start-up period on 1 March 2020, the same number of complete months of that period that remained on that date have elapsed since the determination that they continue to be in gainful self-employment.

The exception to this, the DWP advises, is that the Secretary of State may continue to apply the MIF easement after the assessment period in which these conditions are met if it appears that the trade, profession or vocation carried on by the claimant remains adversely affected by the outbreak of coronavirus (though

not for more than two consecutive assessment periods on a single occasion and not for more than six assessment periods in total).

If you are self-employed and your earnings are low, your benefit may be worked out on higher earnings than you have. This is called the 'minimum income floor'.

The minimum income floor is set at the level of the [national minimum wage](#) at the number of hours you would be expected to work. How many hours this is depends on our [circumstances](#).

For many people it will be 35 hours per week but if you have a disability, have caring responsibilities, or look after children, it might be less.

Complexities for claimants: The reality of the £20 weekly uplift to Universal Credit

IPR
Institute for
Policy Research

UNIVERSITY OF
BATH

A [research report from the IPR](#) at Bath University began by trying to examine the impact of the £20 uplift on claimants, but hit a snag; many claimants haven't a clue about how the uplift works, or even if they were receiving it. "Of the 56 participants, less than half said they were aware of the uplift (25/56); over half (31/56) were either not aware (28/56), or not sure (3/56)."

www.bath.ac.uk/publications/complexities-for-claimants-the-reality-of-the-20-weekly-uplift-to-universal-credit/attachments/Complexities-for-claimants-october-2021.pdf



Unpaid carers pushed to breaking point and may be forced to quit work, warns Carers UK as new figures reveal devastating impact of COVID-19



- Over half of unpaid carers (55%) who use day services have reduced or no access because of COVID-19
- Only 13% of carers confident they would get support they need in the next 12 months
- Six in 10 (62%) worried services will be reduced and nearly half (47%) worried about losing access to voluntary sector services because of funding cuts
- One in five unpaid carers who work would reduce working hours or would be at risk of giving up work altogether if they cannot access affordable and accessible care

www.carersuk.org/news-and-campaigns/press-release-rss/6937-unpaid-carers-pushed-to-breaking-point-and-may-be-forced-to-quit-work-warns-carers-uk-as-new-figures-reveal-devastating-impact-of-covid-19-2

Benefit Arrears and Payment by Instalments

A series of regulations has been amended to allow for the payment of benefit arrears by instalments.

The full title of the amending regulations is: **[Social Security \(Claims and Payments\) \(Amendment\) Regulations 2021 \(SI No. 1065/2021\)](#)**.

They come into force on 18 October 2021

The explanatory memo discusses the reasons for, and issues arising from, the regulations.

Large, one-off payments may pose a risk to some vulnerable claimants – particularly “those with serious addiction issues”. Payment by instalments are more likely to be appropriate in these circumstances.

Of particular interest for the practical application of the regulations is paragraph 7.3 of the explanatory memo:

“The changes now being proposed give the Secretary of State another option in her discussions with claimants. The option to be paid in instalments is something for the claimant to agree to if they choose and the Secretary of State recognises that this is a statutory entitlement that is lawfully due and so must be paid. The existing guidance will therefore be supplemented with a section which deals specifically with these offers; in particular, on how staff will present the offers. The Department does not intend to prescribe an amount or a period of time over which the payments will be staggered to preserve maximum flexibility to take into account the claimant’s particular circumstances.”

And then, of course, there’s the question of joint claims for Universal Credit or, less frequently, Jobseeker’s Allowance. Where there is a joint claim for these benefits both claimants will need to consent to the arrangement. If disagreement arises, let’s say where, for example, one of the claimants wants it all today and the other wants some of it today and a bit more a month later, and so on, the DWP will not make payments by instalments. Agreement is necessary.





Hearing recordings

As you will be aware, HMCTS have been modernising our services since 2016 with the aim of providing new, user-friendly digital services and improving efficiency at the same time.

We have been recording SSCS hearings in Scotland for several years. This is now being rolled out across the UK with a standard process being adopted for all administrative centres.

The main change I wanted to make you aware of is that you can now request the hearing recording is sent by email, if the file size is less than 25MB. It can be sent as an MP3 file. The file will be password protected and the password will be sent to you in a separate email.

We have successfully tested this new process and plan to begin its implementation from **1 October 2021**.

Please note that if the hearing recording is over 25MB (or you would still prefer to have the recording on a CD), then it will also be password protected. You will receive the password separately.

I hope you find the decision to now send hearing recordings by email as a positive development.

If you have any questions or concerns though, please do not hesitate to contact me.

Yours sincerely, **Mrs Joanne McLeary, Delivery Manager**

[2021] EWCA Civ 1482 **Court of Appeal holds that 'Proof of Payment Rule' requiring universal credit claimants to pay for childcare upfront is not unlawful**

Decision in full [\[2021\] EWCA Civ 1482](#)

AC v Secretary of State for Work and Pensions (PIP): [2021] UKUT 216 (AAC)

Upper Tribunal Administrative Appeals Chamber decision by Judge Church on 17 August 2021. Published 1 October 2021

Judicial Summary

Tribunal practice and procedure – proper approach to evidence – Personal Independence Payment – daily living activity 9 – engaging with other people face to face - whether Tribunal was entitled to infer from ability of claimant with autistic spectrum disorder to engage with others in very specific circumstances (attending the Warhammer shop and participating in gaming competitions with other enthusiasts) that he was able to engage with other people face to face for the purposes of daily living descriptor 9 - Tribunal obliged to consider evidence in the round.

Read the full decision in [CPIP/1627/2020](#).

Transfers from DLA to PIP and lower awards

[CPIP/1748/2020](#)

The claimant had mental health problems and was awarded disability living allowance (DLA) in 2010 comprising the highest rate of the care component and the lower rate of the mobility component. She was then transferred to personal independence payment (PIP) in 2019 and was awarded the standard daily living component only.

Housing Benefit overpayment – whether claimant could reasonably have been expected to realise that they were being overpaid

[CH/2492/2019](#)

This is a decision made by Upper Tribunal Judge Rachel Perez on 8 September 2020

82-year-old claimant who was 'drowned in paperwork' could not reasonably have been expected to realise that local authority error in treatment of his private pension meant he was being overpaid.



DE v Secretary of State for Work and Pensions (PIP): [2021] UKUT 226 (AAC)

Read the full decision in [CPIP/2229/2019](#).

Judicial Summary

Application of personal independence payment activities to claimant who is a functioning alcoholic.

Background

The Appellant had made claims for Personal Independence Payment (PIP), in July 2014, April 2015 and December 2015, all of which were unsuccessful. Each of these claims were made on the basis of alcohol dependence and related physical conditions.



Permission to appeal was granted by Upper Tribunal Judge Jacobs on 4 November 2019 with the following comment:

"I have not limited my grant of permission, but I am particularly interested in how the activities and their descriptors apply when a Appellant is functioning under the influence of alcohol that is related to a recognised condition. In particular, is the tribunal to test his ability to perform with the benefit of alcohol or on the assumption that he is abstaining? How is the tribunal to apply regulation 4(2A) of the Employment and Support Allowance Regulations 2008 [sic]? What amounts to an acceptable standard? Is the Appellant safer when under the influence and able to function or when he is not?"

Alcohol Use Disorder and PIP:

The Tribunal's approach to eligibility

Two cases are essential reading for a Tribunal tasked with determining whether an alcohol reliant Appellant is eligible for PIP. The first is [R\(DLA\) 6/06](#) which, although relating to Disability Living Allowance, sets out important (although now updated) expert evidence regarding alcohol misuse as a medical condition. Although the DSM-IV as referred to in R(DLA) 6/06 has since been updated to DSM-5, the legal guidance arising from the case remains on point, and the now termed Alcohol Use Disorder, is the medical condition to be considered. The case has been held to be relevant towards Employment and Support Allowance claims ([JG v SSWP \(ESA\) \[2013\] UKUT 37 \(AAC\)](#)). The second essential case is [SD v SSWP \(PIP\) \[2017\] UKUT 310 \(AAC\)](#), which provides some guidance on how to assess an alcohol dependent claimant.

Key issues covered include -

- Alcohol misuse: a medical condition
- Alcohol Use Disorder and PIP: The Tribunal's approach to eligibility
- The 'physical or mental condition': Alcohol Use Disorder
- Effects of alcoholism: Short term and long term
- Regulation 4(2A) PIP Regulations 2013
- Regulation 7: the '50 per cent rule'

Conclusion

The overall question of functionality and indeed eligibility for PIP for any alcohol dependent Appellant, whether functioning or otherwise, will be entirely fact specific, and only the detailed findings of a specific and complex combination of facts as considered above, will be sufficient to adequately determine such a case.

Means tested

Universal credit Monthly**Standard allowances** (To Sept/from Oct)

Single	Under 25	344.00/257.33
	25 or over	411.51/324.84
Couple	Both under 25	490.60/403.93
	One or both 25 or over	596.58/509.91

Elements

Eldest child (born before 6 April 2017)	282.50
Other children	237.08
Disabled child Lower rate	128.89
Higher rate	402.41
Limited capability for work	128.89
Limited capability for work and work-related activity	343.63
Carer	163.73
Childcare costs 85% of costs up to a month for one child and for two or more children	646.35 1,108.04

Income support and JSA Weekly**Personal allowances**

Single	Under 25	59.20
	25 or over	74.70
Lone parent	Under 18	59.20
	18 or over	74.70
Couple	Both under 18	59.20/89.45
	One under 18	59.20/74.70/117.40
	Both 18 or over	117.40

Premium

Carer	37.70
Disability	Single 35.10 Couple 50.05
Enhanced disability	Single person/lone parent 17.20 Couple 24.60

Severe disability	67.30
Pensioner Couple	152.90

Children

(Pre 6 April 2004 claims / no child tax credit)

Personal allowance	68.60
Family premium	17.65
Disabled child premium	65.94
Enhanced disability premium	26.67

Employment and support allowance Weekly**Basic allowance**

Single / lone parent	59.20/74.70
Couple	59.20/74.70/89.45/117.40

Component

Work-related activity	29.70
Support	39.40

Premiums

Carer, enhanced disability, pensioner and severe disability paid at same rate as Income support/JSA. Pensioner premium reduced where claimant entitled to ESA component

Pension credit Weekly**Minimum guarantee**

Single	177.10
Couple	270.30
Severe disability	67.30
Carer	37.70
Children	Eldest child 65.10 Other children 54.60 Disabled child Lower rate 29.66 Higher rate 92.54

Savings credit

Threshold	Single 153.70 Couple 244.12
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Maximum	Single 14.04 Couple 15.71
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Housing benefit Weekly

As for IS, JSA or ESA, except –

Personal allowances

Single / lone parent	
Pension age	177.10/191.15
Couple	Both under 18 89.45 One under 18 117.40 One / both pension age 270.30/286.05

Premiums

Family (lone parent rate)	22.20
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Tax credits Annual**Working tax credit**

Basic element	2,005.00
Couple / lone parent	2,060.00
30 hours	830.00
Disability	3,240.00
Severe disability	1,400.00
Childcare	70% of up to a week childcare costs for one child, and up to for two or more children 175.00 300.00

Child tax credit

Family	545.00
Child	2,845.00
Disability	Disabled child 3,435.00 Severely disabled child 4,825.00

Thresholds

Working tax credit	6,565.00
Child tax credit only	16,480.00

Non means tested

Attendance allowance Weekly

Lower rate	60.00
Higher rate	89.60

Bereavement benefits**Bereavement support payment** Monthly

Standard rate	100.00
Higher rate	350.00

Widowed parent's allowance Weekly

Standard rate	122.55
Child dependant	8.00 / 11.35

Carer's allowance**Carer's allowance** Weekly

Standard rate	67.60
Child dependant	8.00 / 11.35

Supplement Six-monthly

Lump sum in Scotland	231.40 / 462.80
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Child benefits Weekly

Child benefit	Eldest child 21.15 Other children 14.00
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Guardian's allowance 18.00

Scottish child payment	10.00
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DLA and child disability payment Weekly

Care component	Lower 23.70 Middle 60.00 Higher 89.60
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Mobility component	Lower 23.70 Higher 62.55
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Employment and support allowance Weekly

Basic allowance	59.20/74.70
Work-related activity component	29.70
Support component	39.40

Industrial injuries benefit Weekly

Standard rate	36.58–182.90
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Jobseeker's allowance Weekly

Under 25	59.20
Aged 25 or over	74.70

Maternity allowance Weekly

Standard rate	151.97
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Personal independence payment Weekly

Daily living	Standard rate 60.00 Enhanced rate 89.60
Mobility	Standard rate 23.70 Enhanced rate 62.55

Severe disablement allowance Weekly

Standard rate	81.25
Age addition	6.75/12.15
Adult dependant	39.95
Child dependant	8.00 / 11.35

State pension Weekly**New state pension** 179.60**Retirement pension**

Category A	137.60
Category B late spouse's or civil partner's NI	137.60
Category B spouse's or civil partner's NI	82.45
Category D non-contributory, aged 80 or over	82.45
Age addition, aged 80 or over	0.25
Child dependant, with Category A and B	8.00 / 11.35

Statutory payments Weekly**Adoption, maternity, parental bereavement, paternity, and shared parental pay**

Statutory sick pay	151.97 96.35
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