

December 2022 Newsletter

Online dummy universal credit claim form

With huge thanks to David Williams at Caerphilly citizens advice (who built it) here is a link to an interactive, dummy UC claim form.

Online dummy universal credit claim form

It is incredible, you can put the answers in and it takes you to the next page that you would go to if you were completing the actual form - perfect if you're completing a form over the phone with someone and need to follow what's happening yourself.

Also perfect for training purposes.

And what's more, David keeps an eye on any changes and regularly updates it - you can see the current version is dated 1 November 2022.



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 >>>

Warm Spaces

As the cost of living increases it is important that we work together to do everything we can to support every household in Aberdeen.

We are working together with partner organisations across Aberdeen to provide a range of public warm spaces that will provide an opportunity for people to come together, share and use resources.

Every warm space is unique however all warm spaces will offer a friendly welcome and comfortable environment to meet friends or socialise. Some warm spaces may be able to provide hot drink and have activities or programmes that you can join in with. There may be a small charge for some activities.

If you are a venue that would like to provide a Warm Space and be listed here, please contact warmspace@aberdeencity.gov.uk.

Warm Space Directory

We have created a **directory** of Warm Spaces across Aberdeen that will welcome people, providing information on the opening hours, services and resources available at each location,

Find the nearest Warm Space **on the map or search via the directory list**. Click on an individual entry for full details.



CW v Secretary of State for Work and Pensions (PIP): [2022] UKUT 281 (AAC)

Upper Tribunal Administrative Appeals Chamber decision by Judge Hemingway on 24 October 2022.

Read the full decision in [UA-2021-000241-PIP](#).

Judicial Summary

It is not necessary for a claimant to satisfy all of the elements of the definition of “take nutrition” in order to score points under daily living descriptor 2(b).

Autumn Statement 2022

Highlights:

- Cost of living payments - means tested £900; Pensioner £300 and Disability Benefits £150
- Uprating of benefits 10.1%
- Raising the benefit cap from £20,000 to £22,000
- National Minimum Wage increase
- Moving back Housing Benefit to Pension credits merger date (2028/2029)
- ESA - delayed managed move (2028)
- Support for mortgage Interest (waiting period reduced from 9 months to 3 months) removing zero earnings rules

Full Autumn Statement [HERE](#)

New DWP guidance advises that applications from those who repaid a hardship payment must be made by 23 June 2023 at the latest

Ask DWP to review a previous request to stop (waive) Recoverable Hardship Payment repayments made between 1 January 2014 and 11 January 2021 Guidance

How to ask DWP to review the decision you must repay a hardship payment.

This scheme is for people who received a hardship payment from Universal Credit and have paid it back.

If you asked DWP to stop (‘waive’) repayments, and DWP refused your request, you might be able to apply for a refund.

You would only have received a hardship payment if your Universal Credit was reduced because of a sanction or fraud penalty.

Eligibility

You can ask DWP to review its decision not to stop the repayment of your hardship payment if all of the following apply:

- you asked DWP (either Universal Credit or DWP Debt Management) to waive the repayment of a hardship payment between 1 January 2014 and 11 January 2021
- DWP refused your request to waive the repayment
- you have repaid the hardship payment
- You will also need to show that either:
 - you could not afford to repay the hardship payment at that time
 - repaying it had a significant effect on your or your family’s health or wellbeing – this means that it caused a health condition or made a health condition worse

This exercise will apply equally to England, Scotland, and Wales.

How to apply

You can apply from 19 December 2022. An application form will be published [on this page](#). Applications received before 19 December 2022 will not be accepted.

You must apply by 19 June 2023.

Full details [HERE](#)



Social Security Scotland
Tèarainteachd Shòisealta Alba



Amendments to Scottish social security benefits including in relation to the extension of Scottish child payment to children between six and 15

The Social Security (Miscellaneous Amendment and Transitional Provision) (Scotland) Regulations 2022

www.legislation.gov.uk/ssi/2022/336/made

Child Payment roll out welcomed by campaigners

Scotland is now rolling out the Scottish Child Payment and increasing its value to £25 a week.

The payment helps towards the costs of supporting families. It's a weekly payment of £25 that people can get for every child looked after who's under 16 years of age.

Responding to the roll out, John Dickie, director of Child Poverty Action Group (CPAG) in Scotland said: "This will be a hugely welcome day for struggling families across Scotland, and a real step on the road toward ending child poverty.

"The £25 per week Scottish child payment is a significant and uniquely Scottish boost to family incomes at a time when it is needed more than ever. It's now vital that we spread the word as widely as possible and ensure that every child that is eligible benefits from this crucial support."

<https://tfn.scot/news/child-payment-roll-out-welcomed-by-campaigners>

A transparent approach to benefit take-up progress

New annual publication provides estimates of benefit take-up rates.

A new annual publication with estimated take-up rates of Scottish social security benefits has been published for the first time.

The report will help track progress against the Scottish Government's Benefit Take-up Strategy which is a requirement of the 2018 Social Security (Scotland) Act.

The Scottish Government is committed to delivering a transparent social security system and reporting annually on progress will support that aim. This first publication covers estimates from introduction of the benefits up to the end of March in the 2021-2022 financial year and will sit alongside existing performance reporting on Social Security Scotland.

- View and download [Take-Up Rates of Scottish Benefits: October 2022](#).
- A take-up rate is the percentage of people entitled to a benefit that actually receive it. While the number of people receiving Scottish social security benefits is known through published official statistics, the number of people eligible to receive these benefits has to be estimated internally by Scottish Government analysts using a range of data sources. This means the take-up rates in this publication are estimates only.
- Visit gov.scot/costoflivingsupport to find out more about information on help available for households to meet rising energy, housing and other costs. The website also provides details on accessing Scottish and UK social security payments, including online benefit calculators, as well as wider health and wellbeing information.
- View and download the [second Benefit Take-up Strategy](#), published in October 2021, which sets out how the Scottish Government is working to ensure people can access the support they are entitled to
- Since the Social Security (Scotland) Act 2018 was passed, the Scottish Government has introduced 12 benefits, seven of which are completely new forms of financial support, only available in Scotland
- When all benefits have been introduced and clients have transferred from the Department for Work and Pensions, Social Security Scotland will support approximately 2 million children and adults – around one in three people in Scotland.

www.gov.scot/news/a-transparent-approach-to-benefit-take-up-progress/



What to do if you're struggling to pay your energy bills



Energy prices are already at all-time highs, and despite the Government capping bills at an average £2,500 for a typical household this winter, that's a huge jump from last year that will leave many struggling. This guide covers all the help available right now and where to go for one-on-one support.

1. Talk to your supplier as early as possible – it has to help if you're struggling
If you're falling behind with your energy bills, and finding yourself struggling to pay, the best thing to do is contact your supplier as soon as possible. Under rules from regulator Ofgem, your supplier has to help you – usually by negotiating a payment plan that you can afford.

There are a range of options suppliers could offer if you're struggling, including:

- A full payment plan review
- Affordable debt repayment plans
- Payment breaks (though this won't be right for everyone)
- Payment reductions
- More time to pay
- Access to **hardship funds**

2. On prepay and struggling to pay? Your supplier must help as well
If you prepay for your energy, and you find yourself struggling to top up and facing self-disconnection, there's also plenty of help available from your supplier – so do contact it as soon as you start to get in trouble. **Here's what they will do.**

3. Energy suppliers offer help via hardship funds
Big energy firms have charitable trusts and funds that can help if you're in debt and struggling to repay.

With **these providers** you'll usually need to be a customer of the firm to apply, but British Gas offers help to non-customers as well. The application process for this help is fairly rigorous (see **charities that can help** with the process). You usually need to have spoken to a **debt adviser** before applying, complete a full income and expenditure budget sheet, provide proof of your income, give details on how your arrears have built up, and say how the grant will help you.

Read the full article here - **www.moneysavingexpert.com/utilities/how-to-get-help-if-you-re-**

Free Fuel Rights Handbook

We're pleased to announce that thanks to **The Indigo Trust** and **The Clothworkers Foundation** we have been able to make our **Fuel Rights Handbook** free to access for all on our digital platform, AskCPAG.

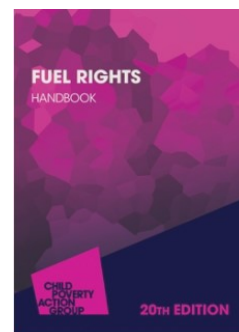
Covering all aspects of the rights of gas and electricity consumers in England, Wales and Scotland, including liability, dealing with arrears and preventing disconnection, complaints, and the latest energy efficient schemes.

Fuel poverty is impacting more households than ever right now. CPAG's **Fuel Rights Handbook** provides advisers with the information they need to help their clients cope with rising fuel bills, debt and problems with their fuel supply.

With an emphasis on the legal protection of vulnerable consumers, and on practical advice pursuing complaints and compensation, this handbook provides essential information on the reduction and prevention of fuel poverty.

This Handbook is an essential resource for consumer advisers, lawyers, social workers, advice agencies and anyone who is worried about their own fuel supply.

The online handbook will be updated regularly to reflect any changes and to make sure that you have the latest information you need to understand your rights.





Every year, older people in Scotland are missing out on hundreds of millions of pounds worth of social security payments – such as Pension Credit, Council Tax Reduction and Attendance Allowance

For Pension Credit alone, 123,000 eligible Scottish households are estimated to be missing out, which adds up to a whopping £332 million not getting to lower income older people who are entitled to receive it.

As the cost of living rises, ensuring that older people claim every penny of social security they are entitled to has become even more vital. Not only does this put extra money in their pockets, but it could open the door to them receiving further financial support from the government to offset the cost of living.

Our Check in, Cash out campaign aims to raise awareness and increase take-up of the social security available to help older people live well. Age Scotland can help you to find out if you might qualify – and it could take as little as 10 minutes to get an idea of this using our online benefits calculator.

If you think you could be missing out, check in today to see if you could cash out:

- ◆ Contact our helpline for a free benefits entitlement check and advice on how to claim – 0800 12 44 222, Monday to Friday 9am-5pm
- ◆ Find information on social security payments, including eligibility and how to apply, using our free guides age.scot/benefitguides
- ◆ Sign up to one of our free training workshops to find out more about social security age.scot/benefitworkshops
- ◆ Use our online benefits calculator to find out what you could be owed. It's free to use and the details you provide are kept anonymous. age.scot/benefitscalculator

Even if this isn't relevant to you, please share these resources with friends, family, and others in your community to help us ensure no older person misses out on what they are entitled to.

We also have various leaflets, posters, and promotional materials available to help spread the word about our campaign and how we can help older people to check in to see if they can cash out. If you work with or support older people or if you attend a group who you think would benefit from resources to boost awareness of social security, get in touch today by emailing campaigns@agescotland.org.uk or call on 0333 323 2400.

www.ageuk.org.uk/scotland/latest-news/2022/november/blog-check-in-cash-out---dont-miss-out/



Money Advice Assistant - Fixed Term Dec 2023

Job Opportunity – Money Advice Assistant (G9)

This opportunity is fixed term post until 12 December 2023. within the Financial Inclusion Team.

For further information, please view the position on <https://www.myjobscotland.gov.uk/councils/aberdeen-city-council/jobs/money-advice-assistant-internal-304620>.

Closing date 27 Nov 2022





Articles

Failure by DWP to initiate WCA and issue UC50 – our letter to the minister

NAWRA has been working with the Strategic Public Law Centre and others to try and resolve the problem of the DWP's failure to reliably initiate the WCA and issue the UC50, resulting in disabled claimants missing out on the LCWRA element – worth more than £350/month – for months or even years.

We met with officials towards the end of last year and put forward a simple proposal – to put an automated message into the claimant's journal when they first submit a fitnote to advise them of WCA process and, if they don't receive a UC50 within 4 weeks, to raise it with their work coach.

However, DWP decided not to implement this and instead said they would 'explore what might be added to published information'.

NAWRA has now written, with Disability Benefits Consortium and Disability Rights UK, to the new DWP Minister of State Victoria Prentis calling on her to put the solution in place as a matter of urgency.

We have also asked for a meeting with officials.

[Read our letter to the minister](#)

nawra
national association of
welfare rights advisers

Defining specified accommodation

Examining the legal definitions, case law and guidance to help advisers establish whether a client's housing is likely to be specified accommodation.

Why is this important?

Whether or not the housing is specified will be crucial in deciding whether your client can seek housing costs via Housing Benefit (HB) or Universal Credit (UC).

This is because there are certain types of accommodation that cannot be claimed for under UC and must be claimed under HB, even when the client is already on UC.

It is therefore useful for advisers to be able to identify what this accommodation is so that clients can make this choice without delay.

It's also an important part of advising whether housing costs could be a 'trigger' to claiming UC, as we'll explore [HERE](#).

Full article <https://medium.com/adviser/defining-specified-accommodation-43faa68076af>

**citizens
advice**

New Website

The No Recourse, North East working group was set up in 2014 with the aim of sharing experience and learning with partner agencies, focusing on supporting people with No Recourse to Public Funds (NRPF).

The primary drivers for establishing the group were significant concerns around inconsistent decision-making by public bodies on the entitlements of non-UK nationals, a lack of confidence and expertise in the third sector around NRPF, and concerns about a lack of a safety net for some non-UK women fleeing domestic abuse.

The group is made up mainly of third sector organisations (facilitated by staff members of GREC, Shelter Aberdeen and Turning Point Scotland) as well as representatives from the public sector, e.g. housing advice teams and financial inclusion local authority staff and NHS Grampian Teams. Please visit our Partners page to see the full list of groups.

Increasingly organisations in the North East are working with individuals with a status of No Recourse to Public Funds and our aim is to:

...ensure those individuals from ethnic minority communities with a status of NRPF affected by or threatened with homelessness, domestic abuse and/or destitution receive appropriate and good quality advice and support.

<https://nrnepartnership.org/>



**No Recourse
North East**



As the Government announces its Autumn budget, we examine what the changes mean for people in the welfare system and those at risk of having their benefit payments sanctioned.

Caroline Selman, Research Fellow in welfare rights, said:

“Whilst the decision to uprate means-tested benefits in line with September’s inflation figure of 10.1% is welcome, the move does not address a crucial structural problem. Nearly half of those who receive Universal Credit will still have deductions or sanctions taken from their payments and will have to survive on far below the bare minimum they need.

“Figures from the DWP out this week show that in July 2022, 42,000 sanctions were issued, while data from earlier this month showed that 45% of Universal Credit claimants had money deducted from their payments, much of which relates to government driven debt. This leaves more than 2 million people unable to afford basic necessities, and at risk of a spiral of debt.

“The harm and suffering caused by this level of poverty is plainly visible.

“Along with many organisations who represent disabled people and benefit claimants, PLP has called for further action to ensure that deductions are only made when they can be shown to be affordable.

“The Government also announced today that an additional 600,000 people are to work with a coach to increase their hours and earnings. More detail is needed on this – if the plan hinges on a greater threat of sanctions, then that would be a retrograde step which goes against what the evidence on sanctions tells us.’

“A review of the entire sanctions regime is urgently needed. Not only does the evidence show that they are harmful and ineffective, the high number that are overturned on appeal suggests many are handed out incorrectly and unlawfully. Yet, as PLP’s [research](#) shows, the system for challenging unlawful sanctions decisions is not fair or effective. When people try to challenge an incorrect sanction they find a complex system, lacking in clear timelines and full of hidden language that feels quick to assume they are ‘guilty’.

While the Government continues to take the current approach, people caught up in that system should – at absolute minimum – feel they are being treated fairly and with respect.”

Read [‘Benefit Sanctions: a presumption of guilt’](#) to find out more about why the system needs an urgent overhaul

Child Disability Payment: high level statistics to 30 September 2022

Information on applications and payments for Child Disability Payment from 26 July 2021 to 30 September 2022.

Key figures

- From 26 July 2021 to the 30 September 2022, 20,060 part 1 applications were received for Child Disability Payment.
- In total, there were 12,390 applications that were processed with a decision made by 30 September 2022. Of these, 81% were authorised, whilst 13% were denied and 5% were withdrawn in this time period.
- Between 26 July 2021 and 30 September 2022, the total value of Child Disability Payments issued was £59.9 million. Of this total, £25.5 million was issued to new applicants and £34.4 million was issued to clients who have transferred to Child Disability Payment.
- As of 30 September 2022, it is estimated that 43,720 children were receipt of Child Disability Payment. Of this total, 9,780 children were new applicants and 33,940 were children who had their award transferred to Child Disability Payment.

Full details here - www.gov.scot/publications/child-disability-payment-high-level-statistics-to-30-september-2022/



9 practical steps if you don't want a prepayment meter

What are your options if you don't want to be forced to get a prepayment meter because of energy bill arrears?

A **prepayment meter doesn't make it easier to budget**, the energy is more expensive and you face very high charges over the winter. So it's very sensible to try to avoid one.

This article has 9 practical steps that may help.

Try to reduce the amount you have to pay

- 1) Challenge an unreasonable direct debit**
- 2) Get an arrangement for arrears**
- 3) Reduce your energy usage**

Find ways to be able to pay more

- 4) Check if there are any benefits you are entitled to**
- 5) Pay less to other debts**

Reduce the chance of having to have a pre-payment meter

- 6) Pay what you can each month**
- 7) Can you get your name added to the Priority Services Register**
- 8) Know the reasons a supplier cannot fit a prepayment meter**
- 9) Reject a smart meter if you don't have one**

Get help with this



Full article <https://debtcamel.co.uk/9-steps-dont-want-prepayment-meter/>

The Scottish Child Payment is already helping families north of the border to stay out of poverty despite the cost of living crisis, according to the Joseph Rowntree Foundation.



The payments, introduced for children under the age of 6 in 2021 and being extended to under 16s today is worth £25 a week for each child in a family. This will mean a boost of £1,300 a year per child for household budgets and, unlike Universal Credit, with no limit on the number of children who will benefit.

JRF analysis shows that if the payment were extended to England, Wales and Northern Ireland a further 5.3 million children would be eligible for this crucial support.

JRF is calling on governments and devolved administrations around the UK to learn from the Scottish experience and apply political will and funding to tackle child poverty by providing money directly to families, alongside other measures such as improving access to childcare, flexible work and affordable housing.

JRF is also joining calls for eligible families in Scotland to apply for the new payments as soon as possible as payments will be backdated to the day on which applications are received.

Read the FULL article www.jrf.org.uk/press/scottish-child-payment-extension-watershed-already-showing-poverty-can-be-tackled-political



People on PIP moving to new devolved disability payment may see other benefits stop

Daily Record

If you do not report the change to DWP, HMRC or local council, other payments may automatically stop.

Guidance on mygov.scot explains that if you get other benefits or services related to your disability payment, you will need to tell each organisation about the move to Social Security Scotland.

The three-month window between notification of a case transfer should be enough time to report the change to the relevant department to ensure a smooth transition with no breaks in payments.

Below is an overview of who you need to contact, full details are on mygov.scot, [here](#).

You need to contact your local council to tell them about the move if you get:

- Housing Benefit / Council Tax Reduction / Council Tax Exemption

The guidance also states that you also need to contact the DWP to tell them about the move if you get:

- Universal Credit / Income Support / Pension Credit / Jobseeker's Allowance (JSA) / Employment and Support Allowance (ESA)

It states: "You can do this by reporting a change of circumstances on each benefit that you get."

You only need to contact [HMRC](#) if your disability payment rate has changed during the move and you get either:

- Child Tax Credit / Working Tax Credit

Carer's Allowance

If you get Child Disability Payment, and your carer gets Carer's Allowance, you do not need to contact anyone. The DWP will share this information with the Carer's Allowance Unit.

If you get Adult Disability Payment, and your carer gets Carer's Allowance, you need to contact the Carer's Allowance Unit. You should let them know that your disability payment has moved to Social Security Scotland as this information will not be shared automatically.

You can contact the Carer's Allowance Unit via GOV.UK, [here](#).

www.dailyrecord.co.uk/lifestyle/money/reporting-move-to-disability-benefit-28467072

Benefits, state pension and benefit cap will rise by 10.1 per cent from April 2023 but Local Housing Allowance rates will remain frozen at 2020/2021 levels

Also included in the announcement were:

- The full rate of the new State Pension will increase from £185.15 to £203.85 a week.
- The basic State Pension will increase from £141.85 to £156.20 a week.
- The Standard Minimum Guarantee for a couple in Pension Credit will increase from £278.70 to £306.85 a week.
- The enhanced rate of the daily living component of Personal Independence Payment will increase from £92.40 to £101.75 a week.
- The Universal Credit standard allowance for a couple where one or both are over 25 will increase from £525.72 to £578.82 a month; the Limited Capability for Work and Work-Related Activity amount will increase from £354.28 to £390.06 a month; and the child element for those born on or after 6 April 2017 will increase from £244.58 to £269.58 a month.
- The annual benefit cap levels will therefore increase to £22,020 for couples and lone parents and to £14,753 for single people without children.

<https://questions-statements.parliament.uk/written-statements/detail/2022-11-17/HCWS374>



Crack down on benefit claimants amid chronic shortage of workers

More to be asked to meet a ‘work coach’ but experts point to jump in long-term sickness due to gaps in public services

Jeremy Hunt has launched a drive to halt an exodus from the British jobs market through a crackdown on benefit claimants.

The chancellor said the government would ask more than 600,000 further people on universal credit to meet a “work coach” so that they “can get the support they need” to increase their hours or earnings. Companies and the public sector are wrestling with a chronic shortage of workers, which the Bank of England has said is harming the economy. There are now 630,000 more economically inactive working-age adults – neither looking for a job or in work – than before the Covid pandemic hit in early 2020.

Announcing a review of issues holding people back from participating in the job market, which is due to conclude early next year, Hunt said Britain was in dire need of more workers to boost the economy.

The number of missing workers has increased amid a sharp rise in the number of older people leaving the workforce and a dramatic increase in long-term sickness.

Hunt said he had asked the Department for Work and Pensions to conduct a “thorough” assessment of the barriers and incentives to work, while saying that a review of the state pension age would also be published early next year.

Job vacancies are close to a record high, as employers struggle to find enough recruits across a wide range of jobs.

However, Hunt appeared to suggest that benefit claimants were among the key reasons behind the lack of available workers, while announcing £280m of fresh investment to crack down on benefit fraud and errors in the next two years.

“I am proud to live in a country with one of the most comprehensive safety nets anywhere in the world, but also concerned that we have seen a sharp increase in economically inactive working-age adults,” he said in his autumn statement speech on Thursday.

Official figures show about 9 million working-age adults are economically inactive, including more than 2.5 million with long-term health conditions, but also including 2.4 million students. However, far fewer people are on universal credit, at about 5.8 million, including 41% of claimants who are already in work.

According to the Office for Budget Responsibility, the rise in economic inactivity due to long-term sickness echoes a rise in new claims for disability benefits.

Ben Willmott, head of public policy at the Chartered Institute of Personnel and Development, said it was important the jobs market review considered issues around the flexibility and quality of work, as well as employment support.

“Evidence shows that working parents, carers and older workers particularly value, and are more likely to need, flexible working. This highlights the importance of the government meeting its previous commitment to help create more flexible workplaces.”

Read the full article - www.theguardian.com/business/2022/nov/17/hunt-cracks-down-on-benefit-claimants-amid-chronic-shortage-of-workers



Age Scotland workshops



Age Scotland is providing new online workshops about benefits and social security for people over State Pension age.

Many older people don't claim the income they are entitled to, so we want to raise awareness of the benefits that exist to support them, and why older people don't take steps to unlock their entitlements.

They are free to attend, and provide useful information for older people and the people who support them.

How to sign up

To join one of our workshops, click on your chosen date below to sign up on Eventbrite. Please note that joining instructions will be sent 24 hours before the session.

Benefits for people over State Pension age

[Wednesday 21 December 10am - 12pm](#)

[Tuesday 17 January 10am - 12pm](#)

[Tuesday 31 January 10am - 12pm](#)

Attendance Allowance: completing the form

[Tuesday 20 December 10am - 11am](#)

[Thursday 26 January 10am - 11am](#)

Devolved welfare powers and older people

[Monday 19 December 11am - 12pm](#)

[Thursday 19 January 10am - 11am](#)

Group bookings

If you would like a bespoke workshop for a group of 6 or more people we may be able to arrange a workshop specifically for you. Please contact

contact rightstraining@agescotland.org.uk

Full details at www.ageuk.org.uk/scotland/information-

Child Disability Payment



The Scottish Government
Riaghaltas na h-Alba

Child Disability Payment Stakeholder Event

On the 22 November 2022 Child Disability Payment will have been live throughout Scotland for one year.

Social Security Scotland are hosting free online events to explore what we have learned from one year of delivering this form of assistance.

These events are for stakeholders in Scotland who provide advice or support to families of children who are living with a terminal illness, disability and/or long term health condition to apply for Child Disability Payment.

This event will cover:

- Engagement
- User Research
- Policy
- Service Design
- Statistics

Date and time:

- 29th November 2022 10:30 - 11:30 - [Eventbrite](#)
- 7th December 2022 14:00 - 15:00 - [Eventbrite](#)

Full details at

www.socialsecurity.gov.scot/news-events/events/child-disability-payment-stakeholder-events-1

"Routes to the UK" overview, FREE TRAINING

The No Recourse North East Partnership is delighted to invite you to training with Teneu Legal on **December 6th, 10am-1.30pm**. The event will take place at Four Pillars community room, 33 Regent Quay Aberdeen. Teas and coffees will be provided; feel free to bring food with you, and you can also make purchases from the Four Pillars cafe.

The training will provide participants with an overview of the recent resettlement schemes and other immigration routes to the UK, as well as associated visa restrictions, entitlements and No Recourse to Public Funds conditions.

The training is **free, but booking is essential** - register [HERE](#). Please share amongst your networks.



No Recourse
North East

UC claimants wrongly refused a Cost of Living Payment?

Half a million UC claimants were refused the first Cost of Living Payment. With the second payment now due to be paid we investigate whether someone who is refused one should challenge that decision.



Who is entitled to a Cost of Living Payment?

A person is eligible for the first Cost of Living Payment of £326 if they were entitled to a payment (or later found to be entitled to a payment) of Universal Credit for an Assessment Period that ended in the period 26 April 2022 to 25 May 2022. They are eligible for the second Cost of Living Payment of £324 if they were entitled to a payment of (or later found to be entitled to a payment) of Universal Credit for an Assessment Period that ended in the period 26 August 2022 to 25 September 2022.

What does this mean for claimants who didn't receive a payment of UC for that Assessment Period?

That depends on why they didn't receive a payment directly to themselves.

Section 2 of the Social Security (Additional Payments) Act 2022 states that to be entitled to a Cost of Living Payment, the UC claimant must have been entitled to a payment of at least 1p for the relevant Assessment Period.

UC payments are usually made to the claimant – but there are times when these are paid to another person/body. For instance, when UC is paid to the landlord as an APA Managed Payment, it's not the landlord who is entitled to the money, it's the claimant. Paying the landlord is simply the method used to pay the money to which the claimant is entitled.

Sadly, this means that those UC claimants who:

- were sanctioned and were left with no UC payment (but see below) or
- received more wages than usual eg were they received two 4-weekly paid wages and whose entitlement dropped to nil (but see below) or
- were the partner on a UC claim and did not receive the payment into an account in their name, are not entitled to a Cost of Living Payment.

BUT

The DWP are also refusing the Cost of Living Payment to some UC claimants where an amount of UC was paid in their name – it just wasn't paid to them.

This would include where the claimant's UC award was:

- paid in full to their landlord as an APA managed payment or
- paid in full as third party deductions to creditors or
- reduced to nil to re-pay an Advance Payment or
- a combination of the above.

In these cases the DWP are wrong to refuse a Cost of Living Payment.

What should these claimants do?

They should report the missing Cost of Living Payment on their journal.

If this is refused and the reason given is because they didn't receive a payment of UC, then they should request a review of this decision; they should reply on their journal using wording along these lines:

I would be grateful if this request for a review of your refusal to pay me a Cost of Living Payment is passed to a Decision Maker.

Section 2 of the Social Security (Additional Payments) Act 2022 states that to be entitled to a Cost of Living Payment in respect of Universal Credit, the person has to have been entitled to a payment of at least 1p of UC in respect of an assessment period ending during the period of one month ending with the qualifying day.

I believe I was entitled to such a UC payment: it is just that the payment was paid to another party on my behalf. Indeed, as the claimant, I am the only one who holds that entitlement even if the payment is made to a third party (see section 3 of the Welfare Reform Act 2012). To continue to refuse me a Cost of Living Payment stating that it is because I was not entitled to a payment of UC would mean that you are treating my landlord as having a UC entitlement which clearly they do not.*

* Substitute depending on who received the payment.

Refused because of a sanction?

Where the claimant has been refused a Cost of Living payment because of a sanction it is worth:

- Checking that there wasn't also a APA Managed Payment and/or Third Party Deduction for a debt (such as rent arrears or energy). If there was, then the claimant was entitled to a payment of UC - it is just that it was paid to one or more third parties (see What should these claimants do? above).
- Speaking to a Benefits Adviser about challenging the sanction. There is no time limit within which sanctions have to be challenged and sanction decisions are often overturned (latest statistics show 31% of UC sanction MR requests being successful).

Refused because of nil award due to double wages?

Where the claimant has been refused a Cost of Living Payment because of a double wage then there is nothing they can do if they are paid 4-weekly. However if they are paid monthly then they may be able to ask the DWP to review the total earnings used and move one of the wage payments into the following month. The DWP would then re-assess entitlement in both those Assessment Periods. If this then gives rise to an award in the Assessment Period needed for a Cost of Living Payment, then the claimant would then be entitled to it.

NOTE: care must be taken that doing this is in the best interests of the claimant ie that across both Assessment Periods, together with the Cost of Living Payment, they are better off.