INTRODUCTION

1. This memo gives guidance on The Social Security Benefits (Claims and Payments) (Amendment) Regulations 2021, [SS(C&P)(Amdt) Regs 2021], SI 2021 No 1065. The changes come into effect from 18.10.21.

1 SS (C&P) (Amdt) Regs 2021

CHANGES

2. The current options for making payment of benefit arrears are

1. pay the arrears as a lump sum or
2. with the claimant’s consent, pay the whole amount to a third party

3. These regulations introduce a further option and offers claimants payment of arrears by instalments if they would prefer to receive the money they are owed in this way.

4. From 18.10.21 payments of benefit arrears can be staggered rather than be paid as a lump sum where the

1. DM believes it is necessary to protect the interests of the claimant and
2. claimant gives their consent.
Note: This option only applies to arrears of delayed payments for past periods and not for on-time payments of current entitlements.

1 C&P Regs 2013, reg 47(6A), 48(4), 51(4A) & 52(2A)

5. A specialist team, Advanced Customer Support Team, will consider whether it is in the best interests of the claimant to stagger payments of arrears considering the individual circumstances of the claimant.

Note: Both the claimant and the DM must agree it is in the claimant’s best interests (see paragraph 4).

ANNOTATIONS

6. Please annotate the number of this memo (Memo ADM 18/21) against the following ADM paragraph - B1001

CONTACTS

7. If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 3E zone E, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in – Memo 7/19 Requesting case guidance from DMA Leeds for all benefits.

DMA Leeds: November 2021