

13-22: UC LOCAL WELFARE PROVISION DISREGARD

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INTRODUCTION

1. This memo provides guidance on changes introduced by the UC (Local Welfare Provision Disregard) (Amdt) Regs 2022. The change takes effect from 4.5.22.

[UC\(LWPD\)\(Amdt\) Regs 2022 \(SI. 2022/448\).](#)

CHANGES

2. These regulations insert into current legislation¹ a capital disregard for payments of local welfare provision. The definition of local welfare provision² is a payment made by local government, Scottish or Welsh Ministers for welfare purposes (see paragraph 3). The disregard means such payments will not affect entitlement to UC for 12 months from the date of payment. Any unspent capital after 12 months will be taken into consideration for the claimants UC entitlement.

Note: For full guidance on capital disregarded for 12 months see ADM H2090 et seq

[1 UC regs Sch 10](#)

[2 UC Regs reg 2](#)

Example

Harry is entitled to UC on 10.5.22. He declares that he has received a payment from the household support fund on 9.5.22. Harry explains that this is part of the 'thank you' payments for homes for Ukraine. The DM disregards this payment for a period of 12 months as it is financial assistance given by the local authority under local welfare provision.

DEFINITION OF LOCAL WELFARE PROVISION

3. Local welfare provision means occasional financial or other assistance given by a local authority, Scottish Ministers or Welsh Ministers, or a person authorised to exercise any function of, or provide a service to them, or in respect of individuals for the purpose of

1. meeting, or helping to meet, an immediate short-term need

1.1 arising out of

1.1a an exceptional event or

1.1b exceptional circumstances and

1.2 that requires to be met in order to avoid a risk to the well-being of an individual or

2. enabling individuals to establish or maintain a settled home, where those individuals have been or, without the assistance, might otherwise be

2.1 in prison

2.2 in hospital

2.3 in a residential care establishment

2.4 in another institution

2.5 homeless or

2.6 living an unsettled way of life.

Note: This means from 4.5.22 a disregard will apply to any such payment made as defined at paragraph 3 for the period of 12 months from the date the payment is received.

ANNOTATIONS

Please put the number of this memo 13/22 at [ADM H2090 \(Heading\)](#).

CONTACTS

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.