

## THE OPERATION OF THE CLAIMS AND PAYMENTS SYSTEM FOR UC IN RELATION TO SCOTLAND

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### INTRODUCTION

- 1 This memo gives guidance on the application of The Universal Credit (Claims and Payments)(Scotland) Regulations 2017 (S.S.I 2017 No. 227) which come into force on 4.10.17.<sup>1</sup>

*1 [The Universal Credit \(Claims and Payments\)\(Scotland\) Regulations 2017](#), reg 1(1)*

### WHO THIS GUIDANCE APPLIES TO

- 2 This memo gives guidance on twice-monthly payments of UC and direct payments for rent and services for a person applying for universal credit, or awarded universal credit, who resides in Scotland (and any one of the members of a couple living in Scotland who jointly make a claim for, or have been awarded, universal credit).<sup>1</sup>

*1 Reg 1(2)*

## WHO THIS GUIDANCE DOES NOT APPLY TO

- 3 The guidance in this memo does not apply to any of the following awards of or applications for UC
1. An award of UC made before 4.10.17<sup>1</sup>
  2. An application for an award of UC made before 4.10.17, or an award made as a result of an application made before 4.10.17<sup>2</sup>
  3. An award of UC that is not administered on the digital service computer system used in digital service areas<sup>3</sup>
  4. An application for an award of UC that, if granted, will not be administered on the digital service computer system used in digital service areas<sup>4</sup>
  5. An award of UC which is administered on the digital service computer system used in digital areas because of a decision to transfer the administration of the award to that system from another system<sup>5</sup>

*1 Reg 6(1)(a); 2 reg 6(1)(b); 3 reg 6(1)(c); 4 reg 6(1)(d); 5 reg 6(1)(e)*

## PERSONS TO BE ABLE TO REQUEST TWICE-MONTHLY PAYMENTS

- 4 ADM paragraph B1021 gives guidance on monthly payment of UC. Where this memo applies, an applicant for or recipient of UC may apply to receive future payments of UC twice-monthly where that is more frequent than payments would otherwise be made.<sup>1</sup>

*1 Reg 2(1)*

- 5 The person making the request at paragraph 4 can request that their request be cancelled<sup>1</sup> or make a further request for twice-monthly payments where that would be more frequent than payment would otherwise be made.<sup>2</sup>

*1 Reg 2(2)(a); 2 reg 2(2)(b)*

- 6 Where a request is made in accordance with paragraphs 4 and 5, the DM must agree to the request and implement the request, unless they feel that it is unreasonable to implement the request. If the DM feels that it is unreasonable to implement the request, they must advise the person making the request of why they refused to implement the request.<sup>1</sup>

*1 Reg 2(3)*

- 7 There is no right of appeal against decisions made in accordance with paragraph 6.<sup>1</sup>

*1 UC, PIP, JSA & ESA (D&A) Regs, Sch 3 para 1(e)*

- 8 The guidance given in this memo does not restrict the DM's ability to arrange for payments of UC to be made twice-monthly or more or less frequently than twice-monthly, in any case or class of case.<sup>1</sup>

*1 Reg 2(4)*

## **PERSONS TO BE ADVISED THAT THEY CAN REQUEST TWICE-MONTHLY PAYMENTS**

- 9 All persons entitled to request twice-monthly payments of UC must be advised that they can make such a request, and be given information about the implications of making such a choice<sup>1</sup> except where the DM is arranging, or has arranged, for payments of UC to be made twice-monthly or more frequently than twice-monthly.<sup>2</sup>

*1 Reg 3(1); reg 3(2)*

## **TENANTS TO BE ABLE TO REQUEST DIRECT PAYMENTS FOR RENT AND SERVICES**

- 10 Where an award of UC includes, or will include, a housing costs element in respect of a rent payment or service charge payment the applicant or recipient for that award may request at any time to have an amount of UC paid directly to the person to whom those payments are due.<sup>1</sup>

*1 Reg 4(1)*

- 11 The amount referred to in paragraph 10 is the amount of the housing costs element of the award that relates to liability to make rent payments and service charge payments, or if the award of UC is less than that, the amount of the award.<sup>1</sup>

*1 Reg 4(5)*

- 12 The person making the request at paragraph 10 can request that their request be cancelled<sup>1</sup> or make a further request for UC to be paid directly to the person to whom a rent payment or a service charge payment is due.<sup>2</sup>

*1 Reg 4(3)(a); 2 reg 4(3)(b)*

- 13 Where a request is made in accordance with paragraphs 10 and 12, the DM must agree to the request and implement the request, unless they feel that it is

unreasonable to implement the request. If the DM feels that it is unreasonable to implement the request, they must advise the person making the request of why they refused to implement the request.<sup>1</sup>

*1 Reg 4(4)*

- 14 There is no right of appeal against decisions made in accordance with paragraph 13.<sup>1</sup>

*1 UC, PIP, JSA & ESA (D&A) Regs, Sch 3 para 1(n)*

- 15 The guidance given in this memo does not restrict the ability of the DM to direct that payments of UC be made to a person other than the claimant, or to make deductions and payments.<sup>1</sup>

*1 Reg 4(6)*

## **TENANTS TO BE ADVISED THAT THEY CAN REQUEST DIRECT PAYMENTS FOR RENT AND SERVICES**

- 16 All persons entitled to request direct payments of UC for rent and services must be advised that they can make such a request<sup>1</sup>, except where the DM is arranging, or has arranged, for payments of UC for rent and services to be paid directly.<sup>2</sup>

*1 Reg 5(1); 2 Reg 5(2)*

## **ANNOTATIONS**

This memo should be annotated against the following ADM paragraphs: B1021, F2041, F2050

## **CONTACTS**

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, GS36, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in [Memo DMG 03/13](#) - Obtaining legal advice and guidance on the Law.

**The content of the examples in this document (including use of imagery) is for illustrative purposes only**