



THE SOCIAL SECURITY (INCOME AND CAPITAL) (MISCELLANEOUS AMENDMENTS) REGULATIONS 2020

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INTRODUCTION

1. This memo gives guidance on changes introduced by the Social Security (Income and Capital) (Miscellaneous Amendments) Regulations 2020 (SI 2020 No. 618). The Regulations come into force on 15.7.20.

DISREGARD OF CERTAIN PAYMENTS AS INCOME AND CAPITAL FOR UC

2. “Grenfell Tower Payments” from the Grenfell Tower Residents’ Discretionary Fund (GTRDF), the Royal Borough of Kensington and Chelsea or a registered charity are disregarded indefinitely as income and capital for the purposes of UC¹.

1 UC Regs, reg 76; ESA Regs, reg 2

3. Payments from the National Emergencies Trust are disregarded indefinitely as income and capital for the purposes of UC¹.

NOTE: The “National Emergencies Trust” means the registered charity of that name (number 1182809) established on 28.3.19 to co-ordinate the distribution of funds raised in response to domestic national disasters and emergencies.

1 UC Regs, reg 76; ESA Regs, reg 2



4. Payments from the Child Migrants Trust are disregarded indefinitely as capital for UC¹.

NOTE: The UK Government has set up a payment scheme for former British child migrants who were separated from their families and sent overseas as part of the UK government's historic participation in child migration programmes. Each former child migrant will receive a one-off payment of £20,000 paid by the Child Migrants Trust, a registered charity (No. 1171479).

1 UC Regs, reg 76

TREATMENT OF THREE NEW STUDENT LOANS FOR POSTGRADUATE STUDENTS

5. The definition of "postgraduate loan" is expanded to include loans made to students undertaking a postgraduate doctoral degree course. In line with the treatment of existing postgraduate loans, a person's student income for the purposes of calculating entitlement to UC is to be based upon 30% of the maximum amount of the loan (subject to any applicable disregard) the student could reasonably expect to obtain for the course¹.

NOTE 1: In 2016 the Department for Education (DfE) introduced a new postgraduate master's degree loan for students normally resident in England. Unlike undergraduate funding, this loan is not divided between general maintenance costs and tuition fees, but is a single sum intended as a contribution towards both.

NOTE 2: These regulations future proof regulations so that as new loans are introduced they will be taken into account in the same way as existing loans.

1 UC Regs, reg 68 & 69

Example

Simon started a postgraduate doctoral degree course on 1.8.19. He has been awarded a loan of £25,700. The DM decides that Simon has student income of £7,710 (30% of £25,700) attributed over the period of the course.

NEW STYLE ESA SPECIAL PAYMENTS

6. Special payments are being made to provide redress to people affected by initial errors in the way claims for new style ESA were handled by DWP. These extra-statutory payments are intended to restore a claimant's award to as near



as possible the amount that should have been payable, were it not for incorrect advice. Where the payment would otherwise affect a claimant's award of UC it will be disregarded¹.

UC (TP) Regs, reg 10C

Example

Lena has received £743.50. This is disregarded for purposes of her UC award.

ANNOTATIONS

Please annotate the number of this memo (ADM Memo 13/20) against the following ADM paragraphs:

H2051, H5140

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.

DMA Leeds: July 2020

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