

14-23: Disregards for Post Office compensation payments, Grenfell Tower payments, & Vaccine Damage payments

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Introduction

1. This memo gives guidance on the Social Security (Income and Capital Disregard) (Amendment) Regulations 2023¹ [SS (I&C Dis) (Amdt) Regs 2023], SI 2023/640. The changes take effect from 9.7.23.

1 [SS \(I&C Dis\) \(Amdt\) Regs 2023; SI 2023/640](#)

Background

2. These regulations¹ ensure that certain payments are disregarded for the purposes of calculating entitlement to UC.

1 [SS \(I&C Dis\) \(Amdt\) Regs 2023](#)

3. These regulations¹

1. Expand the existing disregard for Grenfell Tower payments
2. create a new disregard for Post Office compensation payments, **and**
3. Ensure that partners of persons in respect of whom a payment under the relevant legislation² is made are covered by a disregard.

1 [SS \(I&C Dis\) \(Amdt\) Regs 2023](#); 2 Vaccine Damage Payments Act 1979

4. These amendment regulations¹ also provide that

1. Grenfell Tower payments **and**

2. Post Office compensation payments

will be exempt from the Department's compensation recovery scheme². This means that compensation payments will not be reduced.

Note: Payments made under relevant legislation³ to or in respect of the injured person are already exempt.

1 [SS \(I&C Dis\) \(Amds\) Regs 2023, reg 8](#); 2 [SS \(I&C Dis\) \(Amds\) Regs 2023, reg 10](#)

3 [Vaccine Damage Payments Act 1979](#)

Capital and income disregards for UC

5. These regulations¹ provide that any Post Office compensation payment², Grenfell Tower payment³, or vaccine damage payment⁴ if it is capital, is to be disregarded indefinitely in the calculation of the person's capital and, if it is income, is to be disregarded in the calculation of the person's income..

1 [SS \(I&C Dis\) \(Amds\) Regs 2023](#); 2 [UC Regs, reg 76\(1A\)\(e\)](#);

3 [UC Regs, reg 76\(1B\)](#); 4 [UC Regs, reg 76\(1C\)](#)

Vaccine Damage Payments

6. In relation to vaccine damage payments the disregard at paragraph 5 applies where

1. a person who is severely disabled as a result of vaccination receives a payment under relevant legislation **or**
2. the partner of a person referred to in 1. receives a payment which is derived from
 1. that payment from that person **or**
 2. their estate **or**
3. the payment is made to the personal representative of a person who was
 1. severely disabled as a result of vaccination **or**
 2. to their partner from their estate.

1 [Vaccine Damage Payments Act 1979](#)

Note: In these regulations: -

“Post Office compensation payment” means a payment made by the Post Office or the Secretary of State for the purpose of providing compensation or support in respect of the failings of the Horizon System or the detriments identified in the judgment in *Bates and Others v Post Office Limited* [2019] EWHC 606 (QB)

“Grenfell Tower payment” means a payment made for the purpose of providing compensation or support in respect of the fire on 14th June 2017 at Grenfell Tower

“vaccine damage payment” means a payment under the Vaccine Damage Payments Act 1979.

Annotations

Please annotate the number of this memo (Memo ADM) 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:

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