

01-26: The Social Security (Scotland) Act 2018 (Carer's Assistance) (Consequential Modifications) Order 2026

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Introduction

1. This memo gives guidance on The Social Security (Scotland) Act 2018 (Carer's Assistance) (Consequential Modifications) Order 2026¹ which came into force on 15.03.26.

1 [SI 2026 \(link is external\)](#)

Background

2. This order¹ makes changes to social security legislation to reflect additional elements to Scottish Carer's Assistance, such as extending the run-on period for which a carer will receive Scottish carer support after the death of their cared-for person, from the current eight weeks to a period of twelve weeks, as well as a change in definition for "carer support payment" (CSP).

1 [SI 2026 \(link is external\)](#)

Income support

Entitlement to premiums

3. A carer premium continues to be paid for a period of 8 weeks where the person being cared for dies. However, where the carer premium has been awarded because the claimant or their partner is entitled a CSP, that period will be 12 weeks¹.

1 [IS Regs 87, Sch 2, Para 14ZA.](#)

Jobseeker's Allowance

Entitlement to premiums

4. A carer premium continues to be paid for a period of 8 weeks where the person being cared for dies. However, where the carer premium has been awarded because the claimant or their partner is entitled a CSP, that period will be 12 weeks¹.

1 [ESA Regs 08, Sch 4, Para 8](#)

State Pension Credit

Additional amount for the severely disabled

5. [DMG 78030](#) and [78610](#) and [DMG Memo 12-23](#) give guidance that when considering entitlement to an additional amount for claimants who are severely disabled, no amount is payable in respect of a claimant or their partner if someone is in receipt of

1. a CA or
2. the carer element of UC or
3. CSP

in respect of caring for them.

From 15.03.26, CSP means the carer support component of carer support.

Additional amount for carers

6. [DMG 78100](#) and [78620](#) gives guidance that an additional amount for carers may be awarded for each claimant who is entitled to CA. From 15.03.26 that also includes those claimants entitled to the carer support payment component of carer support¹.

7. An additional amount for carers continues to be paid for a period of 8 weeks when the person being cared for dies. From 15.03.26, where that additional amount has been awarded because the claimant is entitled to the carer support payment component of carer support, that period will be 12 weeks.

[1 SPC Regs, Sch 1 para 4 \(link is external\)](#)

Employment and Support Allowance

Entitlement to premiums

8. A carer premium continues to be paid for a period of 8 weeks where the person being cared for dies. However, where the carer premium has been awarded because the claimant or their partner is entitled to a CSP, that period will be 12 weeks.

[1 ESA Regs 08, Sch 4, Reg 8\(2a\) & \(4\).](#)

Deferring Entitlement to State Pension/Retirement Pension

Lump Sum Payments

9. [DMG 75405](#) et seq provides guidance on people entitled to a lump sum payment when they defer their RP. The amount of RP which would have been payable had it not been deferred does not include any

pension, where for all of an accrual period, a person has been in receipt of the carer support payment component of carer support¹.

1 SS (Def RP) Regs, reg 3(1)(a)(v)

Increments

10. [DMG 75349](#) et seq provides guidance on people entitled to increments when they defer their retirement pension (RP). [DMG 74501](#) et seq provides guidance on people entitled to increments when they defer their State Pension (SP). When a person is deferring their

1. RP¹ or

2. SP²

they will not be entitled to increments for any day in a period of deferment when they are in receipt of the carer support payment component of carer support.

1 SS (WB & RP) Regs, reg 4(1)(b)(v); 2 SP Regs, reg 11(2)(a)

Retirement Pension/State Pension and NI Credits

Engaged in Caring

11. People are engaged in caring for a period of up to 12 weeks

1. before they become entitled to the carer support payment component of carer support¹

2. after they cease to be entitled to the carer support payment component of carer support²

1 SS (CC P & C) Regs, reg 7(1)(a), SP Regs 15, reg 27 & 38(1)(a); 2 SS (CC P & C) Regs, reg 7(1)(b), SP Regs 15, Reg 27 & 38(1)(b)

Capital Disregards

12. Arrears of Scottish carer supplement and carer additional person payment are added to the list of benefits disregarded for capital purposes in ESA(IR), IS, JSA(IB), and SPC¹.

1 IS Regs 87, Sch 10, para 7(1); JSA Regs 96, Sch 8, Para 12(1)(a), SPC Regs 02, Sch 5, Para 20(2)(z1); ESA Regs 08, Sch 9, Para 11(1).

13. Arrears of any amount of the carer support payment component of Carer Support in excess of the amount the claimant would receive if they had an entitlement to CA is also added to the list of disregarded benefits¹.

1 [IS Regs 87, Sch 10, para 7\(1\)](#); [JSA Regs 96, Sch 8, Para 12\(1\)\(a\)](#), [SPC Regs 02, Sch 5, Para 20\(2\)\(z1\)](#); [ESA Regs 08, Sch 9, Para 11\(1\)](#).

Income other than Earnings

14. For IS, JSA and ESA(IR)¹ Scottish carer supplement and carer additional person payment given in accordance with legislation² are fully disregarded in the calculation of income other than earnings.

Note: Scottish carer supplement and carer additional person payment are not prescribed income for SPC.

1 [IS Regs 87, Sch 9, para 87](#); [JSA Regs 96, Sch 7, Para 83](#); [ESA Regs 08, Sch 8, Para 75](#).

Definitions

15. Where “carer support payment” is defined within legislation¹, “carer’s assistance” can be substituted by “the carer support payment component of carer support”.

1 [SS CB Act 92, 70\(7b\)](#) & [Section 150\(2\)](#); [SS \(Invalid Care Allowance\) Regs 76, reg 7\(5\)](#); [SPC Act 02, Section 17\(1\)](#); [SS \(Credits\) Regs 75, Reg 7A\(3\)](#); [SS \(Widow’s Benefit and Retirement Pensions\) Regs 79, Reg 4\(1\)\(b\)\(v\)](#); [IS Regs 87, Reg\(2\)\(1\)](#); [SS \(C&P\) Regs 87, Reg 3A\(6\)](#); [SS \(Op & Rec\) Regs 88, Reg 5\(2B\)](#); [SS and CS \(D & A\) Regs 99, Reg 7\(2\)\(bc\)](#); [IS \(Liable Relatives\) Regs 90, Reg 2\(1\)\(e\)](#); [JSA Regs 96, Reg 1\(3\)](#); [SS \(Work-focused Interviews\) Regs 00, Reg 6\(4\)\(b\)](#); [SS \(Work-focused Interviews for Lone Parents\) and Misc Amendments Regs 00, Reg 2ZB\(5\)\(a\)](#); [SS \(Jobcentre Plus Interviews\) Regs 02, Reg 4\(4\)\(a\)](#); [SPC Regs 02, Reg 1\(2\)](#); [ESA Regs 08, Reg 2\(1\)](#); [SS \(Deferral of Retirement Pensions\) Regs 05, Reg 3\(1\)\(a\)\(ca\)](#); [SS \(Contributions Credits for Parents and Carers\) Regs 10, Regs 2010\(b\)](#).

Annotations

The number of this memo should be annotated against the following DMG

paragraphs; [23248](#), [29495](#), [44169](#), [52496](#), [74501](#), [75349](#), [75405](#), [75551](#), [78030](#) [78100](#), [78107](#), [78610](#), [78620](#), [84567](#), [DMG Memo 12-23](#).

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 [4/19](#) Requesting case guidance from DMA Leeds for all benefits.

DMA Leeds: March 2026