

Advice Bulletin: Summer 2023

Introduction

This bulletin is compiled by our Advice Shop team to share information and advice with anyone who works with people receiving or entitled to welfare benefits. We want to increase the take up of benefits, raise awareness of people's rights and promote access to advice services.

The Advice Shop assisted more than 4500 people in the previous 12 months, helping with 1300 benefit claims and disputes achieving £5.7m in additional income for them. 200 people were supported to address the management of £1.3m of problematic debts. Our Advice Line dealt with more than 8000 calls and emails, providing resolution to enquiries, signposting to other services and arranging appointments and ongoing casework.

In this bulletin we highlight various topics including

Personal Independence Payment transfers to Adult Disability Payment

In Scotland, people on Personal Independence Payment (PIP) are gradually being transferred to Adult Disability Payment (ADP). Usually, a DWP review or a change in circumstances triggers this transfer. No new claims for PIP have been possible since August 2022.

If someone is currently receiving PIP and is due for reassessment or they contact the DWP to inform them of a change of circumstances, the transfer process will be started. This note gives a brief summary of what people can expect when transferring from PIP to ADP.

Firstly, it's important to note that the transfer process from PIP to ADP will be done automatically by the Department of Work and Pensions (DWP) and Social Security Scotland (SSS). Claimants won't need to make a new claim for ADP if they have a PIP claim - instead, Social Security Scotland and the DWP will transfer the claim.

If eligible for transfer to ADP, a letter is sent to the claimant informing them of the transfer and the new amount of benefit to be paid. The amount should be the same as what is paid by PIP though it is possible that

- PIP to ADP transfer process
- Cost of Living support
- Action about rent costs and arrears
- Bereavement and terminal illness issues
- Childcare costs

Feedback and contact us

This is the first bulletin we've produced in a long while so we hope you find it useful. Please give us feedback. We hope to have an autumn edition.

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Severe mental impairment exemption for Council Tax

Daily Living component of Adult Disability Payment is now a qualifying criteria for SMI. You can find [details of how SMI can be obtained](#) on our website.



claims will be reviewed and a higher or lower award made by SSS, depending on the claimant's circumstances.

The criteria for ADP are slightly different from those for PIP. For example, under ADP, there are additional points available for mobility if a person requires support when moving around their home, as well as when using public transport. Similarly, there are additional points available for cognitive and psychological difficulties, which were not considered under PIP.

Overall, the transfer from PIP to ADP is designed to be as seamless as possible, with the aim of providing better support to those with disabilities or long-term health conditions. There have been occasional problems such as one claimant's Severe Disability Premium apparently being cancelled but these are uncommon. It is more the anxiety that a change in provision can cause some people which needs to be managed.

If there are concerns about the transfer process or a person's eligibility for ADP, it's worth seeking assistance from a welfare rights advice service.

Support for Mortgage Interest

It is now possible for people on UC to apply for SMI after three months (reduced from 9), and the zero earnings rule will be abolished. See an [overview of SMI](#) on UK Government website.

2023-24 Benefit rates

You can find the [new benefit rates](#) on RightsNet website.

Rent arrears, evictions and rent increases

The Scottish Government's rent freeze has ended and is being replaced by a temporary rent cap. Since April 2023, a private tenant's rent can be increased by up to 3% if their rent has not been put up in the last 12 months.

There is not a rent cap for council or housing association tenants, but their rent should not go up by more than inflation. In addition, while protections are clearer, there is no ban on evictions – put simply, tenants are at risk of eviction if arrears go over £2250 and other limited circumstances.

For a summary of the arrangements in place until 30 September 2023, see [Cost of living: rent and eviction](#) on the Scottish Government website.

Seek money advice if arrears are a concern.

Council Tenants' Hardship Fund

The Council has introduced a hardship fund for its tenants who are struggling with the cost of living and have fallen behind in their rent payments since April 2023. Housing officers can make a referral. [More details about the fund](#) are on our website.

National Living Wage

The National Living Wage (NLW) rose to £10.42 per hour in April 2023. The new rates are age dependant:

- 23 and over - £10.42 per hour
- 21 and 22 - £10.18 per hour
- 18 and 20 - £7.49 per hour
- Under 18 - £5.28 per hour
- Apprentice - £5.28 per hour.

Cost of Living Payments

Further Cost of Living payments were made to households on low incomes who may be struggling with the cost of living in 2023-24. There is a helpful guide on [extra help for people on the lowest incomes](#) on the Turn2Us website.

For people receiving a relevant disability benefit on 1 April 2023, an additional £150 cost of living payment will be issued between 20 June and 4 July 2023. Claimants will receive payment automatically. More about [Cost of Living Payments 2023 to 2024](#)

Energy vouchers – deadline for use

The last day to claim energy vouchers is 30 June 2023 as the scheme has now come to an end. Some people with prepayment meters have not redeemed their vouchers so there is a campaign to reach those who could benefit most from the help. Please check with any relevant clients that they have accessed their vouchers. For details go to [Help with your energy bills](#).

Bereavement payments

The government has announced that it has extended the eligibility criteria for [Bereavement Support Payment and Widowed Parent's Allowance](#).

The benefits are designed to help parents with the financial impact of losing a partner. Previously it was

only available to eligible bereaved parents who were married or in a civil partnership.

The law change will ensure more children in bereaved families are equally supported, regardless of their parent's legal relationship status.

A special 12-month application window has been opened for bereaved parents with dependent children whose partner died before 9 February 2023.

The bereavement benefit and amount they are entitled to will depend on when they lost their partner.

New terminal illness rules for PIP, DLA and AA

New terminal illness rules for PIP, DLA and AA have come into force, meaning that the 6 month rule has been replaced by a 12 month rule, in line with Universal Credit.

A person with a progressive disease is now considered to be terminally ill when their death as a consequence of that disease can reasonably be expected within 12 months, as opposed to 6 months.

Form DS1500 has been replaced with form SR1. See ['Special Rules' info](#) on the UK Government website. For ADP claimants, the BASRiS form should be issued if they have been given a terminal illness diagnosis. At present there is some flexibility with the different forms being accepted by DWP and SSS though it is important to use the correct form if at all possible.

Universal Credit – childcare costs

UC can help with the cost of childcare and recent changes mean that Childcare costs will be paid upfront rather than you having to pay the costs then claim them back.

Also, the rate of assistance will increase to a maximum of £951 per month for one child, or £1630 for two or more children. These changes are expected to come into effect in summer 2023. Get more information on [help paying for childcare](#).

Young Carer Grant

A reminder that young people who are caring for a relative or friend can claim a yearly £359.65 grant if that person is in receipt of certain health-related benefits. More details about [who should apply](#).

Reducing the need for foodbanks

Scottish Government, together with Trussell Trust and others, has published a [paper on initiatives aimed at reducing the need for foodbanks](#) through the integration of food provision with access to advice. It is worth a read. The ideas sound very much like the services being developed by [Edinburgh Food Project](#).

