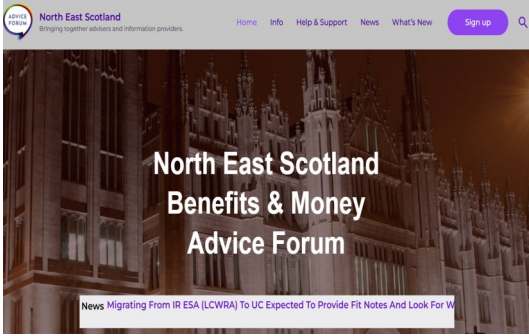


North East Scotland Advice Forum is a local network for people working in advice services to share information and experiences. The Forum meets quarterly throughout the year.

December 2024 Newsletter (2)

If you would like an article included in the next bulletin, please contact admin@nesaf.co.uk



North East Scotland
Benefits & Money
Advice Forum

News Migrating From IR ESA (LCWRA) To UC Expected To Provide Fit Notes And Look For W

Sign up to receive latest news and information at www.nesaf.co.uk/contact/

Previous Benefit Bulletins can be viewed and downloaded at nesaf.co.uk/info/nesaf-benefit-bulletins/

Benefit calculator

Our benefits calculator will help you find out what benefits you can claim. The calculator is free to use, and the details you provide are anonymous.

Before you start, make sure you have information about your savings, income, pensions and existing benefits (for you and your partner).

If you run out of time, you can save your calculation and come back to it later, and pick up right where you left off.

- ⇒ *Should take 10 minutes to complete*
- ⇒ *Please complete all fields with an asterisk(*)*



[START >>>](#)



Move to Universal Credit update

A Written Ministerial Statement, [Completing the Implementation of Universal Credit](#), was laid in Parliament on 12 November 2024 by Sir Stephen Timms, Minister for Social Security and Disability. The statement announced the investment of up to a further £15m in 'Help to Claim' to support Employment and Support Allowance (ESA) customers moving to Universal Credit. It also shares the Department's plan to close legacy benefits by the end of March 2026.

DWP will steadily increase the number of migration notices being sent to customers receiving ESA over the next months, with all notices due to be sent by the end of 2025. Benefit customers other than those on ESA and ESA HB, will receive their final migration notice by the end of December 2024.

The latest release of the Universal Credit statistics has been published on [GOV.UK](#). These statistics show the number of households formerly claiming tax credits and DWP benefits who have moved to Universal Credit - up until the end of September 2024.

This update follows the Minister for Social Security and Disability joining the November Move to Universal Credit Stakeholder forum to hear from stakeholders, including third sector representatives and Social Rented Sector landlords

Move to Universal Credit update

Through October we continued to move the remaining customers to Universal Credit (including some customers on income-based Employment and Support Allowance (ESA) and ESA with Housing Benefit). We will shortly be commencing the migration of those tax credit claimants who have appointees which have been deferred until now.

A [press release](#) was published on Monday 7 October 2024 focusing on the fact there are only 6 months to go before tax credits closes. The article reminds those in receipt of tax credits that they do not need to take action until they receive a migration notice from the Department for Work and Pensions, but once received it's important to act quickly. GOV.UK has also been updated to include help for claimants to better understand how the transitional element is calculated when they move to Universal Credit. For full guidance go to the [website](#).

Money Saving Expert launched a new Move to UC Managed Migration guide in their weekly Money Tips email. This includes key information about the move, and steps to take, and urges customers not to ignore their invitation to move over to Universal Credit. It also stresses that the move to Universal Credit isn't automatic and that customers must actively apply for UC within the three-month deadline set out in their migration notice letter. Read the article '[Got a letter about moving to Universal Credit? Act now so you don't lose your benefits](#)'

UC Migration

A guide to calculation of the [Transitional Element by the government is here.](#)

How the transitional element is calculated when you move to Universal Credit

You might receive an additional payment to help you move to Universal Credit, if you receive a Migration Notice letter.

Contents

- [What the transitional element is](#)
- [How we calculate the transitional element](#)
- [Information we use to calculate the transitional element](#)
- [If you're a carer](#)
- [If you're in a couple](#)
- [If you're responsible for a child](#)
- [Moving from the old types of Employment and Support Allowance \(ESA\)](#)
- [Moving from tax credits](#)
- [If you're eligible for housing costs](#)
- [Support](#)

How and when your benefits are paid

Payments over Christmas and New Year

Some payments will be made earlier if they're due between 25 December 2024 and 2 January 2025. Tell the office that pays your benefit if you do not get your payment on the day it's scheduled.

When your payment is due	When Universal Credit will be paid	When tax credits will be paid	When Child Benefit will be paid	When other benefits will be paid
Tuesday 24 December	Tuesday 24 December	-	-	Tuesday 24 December
Wednesday 25 December	Tuesday 24 December	Tuesday 24 December	-	Tuesday 24 December
Thursday 26 December	Tuesday 24 December	Tuesday 24 December	-	Tuesday 24 December
Friday 27 December	Friday 27 December	Tuesday 24 December	-	Tuesday 24 December
Monday 30 December	-	-	Tuesday 31 December	-
Wednesday 1 January	Tuesday 31 December	Tuesday 31 December	-	Tuesday 31 December
Thursday 2 January	Thursday 2 January	Tuesday 31 December	-	Tuesday 31 December



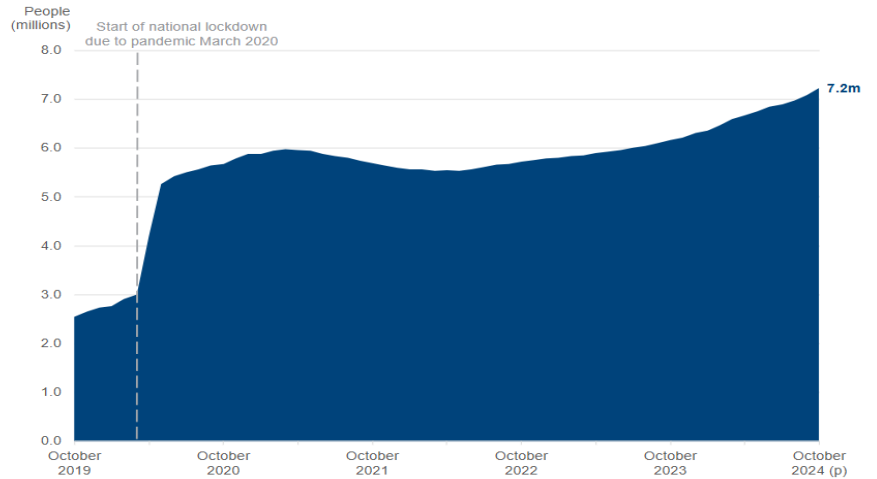
Latest UC Statistics

www.gov.uk/government/statistics/universal-credit-statistics-29-april-2013-to-10-october-2024/universal-credit-statistics-29-april-2013-to-10-october-2024

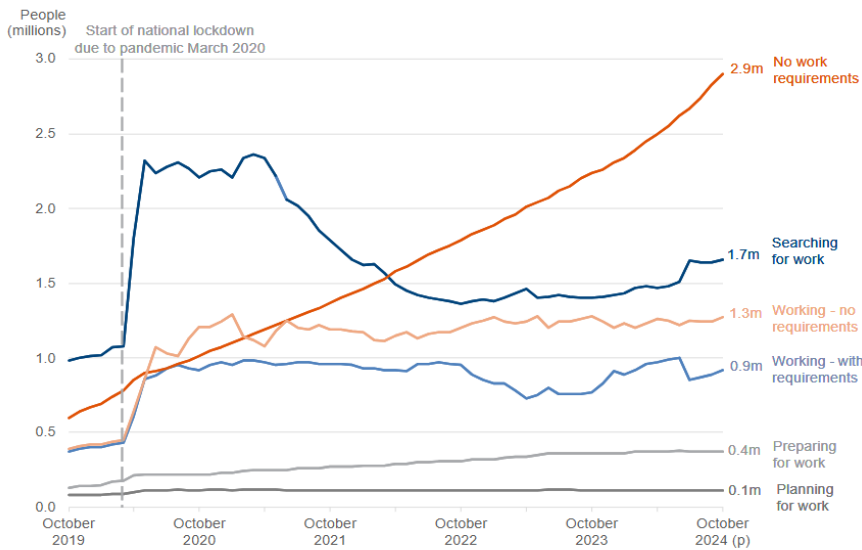
Conditionality- more 'non work seekers' join the system

There were 7.2 million people on Universal Credit in October 2024

Figure 1: People on Universal Credit, Great Britain, October 2019 to October 2024



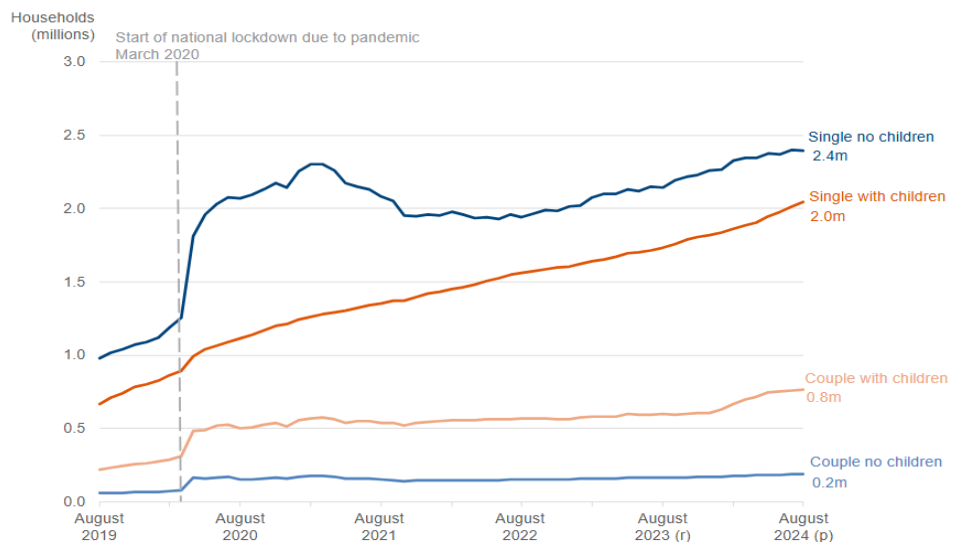
People on Universal Credit, Great Britain, October 2019 to October 2024.



People on Universal Credit by conditionality regime, Great Britain, October 2019 to October 2024.

Children- Around half of claimants had children

Figure 10: Households on Universal Credit with a payment by family type, Great Britain, August 2019 to August 2024



Employment- 37% of people in employment, 58% of claimants are women



The Social Security (Amendment) (Scotland) Bill passed

Published 03 December 2024

Payments to people in receipt of benefits will be protected from inflation after the Scottish Parliament passed the [Social Security \(Amendment\) \(Scotland\) Bill](#) today.

The new Act places a legal obligation on Scottish Ministers to annually increase all benefits delivered under the [Social Security \(Scotland\) Act 2018](#) in line with inflation. This action will help to protect the real terms value of payments such as the Best Start Grants and winter heating payments as prices rise in the economy.

The legislation will also enhance the rights of Social Security Scotland clients in a number of ways:

- A right to late re-determinations and appeals in exceptional circumstances
- The right to withdraw a request for redetermination
- The right to challenge a decision that someone is liable in a situation where an overpayment has been made

It will also continue to enhance the design of the system, maximising choice for those who use it while delivering good value for money.

Background

[The Social Security \(Amendment\) \(Scotland\) Bill](#)

Publication - Consultation analysis

Employment Injury Assistance delivery - next steps: response to consultation

- The Scottish Government's response to the consultation on Employment Injury Assistance held between 30 April and 25 June 2024.

www.gov.scot/publications/employment-injury-assistance-delivery-next-steps-response-consultation/



Employment Injury Assistance (EIA) delivery – next steps: consultation analysis

- Analysis of all responses to the consultation on Employment Injury Assistance held between 30 April and 25 June 2024.

www.gov.scot/publications/employment-injury-assistance-eia-delivery-next-steps-analysis-consultation-responses/

Winter Heating Payment on its way

Money to help with heating costs is on its way to around 457,000 Scots on low incomes.

Winter Heating Payment is an automatic annual payment. This year it is worth £58.75. It replaces the DWP's Cold Weather Payment in Scotland. It is a guaranteed payment that everyone who is eligible receives, no matter what the weather. Cold Weather Payment is only paid if the average temperature falls - or is forecast to fall - to freezing or below for a full week.

People who haven't received a Winter Heating Payment by the end of February 2025, but think that they may be eligible, should fill out a [Winter Heating Payment request form](#) or call us free on 0800 182 2222.

Read the full article - www.socialsecurity.gov.scot/news-events/news/winter-heating-payment-on-its-way



Families across Scotland benefit from over £1 billion in social security support

New figures show over £1 billion paid out to help end child poverty

New figures show that the Scottish Government's five family payments have reached a landmark figure since their launch, paying over £1 billion to families across Scotland to help end child poverty.

The latest statistics released from Social Security Scotland reveal that between February 2021 and September 2024 £905.6 million has been paid out in Scottish Child Payment and a further £172.3 million since the launch of Best Start Grant and Best Start Foods.

The combined value of this vital financial support is over £1 billion and has been delivered by Social Security Scotland through its five family payments;

- [Scottish Child Payment](#)
- [Best Start Grant Pregnancy and Baby Payment](#)
- [Best Start Grant Early Learning Payment](#)
- [Best Start Grant School Age Payment](#)
- [Best Start Foods](#)

The payments support children throughout key stages from pregnancy then birth, to starting school and on to age 16.

Best Start Grant Early Learning Payment, Best Start Grant School Age Payment and the 'game changing' Scottish Child Payment are only available in Scotland.

Background

Link to Scottish Child Payment high level statistics to 30 September

2024: www.socialsecurity.gov.scot/reporting/publications/scottish-child-payment-high-level-statistics-to-30-september-2024

Link to Best Start Food high level statistics to 30 September 2024: www.socialsecurity.gov.scot/reporting/publications/best-start-grant-and-best-start-foods-high-level-statistics-to-30-september-2024

Payment Launch Dates:

- Scottish Child Payment: 15 February 2021
- Best Start Grants: 10 December 2018
- Best Start Foods: 15 August 2019

Payments available for families include:

- [Scottish Child Payment](#) – over £100 every four weeks to help towards the costs of looking after each child under 16.
- [Best Start Grant Pregnancy and Baby Payment](#) – one off payment of up to £754.65 after 24 weeks of pregnancy up until a baby turns 6 months
- [Best Start Grant Early Learning Payment](#) – one off payment of £314.45 to help with the costs of early learning when a child is between two and three years and six months
- [Best Start Grant School Age Payment](#) – one off payment of £314.45 to help with the costs of starting school when a child is first old enough to start primary one
- [Best Start Foods](#) – up to £42.40 every four weeks from pregnancy up to when a child turns three to help buy healthy food

Parents, carers and guardians can get more information at mygov.scot/fivefamilypayments or by calling free on 0800 182 2222.



Universal Credit and limited capability for work related activity

Carlos Hagi explores some common problems and potential solutions concerning having limited capability for work related activity (LCWRA) under universal credit (UC).

This article looks at some common issues around referrals for a work capability assessment (WCA) and determinations of LCWRA under UC. It will also consider a common issue of the DWP failing to treat a claimant as having LCWRA — which in our experience mainly arises where a claimant is undergoing treatment under the cancer provisions.

Why LCWRA matters

A determination of limited capability for work (LCW) or LCWRA under universal credit (UC) can be important for various reasons. Obviously there is a financial advantage to having a LCWRA element included in an award — although under managed migration this may erode any transitional element if it's awarded after the end of the first assessment period. A determination of LCWRA under a WCA may take months, so arrears of the element can also be payable once a decision has been made.

A determination of LCW or LCWRA is also relevant for the award of a work allowance, work related requirements and, if a claimant is also eligible for a carer element, which element is payable.

Unless a claimant can be treated as having LCW or LCWRA in specified circumstances, this will mean a determination following a WCA for either contributory employment and support allowance (ESA) or UC. For this article we will only be considering a WCA under UC for the sake of simplicity, and also ignoring situations of natural or managed migration to UC where a claimant has already been assessed under 'old style' or new style ESA.

Full article – medium.com/adviser/universal-credit-and-limited-capability-for-work-related-activity-e622230f1475

citizens
advice

Our latest briefings on Universal Credit

Social security continues to represent half of the advice work being undertaken by the Citizen's Advice network in Scotland. Universal Credit already represents one in three social security advice enquiries being handled by the network. The ongoing migration of people who are receiving older income-based social security payments to Universal Credit has been a very significant exercise and a milestone in the evolution of social security in the UK, while highlighting the urgency of change.

This briefing presents insights into the impact the managed migration to Universal Credit process over the latest Quarter on the network and the people being supported by it.

Little is known about the impact of significant changes introduced in the last two years to the Administrative Earnings Threshold (AET). This second paper presents insights drawn from our unique advice provision data, reports from frontline advisers and two in depth telephone interviews with Universal Credit recipients

[Download Publication](#)

www.cas.org.uk/publications/our-latest-briefings-universal-credit

citizens
advice



NAWRA in Scotland: Insights on the effectiveness of the devolved benefit system

NAWRA is an active voice for welfare rights advisers throughout Scotland, from responding to Scottish Government consultations to corresponding with Social Security Scotland.

In 2024, NAWRA surveyed our Scottish members to gather insights on the effectiveness of the devolved benefit system. The survey revealed widespread concerns among advisers, with nearly all reporting issues with case transfers to Adult Disability Payment in the past 12 months.

The primary problems identified included inadequate processing by Social Security Scotland (SSS), communication breakdowns, and difficulties in clients receiving timely payments. Nearly half of the respondents felt that their clients' experiences with SSS had worsened over the past year, exacerbating frustrations with the system.

The survey also highlighted significant dissatisfaction with the overall effectiveness of SSS, with only 1 in 5 advisers rating their interactions as "extremely" or "very" effective. Over a third of advisers described working with SSS as "not so" or "not at all" effective, and many reported issues with long, complicated forms and poor communication. Most respondents expressed concerns about SSS's failure to consistently recognise their authority to represent clients, as well as its poor decision-making and failure to inform clients of their appeal rights in a timely manner. These challenges contributed to a general sense of frustration and inefficiency within the devolved benefits system.

In addition to issues with SSS, the survey also shed light on problems with the devolved tribunal service. Around 1 in 4 advisers had encountered difficulties with the scheduling of appeals, such as severe delays or miscommunications about hearing dates. Furthermore, more than 50% of advisers felt that the tribunal's erstwhile-default approach of conducting hearings by telephone undermined their clients' right to a fair hearing. Despite these frustrations, many advisers acknowledged the positive attitude and helpfulness of First-tier Tribunal for Scotland staff, offering a small but important glimmer of optimism amidst the widespread challenges.

We will be raising this feedback directly to Scottish Government, as well as senior management in SSS and the Tribunal service. [Read the full results](#).

nawra
national association of
welfare rights advisers





Universal Credit and limited capability for work related activity

Carlos Hagi explores some common problems and potential solutions concerning having limited capability for work related activity (LCWRA) under universal credit (UC).

citizens
advice

This article looks at some common issues around referrals for a work capability assessment (WCA) and determinations of LCWRA under UC. It will also consider a common issue of the DWP failing to treat a claimant as having LCWRA — which in our experience mainly arises where a claimant is undergoing treatment under the cancer provisions.

Why LCWRA matters

A determination of limited capability for work (LCW) or LCWRA under universal credit (UC) can be important for various reasons. Obviously there is a financial advantage to having a LCWRA element included in an award — although under managed migration this may erode any transitional element if it's awarded after the end of the first assessment period. A determination of LCWRA under a WCA may take months, so arrears of the element can also be payable once a decision has been made.

A determination of LCW or LCWRA is also relevant for the award of a work allowance, work related requirements and, if a claimant is also eligible for a carer element, which element is payable.

Unless a claimant can be treated as having LCW or LCWRA in specified circumstances, this will mean a determination following a WCA for either contributory employment and support allowance (ESA) or UC. For this article we will only be considering a WCA under UC for the sake of simplicity, and also ignoring situations of natural or managed migration to UC where a claimant has already been assessed under 'old style' or new style ESA.



Full article – medium.com/adviser/universal-credit-and-limited-capability-for-work-related-activity-e622230f1475

Only 97 claimants out of 3079 have been awarded UC on the grounds of destitution as a result of the 'SSWP v AT' Court of Appeal judgment

97 claimants with pre-settled status have been awarded benefit on the grounds of destitution as a result of the DWP applying the decision in *SSWP v AT* [2023] EWCA Civ 1307.



In a Freedom of Information request the DWP confirmed that 3079 stayed cases have now been reviewed. The Department does not differentiate between stayed cases and new claims which have been awarded benefit as a result of the application of AT, and so is unable to provide a breakdown on those parameters. A total of 97 claimants are in receipt of a benefit award as a result of the application of AT.

www.whatdotheyknow.com/request/progress_on_dealing_with_cases_i/response/2836300/attach/3/Review%20IR2024%2093909.pdf?cookie_passthrough=1



Times and places to collect emergency food

A range of agencies provide free food to take away or meals to have on the premises. See details under the individual entries below. Each agency may have specific criteria for providing such help and this is not always limited to homeless households.

Christmas

For anyone in need of a meal this Christmas, particularly those who are feeling isolated, there are a number of places, individuals can go to in Aberdeen.

Mamacita Foundation

24 December: Open until 10pm, extending food bank hours to accommodate more people.

25 December: Hosting a Christmas dinner at 3pm for individuals who are isolated and wish to celebrate with them. For more information and to register to attend visit [Mamacita Facebook page](#)

Social Bite

24 December and 25 December: Dinner, gifts and games from 12pm until 4pm. <https://www.social-bite.co.uk/>

The Big Issue

Information on where to go to get a free Christmas dinner is available on its website. www.bigissue.com/news/where-to-get-a-free-christmas-dinner-in-your-community-if-youre-homeless-or-alone-this-year/

Further information at www.aberdeencity.gov.uk/services/housing/homelessness/times-and-places-collect-emergency-food

When does an ADP award begin? (Social Security Scotland v GK)

[Social Security Scotland v GK](#)

[2024] UT 71 UTS/AS/24/0084

This is an appeal about Adult Disability Payment, brought by Social Security Scotland.

It is primarily about the date on which an award of ADP begins.

The case decides that regulation 35 of the Disability Assistance for Working Age People (Scotland) Regulations 2022 governs the beginning of entitlement to assistance.

In this case, entitlement commenced on the date the claimant (“GK”) telephoned SSS to make a claim for ADP, and provided his name and date of birth, even though the full application was not completed at that time.

Lady Poole highlights that [regulation 35](#) of the *Disability Assistance for Working Age People (Scotland) Regulations 2022* (the ADP regulations) gives a choice of two dates for an award of ADP to start –

- the day that the name and date of birth of the claimant is given, provided the full application is made within eight weeks of that day (sub-paragraph 4), or a longer period where there is good reason for the delay (sub-paragraph 6); or
- a later day, where an application is made, but the necessary conditions are only satisfied at some point later in a 13 week period after that (sub-paragraph 2).

Pointing out that the claimant had suffered from his conditions for some time, Lady Poole concludes – *‘It follows that the date the FTS should have selected for the award to start was 13 January 2023, not 29 March 2023. The FTS erred in law by failing to apply regulation 35 of the ADP regulations, and the appeal on this ground is allowed.’* (paragraph 9)



CPAG's Debt Advice Handbook Scotland 1st ed – with new material

Money Advice Scotland, Citizens Advice Scotland and the Child Poverty Action Group in Scotland have updated the first edition of a their [Debt Advice Handbook for Scotland](#).

Click [here](#) to access the free online version of the Handbook.

The Handbook, supported by the Scottish Government, serves as a tool for frontline advisers, and is available for free online. This resource details the key stages of money advice including interviewing clients, prioritising debts, and negotiating with creditors. There is particular emphasis on working with vulnerable clients as well as a focus on ensuring credit arrangements do not impact a client's ability to pay essential living costs.

The Handbook is fully cross-referenced to legislation, official guidance, and court and tribunal decisions, making it a reliable guide for both new and experienced advisers. The online handbook will also be regularly updated to reflect new legislation and case law.

Debt Advice Handbook



Clearance times for mandatory reconsiderations almost doubled between Dec 2023 and July 2024

Social Security Benefits: Appeals

Question for Department for Work and Pensions

UIN 19366, tabled on 11 December 2024

Question

To ask the Secretary of State for Work and Pensions, what assessment she has made of the effectiveness of the mandatory reconsideration process

Answered on 16 December 2024

Whilst we aim to make the right decision as early as possible in the claim journey, Mandatory Reconsideration is a key element of the Department's decision-making process. It offers customers an opportunity to challenge decisions and provide any additional information which may be relevant to their claim.

We recognise that the most recent data shows an increase in Mandatory Reconsideration clearance times, from 37 calendar days in December 2023 to 71 calendar days in July 2024. To address this, we are recruiting Mandatory Reconsideration Decision Makers and have made overtime available to increase productivity.



Resetting the energy debt landscape: the case for a debt relief scheme

Publication date 12 December 2024

Closing date 6 February 2025

We are consulting on whether to introduce a debt relief scheme for people who have got behind with their energy bills during the energy crisis and may struggle to repay.

This consultation is published alongside our overarching debt strategy and consultation on improving debt standards in the domestic retail market.

Who should respond

We are interested in hearing from all stakeholders, including consumers, suppliers, and consumer groups and charities. We particularly welcome views from people with an interest in or experience of energy debt, fuel poverty, and vulnerability.

Background

In March 2024 we published a [Call for input on Affordability and debt in the domestic retail market](#). We discussed the reasons behind the affordability and debt challenges in the energy retail market and what more could be done to protect and support consumers struggling with their bills.

We received feedback from individual consumers, consumer groups and charities, energy suppliers and industry bodies. There was an agreement that there is a case for change in how the sector manages debt and that we should explore interventions to directly reduce debt levels in the industry.

We think that the Debt Relief Support Scheme will benefit many people who are behind with their energy bills and reduce the burden of built-up unmanageable debt.

Why your views matter

We want to achieve good outcomes for customers in energy debt and payment difficulties by:

- reducing levels of debt
- providing an opportunity to build relationships between customers and their energy suppliers
- providing a mechanism by which customer debt accumulated during the gas crisis can be cleared in proportion to the debt levels in suppliers' customer portfolios
- reducing, or avoiding an increase in, the future debt allowance, and by doing so reduce the differential between standard credit and direct debit customer rates in the energy price cap

How to respond

Send your response to debtconsultations@ofgem.gov.uk. This consultation closes for responses Thursday 6 February 2025.

CPAG report: Managed migration 7

This is the final in our series of reports on the Department for Work and Pensions' (DWP) managed migration programme, where people are moving from older benefits to universal credit (UC).

The report covers and makes recommendations on:

- progress to date and plans for completion
- gaps in the enhanced support journey
- adjusting to UC

Read the report – cpag.org.uk/news/managed-migration-7



CPAG report: The Cost of a Child in Scotland in 2024

CPAG's annual Cost of a Child report looks at how much it costs families to provide a minimum socially acceptable standard of living for their children. It is calculated using the Minimum Income Standard (MIS) research, carried out by the Centre for Research in Social Policy at Loughborough University for the Joseph Rowntree Foundation.

- The cost of raising a child to age 18 is £260,000 for a couple and £290,000 for a lone parent.
- An inadequate UK-wide social security system means that both in-work and out-of-work families are further away from reaching a decent standard of living than at any point since this research began.
- Scotland-specific policies (most notably the Scottish child payment) help families, but still many are struggling to meet their minimum costs.
- An out-of-work couple with two children has less than half the income required (48 per cent) to meet the cost of a minimum acceptable standard of living. Those elsewhere in the UK face an even wider gap, with income covering only 39 per cent of the costs. A lone parent with two children in Scotland has just over half the income required (55 per cent), compared to just 44 per cent elsewhere in the UK.
- It is not just out-of-work families who are struggling. A lone parent working full time on the minimum wage with two children can only cover 79 per cent of the cost of a child, while a similar couple can only cover 90 per cent. This compares to 69 per cent and 82 per cent respectively elsewhere in the UK.
- For families in work, the shortfall is particularly stark for larger families. For a lone parent on the minimum wage with three children, the share covered falls to 58 per cent (73 per cent for a couple on the minimum wage with three children). This compares to 45 per cent and 63 per cent respectively elsewhere in the UK.
- The shortfalls for in-work families outlined above highlight how work, on its own, is not sufficient to enable families to reach a decent standard of living, and social security plays a crucial role.
- Costs are higher for those living in more remote areas, in particular for transport and social and cultural participation.

Read the report – cpag.org.uk/news/cost-child-scotland-2024

IFS report: Means-tested support for people approaching and beyond state pension age

This IFS Pensions Review report sets out issues with the current means-tested benefit system for those approaching the state pension age and beyond.

Read the report – ifs.org.uk/publications/means-tested-support-people-approaching-and-beyond-state-pension-age

Forget 'benefit cheats' – £23bn a year is going unclaimed. How do we get that to vulnerable people?

The pension credit deadline has passed – and the government must help find millions missing out on money they're entitled to.

www.theguardian.com/commentisfree/2024/dec/23/benefits-unclaimed-vulnerable-pension-credit-government

The
Guardian