

INCOME-RELATED BENEFITS LOCAL WELFARE PROVISION DISREGARD

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INTRODUCTION

1. This memo provides guidance on changes introduced by the Income-Related Benefits (Local Welfare Provision Disregard) (Amendment) Regulations (Northern Ireland) 2022 (IRB (LWPD) (Amdt) Regs (NI) 2022). The change takes effect from 4.5.22.

1 IRB (LWPD) (Amdt) Regs (NI) 2022, reg 1(1)

DEFINITION OF LOCAL WELFARE PROVISION

2. The local welfare provision¹ means occasional financial or other assistance given by a Northern Ireland Department, or a person authorised to exercise any function of, or provide a service to, them, or in respect of individuals for the purpose of
 1. meeting, or helping to meet, an immediate short-term need
 - 1.1 arising out of
 - 1.1.a an exceptional event **or**
 - 1.1.b exceptional circumstances **and**
 - 1.2 that requires to be met in order to avoid a risk to the well-being of an individual **or**

2. enabling individuals to establish or maintain a settled home, where those individuals have been or, without the assistance, might otherwise be
 - 2.1 in prison
 - 2.2 in hospital
 - 2.3 in a residential care establishment
 - 2.4 in another institution
 - 2.5 homeless **or**
 - 2.6 living an unsettled way of life.

1 IS (Gen) Regs (NI), reg 2(1); JSA Regs (NI), reg 1(2); SPC Regs (NI) 03, reg 1(2); ESA Regs (NI), reg 2(1)

CHANGES

3. For the purposes of relevant means-tested legacy benefits, from 4.5.22, a payment of local welfare provision will be disregarded in the calculation of income other than earnings¹.

Note: For full guidance on income fully disregarded see DMG 28350 et seq.

1 IS (Gen) Regs (NI), Sch 9, para 31A; JSA Regs (NI), Sch 6, para 33A; ESA Regs (NI), Sch 8, para 34A

4. Additionally, from 4.5.22, a payment of local welfare provision will be disregarded as capital¹.

Note: For full guidance on capital disregarded indefinitely see DMG 29357 et seq.

1 IS (Gen) Regs (NI), Sch 10, para 18A; JSA Regs (NI), Sch 7, para 23A; SPC Regs (NI), Sch 5, para 20(1)(d)(da); ESA Regs (NI), Sch 9, para 23A

Example

Harry is entitled to Income Support on 10.5.22. He declares that he has received a payment from the household support fund on 9.5.22. Harry explains that this is part of the 'thank you' payments for homes for Ukraine. The decision maker disregards this payment as it is financial assistance given by a Northern Ireland Department under local welfare provision.

ANNOTATIONS

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

28350 (Heading) and 29357 (Heading)

CONTACTS

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