

## **A4/2025 The Social Security (Scotland) Act 2018 (Disability Assistance) (Consequential Amendments) Order 2024**

### **Introduction**

This circular provides information about the The Social Security (Scotland) Act 2018 (Disability Assistance) (Consequential Amendments) Order (SI 2024/919). SI 2024/919 that was laid on 10 September 2024 and came into force on 21 October 2024.

### **Bulletin Contents:**

- The Social Security (Scotland) Act 2018 (Disability Assistance) (Consequential Amendments) Order 2024

## Introduction

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## Background

2. SI 2024/919 makes changes to the Housing Benefit Regulations 2006 (SI 2006/213) and the Housing Benefit (Persons who have attained the qualifying age for State Pension Credit) Regulations 2006 (SI2006/214) to reflect the introduction by the Scottish Government of the Pension Age Disability Payment (PADP) which replaces Attendance Allowance for Pension age adults resident in Scotland.

## Amendments to Housing Benefit Regulations

3. The following paragraphs provide more information about the amendments to the Regulations made by SI 2024/919.

### Size criteria

4. The definition of a person who cannot share a bedroom is amended so that receipt of PADP gives entitlement to an additional bedroom to couples who cannot share a bedroom due to one or both members of the couple being disabled.

5. The definition of a person who requires overnight care is amended so that receipt of PADP gives entitlement to an additional bedroom.

### Disregards

6. The childcare disregard provisions are amended so that receipt of PADP allows the disregard to apply where one member of the couple is unable to work and is receiving PADP.

7. Receipt of PADP will allow the higher weekly earnings disregard of £20 to apply for people receiving Pension Age Housing Benefit.

### Premiums

8. PADP is treated as a qualifying benefit for the carer, disability and severe disability premiums.

## **Non-dependent deductions**

9. Where a claimant or their partner is getting PADP no non-dependant deductions are applied.

10. Where a non-dependant is in remunerative work and is receiving PADP then the amount of PADP paid will be deducted from their gross income.

## **Benefit cap**

11. Receipt of PADP will exempt a household from the benefit cap.