

Income
& benefits

Disability
support

Assessments
& evidence

Help & advice

Your guide to welfare rights

DIGBY BROWN 
because it matters...

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Introduction

At Digby Brown, we understand the turmoil that life-changing illness can cause and the difficulty involved in adjusting to its impact on household finances. Increased costs and reduced income often mean help is required through accessing social security benefits but without knowledge and experience it's hard to know where to begin.

This guide aims to provide basic information on benefits available for different purposes and how to access them. Although it can't cover every variable and set of circumstances it will serve as a starting point in understanding where to begin.

If possible, it's sensible to seek advice from a welfare rights service in your local area. The most accessible is Citizens Advice Scotland which has branches throughout the country, but many local councils offer help too. A list of advice agencies in Scotland is available on the Money Advice Scotland website. This, along with other useful websites, can be found on page 18 of this guide.

How the benefits system is structured in the UK and Scotland

The social security system in the UK has been split with some responsibilities devolved to the Scottish Government and others reserved to the UK Government:

- **Social Security Scotland (SSS)** – manages benefits only available to people in Scotland.
- **Department for Work and Pensions (DWP)** – manages UK-wide benefits.

Some benefits are now delivered in Scotland instead of the UK system, but both systems still operate side by side and follow different rules.

SCOTTISH BENEFITS

- **Disability benefits**
 - » for care or mobility needs
- **Best Start Grant**
 - » support for families with children
- **Heating assistance**
 - » help with energy costs
- **Scottish Child Payment**
 - » weekly support for low-income families
- **Funeral Support Payment**
 - » help with funeral costs

UK BENEFITS

- **Income support**
 - » Universal Credit (UC)
 - » Employment and Support Allowance (ESA)
 - » Jobseeker's Allowance (JSA)
- **Disability and injury**
 - » Personal Independence Payment (PIP)
 - » Industrial Injuries Disablement Benefit (IIDB)
- **Age-related support**
 - » State Pension
 - » Pension Credit
- **Employment-related pay**
 - » Statutory Sick Pay (SSP)
 - » Maternity Pay
 - » Paternity Pay



REMEMBER

If your circumstances change, you must report it as soon as possible. Incorrect information can lead to overpayments being recovered.

Means-tested or non-means-tested?

To understand how benefits are assessed, it helps to know that they fall into two main categories: means-tested and non-means-tested.

MEANS-TESTED BENEFITS

Based on your income and savings:

- **Income, wages and pensions are counted**
- **Partner's income may be included**
- **Savings over £16,000 usually mean no entitlement**
- **Some savings under £6,000 are ignored**
- **Pensioner rules are slightly different**
- **Deliberate reduction of savings is not allowed**
- **Some compensation payments may be ignored**

NON-MEANS-TESTED BENEFITS

Not affected by your income and savings:

- **Paid regardless of income**
- **Paid regardless of savings**
- **Entitlement based on circumstance**
(e.g. disability, age, employment status)
- **Statutory benefits**

Income Replacement Benefits

This category of benefit claim is aimed at working-age people who are unemployed or on a low income. Claimants may be unable to work due to ill health or disability, because they have care responsibilities or are simply between jobs. There are both means-tested and non-means-tested benefits available with a variety of entitlement conditions.

Universal Credit (UC)

Universal Credit from the DWP is a means-tested, income replacement benefit available to support working-age people and their families, replacing six legacy benefits including income-based Jobseekers Allowance and Employment and Support Allowance, Working and Child Tax Credits, Housing Benefit and Income Support. UC is calculated monthly with entitlement consisting of different elements to cover a variety of circumstances. They are listed below:

- **Standard Allowance:** The basic monthly amount based on age and whether you are single or in a couple.
- **Child Element:** An additional amount per child. An extra amount is added for disabled children in receipt of a qualifying benefit and from April 2026 the 'two child limit' ended.
- **Housing Costs Element:** Helps with rent/service charges for a private landlord or housing association subject to a monthly cap. Claimants on UC for at least nine months can apply for a loan to help cover mortgage interest payments.
- **Carer Element:** Added for those providing 35 or more hours of care per week for a disabled person in receipt of a qualifying benefit.
- **Childcare Costs Element:** Covers up to 85% of eligible childcare costs up to an annual cap.
- **Limited Capability for Work and Work-Related Activity (LCWRA):** Added for health conditions preventing work, subject to a Work Capability Assessment (WCA). From April 2026 a lower rate was introduced for new claims with a higher rate for 'severe conditions'.

Because Universal Credit is a complex one-stop benefit it can seem overwhelming and easy to make mistakes which may be difficult to resolve.



REMEMBER

If something changes which impacts entitlement it's essential to update your claim as soon as possible.

Listed below are important do's and don'ts to follow when managing a UC claim.

DO

Apply online. This means more work and effort at the start but will make the claim easier to manage in the long term.

Make sure you have a mobile phone, email address and internet access so you can log in regularly to manage the claim and respond to messages.

Bear in mind that whether you claim as a jobseeker, carer or because you're unfit to work, you'll have different 'conditionality' applied to entitlement.

Remember you are responsible for updating any change in circumstances as soon as it happens to avoid overpayments or underpayments.

Make sure that for people cohabiting, both make individual UC claims and follow the instructions to connect them, even if one is working full time.

Click the Payments link on the home screen at the end of each monthly assessment period to check entitlement has been calculated correctly.

Use the 'Report a Change' link on the home page to update any change in circumstances. A journal entry should confirm it's been registered.

DON'T

Take the option of claiming by phone. This makes routinely updating the claim harder to manage as it can only be done via the helpline to an adviser.

Begin the claim until you have all the relevant information e.g. rental costs and landlord contact details, childcare costs and savings.

Ignore the 'To-do' list. This informs you of any action required. UC case managers send a text message when something is added for your attention.

Expect errors to be corrected when a change is reported late as it's the responsibility of the claimant to do this in a timely way.

Worry about earnings of other adults in the household as a set 'non-dependent deduction' is applied to entitlement regardless of what they are.

Delay correcting an error. Gross payment is calculated then deductions such as wages, other benefits and landlord payments give a net figure.

Only advise changes in a phone call to a helpline agent or a message on the UC journal as this will not update the claim.

The date a new UC claim is submitted marks the start and end of the monthly 'assessment period'. For example, if a claim is made on the 17th of the month, the assessment period ends on the 16th of the following month. The monthly payment is made seven days after this end date based on the information held in the claim. Once set, these dates don't change.

Statutory benefits

This includes Statutory Sick Pay (SSP) and Statutory Maternity Pay (SMP). These are paid by an employer who recovers the cost from the Department for Work and Pensions (DWP). Entitlement depends on length of employment, hours worked and earnings. SSP is paid for up to 28 weeks and SMP for up to 39 weeks. Statutory benefits are not means-tested, are unaffected by contractual sick or maternity pay and do not depend on National Insurance contributions.

Contributory benefits

Entitlement is based on National Insurance contributions paid in the most recent two to three tax years either through

employment, self employment or NI credits and subject to less strict means testing. NI credits may be applied for during periods of illness or unemployment. The main contributory benefits for working-age people are:

- **Jobseeker's Allowance (JSA):** this is available to people who are unemployed, working fewer than 16 hours per week, or in certain types of further education. Claimants are required by the DWP to be available for and actively seeking work. Entitlement lasts up to six months and may be reduced if the claimant has existing earnings or a private pension.
- **Employment and Support Allowance (ESA):** ESA is for people who cannot work due to ill health or disability and available after any entitlement to SSP has ended, though claims can begin earlier if someone isn't entitled to SSP or it ends before the maximum 28 weeks. An ESA claim can be submitted online or over the phone up to three months before SSP is due to end to ensure payment is not delayed but requires a fit note from the GP and involves

a work capability assessment (WCA) to establish ongoing entitlement which is detailed further in the section of the guide on medical assessments.

The WCA has three possible outcomes. Claimants are either found fit for work, to have limited capability for work, or placed in the Support Group. Those in the Support Group have no work-related requirements and receive a higher rate of payment. ESA may be affected by pension income and becomes means-tested after 52 weeks unless the claimant is placed in the Support Group.

Other income replacement benefits

Additional benefits for specific circumstances include:

- **Carer Support Payment (CSP) and Carer's Allowance (CA):** The Carer Support Payment is the Scottish replacement for Carer's Allowance. It is for people providing at least 35 hours of care per week to someone receiving a qualifying disability benefit. Savings are ignored and work is allowed, but entitlement ends if net earnings exceed £204 per week (£884 per month). All former claims of CA in Scotland have now been converted to CSP.
- **State Pension and Pension Credit:** The State Pension is paid by the DWP and although it is taxable income, it is not means-tested. The qualifying age is rising to 68, and full entitlement usually requires 35 years of NI contributions or credits. Pension Credit tops up income for low-income pensioners and is means-tested. Unlike working-age claimants who need to claim Universal Credit, pensioners may still claim Housing Benefit to help pay rental costs.
- **Industrial Injuries Disablement Benefit (IIDB):** IIDB is a non-means-tested benefit for people injured or ill as a result of work, provided it was not whilst self-employed. It can be paid alongside other benefits and earnings and as a no-fault entitlement does not affect personal injury claims. There is no time limit on making a claim, awards are based on the assessed level of disablement and are often made long term with limited reviews. The Scottish Government plans to introduce a similar replacement for IIDB called Employment Injury Assistance.

Disability benefits

Disability benefits in Scotland are now delivered by Social Security Scotland (SSS) instead of the Department for Work and Pensions. All existing claims for the old UK benefits have been migrated and any new claims must now be made for their Scottish equivalents.

The two components in each are the same as the UK benefits they've replaced as follows.

- **Daily Living** – help with care needs at home with ten questions covering areas such as food preparation, managing treatments, personal hygiene and social engagement.
- **Mobility** – help required getting around outdoors based on difficulty with planning and following the route of a journey and physical difficulties which limit distance.

TYPES OF DISABILITY BENEFITS

- **Adult Disability Payment (ADP):** Replaces Personal Independence Payment (PIP) for working-age adults.
- **Child Disability Payment (CDP):** Replaces Child Disability Living Allowance (DLA).
- **Pension Age Disability Payment (PADP):** Replaces Attendance Allowance.
- **Scottish DLA (SDLA):** For a small number of legacy DLA cases not changed to PIP.

Bear in mind the Mobility component is not included in PADP but if established in an earlier claim for ADP it is retained.

For Child Disability Payment claims, the Mobility component may only be claimed for children aged three and over.

Claims for the Scottish benefits end if the claimant moves to live outside Scotland.



IMPORTANT!

You can challenge a decision by requesting a redetermination within 42 days.

In some cases, this can be extended up to 12 months if there is a good reason.

HOW IT WORKS

How to apply:

- By phone through a SSS adviser.
- Through requesting a paper application form.
- Online through a mygov.scot account.

Key features:

- Not means-tested in any way.
- Based on the same points system or 'descriptors' as the UK versions.
- Are 'in-work entitlements' available to disabled people in employment.
- No routine face-to-face medical assessments so providing medical evidence in support of the answers you give is crucial.
- A decision or 'determination' is sent in writing detailing the scores and reasons for awarding them, including all the evidence gathered by the claimant and SSS.
- Entitlement at different rates can in turn offer access to other forms of help such as a Blue Badge.

HOW DECISIONS ARE MADE

Scoring for each component:

- 0-7 points = no award.
- 8-11 points = standard rate.
- 12+ points = enhanced rate.

How to answer questions:

When answering the questions consider whether the claimant can carry out each activity:

- Safely.
- To an acceptable standard.
- Repeatedly.
- Within a reasonable time period.
- Any difficulties described must be experienced at least 50% of the week.

Time rules:

Any issues described must:

- have been experienced for at least 13 weeks before the date of claim (26 weeks for PADP).
- expected to last for at least 39 weeks from the date of claim.

Other forms of help

Our social security systems include a range of linked entitlements. Some benefits can lead to additional help, so it is always worth checking what else may be available to maximise income. Key examples are outlined below.

Council Tax liability

Council Tax can be a significant cost, but there are three main ways to reduce it:

- **Council Tax Reduction (CTR):** A means-tested subsidy applied to the annual Council Tax bill. Anyone entitled to Universal Credit receives the maximum reduction, but other low income households can also apply depending on earnings and circumstances.
- **Council Tax Exemption:** People who are severely mentally impaired (for example due to a serious mental health condition or brain injury) may be exempt from liability. They must be receiving a qualifying disability benefit (e.g. Adult Disability Payment), and a doctor must sign the form confirming the impairment. If granted, the applicant is excluded from the household Council Tax calculation. Students in higher education are also exempt.
- **Disabled Persons Reduction:** Reduces the Council Tax band by one level (for example, Band C to Band B) where a household member has a substantial, permanent disability and the property has been adapted to meet their needs, such as for wheelchair access or to create a ground floor bedroom or bathroom.

Applications are made through your local council, either online or by phone.

Getting around

- **Blue Badge:**
 - » Automatically given based on certain scores in the Mobility component of a qualifying benefit, which will need to be provided as evidence.
 - » Can be applied for without automatic qualification but requires medical evidence of mobility issues and possibly an assessment.
 - » Each of the 32 Scottish local authorities must be applied to directly for a badge but they all follow the same broad rules.
 - » Allows free parking in local authority metered spaces and parking on double yellow lines.
 - » The badge holder needn't be a driver but can nominate three cars it will regularly be used in.
 - » It is a potential criminal offence to give the badge to someone for use when the holder is not in the vehicle.

- **Vehicle Excise Duty (“road tax”) exemption:** Linked to the mobility component of a disability benefit. Vehicle tax may be free or reduced by 50%.
- **Concessionary travel:** Disabled people may be eligible for a National Entitlement Card from the Scottish Government, offering free or discounted public transport across Scotland. Some cards also allow a companion to travel for free.



Medical assessments

Claiming benefits after a serious injury or illness usually involves providing medical evidence. The quality and detail of this evidence can make a significant difference to the outcome of a claim.

DO

Provide your own supporting evidence (e.g. hospital letters, GP records, treatment history).

Include evidence from the time of injury or illness as well as recent treatment.

Let your GP surgery know they may be contacted for information.

Focus on how your condition affects your daily life, don't just list the diagnosis.

Keep a copy of any forms you complete, for example online SSS forms can be downloaded.

Keep a diary of your difficulties and ideally get support completing forms.

Check carefully on whether a deteriorating condition could lead to a higher award.

Keep evidence of ongoing changes and treatment for use in a planned review.

DON'T

Assume the benefits agency will gather detailed medical evidence for you.

Rely only on your GP to provide all information.

Assume your GP will automatically have all relevant or up-to-date details of treatment.

List diagnoses without explaining how and when they were given.

Send forms without keeping a record of what you submitted in case you need to refer back to it.

Complete forms without support if you're unsure or might miss details as the criteria can be complex.

Report a change in circumstances without considering whether it may trigger a reassessment.

Assume when replying to a review if you tick the no change option current entitlement won't decrease.

The most important point to make on medical assessments is simply to note that the more detailed you can be the more likely you'll get a result based on a fair and accurate assessment of your difficulties. As with other aspects of claiming, it can be helpful to get assistance from a welfare rights provider who should be familiar with the relevant criteria for each kind of assessment.




Challenging decisions

Making a benefit claim leads to a decision but it's important to remember that people have the right to challenge a decision they are unhappy with. In some cases it might be in relation to making a late claim or in disputing the household circumstances entitlement is based on but most challenges are to a decision made following a medical assessment. This is a complex subject and difficult to navigate but the points below are the most important considerations:

- The first stage of challenging a DWP decision is known as a mandatory reconsideration which for SSS benefits is referred to as a redetermination. This prompts an internal review by a different team who can change the award.
- Make sure you see any decision made in writing and if you are unhappy with it respond within the relevant time limit to guarantee it is accepted.
- Decisions made which relate to health conditions should be challenged with supporting evidence and additional detail which may not have been provided at an earlier stage.
- Always remember when you challenge a decision on the level of entitlement there is a risk an award may be reduced as well as increased or kept the same.
- If an internal review doesn't lead to a satisfactory outcome then an appeal can be submitted. For DWP benefits this is heard by HM Courts and Tribunals Service and for SSS benefits a new social entitlement chamber of the Scottish Tribunals Service has been established. Both are independent of the benefit agencies.
- If possible, engage a welfare rights service which offers representation when appealing a decision as this is where the benefit system is at its most complex.

In most cases an appeal will lead to a hearing which is a relatively informal process where the claimant will be questioned by a panel of tribunal members who have the power to override a decision made by the relevant benefit agency. You can take a family member for support and submit additional evidence but as noted above it is best to have expert representation to guide you through the process.



REMEMBER
When you challenge a decision on the level of entitlement there is a risk an award may be reduced as well as increased or kept the same.



Useful contacts

Money Advice Scotland list of advice agencies: <https://www.moneyadvicescotland.org.uk/find-an-advice-agency>

Social Security Scotland benefits: <https://www.mygov.scot/organisations/social-security-scotland>

Scottish Courts and Tribunals Social Security Chamber: <https://socialsecuritychamber.scot>

Department for Work and Pensions benefits: <https://www.gov.uk/browse/benefits>

HM Courts and Tribunals Service: <https://www.gov.uk/courts-tribunals/first-tier-tribunal-social-security-and-child-support>

Find your local council: <https://www.gov.uk/find-local-council>

Social Security Scotland helpline: 0800 182 2222

Universal Credit helpline: 0800 328 5644

DWP helpline for existing (non-Universal Credit) claims: 0800 169 0310

DWP helpline to make new (non-Universal Credit) claims: 0800 055 6688



Head injury information Directory

The Head injury information Directory is an online resource for anyone affected by or working in the field of acquired brain injury (ABI) and head injury. The directory brings together useful information on the many organisations and resources who offer support for brain injury across Scotland.

Visit www.hiid.org.uk for more information on:

- services in your area
- legal & benefits advice
- relevant news articles & blogs
- upcoming local events

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Offices across Scotland - see website for details

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