

## SCHEDULE 2

### Calculation of earnings

#### Sums to be disregarded in the calculation of earnings and profits

**14.** For the purposes of paragraphs 9(2) (calculation of net earnings of employed earners) and 12(2) (calculation of net profit of self-employed earners), the sums to be disregarded in the calculation of earnings and profits are—

- (a) any payment made to the individual by a person who normally resides with the individual, which is a contribution towards that person's living and accommodation costs, except where that person is residing with the individual in circumstances to which subparagraph (b) or (c) refers,
- (b) where the individual occupies a dwelling as their home and the dwelling is also occupied by another person and there is a contractual liability to make payments to the individual in respect of the occupation of the dwelling by that person or a member of their family—
  - (i) where the aggregate of any payments made in respect of any one week in respect of that dwelling by that person or a member of their family, or by that person and a member of their family, is less than £20, the whole of that amount, or
  - (ii) where the aggregate of those payments is £20 or more per week, £20,
- (c) where the individual occupies a dwelling as their home and they provide in that dwelling board and lodging accommodation, an amount, in respect of each person for whom that accommodation is provided for the whole or any part of a week, equal to—
  - (i) where the aggregate of those payments made in respect of any one week does not exceed £20, 100% of those payments, or
  - (ii) where the aggregate of those payments exceeds £20, £20 and 50% of the excess over £20,
- (d) except in the case of an individual who is absent from Great Britain and not disqualified for receiving any benefit, pension, allowance or supplement, by virtue of the Social Security Benefit (Persons Abroad) Regulations 1975<sup>(1)</sup>—
  - (i) any earnings derived from employment which are payable in a country outside the United Kingdom for such period during which there is a prohibition against the transfer to the United Kingdom of those earnings,
  - (ii) where a payment of earnings is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling,
- (e) any earnings which are due to be paid before the start of the award of Carer Support Payment and which would otherwise fall to be taken into account in the same award week as a payment of the same kind and from the same source,
- (f) any payment made by a local authority to the individual with whom a person is accommodated by virtue of arrangements made under section 22C (ways in which looked after children are to be accommodated and maintained) of the Children Act 1989<sup>(2)</sup> (provision of accommodation and maintenance for a child whom they are looking after), section 81 (ways in which looked after children are to be accommodated and maintained) of the Social Services and Well-being (Wales) Act 2014<sup>(3)</sup>, or section 26 (manner of provision of accommodation to child looked after by local authority) of the Children

---

(1) S.I. 1975/563.

(2) 1989 c. 41. Section 22C was inserted by section 8(1) of the Children and Young Persons Act 2008 (c. 23).

(3) 2014 anaw. 4. Section 81 was amended by S.I. 2017/1025.

- (Scotland) Act 1995(4) or by a voluntary organisation under section 59(1)(a) (provision of accommodation by voluntary organisations) of the Children Act 1989.
- (g) any payment made by a health authority, an integrated care board, the National Health Service Commissioning Board, a local authority or a voluntary organisation to the individual in respect of a person who is not normally a member of the individual's household but is temporarily in their care,
- (h) any payment paid at intervals of at least one year and derived from employments as—
- (i) a part-time fire fighter employed by a fire and rescue authority under the Fire and Rescue Services Act 2004(5) or by the Scottish Fire and Rescue Service established under section 1A of the Fire (Scotland) Act 2005(6),
  - (ii) an auxiliary coastguard in respect of coast rescue activities,
  - (iii) a person engaged part-time in the manning or launching of a lifeboat,
  - (iv) a member of any territorial reserve force prescribed in Part I of schedule 1 of the Employment and Support Allowance Regulations 2013(7),
- (i) any amount by way of refund of income tax deducted from profits or emoluments chargeable to income tax under schedule D or E of the Income and Corporation Taxes Act 1988(8),
- (j) in the case of employment as an employed earner, any advance of earnings or any loan made by the individual's employer,
- (k) any earnings, other than items to which sub-paragraph (l) applies, paid or due to be paid from the individual's employment as an employed earner which ended before the day in respect of which the individual first satisfied the eligibility criteria for Carer Support Payment set out in Part 3 of these Regulations,
- (l) this sub-paragraph applies to—
- (i) any payment by way of occupational or personal pension, and
  - (ii) except in a case where the individual's employment terminated by reason of retirement at a time when they had attained pensionable age (within the meaning given by the rules in paragraph 1 of schedule 4 of the Pensions Act 1995(9))—
    - (aa) any payment or remuneration of the nature described in paragraph 8(1)(e) or (j), and
    - (bb) any award or sum of the nature described in paragraph 8(1)(g) or (h) (including any payment made following the settlement of a complaint to an employment tribunal or of court proceedings).

(4) 1995 c. 36. Section 26 was amended by schedule 3 of the Adoption and Children (Scotland) Act 2007 (asp 4) and schedule 1 of the Children and Young Persons Act 2008 (c. 23).

(5) 2004 c. 21.

(6) 2005 asp 5. Section 1A was inserted by section 101 of the Police and Fire Reform (Scotland) Act 2012 (asp 8).

(7) S.I. 2013/379.

(8) 1988 c. 1.

(9) 1995 c. 26. Paragraph 1 of schedule 4 was amended by schedule 2 of the State Pension Credit Act 2002 (c. 16), schedule 3 of the Welfare Reform Act 2007 (c. 5), schedule 3 of the Pensions Act 2007 (c. 22), section 1 of the Pensions Act 2011 (c. 19) and schedule 12 of the Pensions Act 2014 (c. 19).