
STATUTORY INSTRUMENTS

2021 No. 1405

The Social Security (Income and Capital Disregards) (Amendment) Regulations 2021

Amendment of the Employment and Support Allowance Regulations 2008

- 7.—(1) The Employment and Support Allowance Regulations 2008(1) are amended as follows.
- (2) In regulation 2(1) (interpretation)—
- (a) in the appropriate places insert—
- ““child abuse payment” means a payment from a scheme established or approved by the Secretary of State for the purpose of providing compensation in respect of historic institutional child abuse in the United Kingdom;”;
- ““Windrush payment” means a payment made under the Windrush Compensation Scheme (Expenditure) Act 2020;”;
- (b) in the definition of “qualifying person”, after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.
- (3) In regulation 107(5A) (notional income), for “a payment of income which is a Grenfell Tower payment” substitute—
- “any of the following payments of income—
- (a) a Grenfell Tower payment;
- (b) a child abuse payment;
- (c) a Windrush payment.”.
- (4) For regulation 112(8)(b) (income treated as capital), substitute—
- “(b) any—
- (i) Grenfell Tower payment;
- (ii) child abuse payment;
- (iii) Windrush payment.”.
- (5) In regulation 115(5A) (notional capital), for “a payment of capital which is a Grenfell Tower payment” substitute—
- “any of the following payments of capital—
- (a) a Grenfell Tower payment;
- (b) a child abuse payment;
- (c) a Windrush payment.”.
- (6) In paragraph 19(8)(b) (non-dependant deductions) of Schedule 6 (housing costs), after “Grenfell Tower payment” insert “, child abuse payment or Windrush payment”.
- (7) In Schedule 8 (sums to be disregarded in the calculation of income other than earnings)—

- (a) in paragraph 22(2), after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”;
- (b) in paragraph 41—
 - (i) for sub-paragraph (1A) substitute—
 - “(1A) Any—
 - (a) Grenfell Tower payment;
 - (b) child abuse payment;
 - (c) Windrush payment.”.
 - (c) in sub-paragraphs (2) to (6), after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.
- (8) In Schedule 9 (capital to be disregarded)—
 - (a) in paragraph 27—
 - (i) in sub-paragraph (1A) after “Grenfell Tower payment” insert “, child abuse payment, Windrush payment”;
 - (ii) in sub-paragraphs (2) to (6), after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”;
 - (b) in paragraph 31, after “Grenfell Tower payment” insert “, a child abuse payment or a Windrush payment”.