



News in Brief

We hope you all enjoyed sinking your teeth into our Winter Bulletin. If you missed it, catch up via our website [WBU-Benefits-Bulletin-Winter-202021.pdf \(welfare-benefits-unit.org.uk\)](#)

Upfront payment of childcare costs unlawful

The High Court has ruled that the requirement for Universal Credit claimants to pay for childcare costs before they receive the childcare costs element is unlawful. The case ([\[2021\] EWHC 102 \(Admin\) \(22 January 2021\)](#)) involved a single mother who ended up having to reduce the numbers of hours that she worked as she could not afford to pay childcare costs.

The Judge has invited further submissions in this case before he decides the way forward – we will keep you updated.

Severe disability premium gateway closure

Just a reminder that the severe disability premium gateway (the rule that meant you could make a new claim for legacy benefits if you received the severe disability premium or had done within the last month and still satisfied the conditions) closed on 27th January 2021.

Claimants who have a change in their circumstances and need to make a new claim will be directed towards Universal Credit. Claimants that would have been protected by the gateway will be automatically considered for the SDP transitional payment.

Two important points to note are that claimants who only receive the SDP within an HB award are not entitled to transitional protection, but non-claimant ex partners who would have been entitled to the SDP had they had their own award will be entitled to the protection if all other conditions are met.

For more information, please see the article in our latest [Bulletin](#).

Shielding, self-isolating and Statutory Sick Pay

It won't have escaped anyone's notice that we are back in a national lockdown. This has brought with it a return to shielding for the most clinically vulnerable members of society. To support this, Statutory Sick Pay is once again available for those that have received a notification to shield.

[COVID-19: guidance on shielding and protecting people defined on medical grounds as extremely vulnerable - GOV.UK \(www.gov.uk\)](#)

Two wages in one month – update

Following the court case last year which ruled that the way the DWP treat claimants who receive two monthly payments within one monthly assessment period is irrational, we have an update on the process for claimants who find themselves caught up in this long running saga. As previously reported, following the case, the DWP stated that affected claimants needed to get in touch, as each case was being dealt with manually, month by month.

We now have an update from Will Quince (Minister for Welfare Delivery), who promises that the automated process should be put into place in 'early 2021'.

'We expect to automate identification of affected claimants early in 2021. This will allow us to proactively correct awards before they are paid, without the need for the claimant to raise the issue.'

We will keep you updated!

<https://committees.parliament.uk/publications/4196/documents/43190/default/>

Self-employed tax credit claimants – deadline for reporting income extended

HMRC has announced an extension to the deadline for reporting income for self-employed tax credits claimants. Announcing the change, HMRC's Chief Executive Jim Harra said:

'Where tax credits customers are unable to report their final/actual income for the tax year 2019 to 2020 by 31 January 2021, they should report the figure as soon as possible after 31 January. In most cases HMRC will update the income used to calculate finalised entitlement to tax credits if the delay is due to the impact of Covid-19.'

The announcement was made alongside the news that there will be no fine for the late filing of self-assessment tax returns this year, provided that they are filed online by 28 February.

[No Self Assessment late filing penalty for those who file online by 28 February - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/no-self-assessment-late-filing-penalty-for-those-who-file-online-by-28-february)