

Moving from Scotland to another part of the United Kingdom and vice versa

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Introduction

1. This chapter is about when an individual in receipt of:
 - Attendance Allowance (AA) moves to Scotland; and
 - Pension Age Disability Payment (PADP) moves to another part of the UK.
2. The UK means Great Britain and Northern Ireland.
3. The chapter explains when Social Security Scotland is required to make a determination without application in these circumstances.

When an individual in receipt of AA moves to Scotland

4. Individuals in receipt of AA must notify DWP when they move to Scotland from England and Wales, or the Department for Communities (DfC) if the individual is moving from Northern Ireland to Scotland. DWP or DfC will send this information to Social Security Scotland when they are notified by the individual. This prompts Social Security Scotland to make a determination without application for PADP¹.

1 PADP Regs, Reg. 44(1)

5. DWP or DfC send data to Social Security Scotland which case managers should use when making a determination without application.
6. For example, if an individual is in receipt of the lower rate of AA at the time of the move, the case manager should accept that the individual satisfies the eligibility criteria of the lower rate of PADP. However, they must then consider if:

- the individual is staying in alternative accommodation in Scotland; and
- any of the differences between the AA eligibility criteria and PADP eligibility criteria are relevant to the individual.

These differences are discussed below.

Entitlement to PADP beginning while in ‘alternative accommodation’

7. An individual could be moving immediately into alternative accommodation on the day that they move to Scotland. The PADP rules refer to accommodation in a care home, hospital or similar institution or legal detention as alternative accommodation. The value of PADP is reduced to £0 when an individual is resident in alternative accommodation on the day that entitlement to PADP begins¹.

1 PADP Regs, Reg. 24(2)

8. An individual who moves to Scotland from somewhere else in the United Kingdom will not see their PADP entitlement begin until their AA entitlement ends, which will be on a date fixed by the DWP. As a result, their PADP is unlikely to begin until they have been in alternative accommodation for a period.
9. Case managers will need to consider the alternative accommodation chapters in detail when deciding which £0 value rules and time periods apply to a person moving to alternative accommodation in Scotland. This will depend on when they move into the alternative accommodation in Scotland and when their entitlement to PADP commences.
10. An individual's move to Scotland must have been voluntary for them to be ordinarily resident in Scotland and entitled to PADP. For example, if someone is moved from rest of the UK to a Scottish prison, they would not be ordinarily resident in Scotland. Their ordinary residence would remain in the rest of the UK. The same rule applies when someone is moved involuntarily from Scotland to the rest of the UK and they would remain ordinarily resident in Scotland. See ‘Residence and presence for Pension Age Disability Payment’ chapter for more information about ordinary residence.

Example: Involuntary move to alternative accommodation

Thomas is 68 years old and receives PADP. He lives in Dumfries and is entitled to the lower rate of assistance.

Thomas is sentenced to a term in prison and is sent to Durham Prison in England to serve his sentence on 19 September 2025. As his move is involuntary, his ordinary residence will remain in Scotland, and he continues to receive PADP at his existing rate for the first 28 days. From 18 October 2025 the value of his PADP payments is reduced to £0 while he remains in the prison. His PADP is put back into payment when he is released and returns to Scotland.

Differences between PADP and AA eligibility criteria

Special Rules for Terminal Illness

11. For an individual to be entitled to AA under the Special Rules for Terminal Illness, the individual must have a progressive disease where death as a consequence of that disease can reasonably be expected within 12 months.
12. For an individual to be entitled to PADP under the Special Rules for Terminal Illness, the individual must have a progressive disease that can reasonably be expected to cause the individual's death: there is no requirement that death must be expected to occur within 12 months. This means that if an individual is receiving AA under Special Rules for Terminal Illness, and they move to Scotland, they will always satisfy the Special Rules for Terminal Illness for PADP.
13. If an individual has been awarded AA under Special Rules for Terminal Illness, they automatically receive the higher rate of PADP.
14. Under the special rules on entitlement to PADP for terminal illness, an appropriate healthcare professional both:
 - certifies that the individual has a terminal illness; and
 - notifies Social Security Scotland of the diagnosis.

In some instances, an individual may inform Social Security Scotland that they have a terminal illness.

The chapter on Special Rules for Terminal Illness gives more information.

When case managers are required to make a determination without application

15. Social Security Scotland is required to make a determination without application when a person¹:
 - moves to become resident in Scotland;
 - was resident in another part of the UK before the move; and
 - was entitled to AA immediately before becoming resident in Scotland.

1 PADP Regs, Reg. 44(1)

16. Entitlement to PADP begins (following the determination without application) on the day after the day on which AA ceases to be paid to the individual¹.

1 PADP Regs, Reg 44(2)

17. Case managers will know that an individual in receipt of AA has moved to Scotland because the DWP or DfC sends this data to Social Security Scotland. The data will include the end date for AA. The Operational Guidance contains

further information on accessing this data for the purpose of making a determination without application.

If entitlement to PADP is based on an AA award that later changes

18. Social Security Scotland must make a further determination without application if:

- the case manager has made a determination that the individual is entitled to PADP as a result of a move to Scotland from another part of the UK; and
- the AA award that the case manager took account of changes immediately before the move to Scotland; and
- this change occurs after the initial determination without application is made.

Although this change in AA award must occur after the move and after Social Security Scotland make the initial determination without application, the change in the AA award will relate to a period immediately before the move when the individual was entitled to AA.

19. The change in AA award must be as a result of¹:

- the DWP or DfC deciding to revise or supersede the AA award;
- the individual successfully appealing the AA award to a Tribunal or a Social Security Commissioner; or
- the DWP or DfC deciding to reconsider the AA award.

1 PADP Regs, Reg. 40(d)

20. Entitlement to PADP begins on the day after the day on which the individual's entitlement to AA ended¹.

1 PADP Regs, Reg. 44(2)

When an individual in receipt of PADP moves to another part of the UK

21. Individuals who move permanently away from Scotland to another part of the UK continue to be paid PADP for 13 weeks after the move. This period is called the run-on period.

1 PADP Regs, Reg. 45(1)

22. The individual must have been ordinarily resident in Scotland immediately before the move and, as a result of the move, be ordinarily resident in another part of the UK and no longer ordinarily resident in Scotland. The individual should be treated as though they are ordinarily resident in Scotland for 13 weeks following the move. The 13-week period commences on the date they cease to be resident in Scotland.

23. If an individual moves away from Scotland to another part of the UK while in legal detention, and the move is as a result of their legal detention, they would not

receive the 13-week run on payment. This is because their ordinary residence has not changed due to the move not being a voluntary change of residence. In these cases, individuals remain subject to £0 rating.

24. When an individual moves from Scotland to somewhere else in the UK, the case manager should take into account whether that person is moving to alternative accommodation. If the person is moving to alternative accommodation in another part of the UK, case managers should consider whether the PADP award should be £0. This depends on the type of alternative accommodation and whether regulation 45 (Individuals in respect of whom Pension Age Disability Payment is paid at the time of moving to another part of the United Kingdom) applies to the individual. Case managers should therefore consider the chapters on alternative accommodation in these cases.

Example: Person moving to alternative accommodation in another part of the UK

Harriet is 76 years old and receives PADP. She lives in Edinburgh and is entitled to the higher rate of assistance. On 2nd June 2025 she moves into a care home in Berwick-Upon-Tweed. At this point her 13-week period of being considered resident in Scotland begins.

She continues to receive PADP at her existing rate for the first 28 days. From 30th June 2025 the value of her PADP payments is reduced to £0 while she remains in the care home. If she remains in the care home, the value of her payments will remain at £0 until her entitlement to PADP ends after the 13-week period on 1st September 2025.

If she leaves the care home on 28th July 2025, but continues to be resident in England, her payments for PADP increase back to the higher rate of assistance. She will receive this higher rate until 1st September 2025, when her 13-week period of being considered still resident in Scotland ends, and she will no longer be eligible for PADP.

When the individual notifies Social Security Scotland in advance of the move

25. The run-on period begins on the day that the individual ceases to be ordinarily resident in Scotland, regardless of when an individual tells Social Security Scotland about the move¹.

1 PADP Regs, reg. 45(4)

26. The run-on period lasts for 13 weeks. This means the individual will continue to receive PADP for 13 weeks beginning on the day the individual ceases to be resident in Scotland.

27. The case manager must make a determination without application at the end of this 13-week run-on period, in order to terminate the individual's entitlement to assistance¹.

1 PADP Regs, reg. 45(2)

An individual cancels the move after they have told Social Security Scotland that they are moving.

28. An individual might cancel their plan to move from Scotland to another part of the UK. If this happens, Social Security Scotland should treat the individual as if they had never told Social Security Scotland that they were moving. This means there is no requirement make a determination without application¹.

1 PADP Regs, reg. 45(3)

29. Individuals should only be treated as if they had never told Social Security Scotland about the move if:

- they are going to continue to be ordinarily resident in Scotland; and
- they told Social Security Scotland about the cancelled move less than 13 weeks after they told Social Security Scotland about the move.

When an individual notifies Social Security Scotland more than 13 weeks after the move

30. Any payment to the individual for a day after 13 weeks of the move is treated as an overpayment¹. This means that the case manager should apply the rules in the 'When a change in entitlement should begin if the individual was overpaid' section of the chapter 'When a previous determination is based on an error'. The Payment Errors chapter contains guidance on what to do if an individual has been overpaid.

1 PADP Regs, reg. 45(5)

31. These rules require the case manager to make an unscheduled review. The change in entitlement following the determination without application begins on the date when the earlier determination of entitlement took effect. The unscheduled review should determine that the individual's entitlement to assistance stopped 13 weeks after the date when the individual became resident in another part of the UK.

[END OF CHAPTER]