

COMPUTATION OF EARNINGS – EARNINGS OF EMPLOYED EARNERS

Contents	Paragraphs
Introduction	1
Background	2 – 3
Changes – Service user group	4 - 5
Annotations	
Contacts	

INTRODUCTION

- 1 This memo gives guidance on changes introduced by the Social Security Benefit (Computation of Earnings) (Amendment) Regulations 2015 (SI 2015 No. 784). The changes take effect on 1.7.15¹.

1 Social Security Benefit (Computation of Earnings)(Amendment) Regulations 2015, reg 1

BACKGROUND

- 2 The calculation of earnings of employed earners and self employed earners for
 1. benefits under certain legislation,¹ for example IB
 2. CA
 3. ADI and CDI.

is made by reference to the Computation of Earnings Regulations.

1 SS CB Act 92 Parts II - V; SS Ben (C of E) Regs, reg 3(1)

- 3 DMG 15027 describes the meaning of service user group for the purpose of calculating earnings of employed and self employed earners under the Computation of Earnings Regulations.

CHANGES - SERVICE USER GROUP

- 4 The existing definition of, and reference to, a service user group is replaced and expanded. For computation of earnings, the definition of service user group is replaced with service user and any reference to a service user now means¹
1. a person who is being consulted by or on behalf of
 - 1.1 a body which has a statutory duty to provide services in the field of
 - 1.1.a health **or**
 - 1.1.b social care **or**
 - 1.1.c social housing **or**
 - 1.2 a body which conducts research or undertakes monitoring for the purpose of planning or improving the services in **1.1**in their capacity as a user, potential user, carer of a user or a person affected by those services **or**
 2. a person who is being consulted by or on behalf of
 - 2.1 the Secretary of State in relation to social security or child support functions under relevant legislation² **or**
 - 2.2 a body which conducts research or monitoring in order to plan or improve the functions in **2.1**in their capacity as a person affected or potentially affected by the exercise of those functions or the carer of such a person
 3. the carer of a person consulted under **1.** or **2..**

1 Computation of Earnings Regs, reg 9(3A)

- 5 For the purposes of paragraph 4 of this memo

1. a service user is a person who
 - 1.1 has used **or**

- 1.2 is using **or**
- 1.3 may potentially use **or**
- 1.4 is otherwise affected by

the services referred to in 2. below **and**

- 2. the services concerned are delivered by a body which has a statutory duty to provide services in the field of

- 2.1 health **or**
- 2.2 social care **or**
- 2.3 social housing **or**
- 2.4 social security **or**
- 2.5 child support **and**

- 3. a service user is a person who is consulted by the bodies in 2. or by an alternative body (for example, educational establishments or voluntary and charitable organisations) who conduct

- 3.1 research **or**
- 3.2 monitoring **or**
- 3.3 planning

in order to improve services through user involvement.

ANNOTATIONS

Please annotate the number of this memo (20/15) against DMG paragraphs:

15027

CONTACTS

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 1S25, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in [Memo DMG 03/13](#) - Obtaining legal advice and guidance on the Law.

DMA Leeds: July 2015