Split payment

1. A **split payment** is where the claimant's ESA is split between the claimant and another person.

2. A DM acting on behalf of the SofS can, under Regulation 34 of the Claims and Payments Regulations, authorise someone else to receive payment on a claimant's behalf if this would protect the interests of the claimant and/ or their dependants. For example, to protect the interests of the claimant or their family when the claimant cannot, or will not, budget for their own or their family's normal needs (see Part 7 of the Agents Appointees and Receivers Guide (link is external)).

3. Split payments are different from other arrangements made where the claimant is incapable of managing their own affairs, e.g. appointee action. In the case of split payments, the claimant retains responsibility for their claim.

4. The person (or representative of an organisation) authorised to act in the split payment arrangement is called a SPP. The SPP must be aged 18 or over.

5. The Nominated Officer has the discretion, acting on behalf of the SofS, to authorise that part or all of the claimant's benefit is paid to the SPP. There is no right of appeal against this decision however, the decision can be challenged through the courts by judicial review.

6. Refer a claim to the Nominated Officer to consider authorising an SPP where:

- The claimant requests a split payment
- Someone who lives with or is in contact with the claimant notifies you that the claimant is mismanaging their benefit and asks for help
- The claimant has a partner and is temporarily away from home
- The claimant cannot or will not budget for their own or their family's normal needs, and by splitting payments you will protect the interests of the claimant and/ or their dependants
- Any other circumstances where it is considered a split payment may be appropriate, for example a Claimant Compliance Officer may express concern about problems discovered during a home visit to the claimant. **Note**: This list is not exhaustive.

7. If the claimant has a partner who is willing and is considered capable of dealing with money, consider issuing part of the ESA to them. In all cases, make sure the person applying for help is:

- A responsible person
- Acting in the interests of the claimant and/or the claimant's family.

8. If split payments might be appropriate, before you refer the claim to the Nominated Officer, obtain as much information as possible from the applicant by visit or interview and record their findings on form A6 about:

- The level of benefit mismanagement
- Its effect on the claimant and/or their family.

9. If the claim is maintained on JSAPS:

Step	Action
1	Access the **Maintain Claim Administration Details screen** within dialogue JA610: ESA Claim Maintenance and change the **Split Payee?** field from **N** to **Y**.
2	Access dialogue JA200: Award and Decision and take screen prints of all the **Award Summary** screens.
3	Press **End**.

| 4 | Pass the screen prints and form A6 to the Nominated Officer to consider split payments. |

Nominated Officer Action

10. When the Nominated Officer receives the screen prints and form A6, consider the claimant's circumstances to establish whether:

- Appointee action is appropriate
- Split payments to a responsible person, e.g. a relative, are appropriate.
Example 1:
Mrs Gallagher receives ESA, is submitting medical evidence and lives alone.
A friend of Mrs Gallagher contacts the office to say that she regularly loses her benefit and cannot take proper care of herself.
The claimant has a mental health condition.
The Nominated Officer considers appointee action in this case.
Example 2:
Mr Green is submitting medical evidence and receives ESA for himself and his partner.
His partner contacts the office to say Mr Green spends all their benefit on drink, leaving the family with no money for food.
His condition is back pain.
The Nominated Officer considers split payments in this case.
11. If you believe appointee action might be appropriate, refer the claim for a home visit to:

- Interview the prospective appointee and/or the claimant
- Arrange completion of form BF56 (link is external), unless the person acting has been appointed by the courts. If this is the case, a copy of form BF56 is required.
12. Further information can be obtained in the Agents, Appointees, Attorneys and Receivers Guide (link is external) (AAAR).
13. If you decide that split payments are appropriate, when considering the most responsible person to be the Split Payment Payee (SPP), consider whether:

- The claimant has a partner who is capable and willing to deal with the money
- There is another person who is capable and willing to deal with the money.
14. Consider paying the claimant's ESA to a responsible person such as a relative or friend where:

- The claimant does not have a responsible and willing partner
- Payment to their responsible partner would cause difficulties
- The responsible person has asked for help and agrees to be the SPP.
15. If payment to a responsible partner or person is not appropriate, consider a representative from social services or a similar body, for example a Care in the Community Nurse or Case Worker. The representative must be a named person. Do not use the name of a relevant body itself.
16. Take a common sense approach about the amount to pay to the claimant, based on the circumstances of each claim.
17. If ESA is the claimant's main income, pay a small amount, at least 10p, to them for their personal use. Generally, pay:

- A small amount on JSAPS to the claimant for their personal use wherever possible
- The balance to the SPP by CPS (LP).

18. When you have made your split payments decision:

StepAction

Use form A6 to record:

Reason(s) for the decision/refusal

The period for which split payments are authorised, if appropriate

The amount of ESA payable to the claimant and the SPP per week, as

1   appropriate.

2   Pass form A6 to the BDO.

19. If you refuse to authorise split payments the **BDO** takes the following action:

StepAction

Access [dialogue JA110: Maintain Notepad](#) and input **Split payments**

1   **disallowed** - see A6 in the **Notes** field.

Write to the person requesting the split payment, explaining the reason for the refusal using:

• Draft letter DLJA/300(ESA[) (link is external)](#) – if the claimant requested the split payment

• Draft letter [DLJA/301(ESA) (link is external)](#) – if a third party requested the split payment

• Draft letter [DLJA/304(ESA) (link is external)](#) – if the split payment

2   request was for **all** the payment to go to a partner/ responsible person.

Paying a split payment

20. Where a Nominated Officer has decided to authorise split payments, the action to take depends on whether the claim is maintained clerically or on JSAPS.

21. The procedure to issue a split payment depends on whether the split payment is made:

- Wholly to the SPP, i.e. the claimant does not receive any of their ESA entitlement.

Payment Split Between the Claimant and the SPP

22. Where the claim is maintained on JSAPS and Nominated Officer has decided that payment is split between the claimant and the SPP, the BDO:

- Pays the claimant the amount decided by the Nominated Officer (at least 10p a week to maintain the claim on JSAPS), and

- Pays the balance clerically to the SPP as an **Exceptional Clerical Payment (ECP)**.

23. If the claim is open on CAM, the BDO triggers the award calculation, and toggles to JSAPS to record the Exceptional Condition and the split amount.

24. All further processing is done on JSAPS however the BDO must go back into CAM to close the case manually, using the **Close Case button** in the **Application Summary View.**

25. To complete the action on JSAPS:

StepAction

Access the **Other Benefits screen** within [dialogue JA610: ESA Claim](#)

1   [Maintenance](#)

Complete the fields as follows:

Input code **85** in the **Type** field

Complete the **For** field to show:

Code 01 if the claimant is single or has a partner but the payment is made

2   to another responsible person; or

Code 02 if the claimant has a responsible partner and the ESA payment is made to their partner

Input **Y** in the **Rec'd** field to show benefit is being received

Complete the **Total Rec'd** and **Account Amount** fields to show the amount payable to the partner/responsible person

Input the date split payments start in the **D/start** field

Complete the **D/end** field to show:

The date split payments stop, if they are for a fixed period or

The last date the current rate is payable, if there is a foreseeable change to the split payment rate. Input details of the new rate on the next line.

The date in the **D/end** field cannot be later than the date in the **Date of Change** field on the **Picklist** screen.

3	Access [dialogue JA200: Award and Decision](#) and [dialogue JA405: Compute Payment](#) to issue the claimant's share of the split payment.
4	Complete [form ESA14P](#) (link is external) for payment to be issued to the SPP. Ensure **form ESA14P** shows the same amount as the amount shown in the **Type** field in the **Other Benefits** screen. **Note:** Adjust the claimant's total and taxable benefit in **dialogue JA100: Taxation Changes** with details of the payments made to the SPP on **form ESA14P**.
5	Send form ESA14P/[ESA14 (link is external)](#) and Draft Letter [DL/JA302(ESA) (link is external)](#) and an envelope securely to the Finance Section for the payment to be made to the SPP via CPS (LP).
6	Record the action taken on form A6 and file it in the casepaper/wallet.
7	Send [DL/ESA220 (link is external)](#) to the claimant. Ensure the envelopes are addressed to the: SPP for their share of the split payment
8	Claimant for their share of the split payment.
9	[Access dialogue JA530](#) and set a case control to issue the next payment to the SPP.

26. Some claimants are paid clerically because they cannot be paid by JSAPS, e.g. because of a system fault. Access these claims and pay clerically, using **form ESA14/ESA14P**.

27. Where the claim is maintained clerically and the Nominated Officer has decided that payment is split between the claimant and the SPP the **BDO**:

StepAction

1	Completes form ESA14 assessment panel using the claimant's personal details.
2	Completes form ESA14P payment panel for the claimant's share of the split payment.
3	Completes **form ESA14P** payment panel for the SPP's share of the split payment.
4	Writes in red in **form ESA14P notes box**: "Split payments case - make payments to ... [name of SPP]".
5	Prepares the forms to send to the claimant/SPP, e.g: [DLJA/302(ESA) (link is external)](#) to the SPP
6	[DL/ESA 220 (link is external)](#) to the claimant. the payment details for the claimant's and SPP's share of the payment on CPS(LP) and submit for approval.
7	Ensure that envelopes are addressed to the: Claimant for their share of the split payment SPP for their share of the split payment.
8	Send the appropriate payment authorities, forms and envelopes securely to the Finance Section for payment.

| 9 | Set a clerical case control for payment renewal for the SPP on the clerical control form A22 (link is external). |

Payment is Made Wholly to the SPP

28. Where the claim is maintained on JSAPS and the Nominated officer has decided that the claimant's ESA is to be paid wholly to the Split Payment Payee (SPP).

29. If the claim is open on CAM, the **BDO** triggers the award calculation, and toggles to JSAPS to record the **Exceptional Condition** and the split amount. All further processing is done on JSAPS however the BDO must go back into CAM to close the case manually, using the **Close Case** button in the **Application Summary View**.

30. Access dialogue JA400: Method of Payment and input the SPP's bank or building society details.

31. Send draft letter:

- **D/L ESA220** to the partner/SSP
- **D/L ESA220** to the claimant

32. If the claim is maintained clerically the **BDO**:

Step	Action
1	Completes form ESA14 (link is external) assessment panel using the claimant's personal details. **Note:** ensures that the ESA casepapers, assessments, entitlement notices, correspondence, etc remain in the claimant's name because the claimant keeps responsibility for their claim. Only the payment is issued to the SPP.
2	Writes in red in form ESA14P (link is external) **notes** box, "Split payments case - make payments to ... [name of SPP]".
	Prepares the forms to send to the claimant/ SPP, for example: D/L ESA220 (link is external) to the SPP
3	**D/L ESA220** to the claimant.
4	Prepares an envelope addressed to the SPP.
5	Send the payment authority, **draft letter D/L ESA220** and envelope to the Finance Section for payment via CPS (LP).
6	Sends D/L ESA220 (link is external) to the claimant.
7	Sets a clerical case control for payment renewal for the SPP.

Changes in Entitlement

33. Split payments may require amendment, e.g. due to a change of circumstances or at uprating.

34. The action to take depends on whether the claim is maintained on JSAPS, or clerically.

35. If the claim is maintained on JSAPS the **BDO**:

Step	Action
1	Accesses the **Other Benefits** screen within dialogue JA610: ESA Claim Maintenance and inputs the date of the day before the date of change in the **End Date** field.
2	Takes screen prints of all **Award Summary** screens.
3	Presses **END**.
4	Notes details of the revised split payment request on form A6.
5	Passes the screen prints and form A6 to the Nominated Officer to make a decision on the revised split payments.

36. On receipt of the Nominated Officer's decision on form A6 about the revised split payments:

Step	Action
1	Access the **Other Benefits screen** in **dialogue ESA610: ESA Claim Maintenance** and input the: Revised amount of the claimant's share of the split payment in the **Amount** field

Date of change in the **Start Date** field.

Step	Action
2	Issue the SPP's share of the revised payment by Exceptional Clerical Payment (ECP).
3	Note the revised payment details in [dialogue JA110: Maintain Notepad.](#)
4	Access [dialogue JA530: Case Controls](#) and set a case control to issue the next ECP to the SPP.
5	Send draft letter: [D/L ESA220 (link is external)](#) to the partner/SSP **D/L ESA220** to the claimant.

37. If the claim is maintained clerically:

Step	Action
1	**Records Only** form(s) ESA14 to show the claimant's revised ESA entitlement following the change of circumstances/ uprating
2	all the claimant's clerical records to the Nominated Officer to make a decision on the revised split payments.

38. On receipt of the decision revising the split payments, ensure this information is entered correctly on form ESA14P.

39. Details about split payments can be viewed on JSAPS. To see the:

- Claimant's part of the split payment issued by JSAPS – access [dialogue JA502: Enquiry/ Payment](#);
- SPP's part of the split payment amount – access the **Other Benefits** screen within [dialogue JA523: Enquiry/Awards](#) and the amount shown as **code 85**.

Claimant Requests Payment is made to a Nominated Person

40. Nominating another person to receive the payment of ESA means that the payment is issued and payable to the other person. This is usually done when benefit is due for a period immediately before the claimant stops claiming or is no longer entitled to ESA. This could be when the claimant:

- Starts work away from home or abroad
- Is in prison or legal custody and the payment is for a period before the claimant was imprisoned or held in custody.

41. If the claimant asks for their ESA payment to be made to a nominated person, they must make their request in writing. The action to take depends on how the claimant's money is paid to them, there is no form for ESA but leaflet HHDA5JP explains what the claimant has to do in these circumstances.

42. When a written request is received:

Step	Action
1	Ensure the form or request: Gives the name and address of the nominated person; Gives the method of payment required; Is from the claimant.
2	If the request contains enough details to enable a decision to be made, pass to the Nominated Officer to decide: If the request can be accepted; and If payment can be made to the nominated person.
3	If the request does not contain sufficient details: Write to the claimant requesting the required information; Set a case control using JA530 for 7 days to monitor the reply. When the claimant replies or the case control appears on the work available report JA72539, pass to the Nominated Officer to decide as above.

43. When the decision has been made, record the details from form A6 in dialogue JA110: Maintain Notepad.

44. If it is decided to reject the claimants request for payment to a nominated person:

StepAction

1	Make the payment to the claimant using their usual method of payment.
2	Notify the claimant of the decision on DL/JA300(ESA). (link is external)

45. If the decision is to allow payments to a nominated person:

StepAction

1	Access ACT DETAILS screen JA400402 within dialogue JA400: Method of Payment and input the nominated person's bank or building society details.
2	Access dialogue JA405: Compute Payment and issue the direct payment in the usual way.