

# Scottish Infected Blood Support Scheme

## Guidance on Tax and Benefits Exemptions

### Introduction

Any payments you receive from the Scottish Infected Blood Support Scheme (SIBSS) do not need to be taken into account when calculating your United Kingdom income tax bill or any entitlement to means-tested benefits from the Department for Work and Pensions. The guidance below provides more details on this and what to do if you have any problems relating to this.

### Income Tax

[\*The Scottish Infected Blood Support Scheme \(Application of Sections 731, 733 and 734 of the Income Tax \(Trading and Other Income\) Act 2005\) Order 2017\*](#) provides that any regular payments from the scheme, such as annual payments or income top-up support, are not taxable. This means that SIBSS does not need to deduct income tax from your payments and you do not need to declare the payments in any income tax return you submit to Her Majesty's Revenue and Customs (HMRC).

This Order does not cover lump sum payments or one-off grants from the scheme because they are not subject to income tax.

### Benefits

#### Income support, JSA, pension credit, housing benefit and ESA

[\*The Social Security \(Scottish Infected Blood Support Scheme\) Regulations 2017\*](#) provide that any payments from SIBSS can be disregarded when calculating your income or any capital (such as savings) that you have when you apply for any of the following means-tested benefits from the Department for Work and Pensions (DWP):

- Income support
- Jobseeker's Allowance (JSA)
- State Pension Credit
- Housing Benefit
- Employment and Support Allowance (ESA)

This means that your income and any grants from the scheme are not taken into account when DWP assesses your application. However, you are still required to declare to DWP any payments that you receive from the scheme.

DWP will ignore these payments working out entitlement to benefit. However, if you do not tell DWP about payments received from the scheme, they will not be able to determine what money they should ignore and any benefits that depend on the amount of money you have could be affected.

## Universal Credit

[The Universal Credit Regulations 2013](#) also allow for payments from SIBSS to be disregarded when calculating your income or any capital (such as savings) that you have when you apply for Universal Credit from DWP. In this case, SIBSS is not specifically named in the Regulations, but DWP Ministers have approved the Scottish Infected Blood Support Scheme as a scheme in relation to 'contaminated blood products' which means the exemption applies to anyone receiving a payment from SIBSS.

## Council Tax

[The Council Tax Reduction \(Scotland\) Amendment Regulations 2017](#) also allows for any payments from SIBSS or any other UK infected blood scheme approved by English, Welsh or Northern Irish Ministers to be disregarded when calculating your income and any capital you have (such as savings) when you apply to your local council for a reduction in your council tax bill (formerly known as Council Tax benefit).

These provisions in relation to Council Tax apply to beneficiaries who are living in Scotland as the Regulations only apply to Scottish Councils. However, we expect similar regulations to come into force later in 2017 which will cover anyone living in an English, Welsh or Northern Irish local authority area.

## What to do if DWP, HMRC or your Council queries your income from the scheme

If there are any queries from DWP, HMRC or your local Council in relation to your income from the scheme you can point them to this guidance in the first instance. However, if you have any problems or you are invited to a formal interview then you may wish to call or email SIBSS staff – they can provide you with a letter to confirm the payments you have received from SIBSS and confirm that these payments should be disregarded.

## Contact details

If you have any queries about this information you can call SIBSS on 0131 275 6754 or email [NSS.SIBSS@nhs.net](mailto:NSS.SIBSS@nhs.net). There is also further information about the scheme on the website at <https://nhsnss.org/SIBSS>.