# APAD Universal Credit (and other benefits) NewsletterDecember 2020

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## Introduction

Who would have thought when the UC Working Group was set up two years ago that things would be as they are now. There have been many changes to benefits and benefit processes, some temporary, over the last 10 months. Some of these are changing back to previous processes, some have changed to something different again.

In this seasonal newsletter we look at what’s new or changing in Universal Credit and the benefits system generally.

## The Severe Disability Premium Gateway closes

When Universal Credit was introduced claimants who received a severe disability premium (SDP) with their legacy benefit lost a significant amount of money if they had to move over to UC.

This was addressed in two ways:

* Those who had already migrated to UC started to be paid a set amount of compensation. This has been paid separately to the main UC payment and has not been subject to reduction.
* On 16 January 2019 the SDP gateway was introduced. This made it impossible for claimants getting an SDP with their legacy benefit to claim UC.

**This changes again from 27 January 2021.** The SDP gateway ceases to exist from that date.

This means that from 27 January next year clients are no longer prevented from claiming Universal Credit where they have a legacy benefit with an SDP included.

**But** – UC will only need to be claimed if the client’s circumstances change in a way that triggers a claim to UC**.**

**Universal Credit triggers**

Changes of circumstances which trigger a UC claim include for example:

* A client is coming out of hospital or residential care to a new tenancy. Previously you would have claimed Housing Benefit to cover their rent. Now you have to claim UC. If they also get income related ESA the UC claim ends this as well.
* A legacy benefit ends because the client has capital over £16,000.
* A client has a first child.
* A client moves in with someone who is already on UC.
* A client moves from a different local authority area and has housing costs.

Remember some tenancies are **excluded from Universal Credit**. This includes some independent supported living tenancies and temporary accommodation such as a hostel or refuge. Check with your local authority benefits section whether Housing Benefit can be claimed.

**Will claimants who lose out as a result of moving onto Universal Credit be protected?**The SDP compensation (see above) changed to a Universal Credit Transitional Element from 8 October this year. People who have to claim UC after the end of the SDP Gateway will be paid the element if they qualify. However:

* The element will be reduced if the claimant becomes entitled to another UC element, other than a child element
* If a UC claim including a transitional element ends, it will not be paid again with a new claim

**More delays to Universal Credit roll out**DWP call the process of them moving claimants onto UC “managed migration”. As opposed to a UC claim which is triggered by a change of circumstances which is called “natural migration”. The managed migration pilot in Harrogate earlier this year was cancelled due to Covid. The latest announcement is that managed migration is now scheduled to end by September 2026. But we still don’t know when it will start. It was due to begin last month but there have been no further updates from DWP and it is not yet taking place.

## Failure to attend a PIP telephone assessment

Telephone assessments started to take place for Personal Independence Payment (PIP) after the end of the first lockdown period. To start, DWP had an easement in place which meant that if a claimant failed to attend their telephone assessment without good cause, their benefit would not be stopped.

This easement ended from **14 December 2020.** Appointment letters should now state that failure to attend may mean benefit stops unless the claimant has a good cause. If a client does not attend a telephone assessment, you should get a letter asking why. Provided you can show they had a good reason, benefit will not stop. You will be sent a new appointment for them to have a telephone assessment.

Good cause is not defined and all the circumstances should be taken into account. It can include such things as illness – of the claimant or a carer or support worker, or a health appointment which cannot be rearranged.

So it is important that clients and anyone who will support them with a telephone assessment are made aware of appointments and that it is necessary to attend. The assessment providers (Atos and Capita) will arrange conference calls if requested.

## Clients on Universal Credit who reach pension age

DWP has produced new guidance on payment of UC for an assessment period in which the claimant reaches pension age and claims Pension Credit. UC were previously stopping payment for the whole assessment period, leaving claimants in financial difficulties.

The guidance makes it clear that UC will be paid for the whole of an assessment period in which the claimant turns pension age. And that this is the case whether or not Pension Credit has been claimed.

UC will then stop from the first day of the next assessment period. The guidance is effective from 25 November 2020. It applies to single claimants and to couples where the younger member reaches state pension age.

## Your feedback

We would really like to know about issues are affecting your team with regard to Universal Credit and other benefits. We would also like to hear about of good practice and solutions that teams may have found that we can share with the membership.

In the meantime we wish all our members

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