

# Prisoners

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## Introduction

A person will not be entitled to Universal Credit if they are a prisoner. There is an exception to this rule where the person may retain entitlement to Universal Credit housing costs only, if they are a prisoner for less than 6 months.

A prisoner is someone who is:

- detained in custody awaiting trial
- convicted and awaiting sentence
- sentenced by a court
- on temporary release

## Conditions where a prisoner is entitled to Universal Credit housing costs

Single person prisoners can retain entitlement to housing costs if they satisfy both of the following:

- they were already in receipt of Universal Credit with housing costs immediately before becoming a prisoner
- they are expected to be a prisoner for no longer than 6 months

Claimants who are a prisoner for longer than 6 months, have no housing costs payable from when they become a prisoner (see [Housing – at a glance](#))

Single claimants aged between 18 to under 22 years old normally do not qualify for housing costs, but exemptions apply for prisoners whilst the period in custody is likely to be less than 6 months. See [18 to 21 year old and housing costs](#).

Work search requirements should be 'switched off' if the claimant is a prisoner but is still entitled to Universal Credit.

If one member of a couple is temporarily or permanently absent from the household due to being in custody or prison, they will stop being treated as part of a couple claim. The remaining eligible adult must notify Universal Credit of their change in circumstances and they will then be treated as a single claim.

### **Waiting Days Exclusions for prison leavers**

If a person makes a new claim to Universal credit and left prison in the last month they will not be subject to the 7 [waiting days](#), as this is one of the exceptions. Prison discharge documents are required for acceptable evidence.

### **New claims for prison leavers**

As Universal Credit Full Service is a digital benefit prison leavers can't currently make a claim in advance. This is due to restrictions on accessing and use of computers in prisons.

A short term solution has been designed to ensure that prison leavers have a claim from day one of their release.

Prison work coaches will support prison leavers to make a claim on release by:

- checking if the claimant will be living in a Universal Credit Full Service area
- giving advice on what evidence is required to make a claim, for example, verifiable ID, bank account and email address
- ensuring prison leavers are aware that they must complete an online claim as soon as possible on release
- book an initial appointment at the relevant jobcentre within 7 days of release

Universal Credit cannot be paid until a claimant's identity has been verified. Claimants must provide identity documentation to confirm their identity, this can be done digitally via Gov.verify. If the claimant is unable to do this they can provide 1 piece of primary evidence and 2 pieces of secondary evidence ([see Identity verification and standards of evidence](#)).

If a claimant does not have any primary or secondary evidence, identity will need to be established and verified by a Bio appointment.

Should all the above fail to confirm the claimants identity, a third party will need to confirm details about the claimant. The prison that the claimant was released from will need to be contacted to confirm the details held on the claimants release documents.

A bank account is also required for a claimant to receive Universal Credit payments. The Community Rehabilitation Company will support prison leavers to get access to bank accounts on release

Prison work coaches will have access to Jobcentre diaries in advance to make sure that prison leavers have appointments as soon as possible when released.

The appointment should be booked within 7 days of the discharge date to avoid claims being closed in error (if an appointment is not booked within 7 days of the claim being declared online the claim may be closed)

For the safety of customer facing staff prison work coaches will need to check all prison leavers against the Unacceptable Customer behaviour database before any initial appointment.

Prison leavers will also be able to apply for a Universal Credit advance if they can't manage financially until their first Universal Credit payment (see [Advances](#)). Prison leavers who want to claim an advance will need:

- Online claim declaration
- Identity verification
- Verification of bank account

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