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Lord Storey
House of Lords
London
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10th November 2022

Dear Lord Storey,

Universal Credit (Transitional Provisions) Amendment Regulations 2022

Thank you for your insightful contributions to the debate on the Regret Motion tabled by Baroness Sherlock to discuss The Universal Credit (Transitional Provisions) Amendment Regulations 2022. This motion was discussed in the House on Monday 24th October, and I undertook to write to Peers to respond to any question I was unable to respond to during the debates.

You raised the issue of the annual uprating of benefits and its interaction with the transitional protection claimants mandated to move to Universal Credit (UC) may receive at the point they make a claim.

Specifically, you asked ‘as there are technicalities that make it unfair for some claimants with regards to transitional protection, a claimant is better off before annual uprating and worse off afterwards was this fair’.

You will appreciate, with decisions on uprating benefits being considered, it is not possible to provide further comment on this at present. However, it may be helpful to understand the principle of transitional protection, and how it will erode over time, including due to the uprating of the underlying elements of UC.

Transitional protection is not intended to be an indefinite increase in a UC claimant’s entitlement, or to permanently replicate legacy benefit awards, it is intended to protect benefit entitlement levels at the point claimants move to the new benefit system. This provides those required to move time to adjust to the new benefit system. It is a long-standing principle that transitional protection will be reduced as other elements of the benefit are increased or awarded anew.

Over time a claimant’s overall benefit entitlement will, in line with the principle of equality of treatment between claimants, gradually align with the entitlement of other new Universal Credit claimants in the same circumstances. For example, those who are required to claim benefit for the first time and those legacy benefit

claimants who are required to claim UC following a change of circumstance as many claimants would be better off claiming UC. If claimants have questions or concerns about moving to UC having received a Migration Notice they can seek help from contacts on the migration notice.

Thank you once again for contributing to what was a constructive and well-timed debate, I look forward to working with you further on these issues in future.

I will place a copy of this letter in the Library of the House.

With best wishes,

A handwritten signature in black ink, reading "Debbie Stedman Scott". The signature is written in a cursive, flowing style. The first name "Debbie" is written with a large, looped 'D'. The last name "Scott" is written with a small 't' at the end. The middle name "Stedman" is written in a more straightforward, slightly cursive script.

BARONESS STEDMAN-SCOTT
MINISTER FOR WORK AND PENSIONS (LORDS)