

Move to Universal Credit (managed migration)

Contents

Introduction

Managed migration

When Legacy benefit payments stop

Transitional Protection

Transitional Protection Top-up Payment

Transitional Capital Disregard

When Transitional Protection stops

Students

Self-employed claimants

Claimants with a current Employment and Support Allowance Work Capability

Assessment decision

Introduction

Universal Credit is replacing the following Legacy benefits:

- Child Tax Credit
- Working Tax Credit
- Housing Benefit
- Income Support
- income-based Jobseeker's Allowance (JSA)
- income-related Employment and Support Allowance (ESA)

Many claimants will claim Universal Credit naturally when they have a change in circumstances which would have previously resulted in them needing to make a new claim to a Legacy benefit. However, it is now not possible to make a new claim for:

- income-based JSA
- income-related ESA
- Housing Benefit
- Income Support
- Tax Credits

Any change of circumstances resulting in a new claim would mean that the claimant must claim Universal Credit. At which point, their claim to any existing Legacy benefits would end.

Circumstances meaning that a claimant must make a new claim will remain the same, for example a change:

- of employment status
- in health or family circumstances
- of local authority if they claim Housing Benefit

Where claimants have not claimed Universal Credit already due to a change of circumstances, they are now being directed to do so as part of 'Move to Universal Credit (managed migration)'.

Managed migration

Claimants selected for managed migration are informed that they must claim Universal Credit in order to maintain their benefit entitlement

They will receive a migration notice letter in the post which explains that their Legacy benefits are ending and how to make a claim to Universal Credit by a specific date.

This deadline date is 3 months and 1 day from the date the migration notice is sent. For example, if the migration notice is issued on 25 May, the deadline date is the 26 August.

Claimants are also issued reminder notices by letter and text to ensure that they make a claim by their deadline and understand all the support which is available to them.

Once their claim to Universal Credit has been made, their Legacy benefits will be stopped.

Claimants who make a claim by their deadline or within 1 month of their deadline date passing will be eligible to be considered for Transitional Protection

When Legacy benefit payments stop

Claimants who have been mandated to claim as part of 'Move to Universal Credit (managed migration)' will continue to be paid the following benefits for a further 2 weeks either after they have made their claim or when their deadline date passes:

- Income Support
- income-based JSA
- income-related ESA
- Housing Benefit

For those who make a claim to Universal Credit, the 2-week period will start from the day before the claim was made and will not be deducted from any future payments.

For those who do not make a claim by their deadline date, the 2-week period will start from the day before the deadline date.

Working Tax Credit and Child Tax Credit eligibility will stop from the day before the claimant's deadline date (where no claim has been made) or the day before a claim was made.

Transitional Protection

'Move to Universal Credit (managed migration)' claimants who make a claim before their deadline date, or within 1 month of their deadline date passing, are eligible to be considered for Transitional Protection.

However, if they make a claim more than 1 month after their deadline date, they are not entitled to transitional protection, even if their claim is backdated.

Claimants entitled to transitional protection are eligible to be considered for the following:

- Transitional Element Top-up Payment
- Transitional Capital Disregard
- Exemption from the normal Universal Credit education eligibility rules

Transitional Protection Top-up Payment

Universal Credit is calculated differently to Legacy benefits. This means that a claimant moving to Universal Credit might not be paid the same amount as they received before.

For 'Move to Universal Credit (managed migration)' claimants who are entitled to transitional protection, if the amount of Universal Credit they are entitled to is less than the amount of their Legacy benefits entitlement, a Transitional Protection Top-up Payment is applied.

The Transitional Protection Top-up Payment is calculated by comparing the total amount of all Legacy benefits the claimant had previously been awarded, with the total amount of Universal Credit they would be entitled to (Universal Credit notional amount).

If the Universal Credit indicative amount is lower, the Transitional Protection Top-up Payment will be paid to make up the difference as part of the Universal Credit award.

For more information, see [Move to Universal Credit \(managed migration\) transitional protection top-up payment](#).

Some claimants who were previously receiving of Severe Disability Premium will also receive the Transitional Protection Top-up Payment even though they are not part of 'Move to Universal (managed migration)'. See [Spotlight on: Severe Disability Premium Transitional Protection overview](#).

Transitional Capital Disregard

The Transitional Capital Disregard enables eligible 'Move to Universal Credit (managed migration)' claimants with over £16,000 in capital to claim Universal Credit for up to 12 assessment periods.

For the disregard eligibility criteria, see Move to Universal Credit (managed migration) Transitional Capital Disregard.

When Transitional Protection stops

Transitional Protection will stop in the following circumstances:

- couples forming
- couples separating
- the claimant has earnings equal to or above the Administrative Earnings Threshold (AET) in their first assessment period and earnings then drop below the AET for 3 consecutive assessment periods at any time during the Universal Credit claim
- the Universal Credit award is terminated

Once Transitional Protection has ended, it cannot be re-awarded except in the following circumstance:

- when a claimant has an increase in household earnings that means their Universal Credit payment is nil, and
- they are no longer entitled to Universal Credit

In these circumstances, Transitional Protection will be re-instated if a re-claim is made within 4 months of the end of the assessment period in which the claimant was last awarded Universal Credit.

The 4 months are calculated from the end date of the assessment period in which the claimant was last awarded Universal Credit.

This is to encourage claimants to still work and earn more where possible.

Students

Students in advanced education who make a claim for Universal Credit as part of 'Move to Universal Credit (managed migration)' are exempt from the normal Universal Credit education eligibility criteria.

They will be allowed to complete any course they were participating in on the date they made their claim.

If they start a new course of education after the claim has been made, the normal Universal Credit student eligibility rules must be applied. This could lead to the claim being closed. See Students: Eligibility, conditionality and student income.

If their claim is closed and a further claim for Universal Credit is made again at a later date, the normal student eligibility is applied.

The only exception to this is if the claim was closed due to earnings. In these circumstances, if a further Universal Credit claim is made within 4 months of the last day of their previous entitlement, the student disregard can be applied.

Self-employed claimants

Self-employed claimants that claim Universal Credit as part of 'Move to Universal Credit (managed migration)' and are gainfully self-employed, will enter the 12 month Start-up Period.

They will not have the Minimum Income Floor applied to their Universal Credit award until this period has ended. This is regardless of how long they have been self-employed before moving to Universal Credit.

Claimants with a current Employment and Support Allowance Work Capability Assessment decision

If the claimant has a current Work Capability Assessment (WCA) decision recorded on their ESA claim, this will automatically be carried over to their Universal Credit claim as part of managed migration. They will not need to attend another WCA and Universal Credit WCA review processes will apply.

This applies to any claimant moving to Universal Credit from ESA without a break in their claim and not exclusively to 'Move to Universal Credit (managed migration)' claimants.