

Claim closure: Guidance

Contents

Introduction

Activity before closing the claim

Claims not to be closed

Claimant fails to accept the claimant commitment

Claimant fails the Habitual Residence Test

Claimant fails to attend their initial interview

Claimant fails to provide evidence

Nil award due to earnings or other income

Duplicate accounts or claims

Claimant fails ID verification due to an identity or security concern

Claim matched to an incorrect National Insurance number

Capital over £16,000

Claimant has passed away

Claimant is in education and does not meet eligibility criteria

Claimant is aged 16 or 17

Claimant is in prison or legal custody

Claimant is not eligible or entitled

Claimant is over State Pension / Pension Credit age

Exceeded the one month limit for temporary absence abroad

Claimant has moved abroad

Claimant asks for their claim to be stopped

Move to Universal Credit claimants

Closing the claim

Introduction

Claim closure (otherwise known as award ends) is when a claimant is no longer entitled to Universal Credit and consideration is given to closing their claim.

There can be several reasons for considering the closing of a claim and important checks must be made.

Activity before closing the claim

The following are considered to determine if the claim should be closed immediately or deferred:

- is there a history of complex needs?
- has the claimant accepted their claimant commitment?
- were the appointment details correct on the Diary Management Tool?

- has there been a mandatory reconsideration?
- does a duplicate claim exist?
- is there a recent journal entry to explain the circumstances?
- if there is a journal entry, checks must be made to see if the claimant has made contact.
- if there is an appointment, depending on the circumstances, the appointment can remain booked and the claim remains open

These are examples and not a full list.

Claims not to be closed

Universal Credit claims must not be closed when:

- the claim has been referred to a specialist team
- a specialist team suspends them
- a claimant fails to attend a Personal Security Number only appointment
- a claimant over State Pension age is entitled to Transitional Protection

Some Move to Universal Credit claimants are exempt from the normal Universal Credit Upper Age Limit, their claims must not be closed just because they are over State Pension age. See State Pension Age claimants: Move to Universal Credit (managed migration).

For more information on claims for the over State Pension age see: State Pension age claimants: Guidance: Mixed age couples in a Universal Credit claim and Move to Universal Credit (managed migration): State Pension age claimants or Nil award due to earnings or other income.

Claimant fails to accept the claimant commitment

Claimants are required to accept a claimant commitment to qualify for Universal Credit. Whenever commitments are updated, they must be accepted. If they do not accept their commitments, there is no entitlement to Universal Credit.

See Claimant Commitment not accepted for details.

For an auto-generated claimant commitment, the claimant is reminded to accept this within 7 days of receiving the prompt. For a tailored claimant commitment, they are required to accept this within 7 days of their First Commitments Meeting.

If they don't accept the claimant commitment and do not have complex needs, their claim must be closed the day after. The termination date is the date of declaration, and the claimant will be notified that their claim has been closed.

A claimant who refuses to accept their claimant commitment can ask for a cooling-off period or a second opinion.

If a claimant has a complex need that means using the service presents barriers, they must be contacted by their preferred method of contact.

The claimant must be advised of the consequences of closing their claim, see below.

The consequences of closing their claim

These include:

- their payments of Universal Credit will stop, including any payments to their landlord or mortgage provider to cover their rent, interest or service charges
- if they want to claim Universal Credit again, they will have to make a new claim and, if eligible, wait 5 weeks for their first payment

Claimant fails the Habitual Residence Test

A decision maker considers whether a claimant has failed the Habitual Residence Test (HRT), and a claim must not be closed until they have been given every opportunity to provide all the evidence required to make the decision.

A claimant has a minimum of 1 calendar month from the date of request to provide evidence before the claim is closed. Claims are only closed if it is:

- a single claim and the claimant has failed the HRT
- a couple claim and both claimants have failed the HRT

The decision maker will close the claim if the claimant is not entitled.

Claimant fails to attend their initial interview

If a claimant fails to attend their:

- Initial Evidence Interview
- Initial Gateway Interview, when they have reported self-employment at the start of a new claim
- initial Habitual Residence Test appointment

they must be notified to make contact and to book another appointment. If there is no contact, their claim is closed 1 calendar month plus 1 day from their date of declaration.

If the claimant rebooks the appointment within that time but fails to attend again, the 1 calendar month period will still count from the date of declaration. See Fail to attend.

If claim closure is to be deferred, a review date is set to make sure that the claim closure is reconsidered. There is no set policy on how long claim closure can be deferred or how many times. Discretion must be applied in each case depending on the individual circumstances.

The claimant must be advised of the consequences of closing their claim, see the section the consequences of closing their claim above.

Claimant fails to provide evidence

A claimant must be given 1 calendar month (or a longer period if considered reasonable) to provide information or evidence in connection with their new claim. For more information, see Evidence verification.

The month starts from the date the claimant is notified that the evidence is required (this means the date the claimant completed the declaration). If they fail to provide the evidence, the claim is closed 1 calendar month plus 1 day from the date the evidence was requested.

If further evidence is required for a new claim and the claimant is notified, consider whether the remaining time of the original month allowed to provide evidence is reasonable or whether that period should be extended.

If the claimant fails to provide evidence of their identity following an Initial Evidence Interview and fails biographical questions, the claim cannot be closed until 1 calendar month plus 1 day after the request for evidence was made.

If a claimant has or reports a change of circumstances and is asked to supply evidence, they have 14 days from the date it was requested to provide it. This period may be extended if appropriate to allow the claimant time to comply with the request. If they fail to provide the evidence, the claim may be fully suspended.

Where evidence cannot be provided because it no longer exists or cannot be obtained, the claimant is deemed to have satisfied the request.

If the claimant still fails to provide the evidence after the time limit or suspension, their claim will be closed.

The claimant must be advised of the consequences of closing their claim, see the section the consequences of closing their claim above.

Nil award due to earnings or other income

Most claims in which earnings or other income exceed Universal Credit entitlement will close automatically.

Claims with a nil award due to earnings will not be closed immediately. The service will close these claims automatically after 6 consecutive assessment periods with a nil award.

Where a Move to Universal Credit (managed migration) claimant over pension age has a nil award of Universal Credit for 4 months due to an increase in their earnings, they will no longer be able to claim Universal Credit. If they need to claim, they must claim Pension Credit.

If the 'Consider closing claim' to-do is generated, the Business as Usual process must be followed.

If the claimant disputes the earnings from the Real Time Earnings feed, they must be supported through the disputed earnings process.

A Move to Universal Credit (managed migration) mixed age couple will be able to claim Universal Credit if they meet other entitlement conditions. However, no Transitional Protection will be applied.

Duplicate accounts or claims

Where there is more than one active Universal Credit account with a matching National Insurance number, a prompt is sent to check both accounts.

Either one of the two accounts can be closed so both are investigated to determine which one needs to remain open, and which one needs to be closed.

Once it is established which account remains open the other account is closed from the date of declaration.

Claimant fails ID verification due to an identity or security concern

Important: The claim closure reason 'Has been flagged for identity or security reasons' must not be selected as this is for the use of specialist teams only.

For more information, see Identity verification under the heading 'Identity or security concerns on previous claims'.

Claim matched to an incorrect National Insurance number

This should only happen in exceptional circumstances, but it allows the claim to be closed from the date of declaration.

The claimant must be advised of the consequences of closing their claim, see the section the consequences of closing their claim above.

Capital over £16,000

A claimant with capital over £16,000 is not eligible for Universal Credit.

However, any Move to Universal Credit (managed migration) claimants who were entitled to tax credits and had capital over £16,000 the day before claiming Universal Credit will have any capital disregarded for 12 eligible assessment periods. This allows them to claim Universal Credit for up to 12 assessment periods. For the full eligibility details and more see [Move to Universal Credit \(managed migration\) transitional capital disregard and Treatment of capital](#).

The claimant should be advised of the consequences of closing their claim, see the section the consequences of closing their claim above.

Claimant has passed away

For information about the action to take when a single claimant dies, or a claimant suffers the death of a partner or child, see [Death and bereavement](#).

Claimant is in education and does not meet eligibility criteria

The claim is closed from the first day of the assessment period in which the claimant becomes ineligible. For more information, see [Students: Eligibility, conditionality and student income](#).

Claimant is aged 16 or 17

The claim is closed from the date of declaration if the young person is not entitled. For more information, see [Under 18s](#).

The claimant must be advised of the consequences of closing their claim, see the section the consequences of closing their claim above.

Claimant is in prison or legal custody

If a person is imprisoned or detained in legal custody pending trial, they are disqualified from receiving benefit. Decisions on whether a claimant is in legal custody must be referred to a decision maker.

The claim must be closed from the date they went into custody.

Claimants, children or qualifying young persons transferred from prison to a mental hospital under the provision of the Mental Health Act or the Mental Health (Care and Treatment) (Scotland) Act 2003 are also disqualified from receiving benefit.

Claims for single claimants in prison must be closed unless it is known they will be in prison for less than 6 months and they had housing costs before being imprisoned.

Decisions on whether a claimant is in prison must be referred to a decision maker. For more information see Prisoners.

Claimant is not eligible or entitled

Important - The claim closure reason 'Is not eligible or entitled' must not be selected as this is for the use of specialist teams who have been instructed to do so only.

Claimant is over State Pension or Pension Credit age

Claimants must be under State Pension age to claim Universal Credit. See Eligibility for Universal Credit.

For single claimants, the claim is closed from the day after the end of the assessment period in which they have reached State Pension age, unless they are part of a mixed age couple, see below.

The Upper Age Limit does not apply if the person over State Pension age is part of a couple claim, and their partner has not reached that age.

Some Move to Universal Credit (managed migration) claimants are exempt from the Upper Age Limit and able to claim, until their Transitional Protection ends. For more information on when the Upper Age Limit exemption ends, See Eligibility for Universal Credit and State Pension Age claimants.

Mixed age couples

Claim closure must be deferred until the youngest person in the couple reaches State Pension age.

Before considering claim closure for a Move to Universal Credit (managed migration) claimant who is over State Pension age, refer to the State Pension age claimants: Guidance: Transitional Protection entitlement ends.

Exceeded the one month limit for temporary absence abroad

For absences abroad of more than one month the claim should be closed, unless a decision maker considers it an allowable reason, for example for the reasons listed below:

- bereavement
- medical treatment
- a claimant who is a mariner or continental shelf worker
- crown servants or those serving in HM Armed Forces

See Going abroad for more detail.

Claimant has moved abroad

For claimants moving abroad permanently, the claim is closed from the date they moved abroad.

Claimant asks for their claim to be stopped

Important: If a claimant requests that their claim should be stopped and there isn't a more specific closure reason, it should be closed as 'Withdrew their claim'.

Claims must not be closed if they are with specialist teams or are suspended.

All online claimants must be directed to use their account to request that their claim be closed. For those claimants unable to use the service, closure requests can be taken over the phone.

Both members of a joint claim must request and confirm if a joint claim is to be closed at their own request. An ineligible partner does not need to give consent as they are not part of the benefit unit.

If a claimant requests that their claim be stopped, it must be closed as 'Withdrew their claim' from the date of their request. The claimant must also be advised of

the consequences of closing their claim, see the section the consequences of closing their claim above.

Move to Universal Credit claimants

When a Move to Universal Credit claimant claim is closed, the claimant will lose their entitlement to Transitional Protection. Losing entitlement to Transitional Protection may mean the claimant is significantly worse off.

Transitional Protection will not be reinstated if the claimant makes another claim to Universal Credit. They would not receive the Transitional Protection additional amount again.

For this reason, a careful check must be made for any barriers or vulnerabilities the claimant may have before considering closing a claim.

Closing the claim

If the claim is to be closed, all outstanding appointments must be cancelled. The claimant will receive a decision notification telling them that the claim has been closed and advising them of their appeal rights. A journal note entry is added to this effect.