

State Pension age claimants: Guidance

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Reaching State Pension age

Entitlement to Universal Credit ends once a claimant has reached State Pension age in most cases. See: Mixed age couples and Transitional Protection entitlement ends sections for the exceptions to this.

Universal Credit will be paid for the full assessment period during which the claimant reaches State Pension age. The Universal Credit claim closure date will be the first day after the end of this final assessment period.

Claimants will not automatically receive pension age benefits. Universal Credit claimants who are within 4 months of reaching State Pension age will be signposted to make an advanced claim for State Pension, Pension Credit and/or Pension Age Housing Benefit.

Pension age benefits will only start after the claimant reaches State Pension age.

Any State Pension payment received during the final assessment period will be taken into account for Universal Credit.

Any payment of Pension Credit and / or Pension Age Housing Benefit is disregarded.

Mixed age couples in a Universal Credit claim

A mixed age couple claiming Universal Credit comprises of one partner of working age and the other partner of State Pension age.

For mixed age couples, the Universal Credit claim will be closed after the end of the assessment period in which the working age partner reaches State Pension age or becomes ineligible.

The claim closure date will be the first day after the end of this final assessment period.

In a mixed age couple, when the working age claimant reaches State Pension age, their claim will be closed.

For information on mixed age couples, where the younger partner is claiming legacy benefit for both members of the couple, see the [New Claims: Mixed age couples guidance](#).

See Transitional Protection entitlement ends for Move to Universal Credit claimants over State Pension age.

State Pension age partner joins working age partner's existing Universal Credit claim

The joint Universal Credit claim will start from the first day of the assessment period in which the State Pension age partner joins the working age partner's Universal Credit claim.

The State Pension claim continues and payments of this are treated as unearned income for Universal Credit.

Entitlement to Pension Credit and / or Pension Age Housing Benefit (PAHB) ends from the date they become a mixed age couple. There are circumstances where claimants over State Pension age can get PAHB reinstated. For more information on this see Pension Age Housing Benefit.

Any overlap of Pension Credit and / or Pension Age Housing Benefit with Universal Credit is disregarded.

Universal Credit mixed age couple separate

When a mixed age couple separate, the State Pension age partner's entitlement to Universal Credit ends from the start of the assessment period in which the mixed age couple separated.

The working age partner's Universal Credit claim will be treated as a single person claim from the same date.

The State Pension age partner may make a claim for Pension Credit and / or Pension Age Housing Benefit.

Bereavement

When a member of a mixed age couple dies, the surviving partner is entitled to the Universal Credit bereavement run-on.

Move to Universal Credit (managed migration)

Move to Universal Credit claimants are exempt from the Upper Age Limit providing they were entitled to Working Tax Credit as a pensioner and they claimed Universal Credit within 1 month of the deadline on their migration notice.

This includes the following claimants:

- single claimants over State Pension age
- couples where both claimants are over State Pension age

This is part of the Transitional Protection offer for pension age claimants.

Mixed age couples who were in receipt of Working Tax Credit will also be included in Move to Universal Credit (managed migration), but they are not exempt from the Upper Age Limit.

For information on those who choose not to claim Universal Credit or who have no entitlement to Working Tax Credit see the Move to Universal Credit (managed migration) Guidance: State Pension age claimants section.

Work-related requirements and labour market regimes

All claimants over pension age are placed in the No Work-Related Requirements regime.

In a mixed age couple, the partner under pension age is subject to the normal Universal Credit labour market and self-employment rules. They will be placed in a labour market regime based on their personal circumstances.

Self-employment and gainful self-employment

Self-employed claimants over pension age:

- are not required to attend a Gateway Interview or any other self-employment related interviews

- are not subject to a Start-Up Period, Gainful Self-Employment test, or the Minimum Income Floor
- must report their self-employed income and expenses each month on their Universal Credit account, in the same way as all self-employed claimants in the No Work-Related Requirements regime

Benefit Cap

Single claimants over pension age and couples where both claimants are over pension age will be exempt from the Benefit Cap. Mixed age couples are not exempt. See [Move to Universal Credit claimants over State Pension age Benefit Cap guidance](#).

Unclaimed pensions and unearned income

Any unclaimed state or private pensions will be disregarded as income for 12 eligible assessment periods if the claimant remains entitled to Transitional Protection. See: [Unearned income and Exception to notional income rule: Move to Universal Credit](#) for more detail.

This disregard applies to all claimants over pension age who claimed as part of Move to Universal Credit, including the older partner in a mixed age couple.

Move to Universal Credit (managed migration): transitional capital disregard

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

Transitional Protection entitlement ends

For most claimants over State Pension age, if their entitlement to Transitional Protection ends so does entitlement to Universal Credit and their claim will close. They will then no longer be able to claim Universal Credit.

This includes cases where the claimant:

- separates from their partner:

- where both claimants are over State Pension age, they would both lose entitlement to Universal Credit and Transitional Protection
 - in a mixed age couple, both would lose entitlement to Transitional Protection, the claimant over State Pension age would also lose Universal Credit, but the claimant under State Pension age could claim Universal Credit if they meet the other entitlement conditions
- a single pension age claimant forms a new couple:
 - with another person over pension age, in this case the claimant would lose entitlement to Transitional Protection and Universal Credit and would claim Pension Credit.
 - with someone under pension age, they would not be entitled to Transitional Protection, but may be able to continue claiming Universal Credit if they meet the normal mixed age couple criteria
 - has a nil award of Universal Credit for 4 consecutive assessment periods

Some claimants may remain entitled to Universal Credit once their transitional protection ends if they are part of a mixed age couple and they meet all other entitlement conditions.

Exception to notional income rule

Move to Universal Credit claimants who are over State Pension age and have an unclaimed private or State Pension will not have this taken into account as notional income for 12 eligible assessment periods. For the full details of this exception see the Exception to notional income rule section of the Unearned income guidance.