

2025 No.

SOCIAL SECURITY

**The Universal Credit, Personal Independence Payment and
Employment Support Allowance (Amendment) Regulations 2025**

Made - - - -

Laid before Parliament

Coming into force

The Secretary of State makes these Regulations in exercise of the powers conferred by section 8(1) and (2), 9(1) and (2) and 25(2), (3) and (5)(b) of the Welfare Reform Act 2007^(a) and 37(3) and (4), 42(1), (2) and (3)(b), 80(1) and (3) and 94(1), (2) and (3)(b) of the Welfare Reform Act 2012^(b).

[In accordance with section 173(1)(b) of the Social Security Administration Act 1992, the Social Security Advisory Committee has agreed that the proposals in respect of these Regulations should not be referred to it.]

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Universal Credit, Personal Independence Payment and Employment Support Allowance (Amendment) Regulations 2025 and come into force on XX XX XXXX.

(2) Any amendment made by these Regulations has the same extent as the provision amended.

Amendment of the Universal Credit Regulations 2013

2. In regulation 41 of the Universal Credit Regulations 2013 (when an assessment may be carried out)(c)—

(a) in paragraph (1) in the closing words, for “(2)” substitute “(1A)”;

(b) after paragraph (1), insert—

“(1A) For the purposes of paragraph (1)(b), being in paid work is not a “relevant change of circumstances”.”.

(a) 2007 c. 5.
(b) 2012 c. 5.
(c) S.I. 2013/376.

Amendment of the Social Security (Personal Independence Payment) Regulations 2013

3. In regulation 11 of the Social Security (Personal Independence Payment) Regulations 2013 (re-determination of ability to carry out activities)(a)—

- (a) the existing provision is renumbered as paragraph (1);
- (b) in paragraph (1), for “Where” substitute “Subject to paragraph (2), where”;
- (c) after paragraph (1) insert—

“(2) For the purposes of paragraph (1), doing work for payment or in expectation of payment is not a reason for a fresh determination under this Part.”.

Amendment of the Employment and Support Allowance Regulations 2013

4.—(1) The Employment and Support Allowance Regulations 2013(b) are amended as follows.

(2) In regulation 15 (determination of limited capability for work)—

- (a) in paragraph (7), in the closing words after “applies” insert “and subject to paragraph (9),”;
- (b) following paragraph (8), insert—

“(9) For the purposes of paragraph (8)(a), doing work for payment or in expectation of payment is not a “relevant change of circumstances”.”.

(3) In regulation 30 (determination of limited capability for work-related activity)—

- (a) in paragraph (4), in the closing words after “applies” insert “and subject to paragraph (5A),”;
- (b) after paragraph (5), insert—

“(5A) For the purposes of paragraph (5)(a), doing work for payment or in expectation of payment is not a “relevant change of circumstances”.”.

Signed on behalf of the Secretary of State of Department for Work and Pensions

Date

Name
Parliamentary Under Secretary of State
Department for Work and Pensions

(a) S.I. 2013/377.

(b) S.I. 2013/379.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Universal Credit Regulations 2013 (S.I. 2013/376) (“the UC Regulations 2013”), the Social Security (Personal Independence Payment) Regulations 2013 (S.I. 2013/377) (“the PIP Regulations 2013”) and the Employment and Support Allowance Regulations 2013 (S.I. 2013/379) (“the ESA Regulations 2013”).

Regulation 41 of the UC Regulations 2013 and regulations 15 and 30 of the ESA Regulations 2013 make provision for assessments to be carried out to determine if a person has limited capability for work or limited capability for work and work-related activity. Where there has been a previous determination, an assessment may be carried out if the Secretary of State wishes to determine if there has been a relevant change of circumstances in relation to the claimant’s physical or mental condition. New paragraphs are inserted into those regulations making it clear that doing work for payment or in expectation of payment is not a relevant change of circumstances for that purpose.

Regulation 11 of the PIP Regulations 2013 makes provisions for fresh assessments to be carried out to re-determine if a claimant continues to have limited ability or severely limited ability to carry out either or both daily living activities or mobility activities in accordance with regulation 4. Regulation 11 gives the Secretary of State the power to do this for any reason and at any time. A new paragraph (2) is inserted which provides that doing work for payment or in expectation of payment will not be a reason for that purpose.

A full impact assessment has not been produced for this instrument as it has no impact on the private sector or civil society organisations.