



News in Brief

Another week, another set of regulations! As ever, we strive to keep you up to date and on top of all the changes.

It's not too late to book a place for our Forum meeting – where we will be discussing the changes outlined below in greater detail, delivering a benefit update presentation and hearing more about managed migration from Carri, who works for CPAG's Early Warning System.

Date: Thursday 23 May 2024

Time: 10:00am to 12:30pm

Location: Zoom

Book your place today at www.eventbrite.co.uk/e/wbu-may-2024-forum-tickets-884093255727

We also still have places on two upcoming courses about managed migration – one introductory level and one experienced level.

Introduction to Universal Credit and Migration – introductory level 19 June, 10am to 4pm

Move to Universal Credit – experienced level 26 June, 10am to 4pm

Book your place here: www.welfare-benefits-unit.org.uk/training/apply-for-training/

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Managed migration for State Pension age tax credit claimants

There are currently approximately 15,500 pensioner households (single pensioners or couples where both are State Pension age) in receipt of tax credits.

New regulations have been issued which provide for the migration of these claimants to either Universal Credit or Pension Credit, depending on their circumstances.

Invited to claim Universal Credit

From July 2024, claimants receiving Working Tax Credit or Working Tax Credit and Child Tax Credit will be invited to claim Universal Credit. A transitional element will be considered for qualifying claims.

Invited to claim Pension Credit

From July 2024, claimants receiving Child Tax Credit only, or those receiving either tax credit alongside Pension Credit will be invited to claim Pension Credit. A new **transitional additional amount** will be introduced to Pension Credit to ensure that claimants are not worse off at the point of claim.

As Universal Credit is not designed as a working-age benefit and Pension Credit is not designed as a benefit for those in work, the regulations make several changes to the normal rules for this cohort.

- The age rules for Universal Credit will be waived to allow State Pension age claims. The waiver can end (and Universal Credit terminated) in the same way that the transitional element ends, if earnings fall below the minimum earnings threshold, or if the claimant decides to claim Pension Credit.
- To align with Working Tax Credit, a minimum earnings threshold of 16 hours per week at National Minimum Wage will be introduced for Universal Credit. If earnings fall below this for 3 months after a grace period of 12 months then the Universal Credit claim will be terminated.
- State Pension age claimants will be exempt from the Benefit Cap, including when calculating the Universal Credit indicative amount for the purposes of the transitional element.
- Deferred private and State Pension income will be disregarded for 12 months for both Universal Credit and Pension Credit (or until claimed, if sooner).
- Deferring State Pension while in receipt of Universal Credit under these rules will not increase State Pension payable at a later date (unlike under Working Tax Credit, where a deferred State Pension increased in value).

Mixed-age couples

Separate regulations have also been issued regarding protected mixed-age couples in receipt of tax credits. Protected mixed-age couples are those who are entitled to an award of State Pension age Housing Benefit or Pension Credit despite not both being State Pension age.

Protected mixed-age couples in receipt of Working Tax Credit and Housing Benefit will be invited to claim Universal Credit. Separate provisions allow that after any Universal Credit claim has ended, protected mixed-age couples will be able to reclaim State Pension age Housing Benefit or Pension Credit. The regulations also allow that where a couple in this situation do not make a claim for Universal Credit, or make a claim but are not entitled, the protection remains that allows them to reclaim State Pension age Housing Benefit.

For the regulations, visit:

www.legislation.gov.uk/uksi/2024/611/made

www.legislation.gov.uk/uksi/2024/604/made

For the explanatory memorandum, visit:

www.legislation.gov.uk/uksi/2024/611/memorandum/contents

Managed migration update

After accelerating the migration timetable and bringing forward the timeline for ESA claimants from 2028 to 2025, the DWP have announced that they intend to begin notifying ESA claimants that they need to move to Universal Credit in **September 2024**.

On Friday 19 April 2024, the Prime Minister made a speech that included the announcement to accelerate the movement of Employment Support Allowance (ESA) and ESA with HB claimants to UC... 'our current planning assumption is that we would begin notifying this group in September 2024, with the aim of notifying everyone to make the move by December 2025.'

For more information, visit: www.gov.uk/government/publications/la-welfare-direct-bulletins-2024/la-welfare-direct-52024#latest-update-move-to-universal-credit

Here is a reminder of the current timetable for all legacy benefits:

2023 – 2024 – tax credit only claimants

April 2024 – Income Support claimants and those receiving both tax credits and Housing Benefit (recent reports indicate a current focus on Income Support with tax credits, with Income Support claimants who also receive Housing Benefit to follow slightly later)

June 2024 – Housing Benefit only claimants

July 2024 – claimants receiving both income-related Employment and Support Allowance and Child Tax Credit

July 2024 – State Pension age claimants in receipt of tax credits (directed to claim Pension Credit or Universal Credit depending on their circumstances)

September 2024 – income-based Jobseeker's Allowance claimants

September 2024 – income-related Employment and Support Allowance only, or income-related Employment and Support Allowance with Housing Benefit