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**What triggers a Universal Credit claim?**

There is two different ways people are moved on to Universal Credit and depending on which group you fall into depends on whether you will benefit from ‘transitional protection’.

Transitional protection is a top-up payment you will receive if your Universal Credit entitlement is less than your current benefit entitlement if you have been transferred via ‘managed migration.’ This process has started in pilot schemes this year and the government aims to have all claimants transferred over from legacy benefits by 2023.

Other claimants that have a ‘change in circumstance’ will be moved earlier under ‘natural migration’. Anyone who experiences a changes in circumstance will trigger a new claim to Universal Credit and lose their transitional protection.

A general rule is that natural migration could be triggered if entitlement to your current benefit ends or you become entitled to a different benefit. It should not happen when you make changes to benefits you are already receiving.

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| **Change of Circumstance**  | **UC or Legacy Benefit?**  |
| You receive Working Tax Credit and your hours fall below 16 a week  | UC claim  |
| You receive Employment and Support Allowance (IR) and your hours rise above 16 per week  | UC claim  |
| You claim Working Tax Credit and your hours increase  | Choice – you can remain on WTC or decide to claim UC if you are better off |
| You claim Working Tax Credit and become too ill to able to work  | UC claim  |
| You receive Child Tax Credit and start work which satisfies the rules for Working Tax Credit  | Choice – remain on WTC or claim UC if you are better off  |

Change of family circumstances

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| **Change of Circumstances**  | **UC or Legacy Benefit?**  |
| You claim an income based legacy benefit and you then become responsible for your first child  | UC Claim  |
| You claim WTC and become responsible for your first child  | Choice – continue to claim WTC or claim UC  |
| A single parent who claims income support who’s child then turns 5  | UC claim (unless you meet other eligibility for IS)  |
| Currently claim child tax credit and you then have another child  | Choice – continue to claim WTC or claim UC |

A partner leaves or joins the household

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| **Change of Circumstances**  | **UC or legacy benefits?**  |
| You are a couple who claim tax credits who then separate  | Each member of couple should claim UC as a single person  |
| You are a single parent who then forms a couple with someone who works less than 24 hours a week  | UC couple claim  |
| You are a single parent on Income Support and Child Tax Credit and you form a couple with someone working more than 24 hours a week | UC couple claim  |
| A couple on Jobseeker's Allowance with children under 5 who become lone parents | Each member of couple should claim UC as a single person |
| A single person under pension age on 'legacy benefits' and you become a couple with person of Pension Credit qualifying age | UC couple claim  |

Starting or ending disability claims

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| **Change of Circumstances**  | **UC or Legacy Benefits?**  |
| You claim (IR) Employment and Support Allowance but you fail a Work Capability Assessment  | UC claim- if you choose to appeal your assessment decision you will still remain on UC. Some claimants should remain on ESA (assessment period entitlement/SDP) – **seek advice**  |
| Claiming JSA and you fall ill  | UC claim  |

Moving home

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| **Change of Circumstances**  | **UC or Legacy Benefits**  |
| already claim Housing Benefit and you move into a new local authority | UC Claim  |
| already claim Housing Benefit and you move within the same local authority | Choice between continuing to receive HB or a new UC claim  |
| You receive JSA/ESA/IS or Tac credit and start a new tenancy for the first time  | UC claim  |