[www.thcan.org.uk](http://www.thcan.org.uk)

**What triggers a Universal Credit claim?**

There are two different ways people are moved on to Universal Credit depending on which group they fall in. If you are transferred via ‘managed migration’ you are entitled to transitional protection, whereas if you are transferred via ‘natural migration’ no transitional protection will apply. Transitional protection is a top-up payment you will receive each month if your Universal Credit entitlement is less than your current benefit entitlement as long as your circumstances remain unchanged. You can lose transitional protection if your circumstances later change.

The government's intention was to move all claimants who are receiving an existing legacy benefit to Universal Credit through ‘managed migration’ between November 2020 and September 2024. This process started with a pilot scheme in 2019, however, this pilot was paused in March 2020 because of the coronavirus pandemic. It is unclear what impact the delay to the pilot will have on this overall migration timetable.

Claimants who are moving to Universal Credit through managed migration will be sent a “migration notice”, which will tell them that they need to apply for Universal Credit by a certain date. By contrast anyone who experiences a change in circumstance will be moved earlier under ‘natural migration’ and will lose their transitional protection, but transitional payments may apply in specific cases (e.g. SDP). 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.

**Change in employment status**

|  |  |
| --- | --- |
| **Change of Circumstances**  | **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**

|  |  |
| --- | --- |
| **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 Working Tax Credit and become responsible for your first child  | Choice – continue to claim WTC or claim UC  |
| A single parent who claims Income Support whose child then turns 5  | UC claim (unless you meet other eligibility for IS)  |
| Currently claiming Child Tax Credit and you then have another child  | Choice – continue to claim WTC or claim UC |

**A partner leaves or joins the household**

|  |  |
| --- | --- |
| **Change of Circumstances**  | **UC or legacy benefit** |
| 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 a disability claim**

|  |  |
| --- | --- |
| **Change of Circumstances**  | **UC or legacy benefit**  |
| You claim (IR) Employment and Support Allowance but you fail a Work Capability Assessment  | UC claim- if you challenge your Work Capability Assessment and win you will remain on UC (SDP transitional payments are available if you received a SDP within your ESA in the month before they claim UC and continue to meet the eligibility conditions for SDP)  |
| Claiming JSA and you become sick | UC claim  |

**Moving home**

|  |  |
| --- | --- |
| **Change of Circumstances**  | **UC or legacy benefit** |
| You already claim Housing Benefit and move into a new local authority | UC Claim  |
| You already claim Housing Benefit and move within the same local authority | Choice between continuing to receive HB or a new UC claim  |
| You receive (IR) JSA/ESA/IS or Tax Credit and start a new tenancy for the first time  | UC claim  |