Law Centre NI

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An Advisers Guide to Managed Migration

All Legacy Benefits

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PART ONE

An Overview of Managed Migration

Introduction to the Guide

As the Department for Communities continues to invite legacy benefit claimant's to transition to a new claim for Universal Credit, the Law Centre has created its second guide to managed migration. With the official rollout continuing[1] and invitations being extended to different legacy benefit claimants, this guide will help advisers across Northern Ireland better understand the key terminology; transitional protection; the calculation of the transitional elements; and vital information that advisers should be aware of.

An Overview of Managed Migration

Following the introduction of Universal Credit to Northern Ireland from September 2017[2], claimants were no longer able to make a new claim for previous means tested benefits, known as 'legacy benefits'.[3] However, claimants already in receipt of these legacy benefits were able to continue their awards until they experienced a change in circumstances that meant they no longer satisfied the qualifying criteria. If they had a change in circumstance which required a new claim for benefit then they had to claim Universal Credit - this process is known as natural migration. Additionally, some legacy benefit recipients had chosen to move to Universal Credit as there are some circumstances in which they might be better off on Universal Credit. Lastly, from October 2023[4], in Northern Ireland claimants still in receipt of legacy benefits have been invited by the Department for Communities to officially make the move Universal Credit – this is known as 'managed migration'.

Managed Migration[5] is the official process of being invited by the Department for Communities to make a claim for Universal Credit as a claimant existing legacy benefit is coming to an end. As part of the process, the Department for Communities will send out an official invitation letter to claimant's inviting them to make the move, this letter is known as a 'Migration Notice'[6] – this document will outline that a claimant's existing legacy benefit is coming to an end, and provide a deadline date by which a claimant must make their claim for Universal Credit in order to continue receiving financial support.

Claimants that go through the managed migration process should be entitled to 'transitional protection'.

Transitional protection is a key component of the managed migration process. In simple terms, it ensures that no claimant moving across via managed migration will be immediately worse off but will instead be entitled to receive additional support to ensure that their benefit award remains at the same level at the point they transfer.

[1] https://www.nidirect.gov.uk/articles/what-move-universal-credit#toc-4
[2] Welfare Reform (NI) Order 2015
[3] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 2(1). Additional note – legacy benefits include: income-based Jobseeker's Allowance; income-related Employment & Support Allowance; Income Support; Housing Benefit; Child Tax Credit; and, Working Tax Credit.
[4] https://www.communities-ni.gov.uk/news/move-uc-begin-next-week
[5] Universal Credit (Transitional Provisions) Regulations (NI) 2016
[6] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. 45(1) & (2)

There are different types of transitional protection via the managed migration process that can help a claimant maintain their current level of benefit entitlement:

- **Transitional Savings Disregard [7]**

Under the normal eligibility rules for Universal Credit, a claimant must not have capital or savings over £16,000. However, under Tax Credits there were no restrictions on levels of capital. Under managed migration, a claimant who has Capital in excess of £16,000 when they migrate to Universal Credit will have any of the capital exceeding £16,000 disregarded for up to twelve assessment periods.[8]

Advisers should note that the transitional savings disregard relates to savings exceeding £16,000, however the normal tariff income rules continue to apply for savings between £6000 - £16,000.

It is important for advisers and claimants to be aware that this protection will come to an end after twelve assessments periods and if a claimant's capital and savings remains over £16,000 after this time, they will no longer be eligible for Universal Credit as the normal capital rules[10] will apply.

If during this period a claimant's spending brings their capital and savings below the £16,000 threshold, they will no longer be entitled to this form of transitional protection. This means that if their savings and capital later increase above the threshold, they will no longer be entitled to an award of Universal Credit as the usual capital limits will apply. This can also be an important consideration for claimant's who are about to transition to Universal Credit – if their capital and savings are already below the threshold when they move, then the protection will not be attached to their award.

Claimant's and advisers should also consider the rules under 'deprivation of capital'[11] when it comes to spending savings and capital as a claimant approaches the end of their twelve assessment periods.

ADVISER NOTE

Under the legacy benefit rules, it may have been considered as deprivation if a claimant used excess capital to pay off a debt, that was not immediately repayable. However, this is not the case under Universal Credit and claimant's with excess capital can use it for the purpose of paying off non-immediate debt. [12]

[7] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 52
[8] Ibid 7
[9] Universal Credit Regulations (Northern Ireland) 2016, Reg. 18 & 72
[10] Universal Credit Regulations (Northern Ireland) 2016, Reg. 18
[11] Universal Credit Regulations (Northern Ireland) 2016, Regulation 50
[12] Universal Credit Regulations (Northern Ireland) 2016, Reg. 50(2)

- **The Transitional Element [13]**

This guide will predominantly focus on transitional protection in the form of the transitional element. However, it is important to note that transitional protection has been put in place to ensure that claimants who would not normally be entitled to make a claim for Universal Credit are still eligible to receive financial support after moving from their legacy benefits.

The transitional element is an additional element that can be included to ensure a claimant's Universal Credit award is topped up to the level of their previous legacy benefit. In short the transitional element compares a claimant's entitlement of existing legacy benefits with that of their Universal Credit entitlement, based on their circumstances on the day before their award begins.

Where the total legacy amount is higher than the claimant's Universal Credit indicative amount, the difference will be included in their Universal Credit award – this is known as the transitional element.[14] However, where a claimant's Universal Credit entitlement is higher than their legacy award, then no transitional element will be included.[15] The calculation of the transitional element is complex, and therefore a significant part of this guide has been dedicated to focus on this aspect of managed migration.

Managed Migration - The Official Process

Managed migration is the official process of transitioning from a legacy benefit claim to a claim for Universal Credit, but what does this process actually involve and how can advisers ensure that claimants are protected when they move?

The formal process begins when a legacy benefit claimant is issued a migration notice from the Department for Communities. This letter informs the claimant that[16]:

- their legacy benefits are going to terminate in the near future (at least three months);
- they must make a new benefit claim for Universal Credit if they wish to continue receiving financial support;
- it will specify a specific deadline date by which a claimant must make their claim for Universal Credit – known as deadline day; and,
- it will also include information about where a claimant can go for additional help or assistance.

[13] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Regulation 53
[14] Universal Credit (Transitional Provisions) 2016, Regulation 53(1)
[15] Advice for Decision Making – M:Effects of Transition to Universal Credit, M7400
[16] Advice for Decision Making – M:Effects of Transition to Universal Credit, M7060

ADVISER NOTE

Where an existing legacy benefit claimant is a member of a couple, a migration notice must be issued to both members with the same deadline day.[17] Although in some legacy benefits like Income Support, and income-related Employment and Support Allowance only one member of a couple is the claimant. For Universal Credit both members will have to make a claim.[18] These claims will then be linked together in the usual way using a ‘partner linking code’.

- ## Deadline day

As mentioned above, a ‘notified person’ (i.e. someone who has been issued their official migration notice[19]) will find their deadline day within their migration notice letter. This date not only outlines when their legacy benefit claim will stop but also signifies by what date they must make a valid claim for Universal Credit in order to be entitled transitional protection.[20] It is important to note that this deadline date must be more than three months from the day on which the migration notice letter was issued.[21]

- ## Extending the deadline day

A claimant is able to extend their deadline day to a later date where there is good reason to do so.[22] A claimant can do this by contacting the Department before their deadline day and providing the reasoning for an extension in time to claim Universal Credit.

ADVISER NOTE

Extending the deadline can be a useful tool for advisers to delay a claimants move to UC as there is no limit to the number of times that a claimant can request their deadline be extended. However, they must make the request before their deadline day (or their new deadline day if it has already been extended) and must demonstrate a good reason for needing to extend their deadline day. [23]

[17] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg.54(4)
[18] Advice for Decision Making – M:Effects of Transition to Universal Credit, M7062
[19] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 45(1)
[20] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 45(1)(b)
[21] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 45(3)
[22] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 46(1)
[23] Advice for Decision Making – M:Effects of Transition to Universal Credit, M7076

- ### What constitutes 'good reason' when a claimant is looking to extend their deadline day?

Guidance outlines that this might include instances where a notified person has difficulty completing their Universal Credit application because they:[24]

- have physical or mental health condition;
- have learning difficulties;
- are in or about to enter hospital as an in-patient;
- have significant caring responsibilities;
- are homeless; or,
- if a claimant has a domestic emergency.
-

The list of good reasons is non-exhaustive, and each case will be considered on its merits. You can find more examples of good reason in Chapter K2 of the Advice for Decision Making guidance linked '**here**'.[25] If there is good reason, a decision maker can also consider whether it may be more appropriate to cancel a migration notice instead.[26]

ADVISER NOTE

As the Tax Credit system is scheduled to close on 5th April 2025, claimants in receipt of this benefit are no longer able to request an extension to their deadline day.

Let's look at some examples of good reason in practice:

- ### Example 1

Gregor lives alone and is entitled to Income-Related Employment & Support Allowance and Housing Benefit. He has severe learning difficulties, and his support worker Fiona helps him understand and deal with any official correspondence that he receives in relation to his benefit awards. Gregor received his official Managed Migration Notice on the 31.11.2024. Graham has no family support and only sees his support worker once every few weeks. However, Gregor doesn't tell Fiona about the Notice until the 20.02.2025. Fiona contacts the Department on Gregors' behalf that same day to request an extension to the deadline day outlining that Gregor is unable to make the claim by himself and needs assistance from a local advice organisation to complete the UC application form. The earliest appointment available to Gregor is on the 10.03.2025. The deadline day is changed to 22.03.2025.

[24] Advice for Decision Making – M:Effects of Transition to Universal Credit, M7081
[25] Advice for Decision Making – M:Effects of Transition to Universal Credit, M7082
[26] Advice for Decision Making – M:Effects of Transition to Universal Credit, M7077

On the 08.03.2025, Fiona contacts the Department again to request a further extension because Gregors' boiler broke causing extensive damage to his home, and there is no water or heating available at the minute. Gregor has temporarily been re-housed while the repairs are completed and is too upset to attend his appointment with the local advice organisation and his appointment with them has been rescheduled to the 25.03.2025. The Department agreed to extend the deadline to apply for UC again until the 20.04.2025.

- **Example 2**

Denis is entitled to Income-Related Employment & Support Allowance and Housing Benefit. He has learning difficulties, anxiety and is visually impaired. His support worker Ciara has to help him with his post and official correspondence. Denis received his Managed Migration Notice in November telling him that he needs to make a claim for Universal Credit by the 22.02.2025. Ciara contacts the Department on Denis' behalf on the 30.01.25 to tell them that Denis is about to move into supported accommodation in the coming week and that he will not be able to deal with changing his benefit award until he has properly settled in to his new home. His deadline day was extended to the 22.04.2025.

- **Final deadline day**

What happens if a claimant fails to make a successful claim for Universal Credit before their deadline day? In this scenario, a claimant can still benefit from transitional protection if they make their qualifying claim within one calendar month of their deadline day (as stated on their migration notice, unless it has been extended). This is known as their 'final deadline day'.[27] The final deadline day is the day that would have been the last day of the first assessment period if an award for Universal Credit commenced on a claimant's deadline day. If a claimant makes a successful claim for Universal Credit before this date, their claim will be treated as having been made on their deadline day and there will be no gap in their benefit entitlements. As a result, they will still be able to benefit from transitional protection.

A claimant who makes their claim for Universal Credit after the final deadline day will not be eligible to receive a transitional element in their award. However, they may be able to backdate their claim under the usual Universal Credit backdating rules.

ADVISER NOTE

A claimant does not have the right to request a mandatory reconsideration or submit an appeal about the following:[28]

- being issued their migration notice;
- deadline day (as long as it is at least three months after the date of issue);
- any refusal to extend their deadline or cancel their migration notice.

[27] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 47(3)
[28] Advice for Decision Making – M:Effects of Transition to Universal Credit, M7079

- ### Cancelling vs Extending a Managed Migration Notice

The Department can cancel a Managed Migration Notice if it has been issued in error, or in circumstances where it is necessary to do so in the interest of claimant, or effective administration of Universal Credit.[29] Unlike an extension, a claimant whose migration notice is cancelled will not have to make the move to UC in the near future, i.e. instead of the claimant's deadline day being extended – their legacy benefit award will continue as though the Managed Migration Notice had not been sent to them.

Managed Migration Timeline

Managed Migration Notice Letter

A claimant receives an official Notice Letter from the Department informing them that their award of Tax Credits will terminate on a specific Deadline Date and that they must make a valid claim for Universal Credit. You will then have at least three months to make a new claim for Universal Credit. You must do so before the 'Deadline Day' as stated in your Notice Letter.

Legacy Benefit Stops

Your award of Tax Credits will stop the day before Deadline Date, or the day before you submit a valid claim for Universal Credit. However, for other legacy benefit claims, there is a two-week run-on period before a claimant receives their final payment.

Deadline Date

The Deadline Date is the specific date found in your official Managed Migration Notice Letter that you must make a claim for Universal Credit before in order to receive Transitional Protection.

Extending the Deadline Date

You are able to request an extension from the Department before your Deadline Date if you have 'good reason' for doing so. There is no limitation on the number of times you can request an extension, however, you must continue to have a 'good reason' each time you make a request. If you are applying for your second extension, you must also make your request before the New Deadline Date as stated on any new 'Updated Notice Letter'.

[29] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 45(4)

Final Deadline Date

If you have not claimed Universal Credit by your Deadline Date (or Extended Deadline Date where applicable), but do so **within one month** of that day, you will still be eligible to receive the Transitional Protection in your Universal Credit claim. This is known as the Final Deadline Date.

Missing the Deadline Date

If you miss the Final Deadline Date, you are still able to make a valid claim for Universal Credit. However, you will **not** be eligible for any form of Transitional Protection that is connected to the Managed Migration process.

When will a claimant's legacy award stop?

It is important for advisers to note that when a claimant receives their migration notice letter inviting them to make a claim for Universal Credit, they are also being notified that all their legacy benefit awards will terminate. The date on which a claimant's award will terminate will depend on whether they make a claim for Universal Credit.

When a notified person does not make a valid claim for Universal Credit, their legacy benefit award will terminate:

- the day before their deadline day (Tax Credits)[30]; or,
- two weeks after their deadline day (all other legacy benefits).

However, should a claimant make their claim for Universal Credit before the deadline day, the day that they submitted their application will become their migration day and the run on periods will begin from there. Remember, even a failed claim for Universal Credit will still end a claimant's legacy benefit. If a claimant is receiving Housing Benefit for their specified or temporary accommodation, their award of Housing Benefit does not terminate solely because of the managed migration process.[31]

[30] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. 47(1)
[31] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. 47(2)

ADVISER NOTE

The two-week run on period for legacy benefits (other than Tax Credits) can be useful when it comes to managing a claimant's initial five-week wait. As an adviser it is good practice to review a claimant's payment schedule before advising them to make a claim. This is because making a claim the day after they receive their latest legacy benefit payment may assist them to budget the five-week wait for their first payment of Universal Credit. Alternatively, the Universal Credit Contingency Fund [32] could provide assistance for claimant's who are experiencing financial hardship. Claimants might also consider the option of applying for an Advance Payment,[33] however, it is important that they are made aware that this is a loan and will need to be repaid via deductions from their future Universal Credit payments.

- **Let's look at an example**

Margaret received her Migration Notice letter which stated that her deadline day was the 6th of December. She ignored the letter and did not engage with the process until it was too late, and she missed her deadline day. As Margaret missed her deadline day, her Child Tax Credits will end on the 5th of December, while her housing benefit will terminate two weeks later.

However, she did make a successful claim on the 31st of December. As this was within one month of her deadline day and before her final deadline day (5th of January), Margaret's claim will be treated as if she had submitted her claim before her original deadline day. As Margaret's Universal Credit entitlement begins on the 6th of December, her 'migration day' will be the 5th of December. This also means she could be entitled to a transitional element in her claim.

[32] Direct: Universal Credit Contingency Fund short-term living expenses grant - https://www.nidirect.gov.uk/articles/universal-credit-contingency-fund-short-term-living-expenses-grant
[[33] NI Direct: Universal Credit advance payments - https://www.nidirect.gov.uk/articles/universal-credit-advance-payments

PART TWO

The Transitional Element

An In-Depth Look at the Transitional Element

- ### Making a qualifying claim

A claimant is entitled to receive a transitional element through the managed migration process if:

- they made a valid qualifying claim before their deadline day as outlined in their migration notice, or before their final deadline day;
- they were in receipt of a legacy benefit on their migration day, i.e. the day before their entitlement to Universal Credit begins.[34]
- they have claimed Universal Credit in the same ‘benefit unit’ that they received their Migration Notice in. This means that if they receive their Migration Notice as a single claimant on legacy benefits, then they must make their Universal Credit claim as a single applicant, and the same rules apply to couple claims.[35]
- their total legacy amount is higher than their indicative Universal Credit amount.

A claimant is seen to have made an application for Universal Credit once they have submitted their claim form, either by telephone application or using the online form. However, it is important that claimants understand that a claim does not signify the end of the Universal Credit application process and that they must attend any interviews requested by the Department; provide any additional information or evidence requested within the set time limits; and agree to their claimant commitment. If they fail to take these actions, then their claim is likely to fail, and they are likely to lose their entitlement to transitional protection under managed migration.

Once you have established that a claimant has received their managed migration notice and made a valid claim before their final deadline day, the next step is to work out whether they are entitled to a transitional element in their award.

ADVISER NOTE

Remember for claimants in receipt of Tax Credits or other legacy benefits, remember to maximise their entitlement before claiming Universal Credit as the higher the total legacy amount, the higher the transitional element. Be sure to perform a benefit check and conduct an income maximization exercise before a client makes their Universal Credit application.

[34] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. 50
[35] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg.51(2)

- ### Calculating the transitional element

The transitional element is a complex calculation that looks at all of a claimant's existing legacy benefit entitlements on migration day and compares it with an indicative universal credit amount, i.e. the amount of Universal Credit that a claimant would be entitled to when they move. In summary, where a claimant's legacy amount is greater than their indicative Universal Credit amount, the difference will be added to their UC award in the form of a transitional element.[36] Where the indicative Universal Credit amount is greater than the claimant's existing legacy benefit awards – no transitional element will be included.[37]

We have simplified the process for calculating the transitional element into five steps. We will look at these in more detail in the coming pages, however, you can find an outline of each step below.

The Five Step Process

1) Calculate the **total legacy amount** as a monthly figure (before deductions, etc.).
2) Calculate the **indicative maximum Universal Credit amount (IMUCA)**.
3) Calculate the claimants **indicative assessable income (IAI)**.
4) Calculate the **indicative Universal Credit amount (IUCA)** [step 2 - step 3 = answer].
5) Calculate the **transitional element** [step 1 – step 4 = answer].

[36] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. 53(1)
[37] Advice for Decision Making – M:Effects of Transition to Universal Credit, M7400

Transitional Element Calculations

The Five Step Process

1

Calculate the **Total Legacy Amount**

2

Calculate the **Indicative Maximum Universal Credit Amount**

3

Calculate the **Indicative Assessable Income**

4

Indicative Universal Credit Amount

Step 2 Answer
minus
Step 3 Answer

5

Transitional Element

Step 1 Answer
minus
Step 4 Answer

- ### Step 1: Working out the claimant's total legacy amount

A claimant's total legacy amount is calculated by adding together the representative monthly rates of all their existing legacy benefits on their migration day.[38] The final figure used is not necessarily the same as the actual legacy benefit in payment. Advisers need to be careful that they understand how to calculate different legacy benefits as a monthly rate – you can use the notes below for guidance. In summary, the figure will be a representative daily rate for Tax Credits as held by HMRC on migration day, or for the other legacy benefits it will be their entitlement information from the Department's internal Customer Information System.

What happens if a claimant believes that they are entitled to another legacy benefit but is not currently in receipt of it? Under the managed migration rules, a claimant is only able to receive support via the transitional element for any legacy benefit that they are in receipt of on their migration day. The only time that this may differ, and a transitional element can be recalculated is where a claimant has an ongoing review/appeal that could impact their total legacy benefit entitlement. However, we will look at this issue in more detail later in this guide.

When we are calculating the total legacy amount, we are looking at the claimant's entitlement to legacy benefits as converted into a monthly equivalent. Any other non-means tested benefits such as Carer's Allowance, Disability Living Allowance or Personal Independence Payments are not taken into consideration when adding together the total legacy amount. It is important to remember that a claimants total legacy amount could be very different to the amount of legacy benefit that they actually receive – see below for more details about sanctions, deductions, etc. As an adviser you should look to maximise a claimant's legacy payments before they make their claim for Universal Credit as this will help increase the amount of transitional element included in their award.

o Tax Credits

The representative monthly rate of Tax Credits (both Working Tax Credit and Child Tax Credits) can be calculated by converting the daily rate of the award on migration day to a monthly figure:[39]

[Daily Rate multiplied by 365 days] divided by 12 months = Monthly Tax Credit Amount
The daily amount is provided by HMRC and is calculated using specific legislation that takes into account a claimants circumstances as held on their migration day.

[38] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. 54(1)
[39] Universal Credit (Transitional Provisions) Regulations (NI) 2016,, Reg. 54(2)

ADVISER NOTE

As an adviser you should be aware that the current 'relevant' period may not reflect a claimant's actual annual award – which is 365 days. Instead it might be calculated using a shorter period if there was a change of circumstances that impacted on their claim and started a new relevant period. This could impact on the calculation of the total legacy amount for Tax Credit claimants. A new 'relevant' period is usually triggered when a claimant's Tax Credit amount changes. In order to calculate the daily rate, an adviser should look at the relevant period, including 'migration day', and divide the claimants award by the number of days in that period. Advisers should note that changes in income that are either plus or minus £2,500 will not trigger a new relevant period for the purposes of calculating an award of Tax Credits. Additionally, changes to childcare costs only trigger a change if it is more than £10 per week, or a claimant stops paying for childcare altogether.

- **Let's look at an example**

Lisa arrives into your office seeking advice as she has just received her Migration Notice stating that her claim for Tax Credits is going to stop. Lisa receives £120 per week TC but her entitlement before deductions is £145/wk. It is important to use the figure before deductions (£145) and not the amount Lisa reports receiving (£120).

The relevant period in this case is 365 days as Lisa's circumstances haven't changed.

To calculate her annual entitlement you multiply £145 x 52 = £7540. The monthly rate is £7540 ÷ 12 = £628.33.

ADVISER NOTE

Universal Credit claimants will not automatically receive a breakdown of their Transitional Element calculation. Therefore, they will not know the exact daily rate provided by HMRC. However, they are able to request a breakdown to check if it has been correctly calculated. If they disagree with the calculation they can request a mandatory reconsideration after they receive their first Universal Credit statement.

As advisers it is good practice to ensure that you have reviewed the claimant's circumstances to ensure they are in receipt of all the correct Tax Credit elements in their award notice. If these elements are correct, the figure provided by HMRC to the Department will be correct after the claimant's income is taken into account as part of the HMRC calculation.

o Income Support, Income-based Jobseeker's Allowance and Income-Related Employment & Support Allowance

The representative monthly rate of an award of Income Support, income-based Jobseeker's Allowance and income-related Employment & Support Allowance is taken from the weekly rate on migration day. This is calculated by the Department using information they hold about the claimant's circumstances. The figure is then converted from a weekly, into a monthly amount:[40]

[Weekly rate multiplied by 52 weeks] divided by 12 months = Monthly Rate of Legacy Benefit Award

ADVISER NOTE

The amount of income-based Jobseeker's Allowance and income-related Employment & Support Allowance are calculated before any reduction for a sanction or deduction for an overpayment etc. are taken into consideration.[41]

Additionally, where a claimant is entitled to both income-based Jobseeker's Allowance and contribution-based Jobseeker's Allowance, or income-related Employment & Support Allowance and contribution-based Employment & Support Allowance, then the weekly rate is calculated using the appropriate rules as set out above, minus any income the claimant might have.[42]

[40] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. 54(4)
[41] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. 54(5)
[42] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. 54(6)

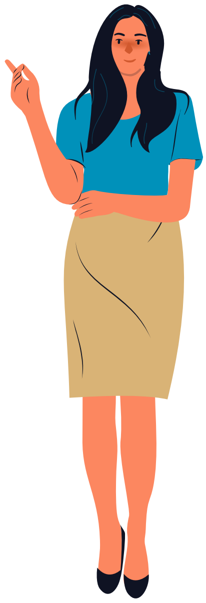
o Housing Benefit

The representative monthly rate of Housing benefit is calculated on the basis of information held by the Department for Communities on migration day and converted into a monthly figure.[43] The Department will get information on a claimant's weekly entitlement from their internal systems. The figure used will be the claimant's entitlement before any deductions for previous overpayments, third party deductions or sanctions are applied. The monthly figure will be calculated as below:

[Weekly rate multiplied by 52 weeks] divided by 12 months = Monthly Rate of Housing Benefit Award

ADVISER NOTE

Housing Benefit is not included in the Total Legacy Amount in cases where a claimant is in receipt of the benefit because they are in specified or temporary accommodation. A claimant's award of Housing Benefit in these circumstances will not terminate. However, we must make adjustments to the calculation.[1] A claimant in these circumstances will remain in receipt of Housing Benefit but their Housing Benefit award will not be included in the calculation of the Total Legacy Amount.



Advisers should also be aware of occasions when a claimant has rent free periods. In these circumstances, the representative monthly rate is calculated as below:[45]

[Weekly rate multiplied by the no. of weeks the claimant is liable to pay rent] divided by 12 months = Monthly Rate of Housing Benefit Award

Again, it is important that advisers check their claimants entitlement letters and request a breakdown from the Department or Housing Benefit Unit to ensure that they have included all of the correct premiums when calculating the monthly amount. After a claimant receives their first Universal Credit award, they should request a breakdown of their Transitional Element from the Department if they feel it may be incorrect.

[43] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. 54(10)
[45] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. 54(7)(b)

- ### Let’s look at an example

Sinead lives in a Housing Association property and her rent is £120 per week. Due to her income she is currently in receipt of Housing Benefit and is entitled to £85 per week. The Department will convert this into a monthly figure as below:

[£85 x 52 week] ÷ 12 months = £368.33

However, in reality Sinead only receives a monthly award of £318.33 because her award is currently reduced due to a previous overpayment. Remember, the figure used to calculate her transitional element will be her full Housing Benefit entitlement before any deductions or sanctions are applied. Therefore in this scenario, her total legacy amount is not impacted by her reduction.

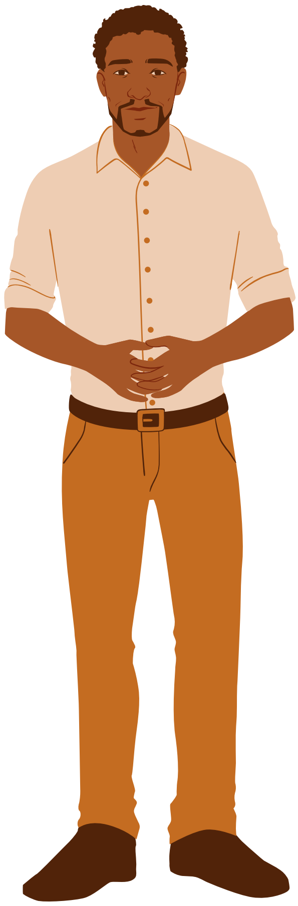
o Taking into account the benefit cap

If a notified person is not entitled to Housing Benefit or is entitled to an award of Housing Benefit reduced to the minimum amount due to the benefit cap,[46] and the benefit cap applies when calculating the Indicative Universal Credit amount and the claimant’s total legacy benefit entitlement on migration day is greater than the relevant amount[47], then the total legacy amount is reduced by any excess over the relevant amount. Where appropriate, this calculation will then minus the amount of childcare costs included in the Indicative Universal Credit.[48]

Remember Housing Benefit is the only legacy benefit that can be reduced by the benefit cap. However, if a claimant’s ‘welfare’ is above the benefit cap limit, then their total legacy amount will be reduced by an excess above their benefit cap limit (minus the amount of Childcare Costs element included in their Indicative Universal Credit Amount).
A claimant’s ‘welfare’ includes:

- Child benefit
- Child Tax Credit
- New-style and Contribution-based ESA/JSA
- Maternity Allowance
- Widows Pension
- Widowed Mother’s Allowance
- Widowed Parent’s Allowance

[46] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg. Reg.54(11)
[47] The Universal Credit Regulations (Northern Ireland) 2016, Reg. 80A – The relevant amount is determined by dividing the applicable annual limit by 12. The applicable annual limit is - £14,752 for a single claimant who is not responsible or a child or qualifying young person, or, £22,020 for joint claims or a single claimant who is responsible for a child or qualifying young person.
[48] Universal Credit (Transitional Provisions) Regulations (NI) 2016, Reg., Reg.55(2)(b)
[49] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg.55



ADVISER NOTE

A small number of claimants will be in receipt of 'welfare' above their benefit cap limit. These claimants are likely to be worse off on Universal Credit and will not be entitled to receive a transitional element in their award. But, even if these claimant were entitled to a transitional element on Universal Credit, they cannot receive any amount above the relevant benefit cap limit. In practical terms, this means that they would not be able to benefit from the transitional element. Although advisers should be pro-active and check if their claimants fall under any of the benefit cap exclusions, e.g. a disability claim or a single/couple claim where the claimant is over state pension age. It is also important to note that many have claimants who might have found themselves in this position are likely to be protected by the extension of the welfare mitigations in Northern Ireland [49].

- **Steps 2 - 4: The Indicative Universal Credit Amount (IUCA) [50]**

The Indicative Universal Credit Amount is not how much Universal Credit a claimant will receive if their claim is successful, but instead is an imaginary figure used on migration day to allow the Department to work out a claimant's Universal Credit entitlement. The calculation is based on the claimant's circumstances on migration day, and it applies certain assumptions that we will discuss below and takes into account both a claimant's Indicative Maximum Universal Credit Amount and their Indicative Assessable Income (Steps 2-4).

o Step 2: Calculating the Indicative Maximum Universal Credit Amount (IMUCA)

In order to calculate the Indicative Maximum Universal Credit Amount we must apply certain assumptions that we will discuss below:

[49] https://www.communities-ni.gov.uk/news/welfare-mitigation-payments-be-extended-another-three-years
[50] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg.55

- If a claimant is entitled to an award of Child Tax Credit, the claimant is responsible for a child or qualifying young person in respect of whom the individual element of Child Tax Credits is payable.[51] (The Law Centre has recently published a legal briefing highlighting the definition of a qualifying young person for the purposes of Universal Credit and the potential issues arising from their inclusion in the managed migration process after they turn 19 years of age. You can view the legal briefing '**here**'.)
- If a Family Element is included in the claimants Child Tax Credit award, they will receive a Higher Child Element in their Indicative Maximum Universal Credit Amount.
- If a claimant is entitled to an award of Working Tax Credits which includes the childcare element, their indicative Universal Credit amount will include a childcare costs element. [52] When you are calculating the childcare costs element, it is assumed that the amount of childcare costs is equal to the relevant weekly childcare charges included in the daily rate of Tax Credit converted to a monthly figure.
- If a claimant reports to HMRC that their childcare costs have ended, the change is actioned 4 weeks after the change occurred. If a claimant makes a successful claim for Universal Credit during the 4 week run on period, then it will be included on the calculation of the Total Legacy Amount and their Indicative Maximum Universal Credit Amount. However, it is good to note that childcare costs are more generous on Universal Credit and therefore advisers should consider its impact on the transitional element.
- A Limited Capability for Work Related Activity Element can be included if a claimant is in the Support Group of New Style or Contributory Employment and Support Allowance.
- If a claimant declares that they are a carer on their Universal Credit claim form (whether or not they have received Carer's Allowance previously), their Indicative Maximum Universal Credit Amount (IMUCA) will include a Carer Element.
- The Indicative Universal Credit Amount is calculated after any reductions have been made as a result of any of the Benefit Cap, but before any reduction occurs for higher level or other level sanctions.[53]

ADVISER NOTE

Advisers should be aware that a claimant can receive a Child Element for a qualifying 19-year old in a Tax Credit award, however, this is not always the case in an award of Universal Credit.[54] This means that advisers will need to be aware of the impact of Regulation 6 and the cut-off date for qualifying young persons in Universal Credit - 1st September following their 19th birthday. If the Department includes a child element in a claimant's Indicative Maximum Universal Credit Amount for a young person who does not satisfy the regulations, they should ask for a mandatory reconsideration of their calculation. You can see the Law Centres recent legal briefing for more information about this potential issue and impact of adding a qualifying young person to a claim for Universal Credit – you can access the document '**here**'.

[51] Universal Credit (Transitional Provisions) Regulations (NI) 2015, Reg.55(2)(a)
[52] Universal Credit (Transitional Provisions) Regulations (NI) 2015,55(2)(b)
[53] Universal Credit (Transitional Provisions) Regulations (NI) 2015, Reg.55(5)
[54] The Universal Credit Regulations (Northern Ireland) 2016, Reg 6

o Step 3: Calculating the Indicative Assessable Income (IAI)

Where a claimant has earned income, HMRC will send the Department for Communities the annual earnings that they are using to calculate a claimant's Tax Credit award. It should be the same figure they used to calculate the claimant's Total Legacy Amount. This is usually their gross earnings from employment/self-employment less deductions for tax and national insurance contributions, but not pension contributions reported to HMRC in the previous tax year. However, where a claimant has reported a significant change in earnings or other taxable income that is expected in the current tax year, HMRC will use the year's expected earnings.

The amount of a claimant's earned income is: [55]

- If they are entitled to a Tax Credit award, the annual amount of any employment or trading income is used to calculate the representative monthly Tax Credit amount, as discussed earlier, and then deducting amounts for appropriate income tax and National Insurance Contributions.
- If they are entitled to Income Support, income-based Jobseeker's Allowance, or income-related Employment & Support Allowance, the amount of any earnings used to calculate the representative monthly rate of those benefits.
- If they are entitled to Housing Benefit, the amount of earnings is used to calculate the representative monthly rate of Housing Benefit , as discussed earlier. Claimants who are not in receipt of Housing Benefit will not have a Housing Costs Element included in their Indicative Maximum Universal Credit Amount. Issues may arise where a claimant's housing situation changes between their Migration day and the end of their first monthly assessment period.

Advisers should be vigilant as the calculation of benefit income could be a key area where errors occur in the calculation of the Transitional Element. If a claimant's Indicative Universal Credit Amount has incorrectly taken into account a claimant's other benefits (for example, Carer's Allowance or Contributions-Based Employment & Support Allowance) this could lead to an incorrect calculation of the Transitional Element. Claimants in this position could be at risk of being underpaid their transitional element and should challenge the calculation of their transitional element via mandatory reconsideration.

Additionally, claimants who are declaring student income and savings may need assistance from advisers as the Department may not verify the declarations made by students. This is important as this could lead to errors in the calculation of their transitional element as different types of student income and savings are disregarded.

[55] Universal Credit (Transitional Provisions) Regulations (NI) 2015, Reg.55(2)(c)

ADVISER NOTE

A Tax Credit claimant could miss out on some transitional element if they fail to notify the Department for Communities of a child or qualifying young person's disability. If possible, a claimant should contact HMRC and get the Disabled Child Element included in their Tax Credit award before they make their Universal Credit claim. This in turn could impact the calculation of the transitional element as a disabled Child Element should be included within the claimant's Indicative Maximum Universal Credit Amount.

The Department will use a variety of sources when it comes to calculating a claimants indicative universal credit amount, including:

- Information from the Universal Credit claim form, such as a claimant's declarations and supporting evidence.
- Information about other benefits using the CIS Searchlight system.
- Annual income information from HMRC.
- Claimant's declarations provide information about savings, student income, and pensions.

Below are some issues that have been highlighted in DWP guidance that could prove useful for advisers in Northern Ireland to consider when calculating earned income for Tax Credit claimants.

- HMRC are unable to provide actual annual income for use in the calculation of a claimant's Indicative Universal Credit Amount, as this is not confirmed until the end of the year. Therefore HMRC will provide the estimated yearly income figure used to calculate the current Tax Credit award. This will be based on either:
    - (a) income from the previous year; or
    - (b) a derived current year income figure where the customer has provided HMRC with an estimate of what they believe their current year income will be.
- Where a Tax Credit claimant provides HMRC with an estimate current year figure that is less than the £2500 disregard, Tax Credits are calculated using the previous year's income. Where the estimated current year income figure is more than the £2500 disregard, Tax Credits are calculated using a derived current year income figure. However, should that claimant be managed migrated to UC, HMRC will provide DFC with the full estimated current year income, excluding the disregard e.g. they will provide the full amount declared to calculate the TE. DFC take the HMRC figure and are not aware of how a claimant's income has been arrived at on an individual basis.
- If claimants feel incorrect amounts have been used, they can ask for a breakdown of the transitional element calculation. They can also request a mandatory reconsideration of their UC award when they receive their statement at the end of the first assessment period.

ADVISER NOTE

The Law Centre wants to highlight the declaration of a claimant's income as an area of concern if claimant's submit incorrect information on the Universal Credit claim form. Providing incorrect information could result in a recalculation of entitlement and recovery of an overpayment in the future.

- **Let's look at an example**

Earned Income – HMRC

John's current Tax Credit entitlement is being calculated on earned income of £22,000 based on his earnings last year. He has informed HMRC that he is expected to receive £20,000 this year. However, as the change in his income is less than £2,500 it will not impact his award.

Therefore, his income reported by HMRC will be £22,000 divided by twelve months. The Department for Communities will then deduct notional amounts for Income Tax and National Insurance Contributions, minus the Work Allowance and apply the 55% Taper Rate when calculating the transitional element.

However, the first Universal Credit assessment period statement will use John's actual income of £20,000.

It is also important that claimants understand that unreported income changes could potentially lead to overpayment or underpayment of the transitional element if they are later uncovered. Therefore, John should request a mandatory reconsideration if he believes that his income has been calculated incorrectly, and he should make sure that he communicates with Universal Credit about his income as well.

ADVISER NOTE

Remember HMRC will give the Department for Communities gross earnings for the current tax year. The Department will divide this figure by 12 (months of the year) and apply notional deductions for Income Tax and National Insurance Contributions if applicable. However, no deductions will be made for pension contributions. After they have calculated this monthly amount, they will deduct a work allowance, if applicable, and apply the 55% taper rate. Advisers and claimants can use this **link** [56] to work out net earnings for Universal Credit. You can also find more information in the Northern Ireland Regulations about how the Department changes the HMRC figure into a monthly net amount.[57]

[56] https://www.tax.service.gov.uk/estimate-paye-take-home-pay/your-pay
[57] The Universal Credit (Managed Migration and Miscellaneous Amendments) Regulations (NI) 2019, Reg. 55(2)(c)

If a Child Element or Limited Capability for Work/Limited Capability for Work-Related Activity Element is included in the Indicative Maximum Universal Credit Amount, you will have to deduct the appropriate Work Allowance:

- £404 if IMUCA includes a Housing Costs Element (or lives in temporary accommodation)
- £673 if IMUCA doesn't include a Housing Costs Element

Then apply the Taper Rate by multiplying the figure by 55%. The result will be the monthly figure known as the Indicative Assessable Income.

In summary, advisers can calculate the Indicative Assessable Income by adding together a claimants:

- Monthly earnings
- Assessable Benefit income – e.g. CA, NS ESA, CB ESA, State pension, IIDB, WPA
- Other Assessable Income – e.g. work pension, student income
- Assessable Savings / Capital – over £6k = £4.35 per £250 or part of (ignore any savings over £16k) e.g. £174 deducted as tariff income if have savings over £16k

o Step 4: Calculating the Indicative Universal Credit Amount (IUCA)

Now that we have worked out Steps 2 and 3, we can work out the Indicative Universal Credit amount using the sum below:

Indicative Maximum UC Amount (IMUCA)
MINUS
Indicative Assessable Income (IAI)
=
Indicative UC Amount (IUCA)

- ### Step 5: Calculate the Transitional Element

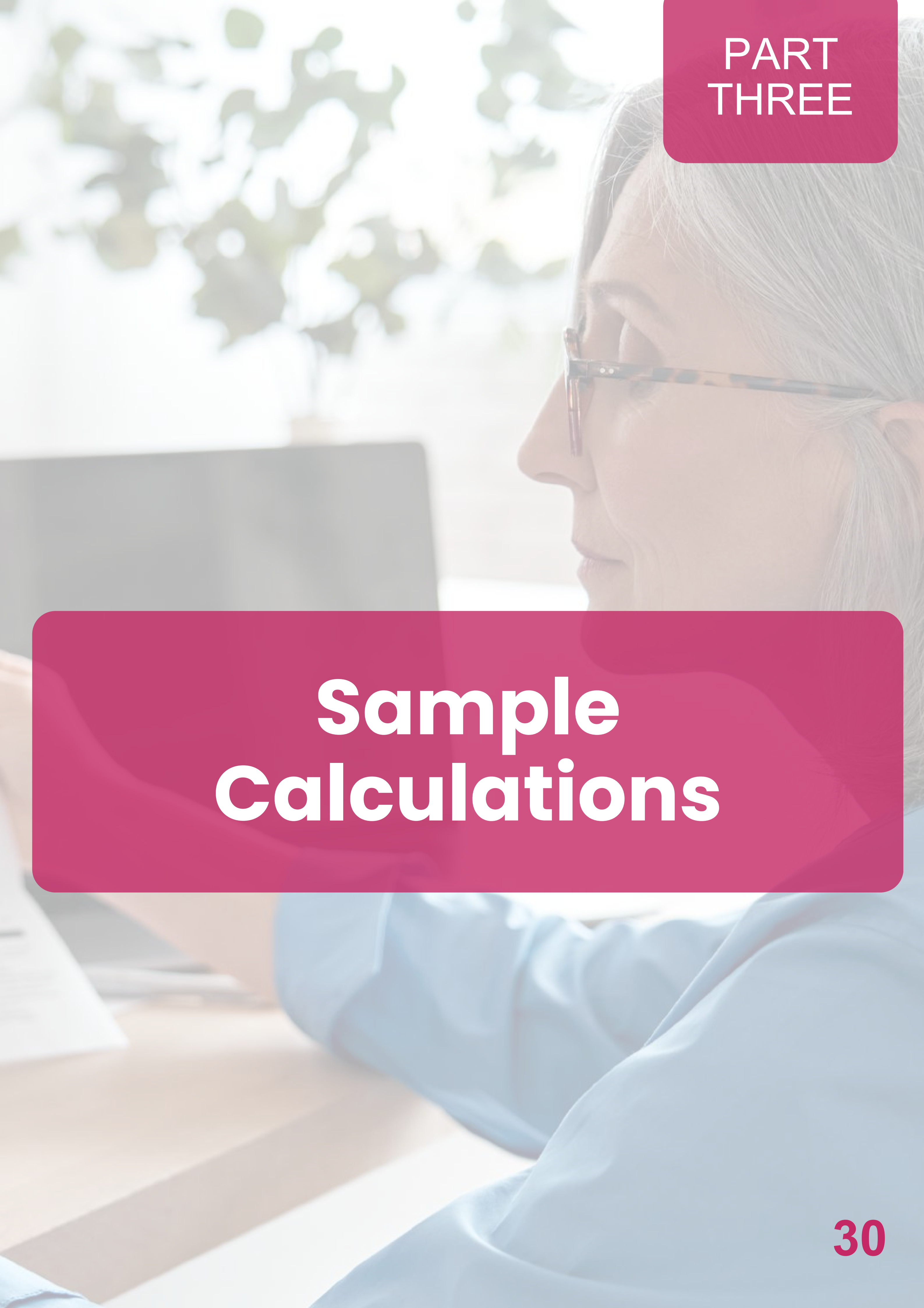
The final step in working out the Transitional Element is to minus the Indicative Universal Credit Amount (Step 4 Answer) from the Total Legacy Amount (Step 1 Answer).

The remaining amount when added to the claimant's Universal Credit entitlement should see it become equal to their previous legacy award.

If the claimant's Total Legacy Amount is higher than their Indicative Universal Credit Amount, they will be entitled to a Transitional Element that will ensure they are no worse off. The rules are different when calculating the transitional element in cases where a claimant has a 'nil' entitlement to Universal Credit and you can find more information about this later on in this guide.

ADVISER NOTE

Advisers should be aware that any overpayments will move with the claimant and be deducted from their Universal Credit claim. Therefore, it is important to check a claimant's calculation after their first assessment period to ensure that this calculation has been performed correctly and to deal with any overpayment deductions if they are too high.



PART THREE

Sample Calculations

*2024/25 Rates used in this example as Tax Credit System closes in April 2025.

Scenario 1

Joanne is 30 years old and her gross earnings are £12,000 per annum. She is a single parent and has a daughter who is 9 years old. She is in receipt of Personal Independence Payment at the standard rate for the daily living component (£72.65 per week). She has just received her Managed Migration Notice stating that her Tax Credit award will be coming to an end. She is unsure what the Universal Credit amount she will receive and has come to you for advice. Her current Tax Credit award has no deductions and is as follows:

- £545 Family Element
- £3455 Child
- £2435 Basic Element
- £2500 Lone Parent
- £3935 Disability Element

1 Calculate the Total Legacy Amount

£76.71 Child Tax Credits
+
£138.30 Working Tax Credits
= £215.01

[£215.51 x 52 weeks] ÷ 12 = **£931.71 per month**

*The Total Legacy Amount for all Tax Credit elements is the figure provided by HMRC after they have taken into acocunt Joanne's income of £12,000.

2 Calculate the Indicative Maximum Universal Credit Amount

£393.45 Standard Allowance
+
£333.33 Child Element

= **£726.78 IMUCA**

3 Calculate the Indicative Assessable Income

£1,000 per month

[£100 x 52 weeks] ÷ 12 = £433.33

[£1,000 - £673 Work Allowance] x 55% Taper Rate = **£179.85 IAI**

*This is straightforward as Joanne is under the threshold and therefore will have no tax or national insurance to deduct from her income. Don't forget to minus the work allowance and apply the 55% taper rate.

4 Indicative Universal Credit Amount

Step 2 Answer *minus* Step 3 Answer

£726.78 - £179.85 = **£546.93 IUCA**

5 Transitional Element

Step 1 Answer *minus* Step 4 Answer

£931.71 - £546.93 = **£384.78 Transitional Element**

Law Centre NI

Scenario 1

First Universal Credit Award

Joanne's first Universal Credit Award will be made of:

£393.45 Standard Allowance
+
£333.33 Child Element (*born before April 2017)
+
£384.78 Transitional Element
-
£179.85 Deductions (Income)

= £931.71

First Universal Credit Award

*2025/26 Rates used in this example.

Scenario 2

Karis is a 46 year old female who is divorced and living alone. Karis is in receipt of income related Employment and Support allowance and in the Support group. Her award includes an enhanced disability premium and a severe disability premium. She is in receipt of the enhanced rate of both the daily living and mobility component of Personal Independence Payment. She lives in private rental accommodation which has 2 bedrooms. She receives Housing Benefit at the 2 bedroom local housing allowance rate for her postcode which is £155.77. She earns £100 per week under the permitted rules. She moved to Universal Credit under Managed Migration.

1 Calculate the Total Legacy Amount

£244.65 Employment & Support Allowance
+
£155.77 Housing Benefit

= £400.20 TLA Weekly

[£400.20 x 52 weeks] ÷ 12 = **£1,735.15 per month**

2 Calculate the Indicative Maximum Universal Credit Amount

£400.14 Standard Allowance
+
£423.27 LCWRA
+
£675 Housing Element

= **£1,498.41 IMUCA**

3 Calculate the Indicative Assessable Income

Earnings £100 per week

[£100 x 52 weeks] ÷ 12 = £433.33

[£433.33 - £411 Work Allowance] x 55% Taper Rate = **£12.28 IAI**

4 Indicative Universal Credit Amount

Step 2 Answer *minus* Step 3 Answer

£1,498.41 - £12.28 = **£1,486.13 IUCA**

5 Transitional Element

Step 1 Answer *minus* Step 4 Answer

£1,735.15 - £1486.13 = **£249.02 Transitional Element**

Scenario 2

First Universal Credit Award

Karis' first Universal Credit Award will be made of:

£400.14 Standard Allowance
+
£423.27 LCWRA
+
£675 Housing Element
+
£249.02 Transitional Element
-
£12.28 Deductions (Income)

= £1,735.15

First Universal Credit Award

*2025/26 Rates used in this example.

Scenario 3

Karim and Anna are in a couple claim of Income Support receiving £162.75 per week and both of them receive Carers Allowance (£83.30 pw x 2) for caring for each other. They are both in receipt of the enhanced rate of PIP daily living and mobility. They have no housing costs.

1 Calculate the Total Legacy Amount

£162.75 per week Income Support

[£162.75 x 52 weeks] ÷ 12 = **£705.25 per month**

2 Calculate the Indicative Maximum Universal Credit Amount

£628.10 Standard Allowance
+
£403.36 Carers Element (x2)

= **£1,031.46 IMUCA**

3 Calculate the Indicative Assessable Income

Carers Allowance £83.30 x 2 = £166.60

[£166.60 x 52 week] ÷ 12 = **£721.93 IAI**

4 Indicative Universal Credit Amount

Step 2 Answer *minus* Step 3 Answer

£1,031.46 - £721.93 = **£309.53 IUCA**

5 Transitional Element

Step 1 Answer *minus* Step 4 Answer

£705.25 - £309.53 = **£395.72 Transitional Element**

Scenario 3

First Universal Credit Award

Karim and Anna first Universal Credit Award will be made of:

£628.10 Standard Allowance
+
£403.36 Carer Element (x2)
+
£395.72 Transitional Element
-
£721.93 Deductions (Income)

= £705.25 First Universal Credit Award

However, consider the following...

This couple received UC50s as a result of declaring their ill health, both completed and were assessed as having LCWRA.
Then their UC award was -
£628.10 Standard Allowance
+
£423.27 LCWRA
+
£201.68 Carer Element
-
Unearned income CA £721.93

= £531.12 First Universal Credit Award

***Note:** The LCWRA award erodes the transitional element to zero; and also results in a loss of the Carer Element*

So, the couple are worse off in the scenario. Law Centre NI are challenging this position and you can read more about this issue in our Legal Briefing linked '**here**'.

*2024/25 Rates used in this example as Tax Credit System closes in April 2025.

Scenario 4

Sinead is 26 years old and a single parent in receipt of New-Style Employment & support Allowance. She is in the support group and has an 8-year-old daughter. She currently receives £76.71 per week in Tax Credits and has £20,000 in savings.

1 Calculate the Total Legacy Amount

£76.71 Child Tax Credits

[£76.71 x 52 weeks] ÷ 12 = **£332.41 per month**

2 Calculate the Indicative Maximum Universal Credit Amount

£393.45 Standard Allowance
+
£333.33 Child Element
+
£416.19 LCWRA

= **£1,142.97 IMUCA**

3 Calculate the Indicative Assessable Income

[£138.20 x 52 weeks] ÷ 12
= £598.87 New-Style ESA

Apply tariff income rules as Sinead has savings over £6,000.

[10,000 ÷ £250] x £4.35 = £174

Add both figures together...

£598.87 + £174 = **£772.87 IAI**

4 Indicative Universal Credit Amount

Step 2 Answer *minus* Step 3 Answer

£1,142.97 - £772.87 = **£370.10 IUCA**

5 Transitional Element

Step 1 Answer *minus* Step 4 Answer

£332.41 - £370.10 = **-£37.69 Transitional Element**

*This is a negative figure, which means that Sinead will be better-off on Universal Credit and therefore she will not have a Transitional Element included in her award. Please see the next page to see how this impacts the calculation of the claimant's first UC award.

Scenario 4

First Universal Credit Award

Sinead's first Universal Credit Award will be made of:

£393.45 Standard Allowance
+
£333.33 Child Element (*born before April 2017)
+
£416.19 LCWRA
-
£772.87 Deductions (Income)

= **£340.10 First Universal Credit Award**

This is £7.69 more than she was previously receiving in her legacy benefit award.

Remember, under the rules of Universal Credit, Tax credit claimants who have savings over £16,000 will have a savings disregard applied to their claim for up to a maximum of 12 assessments periods. This form of transitional protection continues to apply, even when a claimant does not have a transitional element in their Universal Credit award.

Sinead in this scenario is better off on Universal Credit because the LCWRA element has been added from the start of her claim because she is in the support group for her claim of New-Style ESA claim.

PART FOUR

The Transitional Element in a 'NIL' award of UC

What happens if a claimant is has a 'NIL' entitlement to Universal Credit?

In some circumstances, a claimant may be entitled to a 'NIL' entitlement of Universal Credit when they make the move via Managed Migration. However, this does not mean that they are entitled to nothing - instead, advisers should approach the calculation of the Transitional Element in a different way. This scenario was previously brought to the attention of the Law Centre by an adviser in Northern Ireland and the amounts below were as provided and verified from this scenario.

Elliot is a single parent with one child aged 10. He receives:

- £315 Child Tax Credit award per month
- £1,391.42 Monthly Occupational Pension
- ESA Support Group credits only claim,
- £184.30 per week PIP enhanced rate of both components
- £18,000 in savings

Before we begin the calculation, advisers should consider the following;

- Check the Tax Credit Award notice to make sure that Elliot's full entitlement is £315 per month, as the entitlement may be higher than this if he is paying back an overpayment in his Tax Credit award.
- Maximise Elliot's Tax Credit entitlement and be sure to make a claim for any other benefits that may be appropriate and advise. However, be sure to update HMRC of any claims you make so that the Transitional Element can be recalculated at a later date and not be eroded by the addition of any new elements. In this scenario, Elliot may be able to make a potential claim for Disability Living Allowance.
- Remember the rules for transitional protection capital disregard as outlined earlier in this guide. The capital disregard will be lost if Elliot's savings fall under £16k and he must be aware of the rules for deprivation of capital when he is approaching the end of his 12 assessments periods.

Let's look at the calculation Elliot's Transitional Element and UC award on the following pages.

*2024/25 Rates used in this example as Tax Credit System closes in April 2025.

Scenario 5

Elliot is a single parent with one child aged 10. He receives:

- £315 Child Tax Credit award per month
- £1,391.42 Monthly Occupational Pension
- ESA Support Group credits only claim,
- £184.30 per week PIP enhanced rate of both components
- £18,000 in savings

1 Calculate the Total Legacy Amount

As provided: £332.41 per month

*It is important as an adviser that you are aware that it is not the client's actual award in payment that is going to be used to calculate the Transitional Element. Instead, it will be the figure held by HMRC on the client's migration day. For example, in Elliot's case, his actual full entitlement is £332.41 before deductions for a previous overpayment.

2 Calculate the Indicative Maximum Universal Credit Amount

£393.45 Standard Allowance

+

£333.33 Child Element

+

£416.19 LCWRA

= £1,142.97 IMUCA

*LCWRA Element is included because of Elliot's ESA credits only claim.

3 Calculate the Indicative Assessable Income

£1,391.42 Occupational Pension

Apply tariff income rules as Elliot has savings over £6,000.

[10,000 ÷ £250] x £4.35 = £174

Add both figures together...

£1,391.42 + £174 = £1,565.42 IAI

*Remember, Elliot will benefit from the capital disregard protection as she has savings over £16,000.

4 Indicative Universal Credit Amount

Step 2 Answer *minus* Step 3 Answer

£1,142.97 - £1,565.42 = -£422.45 IUCA

*As the IUCA is a negative number, Elliot is entitled to a 'nil award' of Universal Credit. Therefore, special rules apply Step 5 to ensure Elliot is no worse off at the point he migrates to Universal Credit. The Transitional Element is calculated by adding together the **figures** in Step 5 rather than subtracting. See the next step for an example of this in practice.

5 Transitional Element

Step 1 Answer *add* Step 4 Answer in positive format

£332.41 + £422.45 = 754.86 Transitional Element

Scenario 5

First Universal Credit Award

Elliot's first Universal Credit Award will be made of:

£393.45 Standard Allowance
+
£333.33 Child Element (*born before April 2017)
+
£416.19 LCWRA
+
£754.86 Transitional Element
-
£1,565.42 Deductions (Income)

= £332.41 First Universal Credit Award

To explain this scenario more easily, it is true to say that a claimant in Elliot's position will receive a Universal Credit award of £332.41 because a transitional element will be applied to their award to ensure they are no worse off at the point they transfer.

As Elliot has applicable income in excess of his Universal Credit entitlement, the transitional element must be sufficient to leave him with an award of £332.41 at the point he transfers across.

In order to do this, the transitional element must make up the difference for the impact of the excess income and the loss of the legacy amount.

Elliot's income is in excess of the minimal Universal Credit threshold by £422.45, so this 'part' of the transitional element calculation brings Elliot's Universal Credit entitlement to £0. However, as shown in the example above, the calculation changes when dealing with a 'nil award' and the transitional element will need to bring Elliot up to £332.41. Therefore in 'NIL award' cases you can add the Total Legacy Amount to the Indicative Universal Credit Amount (as a positive figure - see example on previous page) to calculate the Transitional Element. In summary, the transitional element is £422.45 + £332.41 = £754.86.

PART FIVE

Erosion & Loss of the Transitional Element

What happens if my Transitional Element was incorrect?

You are able to request a revision of the transitional element in relation to an award of Universal Credit.[58]

Erosion and the Transitional Element

The transitional element protects claimants at the point they transfer to a claim for Universal Credit via the managed migration process. However, it does not behave in the same way as the other elements as it can be 'lost' or 'eroded'.

From the second monthly assessment period, a claimant's transitional element is at risk of being reduced due to the rules of erosion. In simple terms, this means that when a claimant's Universal Credit award increases because of a change in circumstances (for example, the addition or increase of another element), their transitional element will be reduced ('eroded') by the same amount of increase or additional element.

Let's look at some of the examples that will lead to a claimant's award being eroded:[59]

- A claimants age changes and this leads to an increase in Standard Allowance included in their award, i.e. claimant turning 25 years old.
- The addition of a new Child Element in the claimant's award.
- The addition of a Disabled Child Element or an increase in the element, i.e. from low rate to high rate.
- An addition of an LCWRA element or an increase in the element, i.e. from LCW to LCWRA. However, advisers should note that where the element increases, the transitional element will be reduced by the 'relevant increase' – the difference between the amounts of those elements.[60]
- The addition of a Carer Element within a claimant's Universal Credit award.
- The increase caused by the annual uprating of benefits.

[58] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 63
[59] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 57
[60] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 56(5)

Although the addition of a new element in a claimant's Universal Credit award will erode their transitional element, the addition or increase of the Childcare Costs Element will not impact the transitional element and it will remain the same. [61]

ADVISER NOTE

Remember as advisers, you should ask claimants if they are expecting to experience a change in circumstances that might impact on their award. Timing is one of the most important things when transitioning via the managed migration process – claimants who are likely to experience a change in circumstances may want to consider if it is beneficial and possible to migrate after this change in circumstances.

- **Let's look at an example of erosion below:**

Pedro is a single claimant when he transitions to Universal Credit. He was in receipt of Income-Related ESA which included payment of a work related activity component (but not the Support Group) and Housing Benefit. When he made his new claim for Universal Credit, he received a Transitional Element of £156 per month. However, six months later his condition has deteriorated and now he requests a Work Capability Assessment review. He is found to have LCWRA. This new element will be added to his reward from the Monthly Assessment Period in which he requested the review. This will then impact and erode the transitional element by the relevant increase. As this new element will leave him better off by £260.19, Pedro's transitional element will be reduced to zero and his Maximum Universal Credit award will increase by the total excess only.

ADVISER NOTE

It is not always clear on a claimant's UC online account that erosion has occurred, and claimants are not explicitly notified that their award has changed – this could lead to some confusion. As advisers you need to remind claimants that they will not see an increase in their Maximum Universal Credit Amount until their transitional element has been eroded to 'nil'. This means that while the overall UC entitlement on their statement will appear unchanged, the transitional element is being eroded by any increase. Claimants will then see a change to their entitlement total when their transitional element is reduced to 'nil'. If a claimant's award has been eroded incorrectly or prematurely, they should request a recalculation of their award via mandatory reconsideration. Remember, erosion can only occur from a claimant's second monthly assessment period.

Once a claimant's Universal Credit Transitional Element has been eroded (unless this has occurred wrongfully), it cannot be reinstated.

[61] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 56(4)

Loss of the Transitional Element

As stated above, the transitional element behaves in a different way compared to the other Universal Credit elements because the Transitional Element can be eroded. We know that the transitional element will be lost when it has been eroded to 'nil'. However, in some circumstances, a claimant's entitlement to the transitional element will also end due to a change in circumstances as outlined below:[62]

- The claimants have been claiming Universal Credit as a couple but decided to separate.[63]
- A single claimant becomes a member of a couple claiming for Universal Credit.
- A claimant has a 'nil' award entitlement to Universal Credit for more than three consecutive assessment periods due to an increase in their earnings.
- A claimant's earnings were at or above the relevant administrative earnings threshold (AET) when they claimed Universal Credit, but since have been lower than the relevant AET for more than three consecutive monthly assessment periods. Advisers should note that claimants who were below the AET when they made a successful claim for Universal Credit will not be affected if their earnings later increase above the AET. (See '**here**' for a potential Test case challenge relating to this)
- A claimant's entitlement to Universal Credit ends or their entitlement is reduced to nil for any reason not relating to earnings – as outlined above.

ADVISER NOTE

Claimant's should be made aware that any change in circumstances that results in the erosion or loss of their transitional element will apply from the beginning of the monthly assessment period in which that change occurs. This means that while erosion will not start until the second assessment period, a client can potentially lose their transitional element from the first assessment period – depending on their change in circumstances. For example, a single claimant forming part of a couple within their first assessment period.

- **Let's look at an example of erosion below:**

Fia made the transition to Universal Credit via the managed migration process and received a transitional element of £43 in her award. However, she is about to move in with Sarah who also has a claim for Universal Credit that includes a transitional element of £50. Although both claimants have a transitional element in their award, when they move in together and make a claim as a couple they will no longer be entitled to their transitional element.

[62] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 57
[63] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 57(4)

PART SIX

Complex Needs & Managed Migration

Advising a Claimant with Complex Need about Managed Migration

It is important that advisers continue to identify vulnerable claimants or those with complex needs who are currently going through the managed migration process. This can be important when it comes to the management of the claimant's Universal Credit claim, for example:

- accessing alternative payment arrangements,
- identifying the correct work-conditionality group,
- negotiating their claimant conditionality and work-related requirements, or,
- assessing their ability to manage their claim online.

Universal Credit should consider the different types of complex needs that can arise from a claimant's condition, disability or personal circumstances, life events, and health problems. A claimant's circumstances do not have to be permanent, and the Department should take into account a temporary change in circumstances that might impact a claimant making the move to Universal Credit.

Advisers should highlight any complex needs or vulnerabilities to the Department when a claimant receives their Migration Notice. You should outline the impact that the claimant's condition has on their ability to effectively make the transition, and their ability to make a valid claim for Universal Credit. In some circumstances, a claimant with complex needs may be able to request an extension on their Migration Notice – this means that their deadline date will be moved to a different date in the future.

ADVISER NOTE

There is no limit to the number of times that a claimant can request an extension to their deadline date after they receive their Managed Migration Notice. However, they must make the request for an extension before their deadline date or their most recent extended deadline date. Requesting an extension can be a good tool for helping claimant who are not ready to make the move to Universal Credit and require more time. Advisers should also note that for Tax Credit claimant's it is no longer possible to request an extension due to the system closing in April 2025.

The Law Centre has prepared a letter template on the next page for outlining a client's complex needs and requesting additional support.

Letter Template: Complex Needs and Request for Additional Support

RE: Formal Request for Complex Needs Status and Additional Support

Claimant Name:
Date of Birth:
National Insurance Number;
Address:

I have recently started [a claim for Universal Credit] or [the process of submitting a claim for Universal Credit]. I have complex needs as defined by the Department for Communities guidance and outlined below in this letter.

Please regard this notice as a formal request for you to ensure that all necessary steps and adjustments are made to my work capability assessment, and that I receive all available support from the Department during my claim – as outlined under Section 75 of the Northern Ireland Act 1998, the Disability Discrimination Act and supported by the DfC Equality Scheme (click '**here**' to view), due to the barriers presented by my vulnerability as outlined below.

Outline Complex Needs
My problems/diagnoses that are preventing me from engaging with the Universal Credit application process are…

I also want you to consider the following relevant circumstances…

What Support I need from the Department for Communities and the reasons why I need it

1. I do not have access to or cannot use a computer well enough to meet the requirements for Universal Credit.
2. I cannot understand or comply with the Universal Credit conditionality requirements, My condition/circumstances make it difficult to….
3. I am at risk and particularly vulnerable to receiving sanctions for reasons outside of my control as a result of…

Claimant Limitations
Please ensure that special consideration and support is taken into account for the following:

- List the terms of your claimant commitment that need to be adjusted as a result of your condition or current circumstances.

Letter Template: Complex Needs and Request for Additional Support

- List the requested changes you would like to make to the conditionality requirements attached to your claim as a result of your complex needs.
- I currently have caring responsibilities and request adjustments to…
- Insert information about any additional request you may need as a result of your circumstances of health condition. For example, this might include issues you might face due to language barriers, credibility, claim dates, issues with accessing National Insurance numbers and the impact that previous overpayments might have on your Universal Credit award.

Thank you for taking the time to consider my request and I look forward to hearing from you.

Yours sincerely,

[Insert Name]

PART SEVEN

Additional Considerations

The Effect of Revision or Appeal of a Pre-Existing Legacy Benefit on a Claimant’s Current Universal Credit Award

Although the Department will use the information they hold about a claimant’s circumstances on migration day to calculate the transitional element [64], it does not stop them from revising or superseding a decision in relation to the calculation of the transitional element. The Department is able to change and adapt the calculation in the following circumstances:

- The Department believes that the claimant has made a misrepresentation on their application form.
- The claimant has failed to report information that was advantageous to their claim and resulted in them receiving a higher transitional element than they were entitled to receive.
- The mistake in the calculation was the result of official error.
- A claimant has an ongoing claim/appeal process for an existing benefit and receives a result on or after migration day. In these circumstances, the Department should reassess the transitional element and revise or supersede their earlier decision to match the clients circumstances on migration day.

ADVISER NOTE

A claimant could experience an under payment of the transitional element as a result of the Department’s official error. As advisers it is important to request the calculation and carefully review that the Department correctly considered all of the relevant elements when making their determination. If not, you can request that they review the decision via mandatory reconsideration and then appeal.

[64] Universal Credit (Transitional Provisions) Regulations (Northern Ireland) 2016, Reg. 54

Key Considerations for Advisers

As the Managed Migration roll out continues, the Law Centre has been contacted by frontline advisers who have identified some issues on the ground – we will briefly discuss them below:

- ## Administrative Earnings Threshold (AET)

The AET is £952 for a single person and £1,534 for joint claimants. The AET used will be the one that was in place when the claimants made their claim for Universal Credit. Remember, if a claimant's earnings are at or above the relevant AET when they make a claim for Universal Credit, but it then drops below the AET for any reason for more than 3 consecutive assessment periods, this will result in a claimant losing their transitional protection.

If a claimant is below the AET at the point of migration, they may be subject to Universal Credit conditionality criteria – depending on any work search requirements attached to their claim. If a claimant's earnings are below the AET when they clam Universal Credit, and subsequently they experience a drop in income occurs – this will not impact their entitlement to transitional protection.[65]

- ## Spending Capital & Managed Migration

If a claimant spends capital before they migrate to Universal Credit and this brings their capital below £16,000, the transitional protection 'capital disregards' will not apply. This type of transitional protection will only apply in cases when a claimant's capital is over £16,000 at the point they migrate to Universal Credit. However, the normal tariff income rules will apply to capital between £6,000 and £16,000.

After twelve assessment periods, if the claimant still has capital in excess of £16,000, they will lose their entitlement to Universal Credit. Claimants should also be aware of the rules regarding deprivation of capital during the twelve assessment periods – spending must be reasonable in the client's circumstances and not for the purpose of claiming benefits.

ADVISER NOTE

It is important for advisers to note that a claimant is able to use their capital for pay off debt (that is not legally required to be paid off immediately) under a claim for Universal Credit so long as it is reasonable. Whereas claimants were unable to use their capital in this way under their legacy benefit claim. Additionally, advisers should encourage claimant's to keep receipts and invoices to help evidence their expenditure when they are approaching the end of the twelve assessment periods.

[65] The Universal Credit (Transitional Provisions) Northern Ireland 2016, Reg 57(2)(a)(ii)

- ### Self-Employed on Tax Credits

Those migrating from Tax Credits who are considered gainfully self-employed will benefit from 12-month grace start-up periods before the Minimum Income Floor is applied. This means that their Universal Credit award will be calculated according to the claimant's actual earnings during this period. At the end of the twelve months period, the normal minimum income floor rules will be applied.

- ### Full-Time Students

Full-time students cannot normally make a claim for Universal Credit, with the exception of those who have already completed a Work Capability Assessment and have been found to have limited capability for work while also receiving the Daily Living component of PIP. If a claimant is a full-time student and they receive a Migration Notice, they can make a claim for Universal Credit and will be able to receive UC until their course finishes.

- ### Qualifying Young Persons & Managed Migration

The rules for including a child or QYP differ between a claim for Child Tax Credits and Universal Credit, and this can have a significant impact on claimants making the move via managed migration and their entitlement to a transitional element. Transitional protection is designed to protect claimants circumstances at the point of transfer to UC under managed migration. However, it is important to note the transitional element will not protect claimants if they experience a change in circumstances after they make a claim for Universal Credit. Transitional protection will only ensure that claimants are no worse-off at the point they transfer, and after that point, the Transitional element will be at risk of erosion, i.e. reducing due to a change in circumstances or change occurred via the annual benefit uprating. You can read more about this issue in our recently published legal briefing '**here**'.

Remember, a QYP could be included in an award of Child Tax Credit up until the age of 20 and this enabled claimants to receive an additional element for a young person who was in full-time, non-advanced education. However, under a claim for Universal Credit the rules are different and a Child Element under UC can only be claimed until the 31st of August following the QYP 19th birthday. As a result, entitlement to a child element under Universal Credit can end sooner than it would have done under the old Child Tax Credit system.

- ### Managed Migration for Carers who have Limited Capability for Work-Related Actvity

The transitional element is awarded to claimants who move to UC under managed migration to ensure they are no worse-off at the point of transfer. Law Centre NI has been highlighting that the current transitional protection legislation regulations unfairly apply to carers who are subsequently awarded the limited capability for work related activity element after they migrate to Universal Credit. This will be counter-intuitive for advisers, as normally a carer will be better off if they claim the limited capability for work-related activity element - as it is paid at a higher rate.

You can read more about this issue in the Law Centre’s legal briefing linked ‘**here**’.

Managing Universal Credit - Notable Changes to Benefit Management for Claimants

Since the introduction of Universal Credit, legacy benefit claimants that have moved across via any of the migration routes have experienced changes to how they manage their benefits. The next section of this guide will provide a summary of Universal Credit that can be shared with potential Universal Credit claimants to help them understand some of the key differences between Universal Credit and their legacy benefit awards. What is Universal Credit? Universal Credit is a single, means-tested benefit paid to people of working age (or over if you are part of a mixed-aged couple) who are on a low income. You can find the latest NI Universal Credit stats ‘**here**’.

It can include support for the cost of housing, children, childcare, financial support for people with a disability, carers and people who are too ill to work. It is replacing previous means-tested benefits, which are now referred to as legacy benefits. However, as discussed through this guide there are certain protection in place to ensure claimant making the move to Universal Credit are no worse off when they make the transfer.

In general, to be eligible for Universal Credit, you must:

- be aged 18 or over (16 or 17 in certain circumstances)
- be under State Pension age, unless part of a mixed age couple
- not be in full-time education or training (unless exceptions apply)
- not have savings over £16,000

As more benefit claimants are being transferred to Universal Credit it is very important that they understand the difference between the management of their legacy benefits and the new processes that are connected to an award of Universal Credit. Let’s look at some of the notable changes below:

- ## Payment Schedule

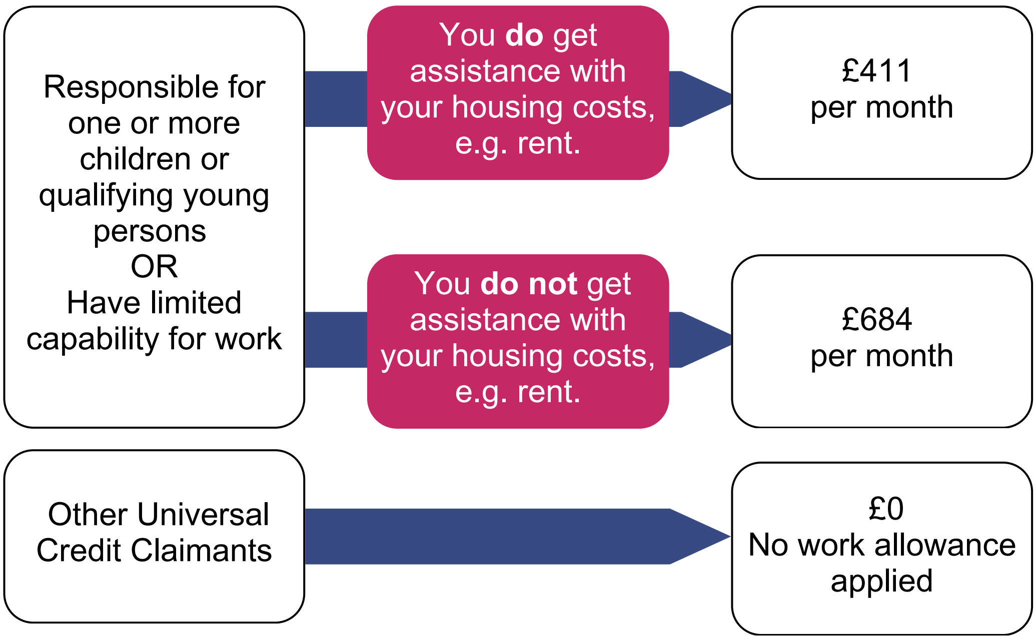
Unlike some previous legacy benefits, Universal Credit payments will be made twice monthly instead of weekly. This is very important when it comes to budgeting and money management and can have a huge impact on a claimant's day-to-day life going forward.

- ## Online Claim Management & IT Literacy

A claim for Universal Credit is generally made online and you will manage your Universal Credit claim via an online system. You will have to update your information and finances, complete your 'To Do List' and receive communications online via your Journal. You are able to make a claim for Universal Credit over the phone. However, it is important to note that when you do so, you are unable to switch and manage your claim through the online portal (vice versa should you make your claim using the online system and wish to manage it via telephone later on).

- ## Work Allowance

Your Universal Credit award can vary depending on your and/or your partner's earnings. However, you may be able to receive some earnings before your Universal Credit award is reduced and this is known as the 'work allowance'. It applies to claimants who have childcare responsibilities for children or a qualifying young person, or those claimants who have limited capability for work due to a health condition or disability. If neither of these circumstances applies to you, then your award of Universal Credit will be affected as soon as you start earning money from paid work.



- ### Taper Rate

Your Universal Credit payments will be reduced after you earn more than your work allowance (if you are entitled to it), and this is known as the Taper Rate. The current Taper Rate is 55%. This means that for every £1 you earn over your work allowance, your Universal Credit award will be automatically reduced by 55p.

- ### Claimant Commitment

In order to make a valid claim for Universal Credit, you must accept your claimant commitments. This agreement sets out the responsibilities and tasks you agree to complete in return for receiving Universal Credit. This 'To Do List' can include looking for work, attending training courses, regularly meeting with your work coach, and updating your online journal.

- ### Sanctions

As mentioned above; in order to receive Universal Credit you must agree to complete certain tasks. However, if you fail to complete these tasks (without good reason), your Universal Credit award could be reduced for a period of time. This is known as a sanction. There are different levels of sanctions depending on the frequency of your infringements.

ADVISER NOTE

Law Centre NI has recent published an updated practice guide to help Northern Ireland advisers support and respond to claimants who are at risk of receiving a Universal Credit Sanction. You can view and download this resource from their website using this **link**. [66]

- ### What's in your reward?

Universal Credit has replaced previous means-tested benefits (known as legacy benefits). However, it exists as an umbrella means-tested benefits and every valid claim will receive a standard amount (depending on your age and whether you are making a claim as a single person or part of a couple). However, you may also receive additional amounts depending on your personal circumstances. You can receive an additional amount if you have children: childcare costs, disabled children, limited capability for work due to a health condition or disability, caring responsibilities or need assistance with housing costs.

[66] https://www.lawcentreni.org/wp-content/uploads/2024/12/Understanding-Universal-Credit-Sanctions-for-Advisers-December-2024-Final.pdf

Remember if you are invited to make the move to Universal Credit via Managed Migration, you may be eligible to receive a top-up payment known as the Transitional Element. This payment is aimed at ensuring you are no worse off at the point you migrate to Universal Credit than you were receiving legacy benefits.

- **Overpayments**

Unlike legacy benefits, all overpayments of Universal Credit are recoverable. This includes those made by the Department via official error. However, you may be able to apply for a Discretionary Waiver if repayment would cause you significant detrimental to you or your family's health and well-being.

ADVISER NOTE

A Discretionary Waiver is a mechanism where - in exceptional circumstances - the Department can exercise its discretion to 'waive' the recovery of all or part of an overpaid benefit, even those caused by official error. You can find more information on our website by clicking '**here**'. [67]

Managing Universal Credit and the Five-Week Wait

You will normally receive your first Universal Credit payment about five weeks after you make your initial application, if it is valid and you are entitled to the benefit. The following section outlines some of the support mechanisms in place for people who may suffer from financial hardship during this initial 'assessment period'.

- **New Claims Grant (previously known as Universal Credit Contingency Fund Grant)**

This is a non-repayable grant if you need financial support and do not have enough money to live on while you wait for your first full payment of Universal Credit. You do not have to pay it back if you are eligible. You apply via telephone or online. Click '**here**' to learn more. Claimants can make an application via Discretionary Support.

[67] https://www.lawcentreni.org/news/overpayments-in-social-security-the-discretionary-waiver-updated-guidance/

- ### Universal Credit Advance Payment

If you have applied for Universal Credit and do not have enough money to live on, you can apply for an Advance Loan. You will be eligible to receive 100% of your estimated Universal Credit amount, however it is a loan, and you will have to pay it back (usually the amount will be deducted in instalments out of your Universal Credit award). Click 'here' to learn more.

- ### Discretionary Support

If you are in an extreme situation or crisis, you may be able to apply for Discretionary Support. However, it depends on your circumstances whether you are offered an interest-free loan or a grant and this will impact whether you have to repay the money you receive. Click '**here**' to learn more.

Support Services

- ### Speak to an Independent Adviser

As mentioned earlier in this guide, you may be worse off on Universal Credit than you were when you received legacy benefits. Therefore, it is important that you speak to an independent adviser before making the move.

Additionally, it is very important to seek advice from an independent adviser if you have complex needs and receive a Managed Migration Notice or are thinking of moving over naturally to Universal Credit. Be sure to ask for a 'better off' calculation if you are thinking of claiming Universal Credit before receiving your official Notice Letter.

- ### Law Centre NI

You can contact Law Centre NI's Specialist Social Security team for further advice and support, especially on complex matters. You can find more details on our '**website**'.

- ### Local Advice

There are many front-line advice organisations based across Northern Ireland. You can receive advice and assistance with you claim for Universal Credit by contacting your local independent advice organisation. You can find your local advice organisation via the AdviceNI website '**here**'.

- ### Universal Credit Helpline

If you need help to claim Universal Credit or you can't claim by the deadline date on your Migration Notice Letter, you can contact the Universal Credit Helpline on: Freephone: 0800 012 1331. Textphone: 0800 012 1441 (For deaf users, those with hearing loss and users with speech and communication needs) - a UC Video Relay service is available for sign language users. You can send an online request to the Move to Universal Credit team if you can't use a phone due to a language, speech or hearing difficulty. Learn more '**here**'.

Feedback Survey

CLICK HERE

SCAN ME!

The Law Centre would appreciate if you could take one minute to provide some feedback about how useful you found this guide. You can complete the one minute survey scanning the QR Code or clicking the button above.

Thank you,
Law Centre NI

Contact Information

028 9024 4401

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09:00 - 13:00

Law Centre NI
Specialist Social Security team

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