

Questions arising in respect of legacy benefits and Universal Credit claims in digital service areas.

1. What triggers DWP to send HMRC a 'stop notice'? Is it someone making a claim for UC, once DWP are satisfied they have passed verification checks and basic conditions or once DWP are satisfied they have satisfied the basic and financial conditions? (or something else)
UCDS send an automated stop notice to HMRC advising them a claim has been made once the verification interview has taken place.

What happens when someone in a digital area makes a claim for a legacy benefit, for example tax credits? Do HMRC contact DWP and ask them to determine whether the person would have been entitled to Universal Credit if they had claimed that on the same day or do HMRC make that determination? If the claim is rejected by HMRC, but the person is not entitled to UC – what happens? **Claimants within a UCDS area CANNOT make a claim to a legacy benefit within that same post code or any other digital area so once they are on UC they are on it for good.**

2. UC claimant with children, working and under state pension credit age reaches state pension credit age. Due to their age, they stop being entitled to UC, can they currently claim tax credits? **They would be advised if approaching PCQA that they should consider a claim to legacy rather than UC as they may be better off. Though this is likely to change (response to Action point refers)**
3. Couple, one over state pension credit age and one under, can they claim tax credits in digital areas? **As above**
4. Working pensioner takes on responsibility for children and has childcare costs, can they currently claim tax credits? **As above**
5. Tax credit claimant (WTC and CTC) loses their job and wants to claim conts-based JSA but not UC. How do they do that? **JSA Process in place to allow them to do so but via UCDS at the moment –This is subject to change with no timeline for it.**

What would happen in the following scenarios in a digital area (ie legacy claim or UC claim) and clarify the legislation which provides for the answer –

6. A claimant in receipt of tax credits and housing benefit moves into a digital area (different local authority) which would normally necessitate a new housing benefit claim. **UC, as would be making a new claim for a legacy benefit (HB)**
7. A claimant in receipt of tax credits and housing benefit moves into a digital area (same local authority) which would normally necessitate a change of circumstances form to the local authority. **Remains on TC/HB as not making a new legacy claim-is just a change of address**
8. A claimant who is in receipt of tax credits takes up a tenancy and would normally make a new claim for housing benefit. **UC, as would be making a new claim for a legacy benefit (HB)**
9. A claimant in receipt of income-based JSA and housing benefit moves into a digital area (different local authority) which would normally necessitate a new housing benefit claim. **UC, as would be making a claim for a new legacy benefit (HB)**
10. A claimant in receipt of income-based JSA and housing benefit moves into a digital area (same local authority) which would normally necessitate a change of circumstances form to the local authority. **Remains on JSA/HB as not making a new legacy claim-is just a change of address**

11. A claimant who is on income-based JSA takes up a tenancy and would normally make a new claim for housing benefit. (Assuming in a digital postcode area) would be UC, as would be making a claim for new legacy benefit (HB)
12. A claimant who is on income-based ESA has a child and would normally claim child tax credit. (Assuming in a digital postcode area) would be UC, as would be making a claim for new legacy benefit (CTC)
13. A claimant on tax credits making a renewal claim – no other changes of circumstances. Remains on TC, as if a renewal it is not classed as a new claim for a legacy benefit.
14. A claimant in receipt of working tax credit only who has a child which would normally require a call to tax credits to get child tax credit included on the claim. This is a change in circumstances, and not a new claim for a legacy benefit
15. A claimant who is in receipt of housing benefit whose job changes so that they would normally make a claim for working tax credit. If their claim for WTC was the first time on TC (ie: do not have any CTC), then would be UC. If not, remains on TC and HB.