

## Move to UC - transitional protection - 1 November 2023

- Calculation of legacy benefits does not include any legacy benefits unclaimed eg not claiming HB even tho might have been entitled
- Unearned income - different definition in TC compared to UC - use amount given by claimant on UC declaration
- Capital taken from UC declaration
- Where a claimant includes a housing element in the UC claim but previously did not claim Housing Benefit, the TP would be calculated based on them not receiving any housing payment

### Questions - answers in red

- How do they establish entitlement to carer element - **if on CA then carer element awarded (get info from CIS), if not on CA but declare that you are a carer then think carer element will not be awarded but will take away to check!! It will however be awarded in subsequent APs if declared and could eat into any TP if beyond first AP**
- Will claimants have detailed breakdown of TP calc - **to take away**
- Income figures for UC indicative amount - TC claimant who is director - how are they assessing income - different rules in UC - **to take away**
- Have there been any changes to how TP is calculated - **no and they don't intend there to be**
- Where backdated awards straddle transitional calculation, how will that work - **if something backdated, TP is revisited to assess what it should be**
- If waiting for result of PIP application that would allow SDP, should they get extension of deadline and get SDP first - **wouldn't give advice, but sdp would be backdated on legacy which should give revisit of TP**
- Housing costs but no HB - do they include HCE - **HCE not included!!**
- Cases where 19yo QYP who wouldn't be included in UC but is in TC - are they being migrated, if so, how do they deal with it, If not, how do they get notice cancelled - **to take away**
- How do you get migration noticed cancelled - **to take away**
- Clarification of DWP interpretation of reg 54(1) - even if housing costs and carer status were there on indicative UC day, elements are not included in no HB or CA - **yes that is their interpretation and they have confirmed with their lawyers although given interest they are seeing if legislation needs clarifying - they do not intend to change their approach**
- Income for UC indicative amount - TC can have previous or current year income - do DWP know which it is, and if PY income are DWP content if using out of date figures - **DWP use PY income that TC award calculated on, if claimant has updated info then that changes PY figure - would like info as how to disregard impacts on that - to take away**
- Indicative UC - where does info re unearned income come from - and how do claimants challenge it - **student income from UC declaration, IIDB info comes from CIS - look at benefits live day before claimed UC, not sure how they would challenge it although have corrected errors in past - FOI response suggests that calculation is automated so how do challenge it - info can be inputted manually and can be checked manually**
- CPAG has seen cases where people have been systemically underpaid TP eg students - does DWP recognise that and what is being done about it systemically? - **to take away**