

## Found 'Fit for Work'

Huda was getting ESA and Housing Benefit. She recently had a [medical assessment](#) and has been found [fit for work](#). Her ESA has stopped.

Huda has asked for the decision to be looked at again. She cannot make a new claim for JSA while she waits for the decision, although she could claim Universal Credit instead.

Huda should [get advice](#) before claiming UC.

Some people with health problems and disabilities will be [worse off on UC](#).

If Huda claims UC, even if the DWP change the decision and agree she has limited capability for work, she will not go back onto ESA.

If she doesn't claim UC, Huda can [stay on Housing Benefit](#) while the DWP look at her case again. She would have to ask the Council to assess her with [nil income](#).

If she makes an [appeal to the Tribunals Service](#) Huda can stay on ESA, although it will only be paid at the assessment rate while she waits for her appeal. As she is challenging a "fit for work" decision, Huda can appeal without waiting for the reconsideration.

**Once you claim UC you cannot go back onto legacy benefits.**

## The Severe Disability Premium

Legacy benefits could be worked out with a severe disability premium if:

- You get Personal Independence Payment for [daily living](#) or Disability Living Allowance at the [middle or higher rate for care](#) and,
- You [live alone](#) (or are treated as living alone) and,
- No-one gets [Carer's Allowance](#) or a [UC carer element](#) for looking after you.

A severe disability premium can be added to income-related ESA, income-based JSA, Income Support, Pension Credit, Housing Benefit and Council Tax Support, but [not UC](#).

If you get ESA, JSA or Income Support with a SDP, but need to make a [new claim for Universal Credit](#), your UC might be topped up with a [Transitional Payment](#) in some circumstances.

For more information go to [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk) or contact our **Citizens Advice Helpline: 0800 144 8848**



**Potteries Gold** is a **Citizens Advice Staffordshire North & Stoke-on-Trent** project to help people in Stoke-on-Trent cope with changes to the benefit system [www.snsocab.org.uk/about-us/potteries-gold](http://www.snsocab.org.uk/about-us/potteries-gold)  
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## Changes in your Health and Universal

### Means-tested Benefits No. 7



## What is Universal Credit?

Universal Credit (UC) is a benefit for **working-age people**. It is replacing:

- Income-based (means-tested) JSA
- Income-related ESA
- Income Support
- Working Tax Credit
- Child Tax Credit
- Working-age Housing Benefit.

The DWP call these **Legacy Benefits**. You cannot make new claims for these benefits.

## How is UC different to Legacy Benefits?

UC is quite different to these benefits.

It is paid calendar monthly, so you get one payment for January, one for February, one for March etc. Remember, a **calendar month** is usually **longer than four weeks**.

This one payment includes the money for **you, your partner, your children and your housing costs**. Your first proper payment usually takes at least **five weeks** to come through.

You will need a **smart phone or computer** to claim Universal Credit and to stay in touch with the DWP.

They will use this to message you about things you need to do.



## When will I have to claim UC?

If you are **claiming for the first time**, move to a **different Council area** and need help with rent, or have to change benefits because your **circumstances have changed**, you will need to claim Universal Credit.

**You cannot make new claims for legacy benefits.**

## Changing to UC

The DWP plan to transfer everyone on legacy benefits onto Universal Credit at some point. They call this **managed migration**.



If you change to UC this way, the DWP say they will top up your UC so you are not much worse off. The top up is called **transitional protection**.

Changes in your life can mean claiming different benefits. This can mean swapping to UC. The DWP call this **natural migration**.

If you move onto UC through natural migration, there is usually **no transitional protection**, although there may be if your old benefits included a **severe disability premium**.

These are the changes around **sickness and health** that can move you onto Universal Credit...

## Pregnancy

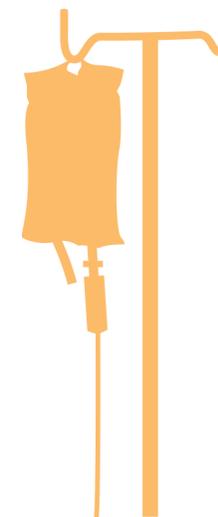
Anna is a single woman claiming JSA. She is pregnant.

**11 weeks** before her baby is due, she stops having to look for work. Anna will then have to claim **Universal Credit**, not **Income Support**.

If she gets **Housing Benefit** or **Child Tax Credit**, these claims will also end.

## Long-term sickness

You can sometimes stay on JSA during short periods of sickness. However, if you won't be well enough to look for work for more than **13 weeks**, or you have had too many sick days already, you have to come off JSA and claim a sickness benefit instead. This will be **Universal Credit**, not **income-related ESA**.



### Example:

Stephen has been claiming JSA but has been rushed to hospital after a heart attack.

He **cannot stay on JSA** as he will take **more than 13 weeks** to get fit for work, so he will have to claim **Universal Credit**.

This will end his claims for both **Housing Benefit** and **JSA**.

