Chapter E2: Benefit unit, awards and maximum amount

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Legislation Used in Chapter E2

Abbreviation	Full Title
WR (NI) Order 15	The Welfare Reform (Northern Ireland) Order 2015 No. 2006
UC Regs (NI) 16	The Universal Credit Regulations (Northern Ireland) 2016 No. 216
Marr (SSC) Act 13	Marriage (Same Sex Couples) Act 2013
Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014	The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014 No. 3181
Marr & CP (Scot) Act 2014 and CP Act 2004 (Consequential Provisions and Modifications) Order 2014	Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014 No. 3229
E&T Act (NI) 50 1950	Employment and Training Act (Northern Ireland)
UC, PIP, JSA & ESA (C&P) Regs (NI) 16	The Universal Credit, Personal Independence Payment, Jobseeker's Allowance and Employment and Support Allowance (Claims and Payments) Regulations (Northern Ireland) 2016 No. 220

Chapter E2: Benefit unit, awards and maximum amount

Introduction

E2001 This chapter gives guidance on the constitution of a benefit unit.

Relevant terms

Claimant

E2002 A claimant[1] means either a single claimant or each of joint claimants.

1 WR (NI) Order 15, art 46

Couples

E2003 Couple[1] means

1. two people who are married to, or civil partners of, each other and are members of the same household **or**
2. two people who are not married to, or civil partners of, each other but are living together as if spouses of each other.

1 WR (NI) Order 15, art 45(1)

Note: From 29.3.14, in England and Wales, same sex couples could get married. From 10.12.14, in England and Wales, a civil partnership could be converted into a marriage[1]. In Northern Ireland, prior to 13.1.20 a marriage of a same sex couple which took place in England or Wales is to be treated as a civil partnership formed under the law of England and Wales (and accordingly the spouses are to be treated as civil partners)[2].

From 16.12.14, in Scotland, a civil partnership could be converted into a marriage[3]. Same sex couples in Scotland also have the option to have a marriage ceremony. In Northern Ireland, prior to 13.1.20 a marriage of a same sex couple which took place in Scotland is to be treated as a civil partnership registered in Scotland (and accordingly, the spouses are to be treated as civil partners)[4].

From and including 13.1.20 same sex marriages formed elsewhere in the UK are now recognised as marriages in Northern Ireland.

1 Marr (SSC) Act 13, s 9; Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014; 2 Marr (SSC) Act 13, Sch 2, Part 1, para 2; 3 Marr & CP (Scot) Act 2014; 4 Marr & CP (Scot) Act 2014 and CP Act 2004 (Consequential Provisions and Modifications) Order 2014, art 6

Household

E2004 Household is not defined in legislation. It should be given its normal everyday meaning, that is, a domestic establishment containing the essentials of home life[1]. Household may refer to people held together by a particular kind of tie, even if temporarily separated[2]. People living in one dwelling (for example a house, flat or caravan) do not necessarily live together in the same household.

1 R(SB) 4/83; 2 Santos v Santos [1972] All ER 246

E2005 **[See ADM Memo 18/21]** To be members of the same household means that they

1. live in the same house, flat, apartment, caravan or other dwelling place and neither normally lives in another household **and**

2. both live there regularly, apart from absences necessary for employment, to visit relatives, etc.

E2006 People living in one dwelling are not necessarily living together in the same household. Examples are

1. lodgers or students who necessarily share a single gas/electricity supply etc. and may have an arrangement to share costs for items such as food and cleaning materials **or**

2. two people who are married to each other or who are a civil partner of each other who separate and refuse to leave the home. They should claim as single claimants.

Example

Andy and Aniza are estranged and continue to live in the same house. They do not financially support each other or share domestic and social activities. One partner is reluctant to leave until a satisfactory financial agreement has been reached with the other partner. They each have separate households and as such each claim Universal Credit as a single person.

E2007 Two people who are neither married to each other nor a civil partner of each other may be members of the same household. See ADM Chapter E4 for the considerations of whether they share a household.

E2008 – E2009

Benefit unit

Introduction

E2010 In most cases the Universal Credit benefit unit will comprise of all the people in a household (see Chapter E4 for meaning of membership of household). A Universal Credit benefit unit can consist of

1. a single claimant (see E2012) **or**

2. members of a couple (see E2013)

that meet all the basic conditions for Universal Credit and any child or qualifying young person for whom either or both are responsible (see ADM Chapter F1).

This applies even if any of these people are temporarily living away from the other members of the benefit unit, for example to work or visit relatives.

What are the basic conditions for Universal Credit

E2011 A person meets the basic conditions[1] who

1. is at least 18 years old **and**

2. has not reached the qualifying age for State Pension Credit **and**

3. is in Northern Ireland **and**

4. is not receiving education **and**

5. has accepted a claimant commitment.

1 WR (NI) Order 15, art 9(1)

Single claimant

E2012 A benefit unit can consist of a single claimant where that person

1. meets all the basic conditions for Universal Credit **and**

2. they are

2.1 not a member of a couple **or**

2.2 in some circumstances, a member of a couple but the other partner does not meet all the Universal Credit basic conditions (see E2017, E2021 and E2022).

This benefit unit may also include any child or qualifying young person, for whom the claimant is responsible (see Chapter F1).

Example 1

Karen lives in her parent's household having just returned from university. She is now looking for work and claims Universal Credit. Karen is a single claimant and forms her own benefit unit.

Example 2

Jane and Tom are married and living together in a rented flat. Jane is aged 17 and Tom aged 19. They claim Universal Credit but Tom is required to claim for himself as a single person because Jane is under 18 years old and as such does not satisfy the basic conditions.

Example 3

Leonard and Howard are brothers, aged 20 and 21, who are in the process of buying the flat that they will share. Leonard claims Universal Credit. Leonard and Howard are not a couple and as such Leonard forms his own benefit unit and claims as a single person.

Example 4

Married couple Andy and Aniza are estranged and continue to live in the same house. They do not financially support each other or share domestic and social activities. One partner is reluctant to leave, until a satisfactory financial agreement has been reached with the other partner. They each have separate households and as such each claim Universal Credit as a single person.

Couples - joint claimants

Both meet all the basic conditions

E2013 A benefit unit consists of joint claimants where the two people are members of a couple and both meet all the basic conditions[1] for Universal Credit. This benefit unit also includes any child or qualifying young person, for whom they are responsible (see Chapter F1).

1 WR (NI) Order 15, art 9(1)

Note: This includes where one or both members are 16 or 17 and fall within the circumstances where the minimum age of 16 applies[1].

1 UC Regs (NI) 16, reg 8

Example

Kevin and Tanya claim Universal Credit. They are married and have four children and they all live together in a housing executive property. The Universal Credit benefit unit comprises of Kevin, Tanya and all four children.

E2014 The requirement for both members of the couple to meet all the basic conditions of Universal Credit is modified in the circumstances described in E2015 - E2022.

One member of the couple does not meet all the basic conditions

E2015 The modified circumstances where one member of the joint claim couple does not meet all of the basic Universal Credit conditions arises where they are

1. over pension age[1] (see E2016) **or**

2. in education[2] (see E2016) **or**

3. under 18[3] (see E2017) **or**

4. not in Northern Ireland[4] (see E2017) **or**

5. a person who has not accepted a claimant commitment[5] (see E2018).

1 UC Regs (NI) 16, reg 3(1)(a); 2 reg 3(1)(b); 3 reg 3(2)(a); 4 reg 3(2)(b); 5 WR (NI) Order 15, art 9(1)(e)

One member is over pension age or in education

E2016 Where one member of a couple meets all the basic Universal Credit conditions but the other member of the couple does not meet the basic Universal Credit condition because

1. they have reached the qualifying age for State Pension Credit[1] (see ADM Chapter E1) **or**

2. they are receiving education[2] (see ADM Chapter E1)

then that ineligible person is treated in the same way as if they had met the Universal Credit basic conditions and will remain part of the benefit unit[3]. The Universal Credit standard allowance for a couple is awarded (and, if appropriate, any elements).

Note: Where the qualifying age for State Pension Credit has been reached by a party who is to be treated as a single person because the other member of the couple falls into one of the categories at paragraphs E2017, E2021 and E2022, they may claim or remain entitled to State Pension Credit or pension-age Housing Benefit as a single person.

1 WR (NI) Order 15, art 9(1)(b); 2 art 9(1)(d); 3 UC Regs (NI) 16, reg 3(1)(a) & (b)

Example 1

Bernie and Fabiana are married and living together in a rented flat. Bernie is aged 72 and Fabiana is aged 54. They claim Universal Credit. Bernie does not meet all the basic conditions for Universal Credit because he is over pension age however he is treated as if he had met all the conditions and the Universal Credit standard allowance for a couple is awarded.

Example 2

Carly and Mark are married and living together in a rented flat. Carly is aged 19 and unemployed whilst Mark, aged 20, is studying for a degree. They claim Universal Credit. Mark does not meet all the basic conditions for Universal Credit because he is receiving education however he is treated as if he had met all the conditions and the claim as a joint claim couple can progress.

One member is under 18 or not in Northern Ireland

E2017 Where one member of a couple meets all the basic Universal Credit conditions but the other member of the couple does not meet the basic Universal Credit condition because

1. they are under 18 years old[1] and do not fall within any of the circumstances[2] where a person may be entitled from the age of 16 (see ADM Chapter E1) **or**

2. they are not in Northern Ireland[3], or are treated as not being in Northern Ireland[4] (see ADM Chapter E1)

then the claim is treated as that of a single person and the benefit unit[5] will be comprised of the claimant that does meet all the Universal Credit conditions (and any child or qualifying young person for whom the claimant is responsible). The Universal Credit standard allowance for a single person is awarded (and, if appropriate, any elements).

1 WR (NI) Order 15, art 9(1)(a); 2 art 9(3); 3 art 9 (1)(c);
4 UC Regs (NI) 16, reg 9(1); 5 reg 3(2)(a) & (b)

Example

Jane and Tom are married and living together in a rented flat. Jane is aged 17 and Tom aged 19. They claim Universal Credit; however Tom is required to claim for himself as a single person because Jane is under 18 years old and as such does not satisfy the basic conditions.

Note: If Jane fell into one of the prescribed circumstances[1], for example if she was pregnant and within 11 weeks of her expected date of confinement or perhaps if she had regular and substantial caring responsibilities for a severely disabled person, then Jane and Tom could make a joint claim as a couple because Jane would now fall into one of the prescribed circumstances where the minimum age of 16 applies.

1 UC Regs (NI) 16, reg 8

One member does not accept their claimant commitment

E2018 Where

1. a claim is made by members of a couple jointly **and**

2. one member of the couple does not meet the basic Universal Credit condition because they have not accepted or are not exempt from providing a claimant commitment (see ADM Chapter E1)

then the whole claim fails and there is no benefit unit[1] (see ADM Chapter E1).

1 WR (NI) Order 15, art 8(2)(a)

Example

Kevin and Tanya claim Universal Credit. They are married and have four children and they all live together in a housing executive property. Tanya has accepted her commitment. On the day that he is due to accept his claimant commitment, Kevin phones the Jobs and Benefits Office to say that he cannot attend because his washing machine has broken and an engineer is due to fix it that day. The decision maker does not treat Kevin as having accepted his claimant commitment because it is not unreasonable to expect Kevin to arrange with Tanya to deal with the engineer. As one of the couple does not meet the basic condition of having a claimant commitment the Universal Credit couple claim fails.

E2019

One member of the couple is not entitled to Universal Credit

E2020 Where one member of the joint claim couple is not entitled to Universal Credit[1] because they are

1. a prisoner[2] **or**

2. a member of a religious order[3]

then there are other rules which have a bearing on the claim or structure of the benefit unit (see E2021).

1 WR (NI) Order 15, art 11; 2 UC Regs (NI) 16, reg 3(2)(c); 3 reg 3(2)(d)

One member is a prisoner or member of a religious order

E2021 Where one member of a couple meets all the basic Universal Credit conditions but the other member of the couple does not meet the Universal Credit entitlement conditions because they are

1. a prisoner (see E3030) **or**

2. a member of a religious order[1] (see E3010)

then the claim is treated as that of a single person and the benefit unit[2] is comprised of the claimant that does meet the Universal Credit conditions and any child or qualifying young person. The Universal Credit standard allowance for a single person is awarded (and, if appropriate, any elements).

1 UC Regs (NI) 16, reg 19(1) ; 2 reg 3(2)(c) & (d)

Example

Rosie and Jake submit a claim for Universal Credit. Rosie advises that Jake will be absent from the household for a short period as he has been sentenced to 3 months in prison. Rosie is required to claim Universal Credit for herself as a single person because Jake is a prisoner and as such he does not satisfy the entitlement conditions.

One member is a person subject to immigration control

E2022 Where one member of a couple meets all the basic conditions but the other member is a person subject to immigration control, the member who meets the conditions can make a claim as a single person[1].

Note: Although the standard allowance is that of a single person, the amount of Universal Credit awarded to this type of claimant will still have regard to any appropriate income and capital received and possessed by the disregarded member of the couple[2].

1 UC Regs (NI) 16, reg 3(2)(e); 2 reg 18(2) & 23(3)

E2023 – E2029

Temporary absence

E2030 A person who is living away from their partner ceases to be treated as a member of a couple and part of the same benefit unit where they are

1. absent from the household **or**

2. expected to be absent from the household

for 6 months[1] or more.

Note: Different rules apply where that temporary absence is from Northern Ireland see ADM Chapter C1.

1 UC Regs (NI) 16, reg 3(5)

Example 1

Huw is claiming Universal Credit. He, his wife Isobel and their three children are all part of the same household/benefit unit. Isobel is involved in a road accident and is admitted to hospital. She needs prolonged treatment and rehabilitation and is expected to be in hospital about 4 months. Because Isobel's absence is not expected to last for more than 6 months the decision maker treats Isobel as part of Huw's household during her absence.

Example 2

Huw is claiming Universal Credit. He, his wife Isobel and their three children are all part of the same household/benefit unit. Isobel is involved in a road accident and is admitted to hospital. She needs prolonged treatment and rehabilitation and is expected to be in hospital about 6 months. The decision maker continues to treat Isobel as part of Huw's household during her absence. After 4 months Huw reports that Isobel's treatment is progressing slower than expected and she will be in hospital for at least another 4 months. The decision maker decides Isobel is no longer a member of Huw's benefit unit because it is now known that her total absence is expected to be in excess of 6 months. As they are no longer a joint claim couple the award is terminated. The termination is effective from the first day of the assessment period in which Huw reported Isobel's slower progression. To continue receiving benefit Huw will have to make a new claim. Isobel will be entitled to Universal Credit as a single person without the need to submit a claim.

Example 3

Huw is claiming Universal Credit. He, his wife Isobel and their three children are all part of the same household/benefit unit. Isobel is involved in a road accident and is admitted to hospital. She needs prolonged treatment and rehabilitation and is expected to be in hospital about 10 months. The decision maker decides Isobel is not a member of Huw's benefit unit from the outset of Isobel's admission to hospital. This also means that their joint claim is terminated and Huw will have to re-claim Universal Credit to continue receiving benefit for himself and his children. Isobel is entitled to Universal Credit as a single person without the need to make a claim from the first day of the assessment period in which she was admitted to hospital.

Income and capital

E2031 Where the benefit units described above at E2017, E2021 and E2022 consist of

1. a single person **and**

2. if appropriate, any child or qualifying young person for whom they are responsible

the amount of Universal Credit awarded to that benefit unit claimant will still have regard to any earned income, unearned income and capital of the disregarded member of the couple[1]. See E2205 for the work allowance and 55% calculation appropriate to earned income.

1 UC Regs (NI) 16, reg 3(2) & 18(2) & 23(3)

Example

Jill arrives in the United Kingdom from South Africa and moves in with her boyfriend Pete. She does not have an offer of a job but helps out in the shop for an hour or two when she can, for which she is paid £20 per week. The couple claims Universal Credit immediately on her arrival. Jill is a person subject to immigration control and treated as not in Northern Ireland. The joint claim is treated as that of a single person and the benefit unit comprises of Pete. The Universal Credit maximum amount is made up of the standard allowance for a single person less a proportion of Jill's earnings.

Note: See E2190 et seq for how to calculate the proportion of earnings to be deducted.

E2032 – E2039

Polygamous marriage

E2040 Polygamous marriage means[1] any marriage in which

1. one of the parties to it is married to more than one person **and**

2. the ceremony took place in a country which allows polygamy.

1 UC Regs (NI) 16, reg 3(4)

E2041 Where there are more than two people that are party to a polygamous marriage living in the same household then the two people that will form the benefit unit shall be the two that were first married to each other[1] (if they meet the entitlement conditions). Any other subsequent party to the polygamous marriage will have to claim Universal Credit as a single person and form their own benefit unit, subject to meeting the basic conditions described at E2011.

1 UC Regs (NI) 16, reg 3(3)

Example

Abdul, Alkha and Fatima are parties to a polygamous marriage and make a claim to Universal Credit. Fatima is Abdul's second wife. The claim to Universal Credit is treated as a claim to Universal Credit by Fatima and she will form a benefit unit. Abdul and Alkha (his wife he married first) will have to make a fresh claim to Universal Credit to form their own benefit unit.

Note: The amount of Universal Credit awarded to the couple in this situation will not have regard to any income and capital received and possessed by the disregarded members of the polygamous marriage.

Members of a polygamous relationship

E2042 When a claimant has a relationship similar to marriage with two or more people, none of them can form an unmarried couple. The decision maker should treat each member of the relationship as a single claimant or, if appropriate, lone parent.

Example 1

Alan, Bronwyn and Carol live in the same home but are not married to each other. Alan, who is aged 31, claims Universal Credit and states that he is in a multiple relationship with both Bronwyn and Carol. He is treated as a single claimant and is awarded the standard allowance for a person aged 25 or over. Bronwyn and Carol will also have to each make a separate claim as a single adult and form their own benefit units, subject to meeting the basic conditions described at E2011.

Note: If Alan was married to Bronwyn but states that he is also in a relationship with Carol then Alan would be treated as a member of a couple with his wife

Bronwyn and awarded the standard allowance for a couple. Carol would be treated as single and would have to make a claim for herself.

E2043 – E2049

Unconnected adults

E2050 Any person who is

1. living in the same dwelling **and**

2. not part of the claimant's benefit claim (and not a person mentioned in E2015)

will be unconnected and will be able to make a benefit claim in their own right if they meet the entitlement conditions.

Example 1

Bill and John are brothers, aged 20 and 21, living together in a house. They are unconnected adults and will form benefit units in their own right.

Example 2

Abdul, Alkha and Fatima are living in the same household, they are parties to a polygamous marriage and make a claim to Universal Credit. Fatima is Abdul's second wife. The claim to Universal Credit is treated as a claim to Universal Credit by Fatima, she is an unconnected adult and will form a benefit unit on her own. Abdul and Alkha (his wife he married first) have to submit a further claim and they will form a separate benefit unit, subject to meeting the basic conditions described at E2011.

E2051 – E2069

Care home, Abbeyfield Home, independent hospital or other similar accommodation

E2070 Where both members of a couple are permanently in

1. a care home **or**

2. an Abbeyfield Home **or**

3. an independent hospital **or**

4. sheltered accommodation

the normal rules as to whether they are members of the same household and therefore the same benefit unit apply. Each case should be decided on its facts.

For people to be members of the same household they have to share a domestic establishment. A domestic establishment requires a reasonable level of independence and responsibility for the occupants.

E2071 Whether members of a couple who are permanently in a care home, Abbeyfield Home, independent hospital or other similar accommodation are members of the same household is a question of fact and degree. Decision makers should establish all the facts of the particular case. Decision makers may find it useful to consider whether the couple[1]

1. decide how their days will be structured. For example do they decide (even by default) at what time to get up, have meals, go to bed etc.

2. decide how the accommodation they live in is to be arranged. For example, do they decide which room is to be the dining room, the living room etc.

3. can decide who can come and stay with them, and for how long?

4. can insist that other people do not enter their accommodation without permission?

5. can decide the decor and furnishing of their accommodation?

6. have some facilities for preparing food and making tea, coffee and other hot drinks?

7. have responsibility for running the household? For example, are they responsible for getting repairs done, replacing domestic appliances or buying food?

Note: The list of questions above is not definitive or exhaustive. None of these questions on its own is decisive.

1 R(IS) 1/99

Example 1

Robin and Maureen are husband and wife. Robin has had a severe stroke, and Maureen has heart problems and arthritis so they both go into a care home. Robin needs more skilled care than could be provided in the care home so he goes into an independent hospital. Two years later Maureen goes into the same independent hospital because her health has deteriorated. She and Robin have separate rooms and are billed separately. Robin and Maureen are not members of the same household and would claim Universal Credit as single claimants.

Example 2

Paul and Annette are husband and wife. Both suffer from senile dementia and go into a care home to be cared for. Although they share a room, they do not understand that they are husband and wife. They are each billed separately by the care home. Paul and Annette are not members of the same household and would have to claim Universal Credit as single claimants.

Sheltered accommodation

E2072 Where both members of a couple are permanently in sheltered accommodation (that is a separate, self-contained unit but with a warden to keep an eye on the occupants) they are members of the same household.

E2073 – E2089

Definitions

Child

E2090 Child means[1] a person under the age of 16.

Note: There is no need for the child to be receiving education for this definition to apply.

1 WR (NI) Order 15, art 46

E2091

Qualifying young person

E2092 A qualifying young person[1] is a person who has reached the age of 16 but not the age of 20 and who is

1. aged 16 years, but only for the period up to, but not including, the 1st September that next follows their 16th birthday

2. aged up to 19 years, but only for the period up to, but not including, the 1st September that follows their 19th birthday where they are enrolled on, or accepted for

2.1 approved training[2] **or**

2.2 a course of education

2.2.a which is not advanced education

2.2.b at a school, college or other establishment that is approved by the Department

2.2.c where they spend on average more than twelve hours a week during term time in receiving tuition doing examinations or practical work or supervised study

this must not include meal breaks or unsupervised study, including homework, whether done on or off the premises of the educational establishment[3]

3. aged 19 and has been

3.1 undertaking a course of education or training **or**

3.2 accepted or enrolled for a course of education or training

before reaching that age[4].

Note 1: The education or training described in **3.1** and **3.2** does not include education or training that is provided through a contract of employment[5].

Note 2: A person shall be treated as undertaking a course of full time education during the period between the end of one course and the start of another where the person is accepted for or enrolled on the latter course.

Note 3: Where a child or qualifying young person turns 16 or 19 on the 31st August the period described at **1.** and **2.** will end on that same day.

1 UC Regs (NI) 16, reg 6(1); 2 reg 6(4); 3 reg 6(1); 4 reg 6(2); 5 reg 6(3)

E2093 Any person who falls within E2092 is not a qualifying young person if they are receiving Universal Credit, Jobseeker's Allowance or Employment and Support Allowance[1], for example twins both 18 and in education, one has a child and gets Universal Credit under 8(1)(d) and is therefore not a qualifying young person. The other twin is a qualifying young person.

1 UC Regs (NI) 16, reg 6(5)

Approved training

E2094 Approved training means training provided in Northern Ireland directly or indirectly by a training organisation arranged by the Department under prescribed legislation[1].

1 E&T Act (NI) 50

Non-advanced education

E2095 Non-advanced education means any course of study which is of a standard up to and including

1. advanced General National Vocational Qualification (or equivalent)

2. A - levels (or equivalent)

3. Scottish National Qualification (higher or advanced higher)

Note: These include, for example, the International Baccalaureate, National Diploma and Study Programme in England.

E2096 – E2099

Awards and maximum amount of Universal Credit

Introduction

E2100 This chapter gives guidance on the calculation of the Universal Credit maximum amount, including the assessment period of the award and the deductions and disregards to be made for earned and unearned income.

E2101 The maximum amount is made up of a standard allowance and a number of elements depending on the circumstances of the adults and children within the benefit unit and is awarded for an assessment period.

E2102 – E2109

Assessment period

General

E2110 Universal Credit is payable in respect of each complete assessment period within a period of entitlement[1]. When a claimant makes a claim for Universal Credit, their assessment period cycle is set from their first date of entitlement and runs for a period of one month. Each subsequent assessment period of one month will start on the equivalent day of that first date of entitlement that falls in the following months[2].

1 WR (NI) Order 15, art 12; 2 UC Regs (NI) 16, reg 22

Example 1

Bill claims and is entitled to Universal Credit from the 4th September. His assessment period is a month. The start of Bill's next assessment period begins on the 4th October and the assessment period after that begins on the 4th November.

Example 2

Bill claims and is entitled to Universal Credit from the 4th September. His assessment period is a month. The start of Bill's next assessment period begins on the 4th October. However, on 2nd November Bill's circumstances change which ends his entitlement. Bill receives Universal Credit for the assessment period from 4th September to 3rd October but nothing for the period 4th October to 2nd November because it is not a complete assessment period.

E2111 There are other rules for establishing an assessment period where

1. Universal Credit entitlement is established on or near the end of a month (see E2112 and E2113)

2. the first date of entitlement falls before the date on which the claim is made (see E2114)

New award entitlement from 31st of a month

E2112 Where the first date of entitlement to Universal Credit falls on the 31st day of a month, each subsequent assessment period will begin on the last day of the month[1].

1 UC Regs (NI) 16, reg 22(3)(a)

Example 1

Jack claims and is entitled to Universal Credit from the 31st August. His assessment period is a month. The start of Jack's next assessment period begins on the 30th September and the assessment period after that begins on the 31st October.

Example 2

Bill claims and is entitled to Universal Credit from the 31st January. His assessment period is a month. The start of Bill's next assessment period begins on the 28th February (29th in a leap year) and the assessment period after that begins on the 31st March.

New award entitlement from 29th or 30th of a month

E2113 Where the first date of entitlement falls on either the 29th or 30th day of a month, each subsequent assessment period will also fall on the 29th or 30th of the month except in February when it will fall on the 27th[1] (28th in a leap year).

1 UC Regs (NI) 16, reg 22(3)(b)

Example 1

Bill claims and is entitled to Universal Credit from the 30th September. His assessment period is a month. The start of Bill's next assessment period begins on the 30th October and the assessment period after that begins on the 30th November.

Example 2

Bill claims and is entitled to Universal Credit from the 30th January. His assessment period is a month. The start of Bill's next assessment period begins on the 27th February (28th in a leap year) and the assessment period after that begins on the 30th March.

Example 3

Bill claims and is entitled to Universal Credit from the 29th January. His assessment period is a month. The start of Bill's next assessment period begins on the 27th February (28th in a leap year) and the assessment period after that begins on the 29th March.

Entitlement before the date of claim (backdating)

Initial assessment period

E2114 A person can have an assessment period of less than a month where the first date of entitlement subsequently changes and it would, in the opinion of the Department, cause unnecessary disruption to the administration of the case to change the assessment period[1] for a period before the date of claim.

1 UC Regs (NI) 16, reg 22A

E2115 The initial assessment period will cover the period from the first date of entitlement to the day before the date on which the actual claim is made.

Note: This period will not set the assessment period date as that will be established under the process described at E2110.

Amount of award for initial assessment period

E2116 The amount payable for this initial assessment period will be for the number of days from the first date of entitlement to the day before the date on which the claim is made. This amount is determined using the calculation

N x $[(A\ x\ 12)/365]$

where N is the number of days in the period and A is the amount calculated in relation to that period as if it were an assessment period of one month.

Note: Calculate the amount for the initial assessment period by applying the standard monthly amounts of any elements (including, if appropriate, the housing cost element) and unearned income as though calculating a full month. But for earned income and child care costs, because these are based on what is actually received or paid, only count what is actually received (or paid) in the initial assessment period.

Example 1

Jason makes a claim to Universal Credit on 2nd July. He indicates that he wishes to claim from 6th June. He says that he delayed claiming Universal Credit as he was in receipt of Employment and Support Allowance until 5th June but was not informed that this was stopping until the 28th June. The decision maker decides that the time limit for claiming Universal Credit can be extended. The initial assessment period for this backdated portion will be from 6th June to 1st July (26 days). Jason's Universal Credit entitlement of £317.82 is adjusted to £271.67 which represents the payment for the 26 days within this initial assessment period [26 x (£317.82 x 12 / 365)]. Each subsequent assessment period of one full month will run from the 2nd of each month.

Example 2

Richard works for an insurance company and his normal monthly earnings, payable on the last day of the month, are £490. He also has rental housing costs of £100 per month payable on the first day of every month. Richard makes a claim to

Universal Credit on 30th April. He indicates that he wishes to claim from 13th April. He explains the reason that he delayed claiming Universal Credit and the decision maker decides that the time limit for claiming Universal Credit can be extended. The initial assessment period for this backdated portion will be from 13th April to 29th April (17 days). Richard’s Universal Credit entitlement for this assessment period is calculated by first establishing what his entitlement would be for a full month and then converting that monthly amount to represent the number of days in the backdated period. In this case that would be £317.82 standard allowance + £100 housing costs = £417.82 less £00 (because he didn’t actually receive any earned income in the period 13th to 29th) which gives an amount of £417.82 for a full assessment period. This amount is then adjusted to £233.52 which represents the payment for the 17 days within this initial assessment period [17 x (£417.82 x 12 / 365)].

E2117 Where this initial assessment period is one month (maximum backdated period allowed) the amount that the claimant is awarded for this period may be an amount greater than that for a normal assessment period month.

Example

Kevin makes a claim electronically to Universal Credit on 22nd August. He indicates that he wishes to claim from 22nd July. He explains the reason that he delayed claiming Universal Credit and the decision maker decides that the time limit for claiming Universal Credit can be extended. The initial assessment period for the backdated portion will be from 22nd July to 21st August (31 days). Kevin’s Universal Credit entitlement for this assessment period is calculated by first establishing what his entitlement would be for a normal assessment period (full month) and then converting that monthly amount to represent the number of days in this initial assessment period. In this case £317.82 is the standard allowance for a normal assessment period. This amount is then adjusted to £323.92 which represents the payment for the 31 days within this initial assessment period [31 x (£317.82 x 12 / 365)].

E2118 – E2123

Re-claims, previous award

E2124 Where a claim is made by a single person or members of a couple jointly and

1. the last day of a previous entitlement of the claimant or either joint claimant fell within the 6 months preceding the claim **and**

2. during the 6 months preceding the claim they continued to meet the basic conditions for Universal Credit (other than accepting a claimant commitment or temporary absence from Northern Ireland that would be disregarded) **and**

they were not excluded as a person who is

3. a member of a religious order

4. a prisoner (other than those described at ADM E3040)

5. serving a sentence of imprisonment in hospital

then the assessment period for the claimant or members of a joint couple will begin on the same date of each month as the assessment period in the old award or, if there was an old award in respect of each joint claimant, the assessment period that ends earlier in relation to the date of claim[1].

1 UC Regs (NI) 16, reg 22(7)

Note: For **2.** the decision maker should consider the whole of the 6 month period preceding the claim irrespective of whether the period since the last day of the previous entitlement (under **1.**) is less than 6 months.

Example

David's award of Universal Credit runs from 3rd of each month to 2nd of the following month. His current award is reduced because of earnings. On 30th October his earnings increase sufficiently to terminate his Universal Credit award from the first day of the assessment period in which he received the earnings, that is 3rd October. David's earnings reduced on 28th February. David makes a claim on 15th March. The action of making a claim should set his assessment period as 15th March to 14th April. However, the assessment period for his old award (3rd of one month to the 2nd of the following month) can be reinstated. David's Universal Credit is reinstated from 3rd March.

Ceased employment

E2125 Where a claimant meets the criteria described in E2124 and claims Universal Credit within 7 days of ceasing work (or longer where the Department considers there is good reason for the delay in making the claim) then the Universal Credit award will be made in respect of the full assessment period in which the date of the new claim falls.

Note: See ADM Chapter K2 for what constitutes good reason.

Late claim

E2126 Where a claimant meets the criteria described in E2124 and claims Universal Credit other than within 7 days of ceasing work (or longer where the Department considers there is good reason for the delay in making the claim) then the award for the first assessment period is apportioned to cover the period from the date of the new claim to the last day of the re-instated assessment period.

E2127 The apportioned award is determined[1] by deducting the apportioned amount of earned/unearned income from the apportioned maximum amount (being the sum in the award). The component parts of this calculation are each apportioned using

N x $[(A \, x \, 12)/365]$

where

N is the number of days in the period beginning with the date on which the claim is made and ending with the last day of the assessment period.

A is the amount of each element that would otherwise be payable for that assessment period or, for the other aspect of the calculation, A is the total amount of earned and unearned income that would otherwise be deducted for that assessment period.

1 UC Regs (NI) 16, reg 24(2)

Example

Elise is 26, single, has no children and lives at home with her parents. As a result she receives £317.82 a month Universal Credit for each assessment period (which runs from 10th to the 9th of each month). After 5 months receiving Universal Credit payments, Elise finds a job working at a local supermarket. However, 6 weeks later the supermarket tells her that her contract will end on 6th October. Although Elise is entitled to make a claim for Universal Credit she does not do so immediately but searches for another job for a couple of weeks whilst living off her savings. She makes a claim for Universal Credit on 20th October. When Elise makes a claim for Universal Credit, she automatically resumes her original assessment period which starts on 10th of each month and because she made the new Universal Credit claim on 20th October, her first new assessment period would be from 10th October to 9th November. However, before she is paid for this assessment period the decision maker considers whether she had good reason for not making her new Universal

Credit claim within 7 days of her job ending, between 6th October and 13th October. If Elise is considered to have good reason, she will be paid for the entire assessment period from 10th October to 9th November. If she is not considered to have good reason, she will receive a partial payment of Universal Credit in respect of the period from the date she made the Universal Credit claim, 20th October, to the end of her assessment period, 9th November (calculated by applying regulation 24). After consideration Elise is found not to have good reason for not making her Universal Credit claim within 7 days of leaving her job and is therefore paid Universal Credit for 21 days, ie £317.82 x (12 / 365) x 21 = £219.43.

However, in her previous job, Elise was paid at the end of each month and she receives £225 (for 1st October to 6th October) on 31st October. As a result of these earnings being received within her assessment period ie between 10th October and 9th November, they are apportioned so they can be applied to her apportioned Universal Credit award between 20th October and 9th November. This is done by applying the work allowance, if any, and taper to the whole of her assessment period i.e. £225 - £0 work allowance x 55% giving an earnings deduction of £123.75. This is then apportioned for the period 20th to 9th, ie £123.75 x (12 / 365) x 21 = £85.44 and deducted from her total apportioned Universal Credit award ie £219.43 - £85.44 giving £133.99 as her final Universal Credit award for this assessment period.

E2128 – E2133

Repeat award without a claim

Two single Universal Credit claimants become a couple

E2134 Two single Universal Credit claimants who ceased to be entitled to Universal Credit when they became a couple will be entitled to a further award without making a claim[1]. Where that further award is made without a claim the new assessment period will begin on the same date of each month as the assessment period for whichever of the previous awards ended first[2].

1 UC, PIP, JSA & ESA (C&P) Regs (NI), reg 8(6)(b) or (7); 2 UC Regs (NI) 16, reg 22(5)

Example

Bob claims and is entitled to Universal Credit from the 4th September, his assessment period is a month. The start of Bob's next assessment period begins on 4th October. Alice is entitled to Universal Credit as a single person, her assessment periods runs from the 22nd of the month. On the 10th December Bob and Alice move in together, their individual entitlements to Universal Credit are terminated. They are entitled to a further Universal Credit award as a joint claim couple without the need to make a claim. The first assessment period for the new couple claim runs from 22nd November to 21st December.

E2135 – E2153

A single Universal Credit claimant becomes a couple

E2154 A single Universal Credit claimant who ceased to be entitled to Universal Credit when they became a couple with a person who was not a Universal Credit recipient will be entitled to a further award without making a claim (because they will be treated as having made a joint claim)[1]. Where that couple is treated as making a claim, the new assessment period will begin on the same date of each month as the assessment period for the old single person Universal Credit award[2].

1 UC, PIP, JSA & ESA (C&P) Regs (NI), reg 8(8); 2 UC Regs (NI) 16, reg 22(6)

Example

Bertram is in receipt of Universal Credit. His assessment period runs from the 12th of each month. He moves in with Clarice on 27th June and contacts the Department to say that he is now part of a couple with Clarice. His award as a single claimant is terminated. Clarice was not previously in receipt of Universal Credit. The decision maker treats this contact as a claim for Universal Credit jointly between Bertram and Clarice. The date of the new joint claim is 12th June. The assessment period for this claim still runs from 12th June to 11th July. The first payment of Universal Credit will be made at the end of this assessment period.

One member excluded

E2155 Where a person has formed a new couple with someone not on Universal Credit, they will still be treated as making a joint claim or be entitled to a further award with the assessment period as their old award if the new member of the couple does not meet the basic entitlement conditions[1] of being

1. at least 18 years old **or**

2. in Northern Ireland **or**

3. an excluded person[2]

at the start of the assessment period but does meet those conditions at the end of it[3].

1 WR (NI) Order 15, art 9; 2 UC Regs (NI) 16, reg 19; 3 reg 22(8)

Example

Sally is getting Universal Credit with an assessment period from 3rd of each month to 2nd of the following month. Her partner Warren is released from prison on 20th August. They are assessed a joint claim couple from 3rd August even though Warren does not satisfy the basic conditions (he was an excluded person) until 20th August.

Joint claimants - couple split up

E2156 A joint claim couple will cease to be entitled to Universal Credit when they split up. However, each member of the couple will be entitled to a further award as a single claimant without the need to make a new claim. For each the new assessment period will begin on the same date of each month as the assessment period for the old joint award[1].

1 UC Regs (NI) 16, reg 22(4)

Example

Francis and Katie are entitled to Universal Credit as a couple. Their assessment period is 3rd of the month to the 2nd of the following month. They cease to be a couple on 27th November when Katie moved out. Francis rings up to notify the Department of this on 27th. The decision maker terminates the award of Universal Credit from the first day of the assessment period in which this change occurs - namely 3rd November. Neither Francis nor Katie have to make a new claim to Universal Credit and they are each awarded Universal Credit as single claimants from 3rd November.

E2157 – E2169

Maximum amount

E2170 **[See ADM Memo 2/21]** Universal Credit is paid for a single claimant or joint claimants, and any child or young person for whom they are responsible. The maximum amount of an award of Universal Credit in relation to each assessment period includes

1. the claimant's standard allowance. This may include an amount for any partner **and**

2. if appropriate

2.1 a child element for any dependants[1] (see ADM Chapter F1)

2.2 a disabled child amount[2] (see ADM Chapter F1)

2.3 capability for work elements[3] (see ADM Chapter F5)

2.4 housing costs element[4] (see ADM Chapters F2 - F4)

2.5 carer element[5] (see ADM Chapter F6)

2.6 childcare costs element[6] (see ADM Chapter F7).

1 WR (NI) Order 15, art 15; UC Regs (NI) 16, reg 25(1); 2 reg 25(2): 3 reg 28; 4 reg 26 & 27; 5 reg 30; 6 reg 32

Rates of allowance - adults

E2171 There will be separate rates of standard allowance[1] for a

1. single person aged under 25

2. single person aged 25 and over

3. couple where both are aged under 25

4. couple where one or both are aged 25 or over.

1 UC Regs (NI) 16, reg 38(1)

Rates of allowance - child element

E2172 There will be separate rates of child element[1] for the

1. first child or qualifying young person born before 6.4.17[2]

2. first child or qualifying young person born on or after 6.4.17 and the second and each subsequent child or qualifying young person.

1 UC Regs (NI) 16, reg 38(1); 2 UC (TP) Regs (NI), reg 43

Amounts

E2173 The amounts that make up the maximum amount for 2026 to 2027 are:

Standard allowance	**Amount**
Single claimant under 25	£338.58
Single claimant 25 or over	£424.90
Joint claimants both under 25	£528.34
Joint claimants where either is 25 or over	£666.97
Child element	
First child or qualifying young person born before 6.4.17	£351.88
First child or qualifying young person born on or after 6.4.17, second and each subsequent child or qualifying young person	£303.94
Disabled child amounts	
Lower level	£164.79
Higher level	£514.71
Limited capability for work and limited capability for work related activity elements	
Limited capability for work (if applicable)	£158.76
Limited capability for work and work-related activity	£217.26
Limited capability for work and work related activity (Pre-2006 claimant, severe conditions criteria claimant or claimant who is terminally ill)	£429.80
Carer element	£209.34

Child care costs element	
Maximum amount for one child	£1,071.09
Maximum amount two or more children	£1,836.16
Housing costs element	Variable

E2174 – E2179

Couple, but single person award appropriate

E2180 In the case of an award where the claimant is a member of a couple, but claims as a single person[1] (as described at E2017, E2021 and E2022) the standard allowance is that for a single claimant.

Note: Although the standard allowance is that of a single person the amount of Universal Credit awarded to this type of claimant will still have regard to any appropriate income and capital received and possessed by the disregarded member of the couple[2].

1 UC Regs (NI) 16, reg 38(3); 2 reg 18(2) & 23(3)

Polygamous marriages

E2181 In polygamous marriage cases the standard allowance will only include an amount in respect of a couple and that couple will comprise of the husband and the wife who were party to the earliest marriage[1]. Any wife who was party to a later marriage will claim Universal Credit as a single person and have their entitlement assessed on that basis with no regard to the circumstances of the polygamous couple.

1 UC Regs (NI) 16, reg 3(3)

Run on after death

Couples

E2182 Following the death of

1. one member of the couple, where there is a joint award

2. a child or qualifying young person for whom the claimant is responsible

3. where a claimant is providing regular and substantial care for a severely disabled person that person **or**

4. a non-dependant.

The claimant's Universal Credit award will continue to be calculated as if that person had not died, for the assessment period in which the death occurred and the following two assessment periods[1].

1 UC Regs (NI) 16, reg 39

Example 1

Steve and Janet are entitled to Universal Credit for themselves and the child element for their son Max. Their assessment period runs from the 10th of each month. Max dies on 12.8.21. The child element is included in the Universal Credit award until 9.11.21. They will also continue to receive the housing costs element based on a two bedroom property until 9.11.21.

Example 2

Amy is entitled to Universal Credit, which includes the carer element, for an assessment period that runs from the 10th of each month. The person she is caring for dies on 12.8.21. The carer element is included in the Universal Credit award up to and including 9.11.21.

Children

E2183 Where

1. a claimant's award of Universal Credit includes an amount for a child or qualifying young person for whom they are responsible **and**

2. that child or qualifying young person dies

the appropriate child element will continue in payment until the end of the second assessment period following the assessment period in which the death occurred[1].

1 UC Regs (NI) 16, reg 39(b)

Example

Steve and Janet are entitled to Universal Credit for themselves including an allowance for their son Max. Their assessment period runs from the 10th of each month. Max dies on 12.8.18. The child element is included in the Universal Credit award until 9.11.18.

Disabled person

E2184 Where

1. a claimant, who is providing regular and substantial care, is awarded a carer element **and**

2. the severely disabled person, in respect of whom that care is provided, dies

the carer element award will continue in payment until the end of the second assessment period following the assessment period in which the death occured[1].

1 UC Regs (NI) 16, reg 39(c)

Example 1

Amy is entitled to Universal Credit, which includes the carer element, for an assessment period that runs from the 10th of each month. The person she is caring for dies on 12.8.18. The carer element is included in the Universal Credit award up to and including 9.11.18.

Non-dependant

E2185 Where

1. a claimant's maximum amount of Universal Credit is calculated to include the effect of a non-dependant **and**

2. that non-dependant dies

the claimant's maximum amount will remain unchanged and continue to be calculated as if the non-dependant had not died until the end of the second assessment period following the assessment period in which the death occurred[1].

1 UC Regs (NI) 16, reg 39(d)

E2186 – E2189

Adjustment of maximum amount

General rule

E2190 Certain deductions and allowances have to be applied to the maximum amount before the final amount of an award of Universal Credit is determined. The adjustments concern any earned or unearned income[1] and capital.

1 WR (NI) Order 15, art 13(3); UC Regs (NI) 16, reg 23

Unearned income

E2191 All of the claimant's unearned income, in relation to the assessment period[1], should be deducted from their Universal Credit maximum amount. Where the claim is from joint claimants then the deduction is all of their combined unearned income.

1 UC Regs (NI) 16, reg 23(1)(a)

E2192 Where the claimant is a member of a couple, but claims as a single person because the other member does not meet prescribed conditions, the amount of unearned income to be deducted is the unearned income of them both[1].

1 UC Regs (NI) 16, reg 23(3)

E2193 A person's unearned income means[1] any of their income consisting of (see ADM Chapter H5 and H6)

1. retirement pension income

2. benefit income, which includes

2.1 Jobseeker's Allowance

2.2 Employment & Support Allowance

2.3 Carer's Allowance

2.4 Carer Support Payment (but only to a maximum of the amount a claimant would receive if they had entitlement to Carer's Allowance)

2.5 Widowed Mother's Allowance

2.6 Widowed Parent's Allowance

2.7 Widow's Pension

2.8 Maternity Allowance

2.9 Industrial Injuries Benefit

2.10 Incapacity Benefit

2.11 Severe Disablement Allowance

3. foreign benefits

4. spousal maintenance

5. student income

6. employment and training payments paid as a substitute for Universal Credit or for a person's living expenses

7. sports awards

8. certain insurance payments

9. income from an annuity

10. income from a trust

11. income deemed to yield from capital (tariff income)

12. capital treated as income

13. any other income which is taxable.

1 UC Regs (NI) 16, reg 66

E2194 Unearned income also includes income which the person is treated as having[1].

1 UC Regs (NI) 16, reg 66

E2195 Where an assessment period is of one month then any unearned income that is paid in periods other than a month will have to be converted to a monthly equivalent[1] before the deduction can be made. See ADM Chapter H5 for the methods of calculation.

1 UC Regs (NI) 16, reg 73

Example

Emily is in receipt of Carer's Allowance when she claims Universal Credit. The payments of Carer's Allowance are unearned income and are taken fully into account when calculating Emily's maximum amount of Universal Credit. As Carer's Allowance is paid 4 weekly at £278.80 the decision maker converts this to an assessment period of a month by multiplying by 13 (£3,624.40) and dividing by 12 (£302.03). This establishes the amount to be deducted.

Note: The rounding of fractions of a penny[1] is calculated to the nearest penny and not based on whatever is most advantageous to the claimant.

1 UC Regs (NI) 16, reg 7

E2196 – E2199

Earned income

E2200 A proportion of a claimant's earned income is also deducted from the Universal Credit maximum amount. For the purpose of this deduction earned income means[1]

1. the remuneration or profit derived from

1.1 employment under a contract of service or in an office (including elective office) **or**

1.2 a trade, profession or vocation **or**

1.3 any other paid work **or**

2. any income treated as earned income (see ADM Chapters H3 and H4).

1 UC Regs (NI) 16, reg 51

E2201 In any assessment period 55% of the earned income received that exceeds the prescribed amount[1] will be deducted from the Universal Credit maximum amount (prior to 24.11.21 the rate was 63%).

Note: For weekly paid earned income some assessment periods will contain 4 payments and others 5 payments. Similarly if a person is paid earned income 4 weekly an assessment period may contain two 4 weekly payments.

1 UC Regs (NI) 16, reg 23(1)(b)

Example

Bella is aged 26, single and lives with her parents. She works as a shop assistant for eight hours per week receiving earnings of £70 per week every Thursday. Bella has a Universal Credit award with an assessment period that runs from the 1st of each month. For the assessment period that covers 1st April 2026 to 30th April 2026 Bella will receive 5 weekly payments of earned income. For April, Bella has a Universal Credit award of £232.40 calculated by deducting £350 earnings from her £424.90 maximum amount. Full calculation is £424.90 standard allowance - 55% x (£70 + £70 + £70 + £70 + £70 earned income) = £424.90 - £192.50 (55% of £350) = £232.40.

E2202 The prescribed amount, known as the work allowance, falls into either a higher or a lower category.

Higher work allowance

E2203 A higher work allowance is appropriate where the claimant's Universal Credit award contains no amount for the housing costs element[1]. The rates of allowance are in table E2205 **1.**.

1 UC Regs (NI) 16, reg 23(2)(a)

Note 1: Where a claimant is entitled to Housing Benefit for temporary accommodation, they are treated as if their award included the housing costs element (see ADM Chapter M2 - paragraph M2014). The claimant will not benefit from the higher work allowance[1].

1 UC (TP) Regs (NI) 16, reg 3A

Note 2: Where the housing cost element cannot be paid because the claimant has earned income (see F4020), the claimant will benefit from the higher work allowance.

Lower work allowance

E2204 A lower work allowance is appropriate where the claimant's Universal Credit award contains an amount for the housing costs element[1]. The rates of allowance are in table E2205 **2.**.

1 UC Regs (NI) 16, reg 23(2)(b)

E2205 For 2026 to 2027

1. Higher work allowance	**Amount**
Single claimant	
responsible for one or more children or qualifying young persons and/or has limited capability for work	£710
Joint claimants	
responsible for one or more children or qualifying young persons and/or one or both have limited capability for work	£710
2. Lower work allowance	
Single claimant	
responsible for one or more children or qualifying young persons and/or has limited capability for work	£427
Joint claimants	
responsible for one or more children or qualifying young persons and/or one or both have limited capability for work	£427

UC Regs (NI) 16, reg 23

Example 1

Roy lives with his partner and child in a Housing Executive property. He claims Universal Credit whilst still working for a supermarket where he is paid £460 per month. Roy has a Universal Credit maximum amount of £1,070.91 made up of a standard allowance (£666.97), child element (£303.94) and £100 housing costs element. The earned income to be deducted from the maximum amount is 55% of (£460 after the deduction of the £427 lower work allowance), that is 55% of £33 (£460 - £427) = £18.15. Roy has a Universal Credit award of £1,052.76 (£1,070.91 - £18.15).

Example 2

Ben lives with his partner and child in a Housing Executive property. He claims Universal Credit whilst still working for a supermarket where he is paid £300 per month. Ben has a Universal Credit maximum amount of £1,150.91 made up of a standard allowance (£666.97), child element (£303.94) and £180 housing costs element. The earned income to be deducted from the maximum amount is 55% of (£300 after the deduction of the £427 lower work allowance). That is 55% of £0 = £0. Ben has a Universal Credit award of £1,150.01.

E2206 – E2221

Effect of capital on Universal Credit maximum amount

When capital does not affect the Universal Credit maximum amount

E2222 Capital does not affect a claimant's maximum amount if their capital is £6,000 or less (see also ADM Chapters H4 and H5).

When the claimant cannot get benefit

E2223 Claimants cannot get benefit if the total amount of capital is more than £16,000[1].

Note: In a case where the claimant is a member of a couple, but makes a claim as a single person, the claimant's capital is to be treated as including the capital of the other member of the couple. The capital limit in this case is still £16,000.

1 WR (NI) Order 15, art 10; UC Regs (NI) 16, reg 18

Assumed income from capital

E2224 Claimants are treated as having tariff income of £4.35 a month for

1. each complete £250 of capital over £6,000 up to and including £16,000 **and**

2. any capital which is left and which is not a complete £250[1].

See Appendix 1 to Chapter H1, for a table which shows how to work out tariff income.

1 WR (NI) Order 15, art 10; UC Regs (NI) 16, reg 72(1)

Who gets what and when

E2225 Guidance on the interval and methods of payment can be found in ADM Chapter B1.

E2226 – E2999

The content of the examples in this document (including use of imagery) is for illustrative purposes only