ADM Memo 9/26

Universal Credit Labour – Friedman v SSWP & Anor [2026] UKUT 326 (AAC) – When a claimant commitment is the 'most up to date version'

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Introduction

1. The purpose of this memo is to inform decision makers about the judgement in Friedman v SSWP & Anor[1] made by the Upper Tribunal on 16.7.26.

1 Friedman v SSWP & Anor [2026] UKUT 362 (AAC)

Background

2. YF and her partner made a joint claim to Universal Credit on 8.7.24.

3. A change of circumstances for YF occurred on 25.8.24 which required her to accept revised claimant commitments.

4. YF failed to accept the revised claimant commitments within the time specified by the Secretary of State for Work and Pensions and as a result her Universal Credit award was terminated on 3.9.24.

The Upper Tribunal Judgement

5. The Upper Tribunal allowed the appeal, deciding at paragraph 50 that:

> *"a. Where a new claimant commitment is offered for acceptance which is not materially different from a previously accepted claimant commitment, and the previous claimant commitment still accurately captures all of the claimant's ongoing responsibilities, the previous claimant commitment will still be the "most up-to-date version" within the meaning of that phrase in s.14(5) of the 2012 Act. As such, failure to accept the new claimant commitment will not be a breach of the basic condition in s.4(1)(e) of the Act."*

Impact upon decision making

6. Where a revised claimant commitment has been

6.1 provided for a claimant to accept **and**

6.2 the work-related requirements remain the same as the previous claimant commitment

the revised claimant commitment is not materially different and a failure to accept does not end Universal Credit entitlement.

7. Where a revised claimant commitment has been

7.1 provided for a claimant to accept **and**

7.2 a new requirement has been added **or**

7.3 a pre-existing requirement has clearly been amended **or**

7.4 a pre-existing requirement has been removed

the claimant must accept the new claimant commitment to retain entitlement to Universal Credit.

Example

Arlo is subject to all work-related requirements, and his expected hours of work are normally 35 hours per week. This is recorded on his claimant commitment. Arlo informed his work coach that he is a relevant carer for his mother and provides care for her 4 hours per week. It has been agreed with Arlo's work coach that his expected hours of work will be reduced to 31 hours per week. His claimant commitment is updated to reflect the change. This is a material change to his claimant commitment, and he is required to accept the new claimant commitment to retain entitlement to Universal Credit.

Mandatory Reconsiderations

8. Where a claimant requests a mandatory reconsideration of a decision to

8.1 end an award of Universal Credit for failing to accept a revised claimant commitment **and**

8.2 the revised claimant commitment was not materially different to the previous claimant commitment

the decision maker should revise the decision.

Appeals

9. Any current appeals at the Tribunal Service where a Universal Credit award was ended for failing to accept a revised claimant commitment that was not materially different to the previous claimant commitment should be lapsed.

Annotations

The number of this memo should be annotated against the following ADM paragraph: J1031

Contacts

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