

DWP Central Freedom of Information Team

e-mail: [freedom-of-information-request@dwpgsi.gov.uk](mailto:freedom-of-information-request@dwpgsi.gov.uk)

Our Ref: VTR4611

DATE: 23 November 2015

Dear Glenys Harriman,

Thank you for your Freedom of Information request of 27 October 2015. You asked:

*"Under UC regulations, when a UC claimant receives earnings which are high enough to mean they have a zero entitlement to UC in that Monthly Assessment Period, they still count as a "UC claimant" for 6 months and cannot claim certain legacy benefits in this time. However if their earnings reduce such that they would be entitled to some UC in the monthly assessment period in which they are paid lower earnings, and the DWP becomes aware of this, they can go back onto UC. What I am not sure of is whether HMRC will continue to "feed" earnings information to DWP via HMRC during this 6 month period or whether the onus is entirely on the claimant to notify of their earnings reduction."*

We confirm that HMRC will continue to feed earnings information to DWP during the six month period when the person continues to be classified as a "UC claimant", as prescribed by [the Universal Credit \(Transitional Provisions\) \(Amendment\) Regulations 2015](#), which are due to come into force on 16 November.

The legislation does not place an onus on the claimant to notify a drop in earnings. When DWP receives information from HMRC about a drop in earnings which indicate that UC would be payable again, before making payment we will first contact the claimant asking them to confirm their current circumstances, in case there has been any other change that would affect the amount of the award.

If you have any queries about this letter please contact me quoting the reference number above.

Yours sincerely,

DWP Strategy Fol Team

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**Your right to complain under the Freedom of Information Act**

If you are not happy with this response you may request an internal review by e-mailing [freedom-of-information-request@dwpgsi.gov.uk](mailto:freedom-of-information-request@dwpgsi.gov.uk) or by writing to DWP, Central Fol Team, Caxton House, Tothill Street, SW1H 9NA. Any review request should be submitted within two months of the date of this letter.

If you are not content with the outcome of the internal review you may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF [www.ico.gov.uk](http://www.ico.gov.uk)