

DWP Policy Group Freedom of Information Team

e-mail: freedom-of-information-request@dwp.gsi.gov.uk

Our Ref: FOI2019/10211

19 March 2019

Dear Florence Daisley,

Thank you for your Freedom of Information (Fol) request received on 10 March. You asked:

Please provide all / any document which contains the generic information, calculation, table or scale that is applied in order to calculate the universal credit entitlement of an eligible claimant making a subsequent claim after a period as an employed earner has ended before 6 months have elapsed.

To help you with this request, I am seeking to ascertain the mathematical operation that is used to calculate the entitlement to universal credit, if any, when a claimant ends a claim, takes up employment of fewer than 6 months duration and then makes a new claim because they have zero income due to their employment ending.

In effect, I am seeking to establish to effect of earned income deemed 'surplus earnings' for the purposes of UC calculations.

DWP Response:

I can confirm that the Department holds the information requested.

Section 21 of the Freedom of Information Act allows us to direct you to information which is already reasonably accessible to you.

The legislation which deals with a claimant's re-claim can be found in the *Universal Credit (UC) Regulations 2013, regulations 21(3C) and 22A*:

http://www.legislation.gov.uk/ukxi/2013/376/pdfs/ukxi_20130376_310515_en.pdf

In addition, the "nil UC threshold" is the amount of total earned income above which there would be no entitlement to UC, expressed by the following formula:

$$((M-U))/63 \times 100 + WA$$

where –

M is the maximum amount of an award of UC

U is unearned income
WA is the work allowance

The “relevant threshold” is the nil UC threshold plus the de minimis (amount we disregard) which is set at £2500.

A claimant would be deemed to have surplus earnings if their earnings exceeded the nil UC threshold plus the relevant threshold.

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

Yours sincerely,

DWP Policy Group Fol Team

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@dwp.gsi.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
https://ico.org.uk/Global/contact_us or telephone 0303 123 1113 or 01625 545745