

Transitional Severe Disability Premium (SDP) Payments

If you had to claim UC between September 2018 and 16th January 2019 because of a change in your circumstances, and were considerably worse off as a result, it may be because you were receiving a Severe Disability Premium (SDP) (currently £65.85 per week) on your legacy benefits, which does not exist under UC.



Since 16th January 2019 the 'Severe Disability Premium (SDP) Gateway Condition' has prevented those with a Severe Disability Premium in their Employment and Support Allowance (ESA), Income Support (IS), Job Seekers Allowance (JSA) or Housing Benefit from having to claim Universal Credit (UC). This means that they can retain their higher level of income on the legacy benefits system (there is no SDP in UC).

But many claimants lost their SDP by moving onto UC before this 'Gateway Condition' was introduced and are worse off on UC than when they were on legacy benefits.

The government had proposed compensation for these claimants but failed to introduce this at the time when the SDP Gateway was introduced in January 2019. New UC Regulations have now been laid which, amongst other things, allow for 'Transitional SDP Payments'.

For those entitled, there will be both a lump sum back payment to compensate them for the loss since making their claim for UC, plus an extra amount included in their UC award for each subsequent month they continue to meet the qualifying rules. There are set monthly amounts of either £120, £285 or £405, depending on the circumstances.

Who will be entitled?

Transitional SDP payments will be for those who:

- Have already moved onto UC through 'natural migration', and
- Lost out financially due to the loss of the Severe Disability Premium in an award of Income-Related ESA, Income-Based JSA or Income Support which ended within one month of the UC claim starting (note this list does NOT include Housing Benefit), and
- Have had a continuous entitlement to UC and are on UC when the DWP review their claim – i.e. it cannot be paid for UC awards which have terminated before this date because the claimant ceased to meet conditions of entitlement, and
- Have not become or ceased to be a couple since moving onto UC, and
- Have had a continuous award of and are still entitled to the disability benefit which would have made them eligible for the SDP (i.e. the daily living component of PIP, middle or high care component of DLA, Armed Forces Independence

Payment, Attendance Allowance, Constant Attendance Allowance or Exceptionally Severe Disablement Allowance), and

- Their carer has not started to receive Carer's Allowance or a Carer Element in their own UC for looking after them.

Important! – The Regulations state that unless the claimant meets certain criteria **on the date** their case 'comes to the attention of' the DWP they will receive no compensation – **not even for the period during which they did meet those criteria!**

Appointments are available with Welfare Rights and Money Advice at our office and home visits.

If you would like further information or assistance to apply for this compensation, please contact us today.