Neil Couling
Director General Universal Credit Programme
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Caxton House
Tothill Street
London SW1A 9NA

5 August 2019

Dear Neil

Re: **The next phase of Universal Credit – Move to UC and SDP payments**

Further to your letter to stakeholders of 1 August 2019, NAWRA is concerned about your assertion that the SDP payments made under the *Universal Credit (Managed Migration Pilot and Miscellaneous Amendments) Regulations 2019* ensure that claimants do not see a cash loss – NAWRA does not believe this is correct.

To take an example of a single person with limited capability for work-related activity (as in the cases of TP and AR[1]).

ESA entitlement

Basic rate ESA	73.10
Support component	38.55
Enhanced disability premium	16.80
Severe disability premium	65.85
Total	**194.30 = 841.97 per month**

NB – the enhanced disability premium is paid to all ESA claimants in the support group

UC entitlement

Standard allowance	317.82
LCWRA element	336.20
Total	**654.02**

[1] TP and AR, R (On the Application Of) v Secretary of State for Work And Pensions [2018] EWHC 1474 (Admin)

The difference between the two payments is £187.95 – over 50% more than the £120 provided for in the regulations, and on a par with the compensation awarded by the court in the case of TP and AR[2].

NAWRA therefore strongly disputes that the payments under the Regulations reflect the loss experienced by the claimants.

NAWRA calls on the government to ensure that claimants who migrated to universal credit prior to 16 January 2019 receive the same level of protection as those who will be managed migrated.

Yours sincerely,

Daphne

Daphne Hall
Vice Chair, NAWRA

[2] https://www.leighday.co.uk/News/News-2018/July-2018/Men-with-severe-disabilities-win-compensation-foll