

I am writing on behalf of the National Association of Welfare Rights Advisers, Low Income Tax Reform Group and Housing Systems. We have been dealing with the engagement team but have decided it is time to escalate our concerns. If there is someone who is better suited to deal with them, please forward our message on.

We are writing to express some serious concerns about the approach the DWP is taking to sharing information about the Managed Migration Transitional Element with claimants and advisers.

Claimants have a right and need to know how their benefits have been calculated. For claimants who claim UC after receiving a Migration Notice, this means they have a right to know how their entitlement to the Transitional Element was calculated. This enables claimants to check their award is correct and take appropriate action within necessary timescales if it is not. At present, there are significant issues stopping claimant's from doing this and advisers from assisting them:

1. Claimants can't easily access a breakdown of how this calculation was done. Stakeholders have requested that the breakdown is given as standard, but we understand that this would take time to implement. The more pressing issue is that claimants are not consistently being given the breakdown when they ask for it and, in some cases, when it is given, it is not showing the Total Legacy and Indicative UC Amounts – the information needed to understand how the Transitional Element is calculated. Standardised and detailed information must be provided to claimants about their transitional element calculation on request. Staff should be aware that this should be given and what information should be provided.
2. There are still many unanswered questions about how the Transitional Element is calculated and the DWP have released incomplete guidance on how the calculation is done. The existing guidance is misleading as it implies that the calculation compares their legacy entitlement to their UC entitlement. We have already seen examples of claimants receiving the wrong amount of Transitional Element and benefits advisers want to be able to check for mistakes (both under- and over-payments). At the moment they are unable to do so with any confidence. The DWP must release clear guidance on how the Transitional Element is calculated (such as when is an Element included in the Indicative UC Amount, when is income deducted from it, where does the DWP get this info from). This is information that will have been programmed into the system to allow it to do these calculations so it should be available to DWP. Obviously making this information digestible for claimants would be very difficult – but a document aimed at stakeholders familiar with how UC is calculated remains an urgent need. Stakeholders are willing to work with DWP to help produce such a document.

The DWP is now sending out large numbers of Migration Notices and it should be able to explain how it is calculating awards and where it is getting the information from. The current position feels very opaque and is therefore unhelpful from a claimant and adviser perspective. We are already seeing claimants needing to request Mandatory

Reconsiderations of how their Transitional Element has been calculated. So far in the cases we've seen the DWP have admitted the mistake and corrected the amount of TE. However, it is likely some cases will progress to First-tier Tribunal and the DWP will be required to provide explanations of how and why it calculates the TE as it does. Advisers having access to this information will give them confidence when checking a claimant's UC award and avoid unnecessary challenges where no mistake has been made.

We understand that the next stakeholder meeting will be 6<sup>th</sup> June, but it has been made clear that this will not address the calculation of the TE (or if it does it will only be in regards to housing and carers). We have been raising questions about the calculation at these forums and via the engagement email for months now and have not been given answers to questions that should be possible to answer as they form the basis on which DWP are carrying out transitional protection calculations. It is clear that the engagement team are doing their best but do not appear to have access to the information needed to answer our questions.

Our goal is to help claimants with the move to UC and give them confidence that they are being paid the correct amount – at the moment we are unable to do this. Claimants having easy access to a breakdown of how their Transitional Element is calculated and there being a detailed guidance document about what information the DWP uses when calculating it are two steps that would make this possible. In addition, it will help reduce unnecessary contact and work for DWP which will allow resources to be focused on those who need support.

We appreciate you taking the time to consider our concerns and would welcome a response. We will be happy to clarify anything we have raised or answer any questions you have.

NAWRA, LITRG and Housing Systems.