

Universal Credit after brain injury



This publication is part of Headway's *welfare benefits after brain injury* series. To browse through our publications on a range of issues relating to brain injury and download these free-of-charge, visit www.headway.org.uk/information-library.

Introduction

Universal Credit (UC) is a benefit for people of working age who are on a low income or unable to work due to a disability or long-term health condition.

UC can help with living costs after brain injury if a brain injury survivor is on a low income or is no longer able to work due to their injury. It can also offer support with getting back into work if a brain injury survivor is able to work but struggling to find suitable opportunities.

This publication has been written to offer information on the benefit Universal Credit and how to apply for it after brain injury.

Rules for welfare benefits change regularly. You should always check the latest guidance at www.gov.uk/browse/benefits.

What is Universal Credit?

Universal Credit (UC) is a benefit for people of working age who are on a low income or unable to work due to a disability or long-term health condition. It is also specifically for people who have not paid enough national insurance contributions to be eligible for new-style Employment and Support Allowance. More information on this benefit is available in our publication [Employment and Support Allowance after brain injury](#).

UC replaces the following means-tested benefits, known now as legacy benefits:

- Income Support
- Income based Jobseeker's Allowance
- Housing benefit
- Income related Employment and Support
- Child tax credit
- Working tax credit

Helpline: 0808 800 2244
Email: helpline@headway.org.uk
Web: www.headway.org.uk

It is important to note that any application to UC will automatically end any legacy benefit entitlement. It is therefore always important to seek professional advice before applying for UC.

Eligibility

You may be entitled to UC if you/your partner are on a joint low income or out of work (for instance due to your brain injury) and you/your partner jointly have less than £16,000 in money, savings or investments.

If you do work, the number of hours you work is not a factor in determining your eligibility to UC.

The standard allowance of UC is subject to change, and depends on personal circumstances so it is advisable to check the government website for the most current rate at www.gov.uk/universal-credit/what-youll-get.

Claimants may receive extra amounts depending on their circumstances, such as if they have children or a disability that affects their ability to work.

UC is means-tested. This means that the DWP will look at both yours and your partner's earned and unearned income as part of your assessment for eligibility. If, over time, your earnings increase, your UC payment will reduce accordingly and may eventually stop altogether if you are not longer eligible. You will need to make a new claim for UC if your income reduces in the future again (i.e. if you reduce your work hours again or if you are no longer earning).

Further information on eligibility is available at www.gov.uk/universal-credit/eligibility. If you are in Northern Ireland, visit www.nidirect.gov.uk/campaigns/universal-credit for further information on eligibility.

Applying for UC

You will need to set up an online account to apply for UC, check details of your payments and statements and to contact the DWP if your circumstances change

Helpline: 0808 800 2244
Email: helpline@headway.org.uk
Web: www.headway.org.uk

or if you need to challenge a decision. You will need to do this from the UK government website at www.gov.uk/apply-universal-credit.

Remember to keep your login details in a safe place, such as stored in your Internet browser or using a password manager.

If you find it difficult to use a computer/apply online, here are some suggestions to help.

- **Make a note in your Universal Credit journal** that you are struggling to use the system, as you may be able to use an alternative system such as phone calls. This is important, as you will otherwise be expected to use a computer to maintain your eligibility, not just at the application stage.
- **Call the UC helpline.** This freephone number has been set up to help people who cannot use a computer due to a disability. The information that you share will still be used towards an online application and in some cases you might be able to receive a copy of your answers by post. Details of the helpline are available at the end of this publication.
- **Help to Claim scheme** is a specialist, free service offered by Citizens Advice to help with making applications to UC. You can access this support over the phone (contact numbers are available at the end of this publication), over a webchat service (available at www.citizensadvice.org.uk/helptoclaim/) or by contacting your nearest Citizens Advice centre.
- **Contact your local Headway group or branch** to see if they can help you with using the online system.
- **Ask a trusted relative or friend** to help you with completing the form online.
- The **Centre for Health and Disability Assessments (CHDA)** has an advisory team that can help with answering the questions on the form. Their

Helpline: 0808 800 2244
Email: helpline@headway.org.uk
Web: www.headway.org.uk



contact details are available at the end of this publication.

You will also need to verify your identity online as part of your application. You can use your passport, driving license and/or debit card for this. If you struggle with submitting your ID documents online, you can take your documents to your local Jobcentre instead.

Capability for work questionnaire (UC50)

After completing the online application form, you might be asked to complete a form called the Capability for work questionnaire (UC50). You can either complete this online or you will be sent a printed copy by post.

The information that you provide in the UC50 will be used to decide whether or not you need to have a Work Capability Assessment (the next stage of the application process), so it is important to make sure that you include as much detail as possible about how your brain injury affects your ability to work.

For guidance on completing the form, see our publication [Completing benefits application forms - tips for brain injury survivors](#).

Work Capability Assessment

As part of the UC application process, you might be asked to undertake a Work Capability Assessment (WCA). This is an assessment that gives you a chance to provide further information on how your brain injury affects your ability to work.

You will be assessed by a healthcare professional, whose records of the assessment will be used to help the DWP with making a decision about your eligibility for UC.

The Work Capability Assessment (WCA) will either be face-to-face (at your home or an assessment centre), or by video/telephone call instead. It will take anywhere between 20 minutes to 2 hours depending on your individual case, but will usually be completed within an hour.

Tips on how to prepare for the WCA are available in our publication [Preparing for welfare benefits assessments](#).

Helpline: 0808 800 2244 Email: helpline@headway.org.uk Web: www.headway.org.uk



WCA 'activity areas' and scoring

During the WCA, you will be asked questions on how your brain injury has affected your ability to carry out various activities that are typically used in a workplace.

You will be scored against 17 'activity areas', which are grouped into physical and mental/cognitive/intellectual skills.

The more difficult an activity is for you, the higher the score you will receive for it. For instance, if you cannot complete the activity at all, you will get the highest number of points for that activity. If you have no trouble completing it, you will get no points for that activity.

Each activity area has specific criteria (called 'descriptors') to determine the number of points someone can get. It can therefore be useful to be familiar with the activity areas and their descriptors in advance. A full list of the activities and their descriptor scores is available on the organisation Entitledto's website at www.entitledto.co.uk/help/ESA_criteria.

The first part of the WCA scoring relates to physical activities. A brain injury can affect the skills covered under 'physical' activities in a number of ways. Think about any mobility issues you may have, weakness or paralysis, pain, fatigue, spasticity or balance problems which may make it difficult to safely carry out work-related tasks, such as sitting at a desk for extended periods of time, or moving around a building safely.

Communication can be affected in various different ways after a brain injury - for instance, someone may have difficulties with finding the right word to explain something, or slurred speech. Visual or hearing problems after brain injury should also be mentioned. These issues should be covered under activity areas 6 and 7.

Problems with continence can cause difficulties in a workplace where you might not be able to access a toilet quickly enough. Activity area 9 of the WCA will assess you on this.

If you experience seizures following your injury, you may receive points under activity area 10, which relates to having periods of lost or altered consciousness.

Helpline: 0808 800 2244

Email: helpline@headway.org.uk

Web: www.headway.org.uk

Cognitive issues such as problems with memory, attention and concentration, decision making and setting goals, can have an impact on a wide range of the 'activities' listed under the WCA's scoring system. Skills that come under the term 'executive function' are explored in activity area 13 – our publication [Executive dysfunction after brain injury](#) can offer information on these skills and help to identify how they may affect you on a daily basis or in a workplace setting.

Psychological effects of brain injury might make it difficult for you to socialise or communicate with others, for instance if you experience depression or anxiety. This will be covered in activity area 16. For this, you will be scored depending on how much distress you experience when interacting with others, so try to be honest about how difficult you find this to be.

Inappropriate behaviour and difficulties with managing anger might also affect social functioning. These will be covered in activity area 17. You will receive points depending on how frequently you have episodes of inappropriate behaviour or anger outbursts.

The information above offers general guidance on some of the ways in which a brain injury might interfere with your ability to work. However, you should always be honest about this. It might be helpful to ask someone who knows you well to help with answering some questions if you have problems with your memory or insight.

After the assessment

Depending on the number of points you score in your WCA, you will be placed in one of the following groups:

- **Capable for work** - this is where the DWP considers you to be fit for work. You will be expected to look for work in order to continue receiving UC.
- **Limited capability for work** - this is where the DWP recognises that you

Helpline: 0808 800 2244
Email: helpline@headway.org.uk
Web: www.headway.org.uk

are unable to work now but will be expected to work in the future. You will be expected to attend regular interviews with an appointed Work Coach, who will help you with tasks such as improving work skills or writing a CV. Your expectations will be outlined in a 'claimant commitment'. You could have your UC payments stopped if you don't follow your claimant commitment (this is called being sanctioned), so it is very important that you talk to your Work Coach about anything in this that you feel you might struggle with because of your brain injury.

- **Limited capability for work and work related activity** - this is where the DWP recognises that you cannot work and they will not expect you to work or look for work in the future.

Your UC entitlement will be reviewed every month. If you disagree with the decision made about your UC entitlement, you can ask for a mandatory reconsideration from the DWP. You should do this within a month of the date of the decision.

To start off, you should write a note in your online 'journal' (through your online UC account) to say that you are challenging a decision made about your payment. You should also phone the UC helpline to tell them this, as it might take a while for your online message to be read.

If you struggle with using your online journal, you can write to the DWP or fill in an online form. Further details about this, as well as next steps of challenging a decision, are available in our publication [*Appealing a welfare benefits decision*](#).

Advance payments

If you struggle financially while waiting to receive your UC payment, you can apply for an advance payment, but this will be treated as a loan that you will be required to pay back through your UC payments once these begin. If you struggle with repayment of an advance payment, you can make a note of this in your Universal Credit journal as the repayment can be frozen.

Helpline: 0808 800 2244 Email: helpline@headway.org.uk Web: www.headway.org.uk

Conclusion

We hope that the information provided in this publication has helped you to understand more about UC. Rules around UC can be complicated, and applying for UC can have an impact on any benefits you are already receiving, so it is important to seek specialist advice before applying and to check information from the UK government website at www.gov.uk/universal-credit.

Useful contacts

- **Universal Credit helpline**
Telephone: 0800 328 5644
Telephone (Welsh): 0800 328 1744 NGT text relay - if you cannot hear or speak on the phone, dial 18001 then 0800 328 5644
Textphone: 0800 328 1344
www.gov.uk/universal-credit
- **Help to claim Citizen's Advice scheme**
England: 0800 144 8444
England textphone: dial 18001 then 0800 144 8444
Wales: 08000 241 220
Wales textphone: dial 18001 then 08000 241 220
Scotland: 0800 023 2581
www.citizensadvice.org.uk/benefits/universal-credit/
- **Centre for Health and Disability Assessments**
Telephone: 0800 288 8777
www.chdauk.co.uk

Acknowledgements

Many thanks to Peter R., solicitor and welfare benefits advisor at Potter-Rees-Dolan Solicitors for his contribution to reviewing this publication.

Last reviewed 2024.

Helpline: 0808 800 2244 Email: helpline@headway.org.uk Web: www.headway.org.uk
