Dear Frank,

**Changes to income-related benefits for mixed-age couples from 15th May 2019**

I am writing to provide further detail about the changes which I announced in a Written Statement on 14 January¹.

In my statement, I confirmed that provisions enacted in the Welfare Reform Act 2012 relating to access to Pension Credit and pension-age Housing Benefit for couples where one partner is above, and the other below, State Pension age (“mixed-age couples”) will take effect from 15th May 2019.

At present, mixed-age couples can choose to claim either Universal Credit, or the appropriate income-related benefit(s) for pensioners (Pension Credit and pension age Housing Benefit).

For mixed-age couples not already in receipt of either pensioner income-related benefit, the option to access these benefits will not be available from 15 May 2019. This will apply to most mixed-age couples making a new or repeat claim to benefit from that date. Mixed-age couples already receiving either pensioner income-related benefit will be unaffected unless they subsequently cease to be entitled to both benefits and later need to make a new claim.

We are making this change in order to ensure that the younger partner is subject to the same labour-market conditions as other people of the same age.

You will be aware we have taken a number of actions to support older workers to remain in and return to the labour market, notably reforming legislation, so that retirement is no longer the cliff-edge it once was, and supporting those who

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need more help: for example, carers and people with health conditions.

For couples eligible for Universal Credit, this change will ensure that the younger partner will have the same work incentives as other people of the same age through the measures that mean that work always pays. They will also have access to the tailored support provided by work coaches to help them find work.

It also means that the safety-net benefit for these couples will be set at the working-age rate, rather than the level in Pension Credit, thereby providing fairness to the taxpayer.

Mixed-age couples already entitled to Pension Credit and/or pension age Housing Benefit immediately prior to the date of change will not be affected for as long as they remain entitled to either benefit. Couples who are receiving only one of these benefits will therefore still be able to make a new (or repeat) claim to the other benefit provided they have remained continuously entitled to one or other benefit since 14th May. For example, a couple entitled to both benefits, but whose award of pension age Housing Benefit ends because they move to a different local authority area will be able to re-claim Housing Benefit in the new area if they have remained entitled to Pension Credit in the interim. Similarly, if they cease to be entitled to Pension Credit (for example, because of a temporary increase in income) they will be able to re-claim it if they have remained entitled to pension age Housing Benefit. However, if they are no longer entitled to either benefit, they will not be able to re-access these benefits until the younger partner reaches State Pension age. Single pensioners will cease to qualify for Pension Credit or pension age Housing Benefit if they form a couple with a person under State Pension age after the change.

The policy change will therefore mainly apply to:

- couples where both partners are under State Pension age at the date of change, from the point the older partner reaches that age (the first cohort to reach State Pension age after the date of change will do so on 6 July 2019);
- mixed-age couples who only enter the benefit system after the date of change.

Couples who would be eligible for Pension Credit and/or pension age Housing Benefit prior to the change but who have not claimed it before then will have up to 13th August to claim from 14th May under the 3-month backdating rule.

The Commencement Order bringing these changes into force was made on 14 January 2.

The Order will implement the change for Great Britain. Although social security is devolved to Northern Ireland, given the current absence of the devolved institutions, in order to maintain social security parity as set out in the Northern

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2 http://www.legislation.gov.uk/uksi/2019/37/made
Ireland Act 1998, DWP Ministers made an equivalent Order for Northern Ireland to ensure the changes are implemented across the whole UK.

Information about the change has been posted on gov.uk and we are providing a factsheet for key stakeholders, such as Age UK and Citizens Advice, to assist them in advising clients who may be affected. We are writing to existing mixed-age couple claimants to inform them of the change and will also include information for the wider Pensions Credit audience (including those who are not currently a MAC) through existing Departmental channels.

A comprehensive package of briefing and training material is being issued to DWP staff. Guidance is being issued to Local Authorities, who are responsible for providing guidance and information to their staff and customers.

GUY OPPERMAN MP
MINISTER FOR PENSIONS AND FINANCIAL INCLUSION