

# The Universal Credit (Transitional Provisions) Regulations 2022

In 2019 the Department for Work and Pensions started to move claimants in receipt of one or more of the following benefits to Universal Credit:

- Working Tax Credit
- Child Tax Credit
- income-based Jobseeker's Allowance
- income-related Employment and Support Allowance
- Income Support
- Housing Benefit

The Covid-19 pandemic enforced a prolonged pause in this process, however we understand that it will resume during the course of this year. The Universal Credit (Transitional Provisions) Regulations 2022 update the proposals for this process.

During its statutory scrutiny of these draft proposals, the Social Security Advisory Committee (SSAC) concluded that one aspect in particular required closer examination and has, accordingly, decided to take the regulations on formal reference (Sections 172(1) and 174(1) of the [Social Security Administration Act 1992](#) refer).

The issue requiring further scrutiny relates to draft regulation 9, which has the effect of removing the cap on the number of migration notices (10,000) that could be issued to existing claimants on legacy benefits, and the associated commitment by former Secretary of State, the Rt Hon Amber Rudd, to report back to Parliament before proceeding further. The Committee believes that there is a need to further consider the potential consequences of such a change, and that greater clarity is required on how the process (at key points of the migration process) will be scrutinised, and what success measures are considered to be.

Committee Chair, Dr Stephen Brien:

A process to move around 1.7 million households, many with complex lives, onto Universal Credit from legacy benefits creates a significant risk for both those who are reliant on these benefits and also for the Department for Work and Pensions in delivering it. For the public to have confidence in this process and to minimise risk further consideration needs to be given to establishing appropriate independent oversight and scrutiny of the programme as it moves forward.

This formal reference report will therefore look closely at how best to provide a framework of oversight, reporting and scrutiny for an agile migration process which will be evolving iteratively over time. We intend to

seek evidence from experts with experience of 'agile' management to help inform our advice to the Secretary of State.

The Committee's earlier report on [The Universal Credit \(Managed Migration\) Regulations 2018](#) is available alongside the government's response. The Committee will be drawing on the findings of this report for the wider context of this work and is grateful to those who gave evidence for it. The Committee is of the view that the report recommendations continue to be relevant and so will not be revisiting issues raised within that report during the current formal reference process.

The Committee carried out a detailed scrutiny of the Universal Credit (Transitional Provisions) Regulations 2022 at their [meeting of 8 December 2022](#).

## More information

SSAC is an independent advisory body of the Department for Work and Pensions. The committee's role is to give advice on social security issues; scrutinise and report on social security regulations (including tax credits) and to consider and advise on any matters referred to it by the Secretary of State for Work and Pensions or the Northern Ireland Department for Communities.

The committee's Chair is Dr Stephen Brien. Its membership comprises: Bruce Calderwood, Matthew Doyle, Carl Emmerson, Chris Goulden, Kayley Hignell, Philip Jones, Gráinne McKeever, Seyi Obakin, Charlotte Pickles and Liz Sayce.

Most social security regulations come before SSAC for scrutiny, the only significant exceptions being regulations which go to other advisory bodies or set benefit rates. When SSAC has considered regulations which it has asked to be formally referred, its response is made in the form of a report to the Secretary of State for Work and Pensions. That report must be presented to Parliament when the regulations are laid with a statement from the Secretary of State showing what has been done (or is intended to be done) about the SSAC's recommendations (section 174(1) and (2) of the Social Security Administration Act 1992).

Further enquiries should be directed to Denise Whitehead, Committee Secretary, on 020 7829 3354 or at [ssac@ssac.gov.uk](mailto:ssac@ssac.gov.uk)

## Documents

### [Letter from Universal Credit Policy Division to SSAC](#)

PDF, 149 KB, 4 pages

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## **[Draft: The Universal Credit \(Transitional Provisions\) Regulations 2022](#)**

PDF, 191 KB, 5 pages

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## **[Letter from SSAC chair to Secretary of State for Work and Pensions](#)**

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## **[Letter from Minister for Welfare Delivery to SSAC chair](#)**

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## **[Letter from SSAC chair to Minister for Welfare Delivery](#)**

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