

## **Claim closure**

National Insurance Staff - please use the Universal Credit National Insurance guidance for Claim closure and reclaims

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## **Consider claim closure**

Claim closure (legally speaking, the termination of an award) is an important process for Universal Credit. Claims are closed for a number of reasons but the common factor is that the claimant is no longer entitled to receive Universal Credit payments. Reasons for considering the closing of a claim include when a claimant:

- fails to book Initial Evidence Interview
- fails to attend their Initial Evidence Interview
- fails to attend their Habitual Residence Test
- fails to attend their Initial Commitments Meeting
- fails to attend their Initial Gateway Intervention (where the claimant has declared self-employment at the start of a new claim)
- hasn't accepted their Commitment within 7 days
- hasn't done annual verification
- has reclaimed but not booked the First Commitment meeting
- withdraws their claim
- moves abroad
- has passed away
- has suffered bereavement of:
  - a partner
  - child
  - person for whom they were the carer
  - non-dependants in some circumstances
- moves in to full-time education
- is in legal custody or a prisoner
- fails their Habitual Residence Test
- fails to provide evidence

- fails to review their details
- has been matched to an incorrect National Insurance number
- has capital over £16,000
- isn't eligible or entitled (new claim)
- has their claim suspended for 30 days?
- has a nil award due to earnings?

These are examples and not a full list.

### **Before closing the claim**

There are checks to be made in order to consider whether the claim should be closed immediately or deferred:

- has the claimant accepted their Commitment?
- were the appointment details correct on the appointment booking system?
- has there been a Mandatory Reconsideration?
- does a duplicate claim exist?
- is there a history of complex needs?
- is there a recent journal entry to explain the circumstances? - if there is a journal entry, checks must be made to see whether the claimant has made contact (if there is an appointment, depending on the circumstances, the appointment can remain booked and the claim remains open)

These are examples and not a full list.

### **Claimant fails to book their Initial Evidence Interview**

If the claimant has failed to book their Initial Evidence Interview (IEI), checks must be made to see if:

- they made their declaration
- there are any other outstanding appointments
- the claimant has accepted an auto-generated Commitments
- the claimant has complex needs and may need support to book the appointment

To ensure that a claimant receives their first payment of Universal Credit on time, they are encouraged to book their IEI at the earliest opportunity.

If a claimant fails to book their IEI, their claim remains open for 1 calendar month from the date of their declaration. The claimant is automatically prompted 7 days after the date of declaration to book their appointment. If no further contact is made the claim is closed 1 month from the date of their declaration

The Service is available 24/7 and therefore a claimant can make contact at any time on the last day of the calendar month. To ensure the claim is not closed too early if no further contact is made, the claim is closed **1 calendar month plus 1 day** from the date of their declaration.

If the claimant re-books the appointment within that time but fails to attend again, the 1 calendar month will still count from the date of declaration. See Fail to attend

## **Claimant fails to attend their Initial Evidence Interview, Initial Gateway intervention (or Habitual Residence Test)**

if a claimant fails to attend their:

- Initial Evidence Interview
- Initial Gateway intervention (where the claimant has declared self-employment at the start of a new claim)
- Habitual Residence Test appointment

The claimant is notified to make contact to book another appointment. If there is no contact, their claim is closed **1 calendar month plus 1 day** from their date of declaration.

If the claimant re-books the appointment within that time but fails to attend again, the 1 calendar month will still count from the date of declaration. See Fail to attend

If claim closure is to be deferred, a review date is set to make sure the claim closure is reconsidered. There is no set policy on how long claim closure can be deferred for or how many times. Discretion is applied in each case depending on the individual circumstances.

If a claimant fails to attend a Personal Security Number only appointment, it is not a reason for claim closure and is not sanctionable.

## **Claimant fails the Habitual Residence Test**

A decision maker considers whether a claimant has failed the Habitual Residence Test (HRT). A claim must not be closed until the decision maker has given the claimant the opportunity to provide all the evidence to enable them to make-the decision.

Claimants have a minimum of 1 calendar month from the date of request to provide evidence before the claim is closed. Claims are only closed if it is:

- a single claim and the claimant has failed the HRT
- a couple claim and both claimants have failed the HRT

## **Claimant fails to provide evidence**

A claimant must be given 1 calendar month (or a longer period if considered reasonable) to provide information or evidence in connection with their new claim. The month starts from the date the claimant is notified of the evidence that is required – this means the date the claimant completed the declaration. If they fail to provide the evidence, their claim is closed **1 calendar month plus 1 day** from the date the evidence was requested.

If further evidence is needed for a new claim and the claimant is notified, consideration is given to whether the remaining time of the original month allowed to provide evidence is reasonable - or whether that period should be extended.

If the claimant fails to provide evidence of their identity following an Initial Evidence Interview and fails biographical questions, the claim cannot be closed until **1 calendar month + one day** after the request for evidence was made.

If a claimant reports a change of circumstances and is asked to provide evidence, they have 14 days from the date it was requested to provide it. This period may be extended to allow the claimant time to comply with the request. If they fail to provide the evidence, the claim may be fully suspended.

Where evidence cannot be provided because it no longer exists or cannot be obtained, the claimant is deemed to have satisfied the request.

If the claimant still fails to provide the evidence after the time limit or suspension, their claim will be closed.

### **Claimant fails to book their Initial Commitment Meeting**

The claimant has 1 month from the date of claim to book an Initial Commitment Meeting. If they do not, and they do not have complex needs, the claim is closed following the same process for failing to book the Initial Evidence Interview.

### **Claimant fails to attend their Initial Commitments Meeting**

If the claimant fails to attend their Initial Commitments Meeting and does not have complex needs, their claim must be closed the day after the appointment. The termination date is the date of declaration. The claimant will be notified that their claim has been closed. See Fail to attend.

### **Claimant fails to accept the Commitments**

A claimant is required to accept their Commitments in order to complete their Universal Credit claim. If they do not accept their Commitments, there is no entitlement to Universal Credit. See Commitments not accepted.

For auto-generated Commitments, a claimant is reminded to accept their Commitments within 7 days of receiving the prompt. For tailored Commitments, a claimant is required to accept them within 7 days of their Initial Commitments Meeting

If they don't accept the Commitments and do not have complex needs, their claim must be closed the day after. The termination date is the date of declaration. The claimant will be notified that their claim has been closed.

A claimant who refuses to accept their Commitments can ask for a cooling-off period or a second opinion. More information on the outcomes of these actions can be found in Commitments not accepted

### **Claimant fails to complete their annual review**

Annual verification applies to claimants who have remained in the Intensive Work Search and Light Touch regimes continuously for 12 assessment periods from

the start of the assessment period when they were allocated to their regime. This could be from new claim or following a change in regime.

They must re-declare the circumstances of their claim to verify that the claim details held for them are still correct. If they fail to review their circumstances within the allocated time, their claim will be closed and they will be notified of their right of appeal. See Annual verification.

### **Nil award due to earnings**

In most cases, the Service will automatically close these claims. However, certain exceptions apply – for example, telephone claims or when a claimant receives a ‘nil’ award due to earnings during their first assessment period.

If the ‘Consider closing claim’ to-do is generated, the Business as Usual process must be followed.

### **Closing the claim**

If the claim is to be closed, all outstanding appointments must be cancelled. The claimant will receive a decision notification that the claim has been closed including consideration of their appeal rights. A journal note entry is added to this effect.

### **Duplicate accounts (claims)**

If there is more than 1 active Universal Credit account with a matching National Insurance number, a prompt will be sent to check both accounts. If the duplicate account was an error, the older of the live accounts should remain live. If fraud is suspected, a fraud referral must be made.

### **Reclaims**

A Universal Credit claim is closed if entitlement has ended because of an increase in the claimant’s earnings or because of another change of circumstances. The claimant can re-claim Universal Credit if their earnings decrease or if they decide to claim again.

A claimant must have been assessed as being eligible for Universal Credit for at least one assessment period before their claim was closed to be eligible for a re-claim.

Re-claims will allow most claimants who return to Universal Credit (within 6 assessment periods of their previous award ending) to retain their previous Universal Credit assessment period and payment dates - as long as they continue to meet the basic conditions of entitlement.

The Service will automatically identify if a claimant is eligible to reclaim. The reclaims period begins from the first day the claimant is not entitled to Universal Credit up to 6 assessment periods from this date. See Re-claims.