

The Right Honourable Damian Hinds MP
Minister of State
Department for Work and Pensions
Caxton House
Tothill Street
London
SW1H 9NA

21 July 2017

Dear Damian,

Disabled full-time students and Universal Credit

We are deeply concerned by the effective barring of most disabled full-time students from Universal Credit eligibility.

Disabled full-time students who receive Disability Living Allowance or Personal Independence Payment can receive both Employment and Support Allowance (ESA) and Housing Benefit.

Receipt of both benefits means that disabled students can top-up their student finance with ESA to pay for their extra disability related costs. In addition, housing benefit is essential to enable some disabled people to attend specialist residential colleges.

However, Universal Credit does not automatically treat such disabled full-time students as having a "limited capability for work".

In addition, under Universal Credit rules as full-time students they are even denied the chance to undergo the DWP's "work capability assessment" to determine their "limited capability to work".

Most full time disabled students are unable to claim Universal Credit on other grounds as they are not carers, cannot actively seek work and are not lone parents with young children.

The Universal Credit rules relating to disabled students:

- were not subject to any equality impact assessment; and
- were not referred to in the extensive explanatory notes published with the Universal Credit regulations 2013.

Only 16% of disabled people have a degree level qualification compared to 30% of non-disabled people.

Universal Credit will inevitably make this situation worse as it:

- adds to the financial barriers to disabled people accessing higher education; and
- bars disabled people from accessing residential college if they are unable to access UC housing costs support.

We urge the Government to make the following simple addition to Schedule 8 of the Universal Credit Regulations 2013 that specify the circumstances in which someone is to be treated as having a “limited capability for work” -

“The claimant is undertaking a course of education and is entitled to a disability living allowance, armed forces independence payment or personal independence payment.”

Yours faithfully



Kamran Mallick
Chief Executive
Disability Rights UK

Dr Lisa Cameron MP

Jared O'Mara MP

Neil Coyle MP

Baroness Manzila Uddin

Countess Mar

Lord Wigley

Lord Addington

Members of the All Party Parliamentary Group on Disability

cc. The Right Honourable David Gauke MP