

# Disabled Students and Universal Credit

Most disabled students now effectively barred from Higher Education due to Universal Credit rules.

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

At present, disabled full-time students who receive either Disability Living Allowance (DLA) or Personal Independence Payment (PIP) are automatically treated as having “limited capability for work” and so can receive both Employment and Support Allowance (ESA) and Housing Benefit during their studies.

However, this ability is denied to them under Universal Credit as it does not automatically treat them as having a “limited capability for work”. \*

Although income-related ESA is often paid at low levels during term-time – as it can act as a means-tested top-up to student loans – it can be particularly useful during summer vacations,

when disabled students are often unable to secure employment.

And claiming Housing Benefit is often the only way a disabled student can move away from home for the first time and study at a college or university offering their preferred course.

Universal Credit merges six means-tested benefits into a single benefit (including ESA and Housing Benefit). From October 2017, its nationwide roll-out is being stepped up to include 50 new Jobcentre areas per month.

This creates a ‘post code lottery’ where some students can receive ESA and Housing Benefit and others living in a Universal Credit area are denied benefit.

Only disabled students who receive DLA or PIP and have previously had their limited capability for work confirmed by a work capability assessment (WCA) are eligible for Universal Credit.

But the new benefit’s rules also bar disabled students in a Universal Credit area from undergoing a WCA to determine whether they have limited capability for work.

This means that if a disabled student has not yet had a WCA – even if they are currently receiving ESA – and move to an area where Universal Credit has been introduced, they will not be able to receive support from Universal Credit at university or college.

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

The University Credit rules relating to disabled students:

- we're not subject to any equality impact assessment; and
- we're not referred to in the extensive explanatory notes published with the Universal Credit Regulations 2013.

In addition, when responding to a Freedom of Information Act request the DWP has effectively admitted it introduced the new rules without knowing how much money it would save or how many young disabled people would be affected. Disability Rights UK are keen to hear from disabled students about the value of ESA and Housing Benefit to them and why it has made a difference to their ability to study; and what the consequences would have been if this income was not available.

We also keen to hear from disabled students and student advisers of instances where a Universal Credit claim has been refused.

We aim to use such case study examples in lobbying for an urgent amendment of the Universal Credit rules. If you can help, please contact [students@disabilityrightsuk.org](mailto:students@disabilityrightsuk.org)

\*Universal Credit only be treats you as having a "limited capability for work" if you are terminally ill; suffering from a uncontrolled life threatening disease; receiving or likely to receive treatment for cancer; you have been given official notice not to work because you have been in contact with an infectious disease or contamination; you are pregnant and there would be a serious risk to the health of you or your child if you did not refrain from work; or have reached pension credit age.

**This briefing was produced by  
Disability Rights UK.**