

Gateway conditions

(For those who live in relevant districts No.1 to No.28)

The gateway conditions that a person will need to satisfy are that, at the date of claim, the claimant must be aged between 18 and 60 years 6 months.

And:

Children and caring responsibilities -

- must not be pregnant or have given birth in the 15 weeks before the date of claim.
- must not have a child or young person living with them some or all of the time where that child or young person has been certified as severely sight impaired or blind or is looked after by a local authority (unless during a period of respite care) or is entitled to disability living allowance or personal independence payment.
- must not be an adopter with whom a child has been placed in the 12 months before the date of the claim or is expected to be placed within 2 months of the date of the claim.
- must not be a foster parent or liable to pay child support maintenance.
- must not have a responsibility for providing care to a person who has a physical or mental impairment, unless this is as part of paid or voluntary employment

Health -

- must not have a doctor's statement (a 'fit note') in respect of the day on which the claim is made (unless it is subsequently determined that they do not have limited capability to work).
- must not have applied for a doctor's statement.
- must declare that they do not consider themselves to be unfit for work
- must not have a determination that they have limited capability for work (unless it has been determined later that they do not have limited capability for work).

Income and capital -

- must not have capital in excess of £6,000 (a couple are subject to the same capital amount).
- must have expected earned income in the one-month period from the date of claim of under £338. If part of a couple, each person must declare they expect to earn under £338 and as a couple their total earned income must not be expected to exceed £541.

Work and education -

- must not be carrying on a trade, profession or vocation for which they receive self-employed earnings and must declare that they do not expect to carry on self-employed activity in the one month after the claim is made.
- must not be a company director or member of a limited liability partnership.
- must not be in any education or training of any kind.

Housing -

- must not own (or partly own) the property in which they reside.
- must not be homeless.
- must not reside in certain types of supported accommodation, for example where care, supervision, counselling, advice or other support services are made available to the claimant by or on behalf of the person by whom the accommodation is provided, with a view to enabling the claimant to live there;
- must not live in the same household as a person who is a member of the regular or reserve forces who is absent from the home in connection with that role.

Residency -

- must be a British Citizen who has resided in the UK continuously in the two years prior to the date of claim without leaving the UK for a continuous period of 4 weeks or more during that period.

Administrative requirements -

- must have a national insurance number
- must not have a deputy, receiver or any other person acting on their behalf in relation to the claim.
- must have a bank, post office or building society account or an account with a credit union

Other benefits -

- must not be entitled to 'old style' employment and support allowance/jobseeker's allowance; income support; incapacity benefit; severe disablement allowance; disability living allowance; or personal independence payment.
- must not be waiting for a decision on housing benefit; tax credits; 'old style' employment and support allowance/jobseeker's allowance; or income support.
- must not be awaiting the outcome of an application for revision of a decision relating to 'old style' employment and support allowance/jobseeker's allowance; income support; or housing benefit.
- must not have an outstanding appeal in relation to 'old style' employment and support allowance/jobseeker's allowance; or income support.

NB – a claimant who is entitled to housing benefit or is entitled (or treated as entitled) to tax credits is not precluded from meeting the gateway conditions.