

Trans, non-binary and queer people accessing welfare benefits

A Guide for Claimants

An entitlement, not a privilege

We are aware that for many trans people engaging with the government, and other bodies such as the Department for Work and Pensions (DWP) and Job Centres (Jobcentre Plus), can be daunting. However, social security benefits for people who are out of work, disabled, or caring for someone, are an entitlement which should not be impacted by a person's gender identity or sexual identity. This guide uses the stories of trans people in our research to explain what you might experience. It also provides some suggestions on how you might avoid, or overcome, these potential pitfalls and barriers.

Some of this might seem overwhelming, or too difficult. Although the stories we were told were often difficult, the money people received through their social security benefits changed lives and provided our participants with vital support. Many participants also received help from other organisations to complete their claims.

Help and support

If you would like help in claiming social security benefits, we would recommend you reach out to advice and support organisations, such as Citizens Advice Bureau or your local council. Many disability charities also offer specific help with completing applications for disability benefits.



Gender and the social security system

Social security systems still only allow users to be identified as a binary gender (i.e. a man or a woman) and require the use of identification documents that might be a problem for some trans people.

If you have changed your name and gender on your ID, and have obtained a Gender Recognition Certificate, and used it to change the gender on your birth certificate, then you should be treated the same as any other claimant. Sometimes a claimant's records can be restricted, even with a GRC, which can make managing a claim difficult. You can ask for such restrictions to be removed.

Transitioning while you are starting a claim for benefits, or claiming benefits, can be difficult. The Department for Work and Pensions, Jobcentre Plus, and other agencies (including HMRC or your local council), may query name changes. They may ask for evidence that you have changed your name (e.g. a deed poll or statutory declaration, ID in your new name), but you do have a right to be addressed by the name you use.

Explaining why you are changing names, or in the process of changing names, may involve you revealing you are trans. You can ask staff, for example in a Jobcentre Plus, to meet in a less public space, such as a private meeting room, if you feel uncomfortable disclosing this in public.

Because systems are generally binary, you may be asked to select a binary gender, or binary honorifics (Mr, Ms, Mrs, Miss etc.). If you have different genders recorded across different systems, this can cause problems managing claims. We would suggest you try to be as consistent as possible in the gender and/or name you use.

We would encourage you to complete the equalities monitoring form included within any application as best you can. It is important for agencies to understand the diversity of people claiming social security benefits. The data will be stored confidentially and separate from the rest of your claim.

Disclosing your identity in the social security system

As with most bureaucratic systems, social security is not designed to get you to share information about your gender and/or sexual identity.

Frontline staff will not have access to the data from an equalities form, and you do not have to provide information about your gender and/or sexual identity when asked.

However, this means you might find yourself revealing your gender and/or sexual identity in unexpected ways. This might be, for example, when a member of staff makes an assumption about the gender of your partner; or when a work coach asks about your past.

Universal Credit is awarded for a household if you are in a romantic relationship with the person you live with. Therefore, even though you may not be trans, if your partner is trans, then they will be brought into your claim and you could face some of the issues we describe.

If you live with a friend, you may be asked whether you are in a romantic relationship with them.

In our research, we did have participants who had experienced transphobia, or intrusive questioning, from staff in social security agencies, after they disclosed their trans identities. However, many other staff worked to ensure a very positive experience for trans claimants.

Jobcentre Plus

If you are claiming Universal Credit, and you do not have limited capability for work or work-related activity, you will likely be required to regularly meet with a work coach at a Jobcentre Plus (aka “the Job Centre”).

These can be unpleasant environments, and be in neighbourhoods where you might not feel safe. You can ask the DWP to manage your claim from another Jobcentre Plus if this would be better for you, for example if you live in a close-knit community, but are not completely out yet; or if the location makes you feel extremely unsafe.

The interiors of Jobcentre Plus can also be unpleasant. You may be greeted by a security guard when you enter. Waiting areas, and where you meet your work coach, do not provide much privacy. Again, you can ask DWP staff to allow you to wait somewhere more private. You can also request to meet with your work coach in private.

“Trans broken arm”

Many of the trans participants in our research were claiming disability-related benefits, such as Personal Independence Payment (in England and Wales) or Adult Disability Payment (in Scotland). Disabled people can also complete a Work Capability Assessment to receive a higher rate of Universal Credit.

Trans people can experience “trans broken arm” syndrome, where medical practitioners associate everything with your trans identity. This can be a particular issue with mental health problems. This is unacceptable and is not in-line with modern medical understanding of gender identity.

Your disability may have absolutely nothing to do with your trans status. It might be directly, and clearly, linked. Or it might be linked in confusing and complex ways that even you struggle to understand.

...“Trans broken arm”, continued

Mental health conditions that prevent you from working are a disability, and you can claim these benefits.

The forms to complete to receive these benefits can be very difficult, and they are not accessible to all disabled people, particularly those with poor mental health. Disability charities can provide advice and support on completing claims.

In-person assessments can be difficult and distressing for claimants. Assessors may make statements about your trans identity that are inappropriate. This is not acceptable, and you should complain and/or appeal if this happens to you.

Many claims are rejected at first, and you may need to go through appeals processes. For PIP the first stage of an appeal is called “mandatory reconsideration”. For ADP, it is called “redetermination”. Again, disability charities, and welfare rights organisations can provide support and advocacy during appeals processes.

Applying for disability benefits is a very bureaucratic process, and you will receive a lot of communications about your claim. If your details on the system are not up-to-date this could lead to you being misgendered.

Many of the participants in our research received a great deal of positive help and support from disability advocacy and support organisations. We would encourage you to reach out to such organisations for help and advice.

About this research

This guide is developed from the findings of the research project, LGBT+ Welfare and Assets in Great Britain. The project interviewed over 110 people who identify as LGBT+, many of whom were trans, about their experiences of claiming social security/welfare benefits.

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[LGBT+ Health and Wellbeing](#) and [Scottish Trans](#) both provided helpful feedback on this guide, but all errors or mistakes are those of the author.

To learn more about the project and its findings visit: [Welfare Access, Assets And Debts Of LGBT+ People In Great Britain](#)



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