

11-23 Social Fund - Amendment to Sure Start Maternity Grant

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Introduction

1. This memo gives guidance on the Social Fund Maternity and Funeral Expenses (General) and Social Security (Claims and Payments) (Amendment) Regulations 2023¹ (“Amending Regulations”) which come into force on 8.6.23.

1. [SI 2023/545](#)

2. The Amending Regulations make changes to the conditions of entitlement to a SSMG in respect of the following:

1. removing the requirement for claimants to provide evidence of receiving health and welfare advice regarding the baby or mother prior to claiming SSMG
2. providing an exemption to the rule that we only pay a SSMG where there are no other children in the claimant’s household for those fleeing from Afghanistan and Ukraine in specific circumstances
3. providing a limited extension to the SSMG claim time limit.

Requirement to receive advice from a health professional

3. From 8.6.23 it is no longer a condition of entitlement to a SSMG that the claimant or the claimant’s partner has received advice from a health professional on health and welfare matters relating to the child

and matters relating to maternal health where the claim is made before the child is born¹.

Note: The claimant will still be required to provide evidence of the pregnancy such as a MATB1 or other evidence provided by a doctor or healthcare professional.

1. [SFMFE \(Gen\) Regs](#), reg 5

Existing member of the family under the age of 16

4. The general rule that a SSMG cannot be awarded if at the date of claim any existing member of the family is under the age of 16¹ is amended to make provisions for individuals who were evacuated from Afghanistan in connection with the collapse of the Afghan government on 15.8.21, as well as those who left Ukraine in connection with the invasion by Russia on 24.2.22.

1 [SFMFE \(Gen\) Regs](#), reg 5A

5. From 8.6.23 a SSMG can be awarded if

1. at the date of claim there is an existing member of the family (as defined in [ADM L2071](#)) who is under the age of 16¹ **and**

2. the claimant is

2.1 a person who is granted leave in accordance with immigration rules² by virtue of

2.1.a Appendix Afghan Relocations and Assistance Policy of those rules **or**

2.1.b The previous scheme for locally-employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme)³ **or**

2.2 a person in GB not coming within **2.1** but who left Afghanistan in connection with the collapse of the Afghan government that took place on 15.8.21⁴ **or**

2.3 a person who was residing in Ukraine immediately before 1.1.22 and who left Ukraine in connection with the Russian invasion which took place on 24.2.22 and who

2.3.a has a right of abode in the UK within the meaning in legislation⁵ **or**

2.3.b has been granted leave in accordance with immigration rules⁶ **or**

2.3.c has been granted, or is deemed to have been granted, leave outside those rules **or**

2.3.d does not require leave to enter or remain in the UK in accordance with legislation⁷ **and**

3. no SSMG has already been awarded to the claimant on or after

3.1 15.8.21 where the claimant falls under **2.1** or **2.2**⁸ or

3.2 24.2.22 where the claimant falls under **2.3**⁹ and

4. all the other conditions of entitlement to a SSMG are satisfied¹⁰.

Note: see [ADM L2050](#) for the other conditions of entitlement to a SSMG.

1. [SFMFE \(Gen\) Regs](#), reg 5A(8)(a), 2 [Immigration Act 1971](#), s3(2); 3 reg 5A(9)(a); 4 reg 5A(9)(b); 5 s2; 6 s3(2); 7 s3ZA & reg 5A(10); 8 reg 5A(8)(c)(i); 9 reg 5A(8)(c)(ii); 10 reg 5A(8)(d).

Example

Viktoria is in receipt of UC and applies for a SSMG. She already has a daughter aged 10 and gave birth to a son on 1.9.22. She was residing in Ukraine immediately before 1.1.22 and left the country on 28.2.22 because of the Russian invasion on 24.2.22. She has a right of abode in the UK within the meaning of legislation. Although there is already an existing member of the family under the age of 16 (her daughter) she is entitled to a SSMG in relation to the birth of her son as she falls within 2.3 above and satisfies the other conditions of entitlement.

Time for claiming SSMG

6. It is a condition of entitlement to a SSMG that a claim is made within the time specified in regulations. The time limits that generally apply are summarized in [ADM L2054](#). From 8.6.23 the Amending Regulations, however, introduce a temporary alternative time limits for certain persons who have fled Afghanistan or Ukraine.

Afghanistan

7. Where:

1. The claimant

1.1 is a person who is granted leave in accordance with immigration rules¹ by virtue of

1.1.a Appendix Afghan Relocations and Assistance Policy of the those rules **or**

1.1.b the previous scheme for locally-employed staff in Afghanistan (sometimes referred to as the ex-gratia scheme) **or**

1.2 is a person in GB not coming within 1.1 but who left Afghanistan in connection with the collapse of the Afghan government that took place on 15.8.21² **and**

2. at the date of the claim there is an existing member of the family (as defined in [ADM L2071](#)) who is under the age of 16³ **and**

3. the time for claiming under [ADM L2054](#) would be before 8.12.234

the time for claiming is 8.12.23⁵.

1 [Immigration Act 1971](#), s3(2); 2 [SS \(C&P\) Regs](#), reg 19(7B); 3 reg 19(7D); 4 reg 19(7A), 5 reg 19(7A)

Ukraine

8. Where:

1. The claimant

1.1 is a person who was residing in Ukraine immediately before 1.1.22 but left in connection with the Russian invasion that took place on 24.2.22 and who

1.1.a has a right of abode in the UK within the meaning of legislation¹ **or**

1.1.b has been granted leave in accordance with the immigration rules² **or**

1.1.c has been granted, or is deemed to have been granted, leave outside those rules **or**

1.1.d does not require leave to enter or remain in the UK in accordance with legislation³ **and**

2. at the date of the claim there is an existing member of the family (as defined in [ADM L2071](#)) who is under the age of 16 **and**

3. the time for claiming under [ADM L2054](#) would be before 8.12.235

the time for claiming is 8.12.23⁶.

1 [Immigration Act 1971](#) s 2; 2 s 3(2); 3 s 3ZA, [SS \(C&P\) Regs](#), reg 19(7C); 4 reg 19(7D); 5 reg 19(7A), 6 reg 19(7A)

Annotations

Please annotate the number of this memo (11/23) against the following:

[L2050](#), [L2054](#), [L2070](#) and [DMG 02378](#)

Contacts

If you have any queries about this memo, please write to Decision Making and Appeals (DMA) Leeds, 3E

zone E, Quarry House, Leeds. Existing arrangements for such referrals should be followed, as set out in – Memo [7/19](#) Requesting case guidance from DMA Leeds for all benefits.

DMA Leeds: June 2023

The content of the examples in this document (including use of imagery) is for illustrative purposes only