

AGENDA ITEM 3
Papers 11/14

Housing Policy Division
3rd Floor, Caxton House
Department for Work and Pensions

Denise Whitehead
5th Floor, Caxton House,
Social Security Advisory Committee
(SSAC) Secretariat

19 March 2014

Dear Denise,

Further to our preliminary discussion of the Housing Benefit (HB) Amendment Regulations at the meeting of the Committee earlier this month, we now wish to formally refer the final package to the Committee for its April meeting. As you are aware, the Regulations were laid on 11th March and are due to come into force on 1st April.

The Regulations remove access to HB for European Economic Area (EEA) jobseekers who are entitled to income-based Jobseeker's Allowance (JSA(IB)).

Some questions were raised by members of the Committee at the meeting earlier this month, which I have addressed below:

(1) The Equality Analysis states that local authorities may be statutorily obliged to make help available under the Children Act 1989 and the National Assistance Act 1948. And yet there has not been any official consultation with the local authorities. As these statutes may have limited application to the majority of EEA migrants can you identify the numbers in the category of jobseekers who will not receive any help?

At the meeting, officials stated that the Children Act 1989 and the National Assistance Act 1948 have been considered as part of the wider policy changes in the Migrants' Access to Benefits project. The Equality Analysis to support this measure shows that around 23% of the potentially affected group have child dependants. EEA jobseekers have not previously been eligible for homelessness assistance or social housing, and this will remain the situation. EEA jobseekers will still be able to get some state support (through JSA), although this will be limited.

(2) Of the 1% of EEA migrant jobseekers who might have been expected to claim HB, do you know how many of them would have made short-term claims (ie finding work quickly) or longer-term claims where denial of entitlement to HB would present a serious financial problem?

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The supporting Impact Assessment for this measure has been published alongside the Regulations. Analysis suggests that of the around 300,000 EEA migrants who registered for a National Insurance number in 2011/12, around 3,000 later made a passported claim to HB as a jobseeker. The following table shows the durations of the HB claims for this group:

0-3 Months	19%
3-6 Months	24%
6-9 Months	15%
9-12 Months	11%
12+ Months	31%

In order to aid the discussion on 2nd April, I have pleasure in enclosing the following products:

- Regulations;
- Keeling Version;
- Explanatory Memorandum;
- Equality Analysis;
- Impact Assessment; and
- Circular to Local Authorities (issued on 14th March).

In the meantime, if you have any queries, please do not hesitate to contact me.

Yours sincerely

Anna Bartlett
Housing Policy Division