



Universal Credit data sharing between DWP and local support providers, to enable them to assess and provide support to vulnerable people as part of the Universal Support (formerly Local Support Services Framework) initiative. A consultation on draft Regulations.

Public consultation

10 December 2014

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1.0 Introduction

1.1 This consultation asks for views on the draft regulations which amend the Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012 to allow information sharing between DWP and local support providers, specifically local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities for the purposes of the Universal Support (formerly Local Support Services Framework) initiative, to enable them to identify Universal Credit claimants who need assistance, advice and support and to ensure that support is in place. This support may be in connection with claims and awards, managing their financial affairs, and accessing and using online services. Social landlords will include registered social landlords, local authorities with their own housing stock, and Arms-length Management Organisations of social housing.

1.2 Assistance will only be provided by local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities for the purposes of supporting people who have already made a claim for UC, all new UC claims and existing claims following a change of circumstances.

1.3 These Regulations are aimed at ensuring that the needs of UC claimants are fully identified at the start of their journey, and continue to be met throughout that journey. This would mitigate the risk of issues emerging at a crisis point, when earlier intervention could have avoided this situation.

1.4 The Secretary of State will only supply sufficient relevant information about claimants to enable local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities to effectively identify vulnerable claimants' needs, and provide tailored advice, support and assistance in relation to managing their financial affairs and ensure that they have access to and the capability to use online services in connection with their claim.

1.5 The Secretary of State therefore believes that the regulations are proportionate and in line with the Data Protection Act 1998 and the Human Rights Act 1998. Under the proposed amendments, local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities would then have the responsibility, subject to data security, of making proportionate use of this data for the prescribed purposes set out in the amendment regulations.

1.6 Draft Regulations are attached as [Annex A](#).

1.7 The proposed changes will come into force in February 2015 and will be implemented from March 2015.

About this consultation

Who this consultation is aimed at

1.8 We particularly welcome comments on the draft regulations from local authorities, social landlords, charities, money advice providers, other third parties active in the provision of local support services, and Universal Credit claimants, but we would be interested in views from any source.

Purpose of the consultation

1.9 The consultation seeks views on:

The draft Social Security (Information-Sharing in Relation to Welfare Services Etc.) Amendment Regulations 2015.

Scope of consultation

1.10 This consultation applies to England, Wales and Scotland.

Duration of the consultation

1.11 The consultation period begins on 10 December 2014 and runs until 12 January 2015

How to respond to this consultation

1.12 Please send your consultation responses to:

Email: lss.frameworkteam@dwp.gsi.gov.uk

Please ensure your response reaches us **by 6pm on 12 January 2015**.

1.13 When responding, please state whether you are doing so as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents, and where applicable, how the views of members were assembled. We will acknowledge your response.

1.14 We have also sent this consultation document to a number of people and organisations who might be interested in these issues. Please do share this document with, or tell us about, anyone you think will want to be involved in this consultation.

Queries about the content of this document

1.15 Please direct any queries about the subject matter of this consultation to:

Department for Work and Pensions
Universal Support
Level 6, Caxton House,
Tothill St, London SW1H 9NA

Email: lss.frameworkteam@dwp.gsi.gov.uk

How we consult

Freedom of information

1.16 The information you send us may need to be passed to colleagues within the Department for Work and Pensions, published in a summary of responses received and referred to in the published consultation report.

1.17 All information contained in your response, including personal information, may be subject to publication or disclosure if requested under the Freedom of Information Act 2000. By providing personal information for the purposes of the public consultation exercise, it is understood that you consent to its disclosure and publication. If this is not the case, you should limit any personal information provided, or remove it completely. If you want the information in your response to the consultation to be kept confidential, you should explain why as part of your response, although we cannot guarantee to do this.

1.18 To find out more about the general principles of Freedom of Information (Fol) and how it is applied within DWP, please contact:

Freedom of Information Team
Caxton House
6-12 Tothill Street
London
SW1H 9NA

Freedom-of-information-request@dap.gsi.gov.uk

The Central Fol team cannot advise on specific consultation exercises, only on Freedom of Information issues. More information about the Freedom of Information Act can be found at <https://www.gov.uk/make-a-freedom-of-information-request>

The consultation criteria

1.19 The consultation is being conducted in line with the Cabinet Office Consultation Principles published on 17th July 2012, and can be found here:

<https://www.gov.uk/government/publications/consultation-principles-guidance>

1.20 The key principles are:

- departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before;
- departments will need to give more thought to how they engage with and consult with those who are affected;
- consultation should be “digital by default”, but other forms should be used where these are needed to reach the groups affected by a policy; and

- the principles of the Compact between government and the voluntary and community sector will continue to be respected.

Feedback on the consultation process

1.21 We value your feedback on how well we consult. If you have any comments on the process of this consultation (as opposed to the issues raised) please contact our Consultation Coordinator:

Elias Koufou
DWP Consultation Coordinator
2nd Floor Caxton House,
Tothill Street London
SW1H 9NA
Phone 020 7449 7439
caxtonhouse.legislation@dwp.gsi.gov.uk

1.22 In particular, please tell us if you feel that the consultation does not satisfy the consultation criteria. Please also make any suggestions as to how the process of consultation could be improved further.

1.23 If you have any requirements that we need to meet to enable you to comment, please let us know.

2.0 Chapter 1: Background on data sharing in Universal Support

Context

2.1 Universal Credit (UC) provides a new single system of means-tested support for working-age people who are in or out of work.

2.2 UC will normally be paid calendar monthly as a single payment made direct to the claimant. This is a significant change from the existing system where benefits are paid weekly or fortnightly.

2.3 While we expect most people to be able to manage the changes to the way benefits are delivered under UC, we recognise that some people will need help. This could include understanding the new system, help with getting online, and help with managing on a monthly budget.

2.4 This is why we created Universal Support, previously known as Local Support Services Framework <https://www.gov.uk/government/publications/universal-credit-local-support-services-framework>.

2.5 The roll out of UC is an opportunity to bring together many different agencies responsible for delivering the current multitude of services alongside other local support providers, such as charities.

2.6 These services often work in isolation. Under Universal Support they will be brought together in a joined-up way, planned and led by a delivery partnership of the local council and Jobcentre Plus, in the interests of both claimants and the taxpayer.

2.7 We believe that, even for people with chronic problems, the role of support must be to maximise their life chances, help to move them towards full independence, work readiness (wherever appropriate) and social inclusion, Universal Support encourages that approach.

2.8 Further expansion of UC will provide the opportunity to build a secure platform for the introduction of Universal Support by mobilising local partnerships nationwide and putting in place a robust infrastructure ready for all claimant groups, in particular the more complex and vulnerable.

2.9 We are already trialling key aspects of Universal Support in 11 partnership areas across GB. These areas are Argyll and Bute, Dundee, Carmarthenshire, Blaenau Gwent, Northumberland and South Tyneside, West Lincolnshire, South Staffordshire, Derby, Islington, Westminster and Royal Borough of Kensington and Chelsea and Lambeth, Lewisham and Southwark.

2.10 Central to our approach are 'Service Delivery Partnerships' under which DWP, local authority managers and other local support providers will work together to agree the delivery of services at a local level. This will enable:

- The provision of a joined-up, holistic, service for claimants with complex needs;

- A “single claimant journey”, shared between agencies, for helping the claimant to move towards greater independence where they are receiving support from more than one local agency; and
- Wherever appropriate, each claimant to be supported towards work readiness.

2.11 We have met with and spoken to a considerable number of organisations with an interest in supporting claimants, including Citizens Advice, Homeless Link, Shelter, the Advice Services Alliance UK, Women's Aid, Disability Rights UK, Step Change [formerly the Consumer Credit Counselling Service], the National Debtline, Money Advice Service and many others.

2.12 The majority of these organisations have expressed support for the principle of a simplified welfare system that makes it easier for claimants, including those with multiple barriers to the labour market, to return to work.

2.13 We have also worked closely with representatives from the Housing Sector, such as the National Housing Federation, The Scottish Federation of Housing Associations, Community Housing Cymru, as well as private landlord representatives and Voluntary and Community Organisations. The Universal Credit Support and Exceptions Working Group has brought together expertise from some 60 organisations to advise the Programme around this very important area.

2.14 Existing legislation does not provide DWP with a power to routinely disclose information about all claimants receiving UC. Current legislation is not sufficiently flexible only allows relevant information to be shared by the Secretary of State, or a person providing services to the Secretary of State for specific prescribed welfare purposes, and there is insufficient clarity, or flexibility, for the purposes of Universal Credit, and Universal Support.

2.15 The policy intention now is to make amendments to the Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012ⁱ using powers in the Welfare Reform Act 2012ⁱⁱ to widen the existing welfare purposes for sharing information between DWP and local support providers.

2.16 Information sharing, through partnership working, between DWP, local authorities and other local support providers will support the principles of a coherent claimant journey. Everyone involved will work to the same principles to help the claimant, ultimately moving towards greater independence and where appropriate, work readiness. Sharing data will ensure timely and 'joined –up' support for the most vulnerable in our society.

ⁱ <http://www.legislation.gov.uk/ukxi/2012/1483/contents/made>

ⁱⁱ <http://www.legislation.gov.uk/ukpga/2012/5/contents/enacted>

2.17 The additional welfare purposes would be to allow to the sharing of limited additional information between DWP and local support providers to enable local delivery partnerships to assess and provide appropriate types of advice, support or assistance in relation to managing their UC claim, personal budgeting support, digital access, and financial affairs. The information shared will be aimed at supporting people who have already made a claim for UC, all new UC claims and existing UC claims following a change of circumstances and in need of additional local support.

2.18 We would like to enable the sharing of information with the following specific delivery partners, as prescribed by the SoS, and in the following categories:

- Local authorities across England, Scotland and Wales;
- Citizens advice bureaux;
- Credit unions;
- Social landlords; and
- Relevant registered charities.

2.19 Some UC claimants will need varying degrees of support in order for them to be able to make and manage their UC claim. Information provided by DWP will help the local support providers mentioned above to ensure:

- the needs of the most vulnerable and at risk are identified and services are joined up to support the claimant from start to finish;
- the Universal Support partnership is able to put in place appropriate support mechanisms relating to financial and digital inclusion; and
- information is not duplicated or lost in the journey between multiple providers, ensuring minimum hand-offs between different agencies and a more efficient and effective provision of services to those who need support so that they do not 'slip through the net'.

2.20 Support for claimants under Universal Support will be focused on three key elements in order to help them make and manage their UC claim:

- **Triage** - this ensures that the claimants' needs are assessed and identified and that they are referred to the right place for additional support if required;
- **Financial inclusion** - this is about supporting the claimant to enable them to manage their monthly UC payment. It could mean making sure the claimant has access to a bank account or providing personal budgeting support so that rent and cash flow is well managed; and
- **Digital inclusion** - this involves making sure that claimants have both the access to be able to make and manage their claim online, and the skills to do so where they do have access. This could involve the partnership providing greater access to wifi or computers or running digital skills training courses.

2.21 Each partnership will decide how to best provide triage, financial inclusion and digital inclusion dependent on local need.

Monitoring and evaluation

2.22 Monitoring of the changes will be part of the general monitoring of Universal Credit claims. DWP will provide contact details to ensure that if problems should occur, they can be easily reported and rectified. This will be in addition to the more corporate liaison arrangements between the Department and the Local Authority Associations, which also provide local authorities with the means of raising issues with the Department.

2.23 DWP Universal Support Development Managers in place at each of the 11 trials will provide a direct line for feedback from our trials to the Department.

3.0 Chapter 2: Commentary on the draft regulations

Introduction

3.1 Purpose of the regulations is to enable information sharing between DWP and local support providers, specifically local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities for the purposes of Universal Support (formerly Local Support Services Framework), to enable them to help Universal Credit (UC) claimants make and manage a UC claim. These Regulations are aimed at ensuring that the needs of UC claimants are fully identified at the start of their journey, and continue to be met throughout that journey. This would mitigate the risk of issues emerging at a crisis point, when earlier intervention could have avoided this situation.

Commentary on the regulations

3.2 The proposed changes are intended to come into force on 13 February 2015. They will apply to claimants who have already made a claim for UC; all new UC claims; and existing UC claims following a change of circumstances, where information sharing is appropriate.

3.3 These regulations will allow DWP, local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities to share information about the claimant's support needs with one another in order to provide a consistent and joined up support package which does not require the claimant to repeatedly give the same information to these partnership organisations.

3.4 The Welfare Reform Act (WRA) 2012 includes a power under section 131 which allows the Secretary of State to share limited UC information with specified qualifying persons for prescribed purposes relating to "welfare services" only. Data will not be shared, or used, for any other purposes.

3.5 The draft regulations enable the sharing of data between DWP and local support providers for the prescribed welfare purposes of assessing whether any UC claimants need appropriate types of advice, support or assistance in relation to accessing benefits, managing their financial affairs, or are experiencing any other barriers which impact their access to benefits and management of their financial affairs.

3.6 The data provided will include:

- Full name
- Initials
- Contact details including: address, email, telephone
- Details of others in household, in relation to the relevant Benefit Unit
- Type of accommodation – private / social rented, owned, none etc.
- Gender
- Ethnicity
- NINO
- Date of birth / age range

- Employment status / earning
- Debts / arrears/rent payable
- Benefits received including: level of payment, copy of documents (e.g. claimant commitment)
- Health conditions / disabilities
- Caring responsibilities
- Qualifications / training status
- Transport situation e.g. able to drive /access to car or easy access or public transport
- Barriers to work
- Languages spoken
- Access to financial products such as bank / building / credit union / Post Office card account / credit card
- Level of personal budgeting
- Access to computer and internet
- Level of digital skills

3.7 Under the Data Protection Act 1998 and the Human Rights Act 1998, any data sharing must be proportionate. The regulations proposed will need to comply with these Acts. The draft proposals are aimed at ensuring proportionate data sharing.

3.8 The regulations will apply to Great Britain and will be subject to the negative resolution procedure, which means they will be laid in Parliament for a minimum of 21 days before they come into force.

3.9 The draft amendment regulations also allow DWP to inform social landlords when their tenant has made a claim for Universal Credit (UC) with housing costs or is a UC recipient (with housing costs), in order for them to provide relevant support to their tenants. Social landlords will include registered social landlords, Local Authorities with their own housing stock, and Arms-length Management Organisations of social housing.

4.0 Chapter 3: Key implications

What will it mean for claimants?

4.1 DWP, local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities will share information about claimants, who have already made a claim for UC. The type of information being shared will vary from partnership to partnership, depending upon the approach they decide to take to support claimants who need help. Based on current practice, the list should not exceed the date previously listed (and in some cases may require much less information).

4.2 The need for provision of this information, which for the purposes of the regulations will be referred to as '**relevant information**', will be determined on a case by case basis.

4.3 UC claimants will be informed about the proposed information sharing in keeping with the fair processing requirements of the Data Protection Act 1998 so that they have an opportunity to object.

4.4 Objecting to information sharing may, of course, have the potential to undermine an individual's claim – claimants will therefore need to be advised about the possible adverse consequences of objecting to information sharing.

4.5 Local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities will make an assessment about using the data supplied in order to support vulnerable claimants.

4.6 Only providers that deliver support services in relation to the outcomes listed will be included within the legislation.

4.7 We are aware of the need to protect our claimants and will ensure that any regulations adequately meet this need through the eight data protection principles outlined in the Data Protection Act, and do not result in unintended consequences, i.e. we want to prevent including any organisations that we do not intend to share information with.

4.8 Claimant confidentiality should not be compromised and we need to ensure that no claimant is inadvertently put at risk through the sharing of any identifying data, without claimant consent at the initial triage stage.

4.9 Claimants, especially those with complex needs and vulnerabilities, must fully understand what it is that they are agreeing to, and the consequences of their decision. They must also be made aware of the complaints process should they need to make a complaint in the future.

4.10 Sharing this information will enable the claimant to receive a tailored package of support from appropriate partnership organisations without being required to repeatedly give information to each organisation.

4.11 The information shared would only be for those claimants who have been in contact with DWP and local support organisations and expressed a desire to access the support provided by the Universal Support partnership in their area.

Exclusion from the regulations

4.12 The draft regulations do not allow DWP, local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities to share information with any organisation not stipulated in these regulations.

Monitoring

4.13 Monitoring of the changes will be part of the general monitoring of UC claims using test and learn principles to evaluate and respond to new evidence as it emerges.

5.0 Chapter 4: Next Steps

5.1 We welcome your detailed comments on the draft regulations by 6pm on 12 January 2015. If you send your comments after this date, we cannot guarantee that they will be included for consideration.

6.0 Chapter 5: List of consultation questions

6.1 Local Support Service Providers/Commissioners

Q1 We envisage that JCP, local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities could provide a range of support to vulnerable claimants. What types of support could you as a local service provider provide to your claimants?

Q2 Our intention is to enable parties to share information about the claimant aimed at identifying claimants who are in receipt of UC. Would the information listed in this consultation document be sufficient for you to provide support to the claimant? If not, what additional information do you need?

Q3 What do you think would be the implications of not having the information listed that we are proposing to share under these regulations?

Q4 What concerns do you think the claimant may have about their information being shared between DWP and local support service providers?

6.2 General

Q5 These regulations would allow JCP, local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities to make decisions about the use of data in order to support UC claimants. Would you think that is sufficient to ensure the proportionate use of data? If not, what additional protection do you think needs to be put in place to ensure proportionality?

6.3 UC Claimants

Q6 Do you have concerns about the use of your personal data by JCP, local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities? What could DWP do to alleviate those concerns?

Q7 Would you like to see more use being made of the information you have provided, in order to ensure you receive appropriate support from JCP, local authorities, citizens advice bureaux, credit unions, social landlords and relevant registered charities?

Annex A: The draft Social Security (Information-Sharing in Relation to Welfare Services Etc.) Amendment Regulations 2015

STATUTORY INSTRUMENTS

2015 No.

SOCIAL SECURITY

The Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2015

<i>Made</i>	- - - -	***
<i>Laid before Parliament</i>		***
<i>Coming into force</i>	- -	***

The Secretary of State for Work and Pensions, in exercise of the powers conferred by sections 131(1), (3) and (11) and 133(1) of the Welfare Reform Act 2012(1), makes the following Regulations.

1.Citation and commencement

These Regulations may be cited as the Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2015 and come into force on 26th January 2015.

2.Amendment to the Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012

—(1) The Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012(2) are amended as follows.

(2) In regulation 2 (interpretation)—

after the definition of “disabled person’s badge”, insert—

““extended benefit unit” has the meaning given in paragraph 9 of Schedule 4 to the Universal Credit Regulations 2013;”;

for the definition of “social landlord”, substitute—

““social landlord” means—

- (a) in a case to which the Housing Benefit Regulations apply, a landlord falling within regulation 13C(5)(a)(i), (ii) or (iii) of those Regulations;
- (b) in a case to which the Housing Benefit (State Pension Credit) Regulations apply, a landlord falling within regulation 13C(5)(a)(i), (ii) or (iii) of those Regulations;
- (c) in a case to which the Universal Credit Regulations 2013 apply, a provider of social housing within the definition given in paragraph 2 of Schedule 4 (housing costs element for renters) to those Regulations;”;

(1) 2012 c.5. Section 133(1) is an interpretation provision and is cited for the meaning of the word “prescribed”.

(2) 2012/1483.

after the definition of “universal credit”(3), insert—

““universal credit claimant” means a person who has made a claim for or has an award of universal credit;

“the universal support initiative” means the advice, assistance and support provided by qualifying persons of the type listed in regulation 10(1)(e) to universal credit claimants and their extended benefit unit, for the purposes of assisting them in connection with—

- (a) such claims and awards,
- (b) managing their financial affairs, and
- (c) accessing and using online services in connection with claims for and awards of any relevant social security benefit.”.

(3) After regulation 5(1)(f)(4) (supply of relevant information by the Secretary of State) insert—

“(g) where the qualifying person is a social landlord and the information concerns whether a person has made a claim for or has an award of universal credit which includes or is likely to include an amount for housing costs in respect of accommodation provided by that social landlord, determining whether that person or a member of their extended benefit unit, who is responsible for paying the rent, needs advice, assistance or support in relation to managing their financial affairs;

(h) where the qualifying person is listed in regulation 10(1)(e) and a universal credit claimant or a member of their extended benefit unit is determined by the Secretary of State or a qualifying person listed in regulation 10(1)(e) as needing advice, assistance or support under the universal support initiative—

- (i) providing advice, assistance or support to such persons under the universal support initiative; and
- (ii) monitoring and evaluating the provision of such advice, assistance and support.”.

(4) After regulation 6(1)(p)(5) (holding purposes)—

“(q) where the qualifying person is listed in regulation 10(1)(e)—

- (i) determining whether a universal credit claimant or a member of their extended benefit unit, where that person is responsible for paying the rent, needs advice, assistance or support under the universal support initiative;
- (ii) providing advice, assistance or support to such persons under the universal support initiative; and
- (iii) monitoring and evaluating the provision of such advice, assistance and support.”.

(5) After regulation 9B(6) (using purposes connected with local welfare provision) insert—

“Using purposes connected with the universal support initiative

9C.—(1) This regulation applies to relevant information held by a qualifying person listed in regulation 10(1)(e) for the purposes listed in regulation 6(1)(q).

(2) The purposes set out in paragraph (3) are prescribed—

- (a) under section 131(3)(a) of the 2012 Act as purposes for which the information may be used by that qualifying person; and
- (b) under section 131(3)(b) of the 2012 Act as purposes for use in relation to which the information may be supplied by that qualifying person to another qualifying person.

(3) The purposes are the provision of advice, assistance and support under the universal support initiative.

-
- (3) Definition of “universal credit” inserted by S.I. 2013/454.
 - (4) Sub-paragraphs (e) and (f) inserted by S.I. 2013/454.
 - (5) Sub-paragraph (p) was inserted by S.I. 2013/454.
 - (6) Regulation 9B was inserted by S.I. 2013/454.

(4) This regulation permits relevant information to be supplied to another qualifying person only where that other qualifying person is listed in regulation 10(1)(e) below.”.

(6) In regulation 10 (qualifying persons)—

in paragraph (1)(a), after “regulations” insert “5(1)(g)”;

after regulation 10(1)(d)(7), insert—

“(e) for the purposes of regulations 5(1)(h), 6(1)(q) and 9C—

- (i) a person listed in section 131(11)(a) to (c) of the 2012 Act,
- (ii) a member of the National Association of Citizens Advice Bureaux(8) or the Scottish Association of Citizens Advice Bureaux(9),
- (iii) a credit union, within section 1 of the Credit Unions Act 1979(10),
- (iv) a social landlord,
- (v) a charity in England or Wales registered under section 30 of the Charities Act 2011(11) or in Scotland registered in accordance with section 5(1) of the Charities and Trustee Investment (Scotland) Act 2005.”.

Signed by authority of the Secretary of State for Work and Pensions

Xth January 2015

Name
Parliamentary Under Secretary of State
Department for Work and Pensions

(7) Regulation 10 was substituted by S.I. 2013/454.

(8) The National Association of Citizens Advice Bureaux is a company limited by guarantee, formed and registered under the Companies Act 2006 (c. 46) with the company number 1436945, and a registered charity with the number 279057.

(9) The Scottish Association of Citizens Advice Bureaux is a company limited by guarantee, formed and registered under the Companies Act 2006 (c. 46) with the company number 89892, and a registered charity with the number SCO16637.

(10) 1979 c.34.

(11) 2011 c.25.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012 (“the principal Regulations”) to allow the Secretary of State to share relevant information with local authorities, citizens’ advice bureaux, credit unions, social landlords and relevant registered charities, and to allow those bodies to use and share information for prescribed purposes.

Regulation 2 of the principal Regulations contains interpretation provisions for those regulations. The amendments to regulation 2 include adding new definitions for “extended benefit unit”, “universal credit claimant” and “the universal support initiative”. An amendment is also made to the definition of “social landlord” to include coverage where the landlord is providing social housing which is covered under the Universal Credit Regulations 2013.

Section 131(1) of the Welfare Reform Act 2012 allows the Secretary of State (or a person providing services to the Secretary of State) to supply relevant information relating to certain social security benefits or welfare services (described in section 131(12)) to a “qualifying person”. Regulation 5 of the principal Regulations prescribes the purposes for which such information may be supplied. The amendments to regulation 5 allow the Secretary of State to supply information concerning universal credit to social landlords to enable those landlords to identify people who need help to manage their financial affairs. The amendments also allow the Secretary of State to supply relevant information in relation to certain universal credit claimants who have been identified by a universal support provider as requiring advice, assistance or support under the universal support initiative. This information can be supplied to those providers who are defined in regulation 10(1)(e) as local authorities, citizens advice bureaux, credit unions and relevant registered charities so that they can provide such advice, assistance and support and monitor and evaluate it.

Section 131(3) of the Welfare Reform Act 2012 allows a qualifying person who holds relevant information for a prescribed purpose relating to welfare services, council tax or housing benefit to use the information for another prescribed purpose relating to welfare services or to supply it to another qualifying person for use in relation to the same or another prescribed purpose relating to welfare services. Regulation 6 of the principal Regulations prescribes the purposes for which relevant information must be held by a qualifying person in order for them to be able to use or supply it for purposes prescribed in regulations 7 to 9B of the principal Regulations. The amendments to regulation 6 specify the “holding” purposes that have been added to regulation 5, as described above.

A new regulation 9C is inserted into the principal Regulations to outline new circumstances for which qualifying persons may use or supply information.

“Qualifying person” is defined in section 131(11) of the Welfare Reform Act 2012, and includes a local authority or an authority which administers housing benefit (or their service providers or persons exercising functions on their behalf) and other persons who may be prescribed. The amendments to regulation 10 of the principal Regulations prescribe that local authorities, citizens’ advice bureaux, credit unions social landlords and relevant registered charities are qualifying persons for new purposes that have been added to regulations 5, 6 and 9C.

An impact assessment has not been produced for this instrument as no negative impact on the private or voluntary sectors is foreseen.
