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Denise Whitehead  
Secretary  
Social Security Advisory Committee  
Caxton House  
Tothill Street  
London  
SW1A 9NH

18 September 2013

Dear Denise

I am writing to formally request, in accordance with section 172 of the Social Security Administration Act 1992 for the Committee to consider proposals to amend the following sets of Regulations:

- **The Housing Benefit Regulations 2006 (SI 2006/213)**
- **The Housing Benefit (Persons who have attained the qualifying age for State Pension Credit) Regulations 2006 (SI 2006/214)**
- **The Universal Credit Regulations 2013 (SI 2013/376)**

**The Order amending the Rent Officers (Housing Benefit Functions) Order 1997 and Rent Officers (Housing Benefit Functions) (Scotland) Order 1997 is also included as this completes the picture for housing benefits subject to the local reference rent.**

- **Housing Benefit Regulations 2006: (SI 2006/213)**

The proposed amendments to these regulations clarify the number of bedrooms to which a claimant is entitled, based on the number, sex and ages of individuals who reside in his dwelling; the amendments make provision for a disabled child who would otherwise be expected to share a bedroom under

the size criteria rules to have sole use of a bedroom where the child is unable to share due to severe disability.

These amendments also make provision for a room to be included where a joint tenant (or joint tenant's partner) requires overnight care or is a qualifying foster parent or carer, when determining whether a dwelling is under-occupied for the purposes of applying a reduction in the social rented sector

There is also an amendment to the definition of "young individual". This ensures that a qualifying foster parent or carer cannot be a young individual and so subject to the shared accommodation rate.

- **Housing Benefit (Persons who have attained the qualifying age for State Pension Credit) Regulations 2006 (SI 2006/214)**

The proposed amendments to these regulations clarify the number of bedrooms to which a Housing Benefit claimant of State Pension Age is entitled, based on the number, sex and ages of individuals who reside in his dwelling; the amendments make provision for a disabled child who would otherwise be expected to share a bedroom under the size criteria rules to have sole use of a bedroom where the child is unable to share due to severe disability.

- **Rent Officer (Housing Benefit Functions) Order 1997 (SI 1997/1984) and The Rent Officers (Housing Benefit Functions)(Scotland) Order 1997 (SI 1997/1995)**

The order requires the rent officer to apply size criteria when making determinations; the proposed amendments allow a bedroom for a child who would normally be expected to share a room under the size criteria rules but is unable to do so due to severe disability.

- **Universal Credit Regulations 2013**

The proposed amendments to these regulations clarify the number of bedrooms to which a claimant is entitled based on the number, sex and ages of individuals who reside in his dwelling.

The amendments make provision for a disabled child, who would otherwise be expected to share a bedroom under the size criteria rules to have sole use of a bedroom where the child is unable to share due to severe disability.

They also ensure that only children/young persons whom a claimant is responsible for (within the meaning given in the UC Regulations) are treated as part of the claimant's extended benefit unit and allocated a room for the purposes of the size criteria.

I have attached an explanatory memorandum as an annexe to this letter. I have also attached the draft regulations as well as a Keeling version of the proposed amendments. The drafts remain subject to legal clearance.

The Committee is invited to consider whether the proposed amending regulations may be made without further formal references.

I hope these documents fully explain the proposals. Officials will attend the Committee's October meeting to answer any queries members may have and we will be happy to provide any further information they may require.

**Lisa Sutherland**  
**Housing Policy Division**