

Social Security Advisory Committee
Minutes of the meeting held on 6 December 2023

Chair: Carl Emmerson (acting Chair)
Members: Bruce Calderwood
Kayley Hignell
Phil Jones

Apologies: Dr Stephen Brien
Professor Gráinne McKeever
Charlotte Pickles

1. Private Session

[PARTIALLY RESERVED]

Consideration of postal regulations

1.5 The Committee endorsed the Postal Regulations Sub-group's recommendations that the following regulations were suitable candidates for clearance by correspondence:

- *The Social Security (Habitual Residence and Past Presence, and Capital Disregards) (Amendment) Regulations 2023*
- *The Child Benefit and Tax Credits (Miscellaneous Amendments) Regulations 2023*

1.6 The acting Chair asked the Committee Secretary to notify the Department for Work and Pensions (DWP) that the Committee was content for the above regulations to proceed.¹ In doing so, the Department should be asked if there are any further compensation schemes to be added to the list where such payments are disregarded indefinitely as capital for the calculation of income related benefit entitlement.²

¹ The Committee was not quorate at the point this decision was made, therefore action was taken in accordance with its formal Rules of Procedure which states: (4) Where - (a) the Secretary of State gives notice of a proposal to make regulations under any of the relevant enactments; and (b) it appears to the Chair that the proposal - (i) requires urgent consideration of the Committee, and (ii) need not be formally referred to the Committee, the Chair or, in his absence, the Vice Chair, may agree on behalf of the Committee, after consultation with at least three other members of the Committee, that the proposal need not be formally referred to the Committee. The Chair reviewed, and endorsed, the Committee's decision following this meeting.

² Response subsequently received from DWP: "*To clarify, the capital disregard provisions introduced in the regulations laid in October 2023 cover all compensation payments made under the Victims of Overseas Terrorism compensation scheme. While this was brought forward in connection with payments made in connection with the attacks in Israel which started on 7 October 2023, the exemption covers all payments made under the scheme, including for victims of other terrorist attacks. The full list of overseas terrorism attacks for which individuals can currently claim compensation under this scheme can be found here - <https://www.gov.uk/compensation-victim-terrorist-attack> There do also already exist a number of further capital disregards for other compensation schemes which are set out in the relevant legislation. DWP is not currently considering introducing capital disregards for any other compensation schemes but will keep this under review. Where new compensation schemes are introduced by HMG DWP will consider if it is appropriate to introduce capital disregards for payments made under the relevant scheme. Where legislation is required we will consult SSAC in the normal way in line with consultation requirements.*"

Item 2

[RESERVED ITEM]

3. Date of next meeting

3.1. The next meeting is scheduled to take place on 24 January 2024.

Attendees

Guests and Officials

Secretariat: Denise Whitehead (Committee Secretary)
Dale Cullum (Assistant Secretary)
Gabriel Ferros (Analyst)
Anna Woods (Assistant Secretary)

Observer: Kenneth Ashworth