



HM Revenue  
& Customs

SOCIAL SECURITY  
ADVISORY COMMITTEE



HM Treasury

# MEMORANDUM OF UNDERSTANDING BETWEEN HM TREASURY, HM REVENUE & CUSTOMS AND THE SOCIAL SECURITY ADVISORY COMMITTEE

## 1. Introduction and purpose

This document sets out the agreement between the named departments and the Social Security Advisory Committee (the Committee), under which the Committee will offer advice to Treasury Ministers, and officials of the relevant Departments, on matters within their respective and collective responsibilities. In particular, it describes the working arrangements between HM Treasury (HMT), HM Revenue & Customs (HMRC) and the Committee for:

- the generation and handling of the Committee's advice generally; and
- the Committee's scrutiny of, and advice to Treasury Ministers and HMT and HMRC officials on, HMRC's draft secondary legislation.

In delivering this Memorandum of Understanding, the Committee Chair will ensure that the appropriate steps are taken, whether in relation to statutory appointments or through the non-statutory co-option of consultants, to maintain and develop the Committee's expertise across the full range of its responsibilities. HMRC and HMT will regard the Committee as a trusted partner who will respect the confidentiality of information shared with them in order to assist their advisory functions.

## **2. Policy areas covered by the Memorandum**

The Memorandum covers the following policy areas:

- Child Benefit and Guardian's Allowance;
- Child Care Payments Scheme (commonly known as Tax-Free Childcare);
- aspects of policy on National Insurance Contributions that affect entitlement to contributory benefits; and,
- any residual matters relating to tax credits (Child and Working Tax Credits) and their migration to Universal Credit.

## **3. Coverage**

The Committee will provide advice generally, both on its own initiative and at the request of Treasury Ministers and HMT and HMRC officials, on policy matters covered by this Memorandum as well as to provide specific advice on draft regulations relating to the above policy areas.

## **4. Information handling**

All parties to this agreement must process information in compliance with the mandatory requirements currently set out in HM Government's [Security Policy Framework](#) when handling, transferring, storing, accessing or destroying information.

Further details on how the parties share information is set out in a separate document.

## **5. Publication**

Except where all parties to the Memorandum agree to conduct an item of business on an 'in confidence' basis, all such advice, and HMT's and HMRC's responses to it, will normally be published by the Committee on its website.

## **6. The general advisory role**

Whether in respect of areas/issues for policy advice that it has selected on its own initiative, or in response to specific requests, HMT and HMRC officials will furnish the Committee with such information as it may reasonably require in connection with the formulation of its advice to Treasury Ministers on the matters covered by this Memorandum of Understanding. Such information may be provided in the form of documentation, briefings and/or discussions with officials, consistent with the Committee's Business Guide and the SSAC memoranda template. HMT and HMRC will treat the Committee as a trusted partner and, in turn, the Committee will respect the confidentiality of all sensitive information shared with it.

In addition to information supplied on an ad hoc basis, the following arrangements will be put in place to support engagement between HMRC, HMT and SSAC. The Deputy Director of Welfare Policy (HMRC) and/or Deputy Director for Welfare Spending and Reform (HMT) will meet representatives of the Committee twice a year to provide an update on developments. HMRC's Permanent Secretary and SSAC's Chair will additionally meet at least annually to discuss issues of mutual interest. Further meetings will be arranged with Committee members and/or the SSAC secretariat where business requires it. Additionally, HMRC will provide details of forthcoming legislation on the matters covered by this Memorandum on a quarterly basis.

HMRC's Deputy Director for Welfare Policy will be the senior-level contact point for the Committee. The working-level Single Point of Contact will be the Children and Families branch within Welfare Policy at HMRC. This team will agree a timetable of interactions with the Committee's Secretariat.

The Committee's policy advice will take particular account of the impact of policy and operational provisions upon customers, especially where people are customers of both HMRC and DWP, with the aim of promoting good customer service and, so far as is appropriate, consistency of approach.

In the course of the preparation of its advice to Treasury Ministers, HMT and HMRC officials, the Committee will offer officials the opportunity to consider and comment on drafts. Responses to the Committee's advice will be made within 30 working days of its receipt.

The Committee will publish both its advice and any responses to it on its website.

## **7. Advice on draft regulations**

HMRC officials are responsible for notifying the Committee of their plans for secondary legislation. Each quarter they should provide details of proposed regulations dealing with matters covered by this Memorandum that are scheduled for the next six months, along with a proposed timetable for SSAC scrutiny. The timetable should include an opportunity for the Committee to scrutinise the draft regulations (before they are laid) at one of its regular scheduled meetings. In line with the [Committee's Rules of Procedure](#), the Chair may, in exceptional circumstances and conditional on the availability of at least seven other Committee members, convene a meeting giving a minimum of seven days' notice.

Consistent with the provisions set out in the Social Security Administration Act 1992 which set out the Committee's statutory role in the scrutiny of social security secondary legislation:

- prior consultation on HMRC regulations will not be required if where, exceptionally, the responsible Minister takes the view that, by reason of urgency, it would be inexpedient to do so. However, in such cases, the regulations will be presented to the Committee for scrutiny in the usual way for scrutiny as soon as practicable after the regulations have been laid;
- secondary legislation which is made before the end of the period of six months beginning with the coming into force of that specified enactment are exempt from SSAC scrutiny.

As proposed regulations are prepared, HMRC officials will notify the SSAC Secretariat of the date they will be submitted for SSAC's scrutiny, agree a timetable and handling arrangements (i.e. scrutiny 'by post' or by presentation to one of the Committee's business meetings) for the exercise, and prepare an Explanatory Memorandum detailing the nature and purpose of the proposals and a Keeling schedule making clear what amendments are being made. HMT and HMRC officials will attend Committee meetings on request to provide further explanation.

HMRC will normally submit for scrutiny the draft regulations, and accompanying Explanatory Memorandum and Keeling Schedule, at least 13 working days before a scheduled Committee meeting. In exceptional circumstances this may not be possible, and in such cases HMRC should write to the Committee Chair explaining the circumstance for the delay. Unless agreed otherwise, the Committee will then respond in writing to Treasury Ministers (via HMRC) within the agreed period for the scrutiny exercise. The Committee may seek the views of other organisations whose input they believe would be valuable to the formulation of its advice and time for this eventuality should be built in at the planning stage. If the Committee intends to seek the views of other organisations to prepare its advice, the Committee will inform HMT and HMRC of its intentions. SSAC remains responsible for ensuring that the confidentiality of all sensitive information shared with it is respected.

HMT and HMRC officials will respond to the Committee on behalf of Treasury Ministers on points of substance arising from their comments and advice that Ministers are unable to accommodate, within 30 working days of the receipt of the Committee's advice. The Committee will then publish its advice, and any responses received, on its website.

## **8. Committee's Annual Report**

The Committee's Annual Report will list all draft regulations and information products put to the Committee for scrutiny and advice, and all topics subject to advice offered on the Committee's initiative. The report will summarise the advice offered to Treasury Ministers and HMRC officials, and their responses to such advice, over the course of the year reported upon. The Report may also include a commentary about the operation over the year of the Memorandum of Understanding.

HMT and HMRC officials will be given seven working days to comment on the wording of proposed entries in the Annual Report where there is a direct impact or interest for HMRC or HMT. Where there is no direct impact or interest, it will be shared for information.

## **9. Monitoring, evaluation and review**

The arrangements will be monitored annually by all signatories to this Memorandum of Understanding to:

- ensure the Memorandum is being adhered to; and,
- ensure that the process and role add value and is operating well.

HMT and HMRC or the Committee may initiate a review at any time if they feel that the provisions of this Memorandum would benefit from scrutiny. The Department for Work and Pensions may be invited to comment on any aspects of the arrangements that have had an effect on their own areas of responsibility.

**This Memorandum of Understanding was reviewed and agreed by the following parties in March 2026.**

**HM TREASURY**

**John Mundy**


**Deputy Director – Welfare Spending and Reform Group**

*JJ Mundy*

**HM REVENUE & CUSTOMS**

**James Knipe**

**Deputy Director – Welfare Policy**

A handwritten signature in black ink, appearing to read 'James Knipe', with a stylized flourish at the end.

**SOCIAL SECURITY ADVISORY COMMITTEE**

**Dr. Stephen Brien**

**Chair, Social Security Advisory Committee**

A handwritten signature in black ink, appearing to read 'Stephen Brien', written in a cursive style.

~ENDS~