
STATUTORY INSTRUMENTS

2012 No. 1483

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

PART 1

GENERAL

Citation and commencement

1. These Regulations may be cited as the Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012 and come into force on 2nd July 2012.

Interpretation

2. In these Regulations—

“the 2012 Act” means the Welfare Reform Act 2012;

“the benefit cap” means the benefit cap (if any) which is provided for in regulations under section 96 of the 2012 Act;

[^{F1}“Careers Wales” means the company with the name Career Choices Dewis Gyrfa Ltd. which is trading as Careers Wales and which is established by the Welsh Government to provide careers services in Wales under sections 2, 8 and 10 of the Employment and Training Act 1973;]

“the Contributions and Benefits Act” means the Social Security Contributions and Benefits Act 1992 ^{M1};

[^{F2}“council tax reduction scheme”—

(a) in England and Wales, has the meaning given in section 13A(9) of the Local Government Finance Act 1992 and (in England) includes a default scheme within the meaning of paragraph 4 of Schedule 1A to that Act [^{F3} and (in Wales) includes a default scheme within the meaning of paragraph 6(1)(e) of Schedule 1B to that Act]; and

(b) in Scotland, means a means-tested reduction to an individual’s council tax liability in accordance with the [^{F4}Council Tax Reduction (Scotland) Regulations 2012][^{F4}Council Tax Reduction (Scotland) Regulations 2021] or the Council Tax Reduction (State Pension Credit) (Scotland) Regulations 2012;]

“disabled person's badge” means a badge issued under section 21 of the Chronically Sick and Disabled Persons Act 1970 (badges for display on motor vehicles used by disabled persons) ^{M2};

[^{F5}“the healthy start scheme” means the scheme established by the Healthy Start Scheme and Welfare Food (Amendment) Regulations 2005;]

“housing benefit” means housing benefit under section 130 of the Contributions and Benefits Act;

“housing benefit claimant” means a person who has made a claim for or is in receipt of housing benefit;

“the Housing Benefit Regulations” means the Housing Benefit Regulations 2006 ^{M3};

“the Housing Benefit (State Pension Credit) Regulations” means the Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006 ^{M4};

“housing support services” means—

in England, non-statutory assistance;

in Wales, services provided under the supporting people programme in Wales;

in Scotland, services of a type falling within the Schedule to the Housing (Scotland) Act 2001 (Housing Support Services) Regulations 2002 ^{M5};

“landlord” includes a person to whom rent allowance is payable under the Housing Benefit Regulations or regulation 76 of the Housing Benefit (State Pension Credit) Regulations (circumstances in which payment is to be made to a landlord), as the case may require;

[^{F6}“local welfare provision” means occasional financial or other assistance given by a local authority, the Scottish Ministers or the Welsh Ministers, or a person authorised to exercise any function of theirs or providing a service to them, to or in respect of individuals for the purpose of—

- (a) meeting, or helping to meet, an immediate short term need—
 - (i) arising out of an exceptional event or exceptional circumstances; and
 - (ii) that requires to be met in order to avoid a risk to the well-being of an individual; or
- (b) enabling individuals to establish or maintain a settled home, where those individuals have been or, without the assistance, might otherwise be—
 - (i) in prison, hospital, a residential care establishment or other institution; or
 - (ii) homeless or otherwise living an unsettled way of life;]

“non-statutory assistance” means assistance provided by a local authority in England, in the form of the funding, planning, monitoring or delivery of housing-related support services for the purpose of enabling people aged 16 or over to overcome barriers to participation in society by assisting such people to live more independently within their home or community, but does not include the grant of a tenancy or the provision of accommodation;

[^{F7}“offence relating to a council tax reduction” means—

- (a) any criminal offence in connection with the making of an application for a reduction under a council tax reduction scheme;
- (b) any criminal offence in connection with the award of a reduction under a council tax reduction scheme;
- (c) any criminal offence committed for the purpose of facilitating the commission (whether or not by the same person) of an offence of a kind referred to in paragraph (a) or (b); or
- (d) any attempt or conspiracy to commit an offence of a kind referred to in paragraph (a) or (b);]

“regulations relating to under-occupation” means regulations (if any) that have been made under section 130A of the Contributions and Benefits Act ^{M6} which restrict, by reference to the number of bedrooms in relation to the number of people occupying the dwelling as their home, the amount of housing benefit available to housing benefit claimants whose landlord is a social landlord or local authority;

“rent” is to be construed in accordance with regulation 2(1) of the Housing Benefit Regulations or regulation 2(1) of the Housing Benefit (State Pension Credit) Regulations, as the case may require;

“residential care” means—

- (a) in England ^{F8}..., the provision of accommodation together with nursing and personal care in a care home as defined in section 3 of the Care Standards Act 2000 ^{M7};
- (b) [^{F9}in Scotland, the provision of accommodation together with nursing, personal care or personal support by a care home service as defined in paragraph 2 of Schedule 12 to the Public Services Reform (Scotland) Act 2010 ^{M8};

[^{F10}“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;]

“the supporting people programme in Wales” means the programme of assistance provided by local authorities in Wales, in the form of the funding, planning, monitoring or delivery of housing-related support services for the purpose of enabling people aged 16 or over to overcome barriers to participation in society by assisting such people to live more independently within their home or community, other than through the grant of a tenancy or the provision of accommodation;

[^{F11}“troubled families programme” means any programme of assistance provided by a local authority] in England, for the purpose of engaging with households who face multiple disadvantages (such as crime, worklessness, truancy and anti-social behaviour), in the form of the funding, planning, monitoring or delivery of support services which assist members of such households to obtain employment, education or training, improve school attendance, or address crime and anti-social behaviour;

[^{F12}“universal credit” means universal credit under Part 1 of the 2012 Act.]

[^{F13}“universal credit claimant” means a person who has made a claim for or has an award of universal credit;

“universal support initiative” means any initiative under which advice, assistance or support is provided by the Secretary of State or any qualifying persons listed in regulation 10(1)(e) to a universal credit claimant for the purposes of assisting them with—

- (a) managing their claim for or award of universal credit, including accessing and using online services, or
- (b) managing their financial affairs.]]

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| F1 | Reg. 2A inserted (15.11.2017) by The Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2017 (S.I. 2017/1016) , regs. 1, 2(2)(b) |
| F2 | Words in reg. 2 inserted (11.2.2013) by The Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2013 (S.I. 2013/41) , regs. 1, 2(2) |
| F3 | Words in reg. 2 added (1.4.2013) by The Social Security (Information-sharing in relation to Welfare Services etc.) Amendment and Prescribed Bodies Regulations 2013 (S.I. 2013/454) , regs. 1(2), 3(2)(a) |

- F4** Words in reg. 2 substituted (S.) (with application in accordance with reg. 2 of the amending S.S.I.) by The Council Tax Reduction (Scotland) Regulations 2021 (S.S.I. 2021/249), reg. 1, **sch. 5 para. 5(2)** (with regs. 97-101)
- F5** Words in reg. 2 inserted (1.4.2013) by The Social Security (Information-sharing in relation to Welfare Services etc.) Amendment and Prescribed Bodies Regulations 2013 (S.I. 2013/454), regs. 1(2), **3(2)(b)**
- F6** Words in reg. 2 inserted (1.4.2013) by The Social Security (Information-sharing in relation to Welfare Services etc.) Amendment and Prescribed Bodies Regulations 2013 (S.I. 2013/454), regs. 1(2), **3(2)(c)**
- F7** Words in reg. 2 inserted (1.4.2013) by The Social Security (Information-sharing in relation to Welfare Services etc.) Amendment and Prescribed Bodies Regulations 2013 (S.I. 2013/454), regs. 1(2), **3(2)(d)**
- F8** Words in reg. 2 omitted (2.4.2018) by virtue of The Social Security and Child Support (Regulation and Inspection of Social Care (Wales) Act 2016) (Consequential Provision) Regulations 2018 (S.I. 2018/228), regs. 1, **12(2)(a)**
- F9** Words in reg. 2 inserted (2.4.2018) by The Social Security and Child Support (Regulation and Inspection of Social Care (Wales) Act 2016) (Consequential Provision) Regulations 2018 (S.I. 2018/228), regs. 1, **12(2)(b)**
- F10** Words in reg. 2 substituted (13.2.2015) by The Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2015 (S.I. 2015/46), regs. 1, **2(2)(a)**
- F11** Words in reg. 2 substituted (1.4.2013) by The Social Security (Information-sharing in relation to Welfare Services etc.) Amendment and Prescribed Bodies Regulations 2013 (S.I. 2013/454), regs. 1(2), **3(2)(e)**
- F12** Words in reg. 2 inserted (1.4.2013) by The Social Security (Information-sharing in relation to Welfare Services etc.) Amendment and Prescribed Bodies Regulations 2013 (S.I. 2013/454), regs. 1(2), **3(2)(f)**
- F13** Words in reg. 2 inserted (13.2.2015) by The Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2015 (S.I. 2015/46), regs. 1, **2(2)(b)**

Marginal Citations

- M1** 1992 c.4.
- M2** 1970 c.44; section 21 was amended by Schedule 30 to the Local Government Act 1972 (c.70), **section 68** of the Transport Act 1982 (c.49), **paragraph 35** of Schedule 13 and paragraph 1 of Schedule 8 to the Road Traffic Regulation Act 1984 (c.27), **paragraph 8** of Schedule 10 and Schedule 18 to the Local Government (Wales) Act 1994 (c.19), **paragraph 86** of Schedule 13 to the Local Government etc. (Scotland) Act 1994 (c.39), **section 73** of the Transport (Scotland) Act 2001 (asp.2), section 94 of the Traffic Management Act 2004 (c.18), **paragraph 41** of part 2 of Schedule 1 to the Disability Discrimination Act 2005 (c.13), **section 49** of the Transport (Scotland) Act 2005 (asp.12), and paragraph 2 of Schedule 8 to the Tribunals, Courts and Enforcement Act 2007 (c.15).
- M3** S.I. 2006/213.
- M4** S.I. 2006/214.
- M5** S.S.I. 2002/444.
- M6** Section 130A is inserted by section 30(2) of the Welfare Reform Act 2007 and amended by section 69 of the 2012 Act.
- M7** 2000 c.14. Section 3 is amended by paragraph 4 of Schedule 5 to the Health and Social Care Act 2008 (c.14).
- M8** 2010 asp.8.

Changes to legislation:

There are currently no known outstanding effects for the The Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012, PART 1.