

EXPLANATORY MEMORANDUM TO
THE SOCIAL SECURITY (CLAIMS AND PAYMENTS) (SOCIAL FUND
MATERNITY GRANT) (AMENDMENT) REGULATIONS 2018

2018 No. 989

1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Department for Work and Pensions and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

- 2.1 The purpose of this instrument is to amend the Social Security (Claims and Payments) Regulations 1987¹ (S.I. 1987/1968) (“the Regulations”) to extend the maximum time limit for making a claim for a Sure Start Maternity Grant (“SSMG”) from 3 months to 6 months.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

- 3.1 None.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

- 3.2 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

4. Extent and Territorial Application

- 4.1 The territorial extent of this instrument is Great Britain.
4.2 The territorial application of this instrument is Great Britain.
4.3 Separate legislation for Northern Ireland will be produced and led by the Department for Communities in Northern Ireland.

5. European Convention on Human Rights

- 5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

6. Legislative Context

- 6.1 The Social Fund Maternity and Funeral Expenses (General) Regulations 2005² (S.I. 2005/3061) provide a SSMG payment to help with a maternity expenses to claimants who are in receipt of a qualifying benefit (for example Income Support, or Universal Credit) and who are expecting their first child, or a multiple birth if they have a child/children already.

¹ www.legislation.gov.uk/uksi/1987/1968/contents/made

² www.legislation.gov.uk/uksi/2005/3061/contents/made

- 6.2 The purpose of this instrument is to amend Schedule 4 of the Social Security (Claims and Payments) Regulations 1987 (S.I. 1987/1968) (“the Regulations”) to extend the maximum time limit for making a claim for a Sure Start Maternity Grant (SSMG) from 3 to 6 months following the birth of the child/children.

7. The Policy background

What is being done and why?

- 7.1 The SSMG is a one-off payment of £500 to help towards the costs of having a child. At present, a claim to a SSMG can be made from 11 weeks prior to the expected week of confinement and up to 3 months after the birth of the child. This instrument amends the Regulations to increase the time limit for making a claim after the birth from 3 months to 6 months. This allows individuals more time to make a claim following the birth, and mitigates circumstances where, for example, the mother or child might be ill for an extended period; they can still make a valid claim.
- 7.2 The grant is £500, or £500 per child if the first birth is a multiple birth. A grant can only be paid for the additional children of a subsequent multiple birth. So if, for example, a claimant already has one child under 16 and is expecting twins, the grant would be £500 (in respect of just one of the twins). This is illustrated in the table below.

Birth sequence	Grant
First birth, single child	£500
First birth, multiple birth	£500 x no of babies
Second or subsequent birth, single child	£0
Second or subsequent birth, multiple birth	£500 x (no of babies -1)

8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union

- 8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

9. Consolidation

- 9.1 Informal consolidation of new instruments is available to the public free of charge via the National Archives website: <http://www.legislation.gov.uk>.

10. Consultation outcome

- 10.1 The change to the Claims and Payments Regulations is a positive change in order to allow claimants that are delayed in making a claim for SSMG due to an extended period of illness for themselves or their child to make a claim. Given that the change is small, we have not run a public consultation.
- 10.2 We have consulted the Social Security Advisory Committee. Under the powers conferred by Section 173(1)(b) of the Social Security Administration Act 1992, the Committee decided that it did not wish to take these regulations on formal reference and that they may proceed accordingly.

11. Guidance

- 11.1 Summary information about SSMGs is available on the GOV.UK website.
- 11.2 Guidance for staff about this minor amendment is under development and will be made available to staff as soon as it is finalised and before its introduction.

12. Impact

- 12.1 There is no significant impact on business, charities or voluntary bodies.
- 12.2 There is no significant impact on the public sector.
- 12.3 An Impact Assessment has not been prepared for this instrument because the number of claims affected is low.

13. Regulating small business

- 13.1 The legislation does not apply to activities that are undertaken by small businesses.

14. Monitoring & review

- 14.1 The Department for Work and Pensions (“DWP”) does not propose to undertake formal evaluation of this change. However DWP is committed to monitoring the impacts of its policies and will use evidence from a number of sources to assess the impact on an on-going basis.
- 14.2 The Department will use the updated data that is available to DWP on a quarterly basis, survey data (such as Families Resources Survey) to assess whether there are unintended consequences for a particular group.
- 14.3 The Department will utilise feedback from Departmental employee networks and internal management information. For example we will monitor the level of complaints in order to assess the broader impact of the policy.

15. Contact

- 15.1 Ron Butler at the Department for Work and Pensions Telephone: 020 7340 4039 or email: ron.butler@dwpgsi.gov.uk can be contacted with any queries regarding the instrument.
- 15.2 Helen Walker Deputy Director at the Department for Work and Pensions can confirm that this Explanatory Memorandum meets the required standard.
- 15.3 Justin Tomlinson, Parliamentary Under-Secretary of State for Family Support, Housing and Child Maintenance at the Department for Work and Pensions can confirm that this Explanatory Memorandum meets the required standard.