



# Welfare Reform Act 2012

## 2012 CHAPTER 5

### PART 5

#### SOCIAL SECURITY: GENERAL

##### *Information-sharing involving local authorities etc*

#### **131 Information-sharing in relation to welfare services etc**

- (1) The Secretary of State, or a person providing services to the Secretary of State, may supply relevant information to a qualifying person for prescribed purposes relating to welfare services or council tax.
- (2) A qualifying person who holds relevant information for a prescribed purpose relating to welfare services may supply that information to—
  - (a) the Secretary of State, or
  - (b) a person providing services to the Secretary of State,for a prescribed purpose relating to a relevant social security benefit.
- (3) A qualifying person who holds relevant information for a prescribed purpose relating to welfare services, council tax or housing benefit may—
  - (a) use the information for another prescribed purpose relating to welfare services, council tax or housing benefit;
  - (b) supply it to another qualifying person for use in relation to the same or another prescribed purpose relating to welfare services, council tax or housing benefit.
- (4) Relevant information supplied under subsection (1) or (3) to a qualifying person may be supplied by that person to a person who provides qualifying welfare services for purposes connected with the provision of those services.
- (5) In subsection (4) services are qualifying welfare services if—
  - (a) a local authority, or
  - (b) a person who is a qualifying person by virtue of subsection (11) (g),

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*Changes to legislation: Welfare Reform Act 2012, Section 131 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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contributes or will contribute to the expenditure incurred in their provision.

- (6) The Secretary of State may not exercise the power in subsection (3) to prescribe purposes for which information may be supplied by a qualifying person so as to prescribe an excepted purpose in relation to excepted information held by a Welsh body.
- (7) In subsection (6)—
- (a) excepted information is information held by the Welsh body that—
    - (i) is not supplied by, or derived from information supplied to another person by, the Secretary of State or a person providing services to the Secretary of State or a person engaged in the administration of housing benefit, and
    - (ii) is held only for an excepted purpose;
  - (b) an excepted purpose is a purpose relating to a matter provision for which—
    - (i) is within the legislative competence of the National Assembly for Wales, or
    - (ii) is made by the Welsh Ministers, the First Minister for Wales or the Counsel General to the Welsh Assembly Government.
- (8) The Secretary of State may not exercise the power in subsection (3) to prescribe purposes for which information may be supplied by a qualifying person so as to prescribe an excepted purpose in relation to excepted information held by a Scottish body.
- (9) In subsection (8)—
- (a) excepted information is information held by the Scottish body that—
    - (i) is not supplied by, or derived from information supplied to another person by, the Secretary of State or a person providing services to the Secretary of State or a person engaged in the administration of housing benefit, and
    - (ii) is held only for an excepted purpose;
  - (b) an excepted purpose is a purpose relating to a matter provision for which is within the legislative competence of the Scottish Parliament.
- (10) Subsections (1) to (4) do not apply in a case where the supply or use of information is authorised by section 130.
- (11) In this section “qualifying person” means—
- (a) a local authority;
  - (b) a person authorised to exercise any function of such an authority relating to welfare services or council tax;
  - (c) a person providing services to a local authority relating to welfare services or council tax;
  - (d) an authority which administers housing benefit;
  - (e) a person authorised to exercise any function of such an authority relating to housing benefit;
  - (f) a person providing to such an authority services relating to housing benefit; or
  - (g) a person prescribed or of a description prescribed by the Secretary of State.
- (12) In this section—
- “council tax” includes any local tax to fund local authority expenditure;

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- “person engaged in the administration of housing benefit” means—
- (a) an authority which administers housing benefit,
  - (b) a person authorised to exercise any function of such an authority relating to housing benefit, or
  - (c) a person providing to such an authority services relating to housing benefit;

“relevant information” means information relating to—

- (a) any relevant social security benefit, or
- (b) welfare services;

“relevant social security benefit” <sup>F1</sup>means—

- (a) a relevant social security benefit as defined in section 121DA(7) of the Social Security Administration Act 1992, or
- (b) a loan under section 18 of the Welfare Reform and Work Act 2016 (loans for mortgage interest etc);]

“Scottish body” means—

- (a) a local authority in Scotland,
- (b) a person authorised to exercise any function of such an authority relating to welfare services,
- (c) a person providing to a local authority in Scotland services relating to welfare services, or
- (d) a person prescribed or of a description prescribed by the Secretary of State;

“welfare services” includes services which provide accommodation, support, assistance, advice or counselling to individuals with particular needs, and for these purposes “assistance” includes assistance by means of a grant or loan or the provision of goods or services;

“Welsh body” means—

- (a) a local authority in Wales,
- (b) a person authorised to exercise any function of such an authority relating to welfare services,
- (c) a person providing to a local authority in Wales services relating to welfare services, or
- (d) a person prescribed or of a description prescribed by the Secretary of State.

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#### Textual Amendments

- F1** Words in s. 131(12) substituted (27.7.2017) by [Welfare Reform and Work Act 2016 \(c. 7\), ss. 20\(10\), 36\(6\)](#); [S.I. 2017/802, reg. 2](#)
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#### Commencement Information

- I1** S. 131 in force at 20.3.2012 for specified purposes by [S.I. 2012/863, art. 2\(1\)\(g\)](#)
- I2** S. 131 in force at 8.5.2012 in so far as not already in force by [S.I. 2012/863, art. 2\(3\)\(e\)](#)

**Changes to legislation:**

Welfare Reform Act 2012, Section 131 is up to date with all changes known to be in force on or before 26 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to :**

- s. 131(3) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 131(7)(a)(i) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 131(9)(a)(i) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 131(11)(d)-(f) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 131(12) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/1511 by [S.I. 2017/57 art. 51314Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2657 by [S.I. 2016/596 art. 4-6Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2657 by [S.I. 2017/57 art. 1315Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/2846 by [S.I. 2016/596 art. 347Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2018/138 art. 3](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2019/10 reg. 3\(1\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983 by [S.I. 2019/167 art. 5\(2\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2013/983, art. 5A(1), 6(1) by [S.I. 2017/483 art. 2](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/1583 by [S.I. 2017/664 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/209 by [S.I. 2016/596 art. 348Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/209 by [S.I. 2017/57 art. 1016Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2016/596 art. 59Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2016/963 art. 37813Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2017/584 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2014/2321 by [S.I. 2017/664 art. 5Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2016/596 art. 3-510Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2016/963 art. 46-1214Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/57 art. 3-9111217Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/584 art. 346-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/101 by [S.I. 2017/664 art. 3-57-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2016/596 art. 3411Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2016/963 art. 3-1215Sch.](#)

- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/57 art. 3-7912Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/584 art. 346-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/1537 by [S.I. 2017/664 art. 3-9Sch.](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2018/138 art. 6](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/10 reg. 3\(2\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/167 art. 5\(3\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33 by [S.I. 2019/37 art. 5](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/33, art. 6(11) by [S.I. 2017/483 art. 3](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2018/138 art. 6](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/10 reg. 3\(3\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/167 art. 5\(4\)](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634 by [S.I. 2019/37 art. 5](#)
- specified provision(s) amendment to earlier commencing S.I. 2015/634, art. 7(2) by [S.I. 2017/376 reg. 4](#)
- specified provision(s) amendment to earlier commencing S.I. 2016/596 by [S.I. 2016/963 art. 17](#)
- specified provision(s) amendment to earlier commencing S.I. 2019/37 by [S.I. 2019/935 art. 2](#)
- specified provision(s) modification of earlier commencing S.I. 2014/1583 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2014/2321 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/101 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/1537 by [S.I. 2018/532 art. 3Sch.](#)
- specified provision(s) modification of earlier commencing S.I. 2015/634 by [S.I. 2018/532 art. 5](#)