

**EXPLANATORY MEMORANDUM TO THE HEALTHY START SCHEME AND
DAY CARE FOOD SCHEME (AMENDMENT NO.2) REGULATIONS (NORTHERN
IRELAND) 2011**

2011 No. 320

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department of Health, Social Services and Public Safety.

2. Purpose of Regulation

2.1 These Regulations amend an incorrect reference in Schedule 5 to the Healthy Start Scheme and Day Care Food Scheme Regulations (Northern Ireland) 2006 which applies statutory provisions for the purposes of the Regulations to allow the use of information to verify eligibility to Healthy Start vouchers.

2.2 The Regulations are subject to negative resolution procedure before the Assembly.

3. Legislative Background

3.1 These Regulations amend the Healthy Start Scheme and Day Care Food Scheme Regulations (Northern Ireland) 2006 (“the principal Regulations”).

4. Extent

4.1 These Regulations apply to Northern Ireland.

5. European Convention on Human Rights

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

6. Policy Background

6.1 The Healthy Start Scheme provides a nutritional safety net to low-income families supporting around 14,000 households in Northern Ireland. Eligibility to Healthy Start vouchers is means tested and therefore income such as Job Seekers Allowance or Tax Credits needs to be verified. An Memorandum of Understanding between the Department of Health (London), DHSSPS, HMRC, DWP and NI Social Security Agency sets out the procedures for data sharing to enable the administration and distribution of Healthy Start vouchers. The information is provided directly to the Healthy Start Issuing Unit which is contracted by DH (L) for the issue of vouchers to the whole of the UK.

6.2 The aim of these changes to the principal Regulations is to correct and clarify an incorrect reference applying a statutory provision to allow the use of information to be shared between all parties who have signed up to a Memorandum of Understanding. The Departmental Solicitor has advised that the legislation as it currently exists is sufficient to allow the information to be shared. However, for reasons of certainty the Department is amending the incorrect reference in Schedule 5 of the principal Regulations to Section 3(2)(a) of the Social Security Act 1998 to Section 3(1A) of that Act.

7. Contact

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