

EXPLANATORY MEMORANDUM TO

The Social Security (Claims and Payments) (Amendment) Regulations (Northern Ireland) 2018

S.R. 2018 No. 172

1. Introduction

- 1.1. This Explanatory Memorandum has been prepared by the Department for Communities to accompany the Statutory Rule (details above) which is to be laid before the Northern Ireland Assembly.
- 1.2. These Regulations are made under sections 5(1)(a) and 165(1) and (4) of the Social Security Administration (Northern Ireland) Act 1992 and are subject to the negative resolution procedure.

2. Purpose

- 2.1. These Regulations extend the maximum time limit for making a claim for a Sure Start Maternity Grant (SSMG) from 3 months to 6 months.

3. Background

- 3.1. The Sure Start Maternity Grant (SSMG) is a payment of £500 to provide help with the costs of a baby (or babies in the event of a multiple birth) expected, born, adopted, or the subject of a parental or residence order or other similar arrangements. It is normally paid only if there are no other children under the age of 16 in the claimant's family (the only exception being in the case of a subsequent multiple birth or a kinship care arrangement).
- 3.2. To be eligible claimants must have received health advice from a certified health professional and be in receipt of a qualifying income-related benefit or tax credits. The grant is intended to provide "family support" enabling the claimant to buy a package of provision to support the arrival of a child, without them having to resort to high cost (or illegal) lenders and getting into debt.
- 3.3. These Regulations will amend Schedule 4 of the Social Security (Claim and Payments) Regulations (Northern Ireland) 1987 to extend the time limit for individuals making a claim for a SSMG from 3 months to 6 months. This will support individuals who are unable to claim within the current prescribed timeline for example a mother and/or her child being ill for an extended period following a birth.

4. Consultation

- 4.1. N/A

5. Equality Impact

- 5.1. In accordance with its duty under section 75 of the Northern Ireland Act 1998, the Department has conducted a screening exercise on proposals for these Regulations and concluded that they do not have significant implications for equality of opportunity. In light of this, the Department considered that an equality impact assessment is not necessary.

6. Regulatory Impact

- 6.1. The regulations do not require a Regulatory Impact Assessment as they do not impose any costs on business, charities or voluntary bodies.

7. Financial Implications

- 7.1. It is anticipated that any impact would be minimal. The Social Fund Computer System does not capture the amount of claims turned down for being late. Therefore it is difficult to estimate the numbers of additional SSMGs that could be claimed. While it is likely that numbers of SSMGs will increase it is anticipated that numbers will be small overall meaning there will be minimal cost increase.

8. Section 24 of the Northern Ireland Act 1998

- 8.1 The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied that these Regulations:
- (a) are not incompatible with any of the Convention rights;
 - (b) are not incompatible with Community law;
 - (c) do not discriminate against a person or class of person on the ground of religious belief or political opinion; and
 - (d) do not modify an enactment in breach of section 7 of the Northern Ireland Act 1998.

9. EU Implications

- 9.1. Not applicable.

10. Parity or Replicatory Measure

- 10.1. The corresponding Great Britain Regulations are the Social Security (Claims And Payments) (Social Fund Maternity Grant) (Amendment) Regulations 2018 (S.I. 2018/989).
- 10.2. In line with the long-standing policy of parity in social security, the Regulations will come into operation on the same date as the corresponding Great Britain Regulations. Parity of timing and substance is

an integral part of the maintenance of single systems of social security, pensions and child support provided for in section 87 of the Northern Ireland Act 1998. It was, therefore, necessary to make the Regulations during the period of interregnum.

11. Additional Information

11.1. Not applicable