



# Welfare Reform Act 2007

## 2007 CHAPTER 5

### PART 3

#### SOCIAL SECURITY ADMINISTRATION: GENERAL

##### *Sharing of social security information*

#### **42 Information relating to certain benefits**

- (1) Information falling within subsection (3) may be supplied by the person who holds it to a person falling within subsection (4) for purposes connected with the application of grant paid under a relevant enactment towards expenditure incurred by the recipient of the grant—
  - (a) in providing, or contributing to the provision of, welfare services, or
  - (b) in connection with such welfare services.
- (2) Information falling within subsection (3) which is held for a prescribed purpose by a person falling within any of paragraphs (c) to (h) of subsection (4) may be—
  - (a) used by that person for another prescribed purpose;
  - (b) provided to another such person for use in relation to the same or another prescribed purpose.
- (3) The information is any information which is held by a person falling within subsection (4) relating to—
  - (a) income support;
  - (b) income-based jobseeker's allowance;
  - (c) income-related employment and support allowance;
  - (d) state pension credit;
  - (e) housing benefit;
  - (f) welfare services.
- (4) The persons are—
  - (a) the Secretary of State;

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*Status: This is the original version (as it was originally enacted).*

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- (b) a person providing services to the Secretary of State;
  - (c) an authority administering housing benefit;
  - (d) a person authorised to exercise any function of such an authority relating to housing benefit;
  - (e) a person providing to such an authority services relating to housing benefit;
  - (f) a local authority to which any grant is or will be paid as mentioned in subsection (1);
  - (g) a person authorised to exercise any function of such an authority relating to the grant;
  - (h) a person providing to such an authority services relating to any such function.
- (5) Information which is supplied under subsection (1) to an authority or other person falling within subsection (4)(f), (g) or (h) may be supplied by the authority or person to a person who provides qualifying welfare services for purposes connected with the provision of those services.
- (6) A person provides qualifying welfare services if—
- (a) he provides welfare services,
  - (b) a local authority contribute or will contribute to the expenditure incurred by him in providing those services, and
  - (c) that contribution is or will be derived (in whole or in part) from any grant which is or will be paid to the authority as mentioned in subsection (1).
- (7) A relevant enactment is an enactment specified by order made by the Secretary of State; and the power to make an order under this subsection is exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) In subsection (2) a prescribed purpose is a purpose relating to housing benefit or welfare services which is prescribed by regulations made by the Secretary of State by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.
- (9) The power to make an order or regulations under this section includes power—
- (a) to make different provision for different purposes;
  - (b) to make such incidental, supplementary, consequential, transitional or saving provision as the Secretary of State thinks necessary or expedient.
- (10) In this section—
- “income-based jobseeker’s allowance” has the same meaning as in the Jobseekers Act 1995 (c. 18);
  - “income-related employment and support allowance” means an income-related allowance under Part 1;
  - “local authority” means—
    - (a) in relation to England, a county council, a district council, a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly;
    - (b) in relation to Wales, a county council or a county borough council;
  - “welfare services” includes services which provide support, assistance, advice or counselling to individuals with particular needs.

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- (11) In the Local Government Act 2000 (c. 22), sections 94 (disclosure of information) and 95 (unauthorised disclosure of information) are omitted.