



Welfare Reform Act 2012

2012 CHAPTER 5

PART 5

SOCIAL SECURITY: GENERAL

Information-sharing involving local authorities etc

130 Information-sharing in relation to provision of overnight care etc

- (1) This section applies where a local authority holds information falling within subsection (2) in relation to a person who is receiving or is likely to receive a relevant service.
- (2) The information referred to in subsection (1) is—
 - (a) information as to the fact of the provision or likely provision of the service;
 - (b) information about when the provision of the service begins or ends or is likely to do so;
 - (c) other prescribed information relating to the service provided and how it is funded (including the extent to which it is funded by the recipient).
- (3) In this section “relevant service means—
 - (a) a service consisting of overnight care in the individual's own home provided by or on behalf of a local authority;
 - (b) a residential care service provided by or on behalf of a local authority;
 - (c) a service consisting of overnight hospital accommodation.
- (4) In subsection (3)(c) “hospital accommodation” means—
 - (a) in relation to England, hospital accommodation within the meaning of the National Health Service Act 2006 which is provided by ^{F1}... an NHS trust or an NHS foundation trust;
 - (b) in relation to Wales, hospital accommodation within the meaning of the National Health Service (Wales) Act 2006 which is provided by a Local Health Board or an NHS trust;

Status: Point in time view as at 01/04/2013.

Changes to legislation: Welfare Reform Act 2012, Section 130 is up to date with all changes known to be in force on or before 23 July 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)

- (c) in relation to Scotland, hospital accommodation within the meaning of the National Health Service (Scotland) Act 1978 which is provided by a Health Board or Special Health Board but excluding accommodation in an institution for providing dental treatment maintained in connection with a dental school.
- (5) The local authority may—
- (a) itself use the information for purposes relating to the payment of a relevant benefit to the individual, or
 - (b) supply the information to a person specified in subsection (6) for those purposes.
- (6) The persons referred to in subsection (5) are—
- (a) the Secretary of State;
 - (b) a person providing services to the Secretary of State;
 - (c) a local authority;
 - (d) a person authorised to exercise any function of a local authority relating to a relevant benefit;
 - (e) a person providing services relating to a relevant benefit to a local authority.
- (7) In this section “relevant benefit“ means—
- (a) universal credit;
 - (b) [^{F2}housing benefit;]
 - (c) [^{F2}council tax benefit;]
 - (d) any prescribed benefit.
- (8) Regulations under subsection (7)(d) may not prescribe a benefit provision for which is within the legislative competence of the Scottish Parliament.

Textual Amendments

- F1** Words in s. 130(4)(a) omitted (1.4.2013) by virtue of [The Health and Social Care Act 2012 \(Consequential Amendments\) Order 2013 \(S.I. 2013/594\)](#), arts. 1(2), 7
- F2** S. 130(7)(b)(c) repealed (1.4.2013 for specified purposes) by [Welfare Reform Act 2012 \(c. 5\)](#), s. 150(3), [Sch. 14 Pt. 1](#); [S.I. 2013/358](#), art. 8(c), [Sch. 4](#) (with arts. 9, 10, [Sch. 5](#))

Commencement Information

- I1** S. 130 in force at 20.3.2012 for specified purposes by [S.I. 2012/863](#), [art. 2\(1\)\(f\)](#)
- I2** S. 130 in force at 8.5.2012 in so far as not already in force by [S.I. 2012/863](#), [art. 2\(3\)\(d\)](#)

Status:

Point in time view as at 01/04/2013.

Changes to legislation:

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