



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 a Primary Care Trust, 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Status: This is the original version (as it was originally enacted).

- (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) housing benefit;
 - (c) 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.