
STATUTORY INSTRUMENTS

1999 No. 3108

The Social Security (Claims and Information) Regulations 1999

Citation and commencement

1. These Regulations may be cited as the Social Security (Claims and Information) Regulations 1999 and shall come into force on 29th November 1999.

Interpretation

2. In these Regulations,—

“the Act” means the Welfare Reform and Pensions Act 1999;

“the Child Support Acts” means the Child Support Act 1991(1) and the Child Support Act 1995(2);

“the Council Tax Benefit Regulations” means the Council Tax Benefit (General) Regulations 1992(3);

“the Housing Benefit Regulations” means the Housing Benefit (General) Regulations 1987(4);

“relevant authority” means a person within section 72(2) of the Act.

Work-focused interview

3. A work-focused interview is an interview conducted for any or all of the following purposes—

- (a) assessing a person’s prospects for existing or future employment (whether paid or voluntary);
- (b) assisting or encouraging a person to enhance his prospects of such employment;
- (c) identifying activities which the person may undertake to strengthen his existing or future prospects of such employment;
- (d) identifying current or future employment or training opportunities suitable to the person’s needs; and
- (e) identifying educational opportunities connected with the existing or future employment prospects or needs of the person.

Additional functions of local authorities

4.—(1) A local authority to whom Part I of Schedule I to these Regulations applies may conduct a work-focused interview with, or provide assistance to, a person to whom paragraphs (2) and (3) apply, where the interview or assistance is requested or consented to by that person.

(2) This paragraph applies to a person who resides in a postcode district identified in Part I of Schedule 2 to these Regulations.

(1) 1991 c. 48.
(2) 1995 c. 34.
(3) S.I. 1992/1814.
(4) S.I. 1987/1971.

(3) This paragraph applies to any person making a claim for, or entitled to, any benefit specified in paragraph (4) and applies whether or not a person has had an interview in accordance with regulations made under section 2A of the Administration Act(5).

(4) The benefits specified in this paragraph are—

- (a) income support;
- (b) housing benefit;
- (c) council tax benefit;
- (d) widow's benefit;
- (e) bereavement benefits;
- (f) incapacity benefit;
- (g) severe disablement allowance;
- (h) invalid care allowance;
- (i) a jobseeker's allowance;
- (j) disability living allowance.

(5) For the purposes of paragraph (1), the request or consent may be made or given to —

- (a) the local authority conducting the interview or giving the assistance;
- (b) any person who, or authority which, may be specified as a designated authority for the purposes of section 2A(8) of the Administration Act; or
- (c) a person designated an employment officer for the purposes of section 9 of the Jobseekers Act 1995(6).

(6) For the purposes of carrying out functions under paragraph (1), a local authority may in particular—

- (a) obtain and receive information or evidence for the purpose of any work-focused interview to be conducted with that person;
- (b) arrange for the work-focused interview to be conducted by one of the following —
 - (i) the Secretary of State;
 - (ii) a person providing services to the Secretary of State; or
 - (iii) a person providing services to, or authorised to exercise any function of, the local authority;
- (c) forward information supplied for the purpose of a work-focused interview to any person or authority conducting that interview;
- (d) take steps to identify potential employment or training opportunities for persons taking part in work-focused interviews;
- (e) conduct a work-focused interview;
- (f) take steps to identify—
 - (i) obstacles which may hinder a person in taking up employment or training opportunities;
 - (ii) educational opportunities which may assist in reducing or removing such obstacles; and
- (g) record information supplied at a work-focused interview.

(5) Section 2A was inserted by section 57 of the Welfare Reform and Pensions Act 1999.

(6) 1995 c. 18.

Further provisions as to claims

5. The following regulations shall be inserted after regulation 4 of the Social Security (Claims and Payments) Regulations 1987(7)—

“Further provisions as to claims

4A.—(1) Where a claimant resides in both—

- (a) the area of a local authority specified in Part I or II of Schedule 1 to the Social Security (Claims and Information) Regulations 1999(8); and
- (b) a postcode district identified in Part I or II of Schedule 2 to the Social Security (Claims and Information) Regulations 1999,

any claim for a benefit to which paragraph (2) applies may be made to any office displaying the One logo(9) (whether or not that office is situated within the area of the local authority in which the claimant resides).

(2) The benefits to which this paragraph applies are —

- (a) a jobseeker’s allowance;
- (b) income support;
- (c) incapacity benefit;
- (d) invalid care allowance;
- (e) severe disablement allowance;
- (f) widow’s benefit;
- (g) bereavement benefits;
- (h) disability living allowance.

(3) A claim made in accordance with paragraph (1), other than a claim for income support or a jobseeker’s allowance, shall be made in writing on a form approved by the Secretary of State for the purpose of the benefit to which the claim is made, or in such other manner, being in writing, as the person to whom the claim is made may accept as sufficient in the circumstances of the particular case.

(4) In the case of a claim for income support or a jobseeker’s allowance, the provisions of regulation 4(1A) to (1C)(10) shall apply.

(5) In its application to the area of any authority specified in Part I or II of Schedule 1 to the Social Security (Claims and Information) Regulations 1999, the “appropriate office” in these Regulations includes also an office of an authority or person to whom claims may be made in accordance with paragraph (1).

(6) In these Regulations, a “participating authority” means any local authority or person to whom claims may be made in accordance with paragraph (1).

Forwarding claims and information

4B.—(1) A participating authority may —

- (a) record information or evidence relating to any social security matter supplied by or obtained from a person at an office displaying the One logo, whether or not the

(7) S.I. 1987/1968.

(8) S.I. 1999/3108

(9) Offices displaying the One logo are identified in a list entitled “One sites — a complete list” available from the DSS, WtW1, 2nd Floor, Adelphi, London WC2N 6HT.

(10) Paragraphs (1A) to (1C) were inserted by S.I. 1997/793.

information or evidence is supplied or obtained in connection with the making of a claim for benefit;

- (b) give information or advice with respect to any social security matter to persons who are making, or have made, claims for any benefit to which regulation 4A(2) applies.
- (2) A participating authority shall forward to the Secretary of State —
- (a) any claim for benefit, other than a claim for housing benefit or council tax benefit, together with any information or evidence supplied to the authority in connection with that claim; and
 - (b) any information or evidence relating to any other social security matter, except where the information or evidence relates solely to housing benefit or council tax benefit given to the authority by a person making a claim for, or who has claimed, a benefit to which regulation 4A(2) applies.”.

War Pensions and Child Support

6.—(1) Where a person resides in the area of an authority to which Part I or II of Schedule 1 to these Regulations refers, he may make a claim for a war pension, or submit an application under the Child Support Acts to any office displaying the One logo (whether or not that office is situated within the area of the local authority in which the person resides).

(2) Any change of circumstances arising since a claim or application was made in accordance with paragraph (1) may be reported to the office to which that claim or application was made.

(3) The areas to which this paragraph refers are those areas which are within both —

- (a) the area of a local authority identified in Part I or II of Schedule 1 to these Regulations, and
- (b) a postcode area identified in Part I or II of Schedule 2 to these Regulations.

(4) A person making a claim or application to a participating authority in accordance with paragraph (1) shall comply with any requirements for the time being in force in relation to —

- (a) claims for war pensions or applications under the Child Support Acts;
- (b) the provision of information and evidence in support of such claims or applications,

as if those requirements also applied to the participating authority.

(5) A participating authority shall forward to the Secretary of State —

- (a) any claim for a war pension or application under the Child Support Acts made in accordance with this regulation;
- (b) details of changes of circumstances reported to the authority in accordance with this regulation; and
- (c) any information or evidence —
 - (i) given to the authority by the person making a claim or application or reporting the change of circumstances; or
 - (ii) which is relevant to the claim or application or the change reported and which is held by the authority.

(6) For the purpose of this regulation, a “participating authority” means any authority or person to whom a claim or application may be made or change of circumstances reported in accordance with paragraphs (1) and (2).

Holding information

7. A relevant authority to whom information or evidence relating to social security matters is supplied or by whom such information or evidence is obtained, including information obtained under regulation 8(2), may —

- (a) make a record of that information or evidence; and
- (b) hold the information or evidence, whether as supplied or as recorded.

Provision of information

8.—(1) A relevant authority may give information or advice to any person, or to a person acting on his behalf, concerning —

- (a) a claim he made, or a decision given on a claim he made, for a social security benefit or a war pension;
- (b) an application he made, or a decision given on an application he made, under the Child Support Acts.

(2) For the purpose of giving information or advice in accordance with paragraph (1), a relevant authority may obtain information held by any other relevant authority.

Claims for Housing Benefit

9. There shall be inserted after regulation 72A of the Housing Benefit Regulations(11) the following regulations —

“Claims for housing benefit made to a relevant authority

72B.—(1) Without prejudice to a person’s right to make a claim for housing benefit in accordance with regulation 72(4) but subject to regulation 72C claims for housing benefit may also be made at the offices of a relevant authority displaying the One logo where the claimant resides in a postcode district identified in Part I or II of Schedule 2 to the Social Security (Claims and Information) Regulations 1999 (a “relevant office”).

(2) For the purposes of this regulation, a “relevant authority” means —

- (a) an appropriate DSS office;
- (b) a person providing services to the Secretary of State for Social Security or the Secretary of State for Education and Employment where the service provided includes the taking of claims for social security benefit;
- (c) the appropriate local authority;
- (d) a person providing services to the appropriate authority where the service includes matters relating to housing benefit;
- (e) a person authorised to exercise any function of an appropriate authority relating to housing benefit.

(3) A claim made in accordance with paragraph (1) shall be —

(a) in writing on a form approved for the purpose by the relevant authority, or in such other manner, being in writing, as the person to whom the claim is made may accept as sufficient in the circumstances of the particular case; and

(b) accompanied by or supplemented by such certificates, information or evidence as are required in accordance with regulation 73(1).

(11) Regulation 72A was inserted by [S.I. 1999/1539](#).

- (4) A claim may be sent or delivered to a relevant authority.
- (5) Where a claim is received at —
 - (a) an appropriate DSS office;
 - (b) the office of a person providing services to the Secretary of State for Social Security or the Secretary of State for Education and Employment; or
 - (c) a local authority office, other than a designated office, to which claims may be made in accordance with paragraph (1),

the claim, together with any information or evidence held at that office which is relevant to that claim, shall be forwarded to the designated office.

- (6) Where the benefit claimed in accordance with paragraph (1) is housing benefit, the date on which the claim is made shall be —
 - (a) except where sub-paragraph (b) applies, the date the claim is received in a relevant office; or
 - (b) where in the 4 weeks before the claim is received in the relevant office, the person making the claim or a person acting on his behalf had notified the relevant office of his intention to make such a claim, the date the notification was given.

(7) A notification of intention to make a claim is deemed to be given on the date on which notification of the intention to claim housing benefit is received, in whatever form, from the claimant, or the person acting on his behalf, at a relevant office.

(8) Paragraph (7) applies where neither income support nor a jobseeker's allowance is claimed in conjunction with housing benefit.

(9) Where the person claiming housing benefit in accordance with paragraph (1), or the partner of that person, —

- (a) has an award of income support or income-based jobseeker's allowance; or
- (b) has claimed such a benefit but no award has been made,

the date on which the claim for housing benefit is made shall be determined as if sub-paragraphs (a), (b), (c) and (e) of paragraph (1) of regulation 72A applied to that claim as they apply to claims under regulation 72(4)(d).

(10) Paragraphs (6) to (17) of regulation 72 shall apply to a claim made to a relevant authority, but as if for references to —

- (a) an "appropriate DSS office" there were substituted references to a "relevant authority";
- (b) paragraph (1) was to paragraph (3) of this regulation.

Claims made to an office which is both a gateway office and a relevant office

72C. Where a claim for housing benefit is sent or delivered to an office which is both a gateway office and a relevant office for the purposes of regulation 72B, the claim shall be treated as if it had been sent or delivered to a relevant office only."

Consequential Amendments to the Housing Benefit Regulations

10.—(1) The Housing Benefit Regulations shall be amended in accordance with the following provisions of this regulation (which are all consequential upon regulation 9 above).

(2) In regulation 2 (interpretation), in paragraph (1) after the entry relating to "relative" there shall be inserted the following entry —

““relevant authority” has the meaning given to it in regulation 72B(2);”.

(3) In regulation 71 (who may claim), the following paragraph shall be added at the end—

“(7) Where the dwelling in respect of which a claim is made is situated in a postcode area to which Part I or II of Schedule 2 to the Social Security (Claims and Information) Regulations 1999 refers, references in this regulation to an “appropriate authority” shall be read as including a reference to the “relevant authority”.”

(4) In regulation 72 (time and manner in which claims are to be made) in paragraph (1), at the beginning, there shall be inserted the words “Subject to regulation 72B”.

(5) In regulation 73 (evidence and information) the following paragraph shall be added at the end —

“(7) In its application to regulation 72B, references in this regulation to “appropriate authority” shall be read as including references to the “relevant authority”.”

(6) In regulation 75 (duty to notify change of circumstances) —

(a) in paragraph (1) for the words “paragraph (2)”, there shall substituted the words “paragraphs (2) and (4)”; and

(b) after paragraph (3), there shall be added the following paragraph —

“(4) Where a person resides in a postcode district identified in Part I or II of Schedule 2 to the Social Security (Claims and Information) Regulations 1999, he may notify the change of circumstances by giving notice in writing to any office of a relevant authority displaying the One logo.”

(7) In regulation 99(3) (recoverable overpayments) after the words “as such”, there shall be inserted the words “, or a person providing services to either Department”.

Claims for Council Tax Benefit

11. There shall be inserted after regulation 62A of the Council Tax Benefit Regulations(12) the following regulation —

“Claims for council tax benefit to a relevant authority

62B.—(1) Without prejudice to a person’s right to make a claim for council tax benefit in accordance with regulation 62(4), claims for council tax benefit may also be made at the office of a relevant authority displaying the One logo where the claimant resides in a postcode district identified in Part I or II of Schedule 2 to the Social Security (Claims and Information) Regulations 1999 (a “relevant office”).

(2) For the purposes of this regulation, a “relevant authority” means —

(a) an appropriate social security office;

(b) a person providing services to the Secretary of State for Social Security or the Secretary of State for Education and Employment where the service provided includes the taking of claims for social security benefit;

(c) the appropriate local authority;

(d) a person providing services to the appropriate authority where the service includes matters relating to council tax benefit;

(e) a person authorised to exercise any function of an appropriate authority relating to council tax benefit.

(3) A claim made in accordance with paragraph (1) shall be —

(12) Regulation 62A was inserted by [S.I. 1999/1539](#).

- (a) in writing on a form approved for the purpose by the relevant authority, or in such other manner, being in writing, as the person to whom the claim is made may accept as sufficient in the circumstances of the particular case; and
 - (b) accompanied by or supplemented by such certificates, information or evidence as are required in accordance with regulation 63(1).
- (4) A claim may be sent or delivered to a relevant authority.
- (5) Where a claim is received at —
- (a) an appropriate DSS office;
 - (b) the office of a person providing services to the Secretary of State for Social Security or the Secretary of State for Education and Employment; or
 - (c) a local authority office, other than a designated office, to which claims may be made in accordance with paragraph (1),
- the claim, together with any information or evidence held at that office which is relevant to that claim, shall be forwarded to the designated office.
- (6) Where the benefit claimed in accordance with paragraph (1) is the council tax benefit, the date on which the claim is made shall be —
- (a) except where sub-paragraph (b) applies, the date on which the claim is received in the relevant office;
 - (b) where in the 4 weeks before the claim is received in the relevant office, the person making the claim or a person acting on his behalf had notified a relevant office of his intention to make such a claim, the date the notification was given.
- (7) A notification of intention to make a claim is deemed to be given on the date on which notification of the intention to claim council tax benefit is received, in whatever form, from the claimant or a person acting on his behalf at a relevant office.
- (8) Paragraph (7) applies where neither income support nor a jobseeker's allowance is claimed in conjunction with council tax benefit.
- (9) Where the person claiming council tax benefit in accordance with paragraph (1), or the partner of that person —
- (a) has an award of income support or income-based jobseeker's allowance; or
 - (b) has claimed such a benefit but no award has been made,
- the date on which the claim for council tax benefit is made shall be determined as if sub-paragraphs (a), (b), (c) and (e) of paragraph (1) of regulation 62A applied to that claim as they apply to claims under regulation 62(4)(d).
- (10) Paragraphs (6) to (16) of regulation 62 shall apply to a claim made to a relevant authority, but as if for references to —
- (a) an "appropriate social security office" there were substituted references to a "relevant office";
 - (b) paragraph (1) was to paragraph (3) of this regulation.

Claims made to an office which is both a gateway office and a relevant office

62C. Where a claim for council tax benefit is sent or delivered to an office which is both a gateway office and a relevant office for the purposes of regulation 62B, the claim shall be treated as if it had been sent or delivered to a relevant office only.”.

Consequential Amendments to the Council Tax Benefit Regulations

12.—(1) The Council Tax Benefit Regulations shall be amended in accordance with the following provisions of this regulation (which are all consequential upon regulation 11 above).

(2) In regulation 2 (interpretation), in paragraph (1) after the entry relating to “qualifying person” there shall be inserted the following entry —

““relevant authority” has the meaning given to it in regulation 62B(2)”.

(3) In regulation 61 (who may claim), the following paragraph shall be added at the end —

“(7) In its application to regulation 62B, references in this regulation to “appropriate authority” shall be read as including references to the “relevant authority”.”.

(4) In regulation 62 (time and manner in which claims are to be made) in paragraph (1), at the beginning, there shall be inserted the words “Subject to regulation 62B”.

(5) In regulation 62 (evidence and information) the following paragraph shall be added at the end —

“(7) In its application to regulation 62B, references in this regulation to “appropriate authority” shall be read as including references to the “relevant authority”.”.

(6) In regulation 65 (duty to notify changes of circumstances) —

(a) in paragraph (1) for the words “paragraphs (2) and (4)”, there shall be substituted the words “paragraphs (2), (4) and (5)”; and

(b) after paragraph (4), there shall be added the following paragraph —

“(5) Where a person resides in a postcode district identified in Part I or II of Schedule 2 to the Social Security (Claims and Information) Regulations 1999, he may notify the change of circumstances to any office of a relevant authority displaying the One logo.”.

(7) In regulation 84(3) (recoverable excess benefit) after the words “acting as such” there shall be inserted the words “or a person providing services to either Department”.

Information

13.—(1) A relevant authority which holds social security information may —

(a) use that information —

(i) in connection with arrangements known as the New Deal and made under section 2 of the Employment and Training Act 1973(**13**);

(ii) for any purpose to which regulations 3, 4 and 6 of these Regulations, or any regulations inserted by these Regulations, apply; or

(iii) for purposes connected with the employment or training of the persons to whom it relates;

(b) supply the information —

(i) to any other relevant authority to enable that authority to carry out a work-focused interview or any function conferred upon it by these Regulations or by regulations inserted by these Regulations;

(ii) in so far as relevant for the purpose for which it is being provided, to any person in respect of whom the person undertaking the work-focused interview is notified has a vacancy or is about to have a vacancy in his employment or at his place of employment;

(13) 1973 c. 50; section 2 was substituted by section 25(1) of the Employment Act 1988 (c. 19).

- (iii) to any person (an “employment zone provider”) to whom payments are made by the Secretary of State in accordance with section 60(5)(c)(i) of the Act (special schemes for claimants for jobseeker’s allowance);
- (iv) to any other relevant authority in connection with any scheme operated by, or any arrangements made by, the authority for purposes connected with employment or training;
- (v) to any other relevant authority in connection with arrangements made under section 2 of the Employment and Training Act 1973 and known as the New Deal.

(2) An employment zone provider may supply to any other relevant authority information relating to any person participating in a scheme for which he receives a payment under section 60(5)(c)(i) of the Act where the information may be relevant to the person’s benefit entitlement.

(3) Where the work-focused interview is undertaken by a relevant authority other than the authority which obtained the information, then the authority supplying the information shall, for the purposes of that interview, supply any other social security information held by them.

(4) A relevant authority which holds social security information may supply that information to any other relevant authority for the purposes of research, monitoring or evaluation in so far as it relates to any purpose specified in paragraph (5).

(5) The purposes specified in this paragraph are —

- (a) work-focused interviews;
- (b) any purpose for which regulations 3, 4 and 6 of these Regulations, or any regulations inserted by these Regulations, applies;
- (c) any scheme or arrangements made by the Secretary of State connected with employment or training; and
- (d) section 60 of the Act.

Purposes for which information may be used

14.—(1) The purposes for which information supplied in connection with matters referred to in paragraph (2) may be used are for —

- (a) the processing of any claim for a social security benefit or a war pension or for an application for a maintenance assessment under the Child Support Act 1991;
- (b) the consideration of any application for employment by a person to whom information is supplied in connection with any employment opportunity;
- (c) the consideration of the training needs of the person who supplied the information;
- (d) any purpose for which a work-focused interview may be conducted⁽¹⁴⁾;
- (e) the prevention, detection, investigation or prosecution of offences relating to social security matters.

(2) The matters referred to in this paragraph are —

- (a) work-focused interviews; or
- (b) any other provision in or introduced by these Regulations.

Information supplied

15. Information supplied to a person or authority under these Regulations —

⁽¹⁴⁾ See: Regulation 3 of these Regulations.

- (a) may be used for the purposes of amending or supplementing information held by the person or authority to whom it is supplied; and
- (b) if it is so used, may be supplied to another person or authority, and used by him or it for any purpose, to whom or for which that other information could be supplied or used.

Partners of claimants on jobseeker's allowance

16.—(1) The social security information specified in paragraph (2) may be supplied by a relevant authority to the partner of a claimant for a jobseeker's allowance where—

- (a) the allowance has been in payment to the claimant, or would have been in payment to him but for section 19 of the Jobseekers Act 1995 (circumstances in which jobseeker's allowance is not payable) for a period of 6 months or more;
 - (b) the allowance remains in payment or would be in payment but for that section; and
 - (c) the partner is being invited to attend the office of the relevant authority for purposes connected with employment or training.
- (2) The information which may be supplied is —
- (a) that jobseeker's allowance is in payment to the claimant or would be in payment to him but for section 19 of the Jobseekers Act; and
 - (b) that payment has been made to the claimant or would have been so made but for section 19, for a period of at least 6 months.

(3) In this regulation, “partner” has the same meaning as in the Jobseeker's Allowance Regulations 1996(15) by virtue of section 1(3) of those Regulations.

Partners of claimants

17.—(1) The social security information specified in paragraph (4) may be supplied by a relevant authority to the partner of a claimant for a qualifying benefit where paragraph (3) is satisfied.

- (2) The qualifying benefits are—
- (a) a jobseeker's allowance;
 - (b) income support;
 - (c) incapacity benefit;
 - (d) severe disablement allowance.
- (3) This paragraph is satisfied where—
- (a) one or more of the qualifying benefits is or has been payable to the claimant;
 - (b) the benefit which is or has been payable includes an increase in respect of a partner; and
 - (c) the partner of the person entitled to the benefit payable is aged 50 or over.
- (4) The information which may be supplied is—
- (a) that a qualifying benefit is or has been payable to the claimant;
 - (b) the period for which the qualifying benefit has been payable.

(5) In this regulation, partner means one member of a married or unmarried couple of which the claimant is also a member.

Consequential

18. Schedule 3 to these Regulations, which contains a number of consequential changes shall have effect.

Signed by authority of the Secretary of State for Social Security.

18th November 1999

Angela Eagle
Parliamentary Under-Secretary of State,
Department of Social Security