

## 2000 No. 848

### SOCIAL SECURITY

#### The Relevant Functions (Payments to Authorities) Order 2000

*Made - - 23rd March 2000*  
*Laid before Parliament 24th March 2000*  
*Coming into force 14th April 2000*

The Secretary of State for Social Security, with the consent of the Treasury(a), in exercise of the powers conferred upon him by sections 140B(1), 140C(1) and (4), and 189(1) and (4) to (7) of the Social Security Administration Act 1992(b) and of all other powers enabling him in that behalf after consultation, in accordance with section 176(1)(b) of the Social Security Administration Act 1992, with organisations appearing to him to be representative of the authorities concerned hereby makes the following Order:

#### Citation, commencement and interpretation

1.—(1) This Order may be cited as the Relevant Functions (Payments to Authorities) Order 2000 and shall come into force on 14th April 2000.

(2) In this Order, unless the context otherwise requires -

“claim” means a claim by a local authority for a relevant sum;

“form” means a printed document or any other format, as the Secretary of State determines, upon which a claim may be set out;



“relevant function” has the same meaning as in section 140EE(1) of the Social Security Administration Act 1992;

“relevant sum” means any sum payable to a local authority by the Secretary of State in accordance with section 140EE(1);

“relevant year” means any year commencing on or after 1st April 2000.

▶1A.—(1) Articles 2, 3 and 4 of this Order shall apply in the case of a local authority named in Part I of the Schedule to this Order.

(2) Articles 5, 6 and 7 of this order shall apply in the case of a local authority named in Part II of the Schedule to this Order.◀

Defn. of “local authority” omitted from art 1(2) by art. 2(2) of S.I. 2000/1810 as from 3.8.00.

Art. 1A inserted by reg. 2(3) of S.I. 2000/1810 as from 3.8.00.

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(a) See section 189(8) of the Social Security Administration Act 1992 (c. 5); amended by paragraph 3(5) of Schedule 13 to the Housing Act 1996 (c. 52), paragraph 10 of Schedule 3 to the Social Security (Recovery of Benefits) Act 1997 (c. 27) and paragraph 57(3) of Schedule 3 to the Social Security (Transfer of Functions etc.) Act 1999 (c. 2).

(b) 1992 c. 5; sections 140B and 140C were inserted by the Housing Act 1996, Schedule 12 paragraph 4 and section 140B(1) was amended by paragraph 7 of Schedule 1 to the Social Security Administration (Fraud) Act 1997 (c. 47). The sections are applied to the payments to which this Instrument relates by virtue of section 140EE of the Social Security Administration Act 1992 as inserted by the Welfare Reform and Pensions Act 1999 (c. 30), Schedule 12, paragraph 80.

**Claims procedure**

2.—(1) A claim made under this Order shall be submitted in such manner and on such form as may be approved or supplied by the Secretary of State and shall comply with the conditions specified in this article.

(2) A claim (as described in paragraph (3)) shall be made by 15th April 2000 and thereafter quarterly by the 15th day of each July, October, January and April of a relevant year.

(3) A claim shall be in respect of expenses incurred by a local authority in connection with the carrying out of any relevant function -

- (a) in the case of the claim made by 15th April 2000, in the period beginning on 29th November 1999 and ending on 31st March 2000; and
- (b) in any other case, in the three months immediately preceding the month by which the claim is due.

(4) A claim shall be subject to such audit processes as the Secretary of State considers appropriate in the circumstances to satisfy himself that it has been properly made and properly and accurately calculated and he shall notify local authorities accordingly.

**Records in support of claim**

3. —(1) A local authority making a claim shall -

- (a) provide to the Secretary of State the information referred to in paragraph (2); and
- (b) keep, and where the Secretary of State requires it or it is otherwise appropriate to do so, produce records with a bearing on that claim.

(2) The information referred to in this paragraph is such information as the Secretary of State requires, or as may otherwise be necessary, to satisfy him that -

- (a) each expense included in the claim has been incurred by the local authority in connection with the carrying out of a relevant function;
- (b) the claim is accurate and properly calculated; and
- (c) any claim made has been properly made in accordance with the provisions of this Order,

and, in addition, other information relevant to determining the relevant sum in accordance with article 4.

**Determining relevant sum**

4. The amount of a relevant sum payable to a local authority shall be determined by the Secretary of State having regard to whether the expenses claimed such as officers' remuneration, travel and subsistence expenses and other expenses have been necessarily incurred by the local authority in connection with carrying out a relevant function and are directly related to that function.

Arts. 5-7 inserted by art. 2(4) of S.I. 2000/1810 as from 3.8.00.

**►Determining relevant sum in relation to authorities named in Part II of the Schedule to this order**

5. The amount of a relevant sum payable to a local authority for the year commencing on 1st April 2000 and for subsequent years shall be determined by the Secretary of State having regard to whether the expenses have been necessarily incurred in connection with carrying out a relevant function and are directly related to that function.

**Records relating to a relevant sum determined in accordance with article 5**

6. The Secretary of State may require a local authority to supply such information or records as he considers necessary to satisfy him that the expenses referred to in article 5—

- (a) are accurate and properly calculated;
- (b) have been necessarily incurred in connection with the carrying out of a relevant function; and
- (c) are directly related to that function.

**Manner of payment of a relevant sum determined in accordance with article 5**

7. A payment of a relevant sum determined in accordance with article 5 may, at the request of the local authority, be made by the Secretary of State to a person specified in subsection (1)(b) or (c) of section 140EE of the Social Security Administration Act 1992. ◀

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

22nd March 2000

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

We consent,

23rd March 2000

*Clive J. C. Betts*  
*Jim Dowd*  
Two of the Lords Commissioners of Her Majesty's Treasury

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**SCHEDULE**

Article 1

**▶PART I◀**

**▶LOCAL AUTHORITIES TO WHICH ARTICLES 2, 3 AND 4 APPLY◀**

Part I inserted and heading substituted by art. 2(5)(a) & (b) of S.I. 2000/1810 as from 3.8.00.

**ENGLAND:**

Aylesbury Vale  
Barking and Dagenham  
Calderdale  
Castle Point  
Chelmsford  
Chiltern  
Epping Forest  
Kirklees  
Maldon  
Mendip  
Milton Keynes  
North Warwickshire  
Nuneaton and Bedworth  
Redbridge  
Rochford  
Rugby  
Sedgemoor  
South Bucks  
Southend-on-Sea  
South Somerset  
Stratford-on-Avon

Taunton Deane  
Waltham Forest  
Warwick  
West Somerset  
Wycombe

**WALES:**

Monmouthshire  
Newport  
Torfaen

**SCOTLAND:**

Argyll and Bute  
East Renfrewshire  
Inverclyde  
North Ayrshire  
Renfrewshire

Part II to the Sch.  
inserted by art. 2(5)(c)  
of S.I. 2000/1810 as  
from 3.8.00.

►PART II

LOCAL AUTHORITIES TO WHICH ARTICLES 5, 6 AND 7  
APPLY

Amber Valley  
Ashfield  
Babergh  
Bassetlaw  
Bolsover  
Forest Heath  
Halton  
Ipswich  
Leeds  
Mansfield  
Mid-Suffolk  
Newark and Sherwood  
St. Edmundsbury  
St. Helens  
Suffolk Coastal  
Vale Royal  
Warrington  
Waveney◄

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order sets out the process by which the Secretary of State will make payments to local authorities in respect of expenses incurred in connection with the carrying out of any “relevant function” as defined in section 140EE of the Social Security Administration Act 1992. Relevant functions are processing claims as permitted by the Social Security (Claims and Information) Regulations 1999 (S.I. 1999/3108) and conducting work-focused interviews.

Article 1 states the commencement date and defines various terms.

Article 2 provides that a local authority that is carrying out relevant functions may make a claim to the Secretary of State for payment. Claims can be made quarterly. Expenses incurred in the three calendar months prior to the quarterly claim date must be claimed by that claim date to be eligible for payment.

Article 2 also makes special arrangements for the first claim. That claim must be made by 15th April 2000 and should include all expenses incurred between 29th November 1999 and 31st March 2000.

Article 3 requires local authorities to keep records in support of claims.

Article 4 describes the matters to which the Secretary of State must have regard in determining the relevant sum payable to a local authority in accordance with the Order.

This Order does not impose a charge on business.

