

EXPLANATORY MEMORANDUM TO
THE SOCIAL SECURITY (STUDENTS AND INCOME-RELATED BENEFITS)
AMENDMENT REGULATIONS 2007

2007 No. 1632

1. This explanatory memorandum has been prepared by the Department for Work and Pensions and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 These Regulations make amendments to the income-related benefit Regulations to increase the amount of the disregards from student loan or personal maintenance grant income in respect of travel, books and equipment and to clarify that the disregards are only applied once in an academic year.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Background

4.1 Each year at the beginning of August, in time for the start of the academic year in Scotland, the income-related benefit Regulations are amended to take account of changes to the student support system and, in particular, increase the amounts to be disregarded for books, equipment and travel costs in assessing income from student loans or personal maintenance grants.

5. Territorial Extent and Application

5.1 This instrument applies to Great Britain.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy Background

7.1 Most full-time students are not eligible to claim any of the income-related benefits (Income Support, income-based Jobseeker's Allowance, Housing Benefit and Council Tax Benefit). This is because primary financial support for students comes from the educational maintenance system, which is designed for their needs. However, exceptions are made, for students who fall into certain "vulnerable groups" (in the main, lone parents, student couples with children or students with disabilities). For those students who are entitled, there are specific regulations governing the treatment of their income.

- 7.2 This instrument is being made to give effect to the annual uprating of income-related benefit disregards in respect of student course-related expenses. The disregard for books & equipment is calculated by increasing last year's figure in line with the increase in student support rates (2.33% for the 2007/08 academic year) and rises to £370 a year. The travel disregard reflects the amount specified in student support legislation above which students can get a specific grant, which for the 2007/08 academic year is £290.
- 7.3 This instrument also clarifies that the disregards for books, equipment and travel costs can only be applied once in any academic year.
- 7.4 The Social Security Advisory Committee has agreed that the Regulations should not be referred for formal consultation. The Local Authority Associations, the National Union of Students and the National Association of Student Monetary Advisors (the "NASMA") were also consulted. No issues were raised.
- 7.5 Though there are no plans to immediately consolidate these Regulations. The public will have access to this information at no cost through the Internet (http://www.dwp.gov.uk/advisers/docs/lawvols/bluevol/pdf/c_0031.pdf and also at www.opsi.gov.uk). The Regulations will also be published in the Department's Blue Volumes.

8. Regulatory impact and costs

- 8.1 A regulatory impact assessment has not been produced for this instrument, as it has no impact on business, charities or voluntary bodies.
- 8.2 There is no impact on the public sector, as there are no costs associated with the changes.

9. Contact

Lorraine Milne, Jobcentre Plus, Rockingham House, 123 West Street, Sheffield S1 4ER,
Tel: 0114 259 6835 or e-mail: Lorraine.milne@jobcentreplus.gsi.gov.uk can answer any queries regarding the instrument.