

**EXPLANATORY MEMORANDUM TO
THE HEALTHY START SCHEME AND WELFARE FOOD (AMENDMENT)
REGULATIONS 2008**

2008 No. 408

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department of Health and is laid before Parliament by Command of Her Majesty.

2. Description

2.1 The Healthy Start Scheme and Welfare Food (Amendment) Regulations 2008 (“the Regulations”) amend the Healthy Start Scheme and Welfare Food Amendment Regulations 2005, S.I. 2005/3262 (“the 2005 Regulations”). They uprate the maximum income level for determining whether a person who also satisfies other conditions is eligible for benefit under the Healthy Start scheme introduced by the 2005 Regulations. They also enable those families in receipt of Working Tax Credit to claim benefits under the Healthy Start Scheme, where one of the conditions of entitlement to Working Tax Credit is satisfied by virtue of Regulation 7D of the Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002, S.I 2002/2005. Finally, they increase the value of Healthy Start vouchers from £2.80 to £3.00.

2.2 The Regulations are subject to a negative procedure.

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

3.1 None.

4. Legislative Background

4.1 The Regulations effect an annual uprating of the 2005 Regulations, amending the income threshold included in the regulations from £14,495 to £15,575 from 6 April 2008. The increase is in line with tax credit thresholds that will apply from 6 April 2008.

4.2 The Regulations also alter the eligibility criteria for Healthy Start. The existing criteria exclude any women and children in households receiving Working Tax Credit. The amendment will make an exception to this from 6 April 2008 in the case of households in which the person receiving Working Tax Credit has either ceased to work, or has reduced their working hours to under 16 hours per week, within the previous 4 weeks. The change is in line with amendments made to Working Tax Credit Regulations in April 2007.

- 4.3 The Regulations increase the value of Healthy Start vouchers for all beneficiaries of the scheme from £2.80 to £3.00. The change will apply to vouchers first issued (not re-issued) after these Regulations come into force. The change will not apply to re-issues of vouchers for earlier periods, or backdated payments in respect of earlier periods. In practice, therefore, because vouchers are issued to all but new beneficiaries in regular 4-week cycles, the first full 4-week period that £3.00 vouchers will be issued for will begin on 14 April 2008.

5. Extent

- 5.1 This instrument applies to Great Britain.

6. European Convention on Human Rights

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

7. Policy background

- 7.1 The Welfare Food scheme was established in 1940 as a wartime measure but was subsequently targeted at children in low-income families. It latterly provided free milk, infant formula milk and vitamins to approximately 720,000 claimants (pregnant women and children under 5 years old) in families on qualifying benefits.
- 7.2 Section 13 of the Social Security Act 1988 now provides powers by regulations to make a scheme or schemes to provide benefits for improving the nutrition of pregnant women, mothers and children. The new Healthy Start scheme was introduced across Great Britain from 27 November 2006 and provides fresh fruit and vegetables as well as liquid milk, infant formula milk and vitamins to eligible beneficiaries.
- 7.3 The changes will apply to the Healthy Start scheme from 6 April 2008.
- 7.4 Data for the purposes of establishing entitlement to, Healthy Start (HS) benefit is provided to the Department of Health by HMRC and Jobcentre Plus on a four weekly basis. This means that entitlement to HS benefit is reviewed every 4 weeks. Where a family's circumstances change so that they are no longer entitled to HS benefit, this benefit is automatically removed.
- 7.5 If the income limit for HS benefit was not increased in line with increases in the thresholds applied to tax credits some low-income families currently receiving HS benefit would no longer qualify.
- 7.6 The amendment to eligibility/entitlement criteria in respect of Working Tax Credit will ensure that women and children are able to apply for Healthy Start in the first four weeks following unemployment, or a drop in working hours to under 16 hours per week, of any adult getting Working Tax Credit. This

change is necessary because changes to Working Tax Credit Regulations now enable an adult to continue receiving Working Tax Credit for 4 weeks after such a change in circumstances. The amendment reinstates entitlement to Healthy Start of some unemployed families that existed prior to the change in Working Tax Credit Regulations.

- 7.7 The increase in voucher value meets the Government's commitment to review the value of Healthy Start vouchers and uplift it when appropriate. Because the value of Healthy Start vouchers has not been increased since the scheme was first introduced in Devon and Cornwall in November 2005, the amount reflects increases in prices and relevant benefits and tax credits since that time. It represents an increase of 40 pence per week per child under 1 year old, or within 12 months of their Expected Date of Delivery if born early. For other women and children, it represents an increase of 20 pence per week.

8. Impact

- 8.1 An Impact Assessment is not required as the impact of these Regulations on the private or voluntary sector is expected to be negligible. We do not consider that these Regulations have any additional implications for equality. However an Equality Impact Assessment is being prepared for the Healthy Start scheme and is expected to be published by summer 2008.

9. Contact

- 9.1 Angela Walker at the Department of Health, Room 703, Wellington House, 133-155 Waterloo Road, London, SE1 8UG. Tel: 020 7972 1377 or e -mail: Angela.Walker@dh.gsi.gov.uk can answer any query regarding the instrument.