

2017 No. 1016

SOCIAL SECURITY

The Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2017

<i>Made</i>	- - - -	<i>19th October 2017</i>
<i>Laid before Parliament</i>		<i>23rd October 2017</i>
<i>Coming into force</i>	- -	<i>15th November 2017</i>

The Secretary of State for Work and Pensions makes the following Regulations in exercise of the powers conferred by sections 131(1), (3), (11)(g) and (12) and 133(2) of the Welfare Reform Act 2012(a).

Citation and commencement

1. These Regulations may be cited as the Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2017 and come into force on 15th November 2017.

Amendment of the Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012

2.—(1) The Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012(b) are amended as follows.

(2) In Part 1 (general)—

(a) in regulation 2 (interpretation), after the definition of “the benefit cap” insert—

““Careers Wales” means the company with the name Career Choices Dewis Gyrfa Ltd. which is trading as Careers Wales(c) and which is established by the Welsh Government to provide careers services in Wales under sections 2, 8 and 10 of the Employment and Training Act 1973(d);”;

(b) after regulation 2 insert—

“Prescription of Welsh body

2A. Careers Wales is prescribed as a Welsh body for the purpose of section 131 of the 2012 Act.”.

(a) 2012 c.5. See section 133(1) for the meaning of “prescribed”.

(b) S.I. 2012/1483.

(c) <https://www.careerswales.com>.

(d) 1973 c.50. Section 2 was substituted by section 25(1) of the Employment Act 1988 (c.19). Section 2(4) and (6) was repealed by Part 1 of Schedule 7 to the Employment Act 1989 (c.38). Section 2(3A) and (3B) was inserted by section 47(1) of the Trade Union Reform and Employment Rights Act 1993 (c.19) (“the 1993 Act”). Sections 8 and 10 were substituted by section 45 of the 1993 Act. Section 10 was amended by S.I. 2010/1158.

- (3) In regulation 5(1) (supply of relevant information by the Secretary of State)(a)—
- (a) at the end of sub-paragraph (e), omit “and”;
 - (b) after sub-paragraph (h) insert—
 - “; and
 - (i) where the qualifying person is Careers Wales—
 - (i) identifying persons in Wales aged 18 or over but under 25 who are not in employment and not receiving either education or training;
 - (ii) providing advice, assistance and support to such persons;
 - (iii) monitoring and evaluating the provision of such advice, assistance and support.”.
- (4) In regulation 6(1) (holding purposes)(b), after sub-paragraph (q) insert—
- “(r) where the qualifying person is Careers Wales—
 - (i) identifying persons in Wales aged 18 or over but under 25 who are not in employment and not receiving either education or training;
 - (ii) providing advice, assistance and support to such persons;
 - (iii) monitoring and evaluating the provision of such advice, assistance and support.”.
- (5) In regulation 10(1) (qualifying persons)(c), after sub-paragraph (e) insert—
- “(f) for the purposes of regulations 5(1)(i) and 6(1)(r), Careers Wales.”.

Signed by authority of the Secretary of State for Work and Pensions

Damian Hinds
Minister of State
Department for Work and Pensions

19th October 2017

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 of these Regulations amends the Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012 (S.I. 2012/1483).

The amendment at paragraph (2)(a) defines Careers Wales for the purposes of those Regulations as the trading name of a company established by the Welsh Government to provide certain services under the Employment and Training Act 1973 (c.50).

The amendment at paragraph (2)(b) prevents the Secretary of State from being able to prescribe in regulations that Careers Wales may supply information it has not received from the Secretary of State to other qualifying persons about a purpose within the legislative competence of the Welsh Ministers or the Welsh Government.

The amendments at paragraph (3) both provide that Careers Wales can be supplied with information by the Secretary of State for the purpose of identifying persons in Wales aged 18 or over but under 25 and who are not in employment or receiving education or training who are in need of advice, assistance and support, providing such advice, assistance and support and monitoring and evaluating such advice, assistance and support and correct a minor error.

The amendment at paragraph (4) enable Careers Wales to hold such information for those purposes.

(a) Regulation 5(1) was amended by S.I. 2013/41 and 454 and 2015/46
(b) Regulation 6(1) was amended by S.I. 2013/41, 454 and 458 and 2015/46
(c) Regulation 10(1) was amended by S.I. 2015/46

The amendment at paragraph (5) provide that Careers Wales is a qualifying person for the purposes of section 131(11)(g) of the Welfare Reform Act 2012 (c.5).

An impact assessment has not been produced for this instrument as it has no impact on business or civil society organisations.

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