

# STATES OF JERSEY



## DRAFT INCOME SUPPORT (AMENDMENT No. 12) (JERSEY) REGULATIONS 201-

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Lodged au Greffe on 29th July 2014  
by the Minister for Social Security

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STATES GREFFE





Jersey

## **DRAFT INCOME SUPPORT (AMENDMENT No. 12) (JERSEY) REGULATIONS 201-**

### **REPORT**

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#### **1. Summary**

The proposed amendments to the Income Support (Jersey) Regulations 2007 facilitate the introduction of the Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201- (P.135/2014). This separate proposition creates a mechanism whereby the parents of children that meet the requirements for the highest levels of the Income Support personal care impairment award can always receive a payment in respect of the care needs of the child, independently of parental income. These Regulations are also supported by a related Order that makes changes to the Income Support (General Provisions) (Jersey) Order 2008.

#### **2. Function of Regulations**

In order for the Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201- to make a payment independent of household income, the proposed amendments change paragraph 6 of Schedule 1 of the Income Support (Jersey) Regulations 2007 so that only adults are eligible to receive the Personal Care level 2 and Personal Care level 3 components.

The Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201- replace this entitlement in respect of children with an independent Special Payment that is set to the value of Personal Care level 2 or, where applicable, Personal Care level 3. Apart from income, they maintain the same qualifying criteria as specified in the Income Support Regulations.

#### **3. Financial and manpower implications**

The Department has £22,000 (full year cost) of funding available to meet the additional cost of providing PC3 on a consistent basis to all children that qualify for this highest level of support. This funding has been identified as part of the overall project to create £3 million savings within the income support budget in 2014.

The Department will submit a growth bid to MTFP2 in respect of funding for a PC2 benefit and associated administration from 2016 onwards. The estimated cost of this is £470,000 per annum.

Funding for 2015 lies outside the current MTFP budget and will need to be identified from departmental underspends or from the use of a contingency budget. In addition to the ongoing annual cost of £470,000 for 2015 an estimated £100,000 of additional implementation costs will need to be met, a total of £570,000.

One additional FTE will be required to maintain these claims.

## Explanatory Note

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These Regulations amend paragraph 6 of Schedule 1 to the Income Support (Jersey) Regulations 2007. Paragraph 6 specifies when a member of a household is entitled to the personal care element of income support, and the rate at which it is payable.

*Regulation 1* is an interpretation provision.

*Regulation 2* removes the entitlement to the personal care element in the case of a child who is assessed as having a score of 56 or more. In accordance with *Regulation 4(2)*, this amendment will come into force on the same day as the Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201-(P.135/2014).

*Regulation 3* removes the entitlement to the personal care element in the case of a child who is assessed as having a score of at least 36 but less than 56. In accordance with *Regulation 4(3)*, this amendment will come into force on 1st January 2015.

*Regulation 2* provides for the citation and commencement of these Regulations.



Jersey

## **DRAFT INCOME SUPPORT (AMENDMENT No. 12) (JERSEY) REGULATIONS 201-**

*Made* [date to be inserted]  
*Coming into force* [date to be inserted]

**THE STATES**, in pursuance of Articles 5 and 18 of the Income Support (Jersey) Law 2007<sup>1</sup>, have made the following Regulations –

### **1 Interpretation**

In these Regulations, a reference to a paragraph 6 is a reference to paragraph 6 of Schedule 1 to the Income Support (Jersey) Regulations 2007<sup>2</sup>.

### **2 Removal of personal care element for child having score of at least 56**

- (1) In paragraph 6(1), for the words “who qualifies in accordance with this paragraph.” there shall be substituted the words –  
“if he or she is –
  - (a) an adult or child who has the score described in sub-paragraph (3)(a);
  - (b) an adult or child who has the score described in sub-paragraph (3)(b); or
  - (c) an adult who has the score described in sub-paragraph (3)(c) and who is not receiving long-term care.”.
- (2) In paragraph 6(3)(c) delete the words “where the member of the household is not receiving long-term care”.

### **3 Removal of personal care element for child having score of at least 36 but less than 56**

In paragraph 6(1)(b) delete the words “or child”.

### **4 Citation and commencement**

- (1) These Regulations may be cited as the Income Support (Amendment No. 12) (Jersey) Regulations 201- .

- (2) Regulations 1 and 2 and this Regulation shall come into force on the same day as Regulation 3 of the Income Support (Special Payments) (Child Personal Care) (Jersey) Regulations 201-<sup>3</sup>.
- (3) Regulation 3 shall come into force on 1st January 2015.

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- <sup>1</sup> *chapter 26.550*  
<sup>2</sup> *chapter 26.550.30*  
<sup>3</sup> *P.135/2014*