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STATUTORY INSTRUMENTS

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**2012 No. 1483**

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

**PART 3**

INFORMATION-SHARING IN RELATION TO WELFARE SERVICES [<sup>F1</sup>OR HOUSING BENEFIT]<sup>F2</sup>... UNDER SECTIONS 131 TO 133 OF THE 2012 ACT

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| <p><b>F1</b> Words in Pt. 3 heading inserted (8.11.2021) by <a href="#">The Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2021 (S.I. 2021/1129)</a>, regs. 1(1), <b>2(2)</b></p> <p><b>F2</b> Word in Pt. 3 omitted (11.2.2013) by virtue of <a href="#">The Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2013 (S.I. 2013/41)</a>, regs. 1, <b>2(3)</b></p> |
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**[<sup>F3</sup>Supply of relevant information by the Secretary of State**

5.—(1) The purposes prescribed under section 131(1) of the 2012 Act [<sup>F4</sup>in relation to welfare services] (purposes for which the Secretary of State or a person providing services to the Secretary of State may supply relevant information to a qualifying person) are—

- [<sup>F5</sup>(a) determining a person's eligibility or continued eligibility for—
  - (i) a disabled person's badge;
  - (ii) assistance under the healthy start scheme; or
  - (iii) local welfare provision;]
- (b) determining whether to make to any person any grant or payment listed in paragraph (2) and if so the amount of any such grant or payment;
- (c) determining whether a person applying for or receiving a welfare service listed in paragraph (3) is liable to contribute towards the cost of that service and if so the amount of that contribution; <sup>F6</sup>...
- [<sup>F7</sup>(d) where the qualifying person is a local authority in England—
  - (i) identifying households eligible for support under a troubled families programme;
  - (ii) providing appropriate types of advice, support and assistance to members of such households under such programmes; and
  - (iii) monitoring and evaluating such programmes;]
- [ discharging any functions under Part 7 of the Housing Act 1996 or (in Scotland) Part 2 of <sup>F8</sup>(e) the Housing (Scotland) Act 1987; <sup>F9</sup>...
- (f) identifying, and providing appropriate types of advice, support and assistance to, persons in receipt of a relevant social security benefit who are or may be affected by—
  - (i) the benefit cap;

(ii) regulations relating to under-occupation.]

[ where the qualifying person is a social landlord and the relevant information is limited  
<sup>F10</sup>(g) to information referred to in paragraph (3A), determining whether a universal credit claimant, whose award includes or is likely to include a housing costs element in respect of accommodation provided by that social landlord, needs advice, assistance or support in relation to managing their financial affairs;

(h) where the qualifying person is listed in regulation 10(1)(e) and the Secretary of State or any qualifying person listed in regulation 10(1)(e) determines that a universal credit claimant needs advice, assistance or support under a universal support initiative—

(i) providing such advice, assistance or support to that person; and

(ii) monitoring and evaluating the provision of such advice, assistance or support. ]

[<sup>F11</sup>; 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.]

(2) The grants and payments referred to in paragraph (1)(b) are—

(a) a disability adaptation grant;

(b) a disabled facilities grant;

(c) a discretionary housing payment.

(3) The welfare services referred to in paragraph (1)(c) are—

(a) housing support services;

(b) the provision of domiciliary care;

(c) the provision of residential care.

[

<sup>F12</sup>(3A) The information referred to in paragraph (1)(g) is information confirming—

(a) the identity of the universal credit claimant;

(b) that the universal credit claimant has a tenancy with the social landlord;

(c) the date on which the universal credit claimant made a claim for or was awarded universal credit; or

(d) in a case where universal credit has been awarded to the universal credit claimant—

(i) the date on which the next payment of universal credit is due to be paid;

(ii) whether the next payment is the first payment under the award; or

(iii) the amount of housing costs element in the next payment under the award.]

(4) In this regulation—

(a) “disability adaptation grant” means a grant paid under Part 2 of the Housing (Scotland) Act 2006 <sup>M1</sup> to assist with the adaptation of a house for a disabled person to make it suitable for the accommodation, welfare or employment of that person;

(b) “disabled facilities grant” means a grant paid under Chapter 1 of Part 1 of the Housing Grants, Construction and Regeneration Act 1996 <sup>M2</sup>;

- (c) “discretionary housing payment” means a payment made pursuant to regulation 2(1) of the Discretionary Financial Assistance Regulations 2001 <sup>M3</sup>;
- (d) “domiciliary care” means care or assistance of any description provided to an adult person by reason of their age, health or any disability, whether provided continuously or not and whether or not provided at a place where they live, but excludes care or assistance provided to a person in residential care.
- [ “housing costs element” means an amount in respect of housing costs which is included <sup>F13</sup>(e) in an award of universal credit under section 11 of the 2012 Act.]

- F3** Reg. 2A inserted (15.11.2017) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2017 \(S.I. 2017/1016\)](#), regs. 1, **2(2)(b)**
- F4** Words in reg. 5(1) inserted (11.2.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2013 \(S.I. 2013/41\)](#), regs. 1, **2(4)**
- F5** Reg. 5(1)(a) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(3)(a)**
- F6** Word in reg. 5(1)(c) omitted (1.4.2013) by virtue of [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(3)(b)**
- F7** Reg. 5(1)(d) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(3)(c)**
- F8** Reg. 5(1)(e)(f) added (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(3)(d)**
- F9** Word in reg. 5(1)(e) omitted (15.11.2017) by virtue of [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2017 \(S.I. 2017/1016\)](#), regs. 1, **2(3)(a)**
- F10** Reg. 5(1)(g)(h) inserted (13.2.2015) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2015 \(S.I. 2015/46\)](#), regs. 1, **2(3)(a)**
- F11** Reg. 5(1)(i) and word inserted (15.11.2017) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2017 \(S.I. 2017/1016\)](#), regs. 1, **2(3)(b)**
- F12** Reg. 5(3A) inserted (13.2.2015) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2015 \(S.I. 2015/46\)](#), regs. 1, **2(3)(b)**
- F13** Reg. 5(4)(e) inserted (13.2.2015) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2015 \(S.I. 2015/46\)](#), regs. 1, **2(3)(c)**

#### Marginal Citations

- M1** 2006 asp. 1.
- M2** 1996 c.53 as amended by the [Housing Act 2004 \(c.34\)](#).
- M3** S.I. 2001/1167.

#### Holding purposes

6.—(1) The purposes prescribed under section 131(3) of the 2012 Act [<sup>F14</sup>in relation to welfare services [<sup>F15</sup>or housing benefit]] as purposes for which relevant information must be held by a qualifying person in order for them to use or supply it as set out in that subsection, are any of the following—

- [<sup>F16</sup>(a) determining a person’s eligibility or continued eligibility for—
- (i) a disabled person’s badge;
  - (ii) assistance under the healthy start scheme;
  - (iii) housing support services; or
  - (iv) local welfare provision;]

- (b) determining whether to make to any person any grant or payment listed in regulation 5(2) and if so the amount of any such grant or payment;
- (c) determining whether a person applying for or receiving a welfare service listed in regulation 5(3) is liable to contribute towards the cost of that service and if so the amount of that contribution;
- <sup>F17</sup>(d) where the qualifying person is a local authority in England, a person providing services to a local authority in England relating to a troubled families programme, or a person who falls within regulation 10(1)(b)—
  - (i) identifying households eligible for support under a troubled families programme;
  - (ii) providing appropriate types of advice, support and assistance to members of such households under such programmes; and
  - (iii) monitoring and evaluating such programmes;]
- (e) discharging any functions under Part 7 of the Housing Act 1996 <sup>M4</sup> or (in Scotland) Part 2 of the Housing (Scotland) Act 1987 <sup>M5</sup>;
- (f) determining whether a person is in receipt of housing benefit;
- (g) determining the size of a dwelling occupied by a <sup>F18</sup>person in receipt of a relevant social security benefit] and the number of persons occupying that dwelling as their home;
- (h) identifying <sup>F19</sup>persons in receipt of a relevant social security benefit] who are or may be affected by regulations relating to under-occupation, and providing appropriate types of advice, support and assistance to such persons;
- (i) identifying <sup>F19</sup>persons in receipt of a relevant social security benefit] who are or may be affected by the benefit cap, and providing appropriate types of advice, support and assistance to such persons;
- (j) determining the amount of housing benefit payable to a housing benefit claimant by reference to the local housing allowance;
- <sup>F20</sup>(k) .....
- (l) determining whether a <sup>F18</sup>person in receipt of a relevant social security benefit] is likely to have difficulty in managing their financial affairs;
- (m) determining the probability that a housing benefit claimant will pay their rent;
- (n) determining whether the landlord of a housing benefit claimant—
  - (i) was to provide qualifying welfare services to that housing benefit claimant but has not done so, or
  - (ii) is to provide qualifying welfare services to that housing benefit claimant but is unlikely to do so;
- (o) determining whether—
  - (i) the landlord of a housing benefit claimant is a social landlord,
  - (ii) a housing benefit claimant occupies as their home a dwelling which is exempt accommodation,
  - (iii) the tenancy of a housing benefit claimant is an excluded tenancy,
  - (iv) a housing benefit claimant occupies as their home a houseboat, caravan or mobile home, or
  - (v) a housing benefit claimant resides in a hostel.
- [ <sup>F21</sup>(p) identifying the amount of housing costs included in an award of universal credit by reference to the local housing allowance.]

- [ where the qualifying person is listed in regulation 10(1)(e)—
- <sup>F22</sup>(q) (i) providing advice, assistance or support to a universal credit claimant under a universal support initiative; and
- (ii) monitoring and evaluating the provision of such advice, assistance or support.]

- [ where the qualifying person is Careers Wales—
- <sup>F23</sup>(r) (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.]

(2) In this regulation—

- (a) “excluded tenancy” means a tenancy of a type falling within any of paragraphs 4 to 11 of Schedule 2 to the Housing Benefit Regulations or paragraphs 4 to 11 of Schedule 2 to the Housing Benefit (State Pension Credit) Regulations, as the case may require;
- (b) “exempt accommodation” has the meaning given in paragraph 4(10) of Schedule 3 to the Housing Benefit and Council Tax Benefit (Consequential Provisions) Regulations 2006 <sup>M6</sup> (transitional and savings provision);
- (c) “hostel” has the meaning given in regulation 2(1) of the Housing Benefit Regulations or regulation 2(1) of the Housing Benefit (State Pension Credit) Regulations, as the case may require;
- (d) “local housing allowance” means an allowance determined in accordance with paragraph 2 of Schedule 3B to the Rent Officers Order;
- (e) “Rent Officers Order” means the Rent Officers (Housing Benefit Functions) Order 1997 <sup>M7</sup> or (in Scotland) the Rent Officers (Housing Benefit Functions) (Scotland) Order 1997 <sup>M8</sup>;

- F3** Reg. 2A inserted (15.11.2017) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2017 \(S.I. 2017/1016\)](#), regs. 1, **2(2)(b)**
- F14** Words in reg. 6(1) inserted (11.2.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2013 \(S.I. 2013/41\)](#), regs. 1, **2(4)**
- F15** Words in reg. 6(1) inserted (8.11.2021) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2021 \(S.I. 2021/1129\)](#), regs. 1(1), **2(3)**
- F16** Reg. 6(1)(a) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(4)(a)**
- F17** Reg. 6(1)(d) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(4)(b)**
- F18** Words in reg. 6(1)(g)(l) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(4)(c)**
- F19** Words in reg. 6(1)(h)(i) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(4)(d)**
- F20** Reg. 6(1)(k) revoked (1.4.2013) by [The Council Tax Benefit Abolition \(Consequential Provision\) Regulations 2013 \(S.I. 2013/458\)](#), reg. 1, **Sch. 1**
- F21** Reg. 6(1)(p) added (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(4)(e)**
- F22** Reg. 6(1)(q) inserted (13.2.2015) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2015 \(S.I. 2015/46\)](#), regs. 1, **2(4)**
- F23** Reg. 6(1)(r) inserted (15.11.2017) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2017 \(S.I. 2017/1016\)](#), regs. 1, **2(4)**

### Marginal Citations

- M4** 1996 c.52.  
**M5** 1987 c.26.  
**M6** S.I. 2006/217. Paragraph 4 is substituted by S.I. 2007/2870.  
**M7** S.I. 1997/1984. Schedule 3B is inserted by article 4 of the [Rent Officers \(Housing Benefit Functions\) Amendment Order 2007 \(S.I. 2007/2871\)](#) and amended by S.I. 2008/3156, 2009/2459 and 2010/2836.  
**M8** S.I. 1997/1995. Schedule 3B is inserted by article 13 of the [Rent Officers \(Housing Benefit Functions\) Amendment Order 2007 \(S.I. 2007/2871\)](#) and amended by S.I. 2008/3156, 2009/2459 and 2010/2836.

### Using purposes connected with welfare services and housing benefit

7.—(1) This regulation applies to relevant information held by a qualifying person for any purpose listed in regulation 6 except the [<sup>F24</sup>purposes listed in regulation 6(1)(a)(ii), (iv) or (d)].

(2) The purposes set out in paragraph (3) are prescribed—

- (a) under section 131(3)(a) of the 2012 Act as purposes for which the information may be used by that qualifying person; and  
 (b) subject to regulation 11, under section 131(3)(b) of the 2012 Act as purposes for use in relation to which the information may be supplied by that qualifying person to another qualifying person.

(3) The purposes are any purposes connected with—

- [<sup>F25</sup>(a) the purposes referred to in regulation 6(1)(a)(i) or (iii), (b), (c), (e), (h) or (i);]  
 (b) applying any of the following regulations—  
 (i) regulation 13C(5) of the Housing Benefit Regulations (cases where a maximum rent (LHA) is not to be determined);  
 (ii) regulation 96(3) or (3A) of the Housing Benefit Regulations <sup>M9</sup> (circumstances in which payment may be made to a landlord);  
 (iii) regulation 13C(5) of the Housing Benefit (State Pension Credit) Regulations (cases where a maximum rent (LHA) is not to be determined);  
 (iv) regulation 77(3) or (3A) of the Housing Benefit (State Pension Credit) Regulations <sup>M10</sup> (circumstances in which payment may be made to a landlord);  
 (c) determining whether the qualifying person who uses the information or to whom it is supplied holds other relevant information about a [<sup>F26</sup>person in receipt of a relevant social security benefit] for any purpose prescribed in regulation 6.

- F24** Words in reg. 7(1) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(5)(a)**  
**F25** Reg. 7(3)(a) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(5)(b)**  
**F26** Words in reg. 7(3)(c) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(5)(c)**

### Marginal Citations

- M9** Relevant amending instruments are S.I. 2007/2868 and 2010/2835.  
**M10** Relevant amending instruments are S.I. 2007/2868 and 2010/2835.

### Using purposes connected with <sup>F27</sup>a troubled families programme]

8.—(1) This regulation applies to relevant information held by a qualifying person which is a local authority in England [<sup>F28</sup>or a person who falls within regulation 10(1)(b)] for the purpose listed in regulation [<sup>F29</sup>6(1)(d)] or the purpose listed in regulation [<sup>F30</sup>6(1)(i)].

(2) The purposes set out in paragraph (3) are prescribed—

- (a) under section 131(3)(a) of the 2012 Act as purposes for which the information may be used by that qualifying person; and
- (b) under section 131(3)(b) of the 2012 Act as purposes for use in relation to which the information may be supplied by that qualifying person to another qualifying person.

(3) The purposes are any purposes connected with [<sup>F31</sup>a troubled families programme].

(4) This regulation permits relevant information to be supplied to another qualifying person only where that other qualifying person is also a local authority in England [<sup>F32</sup>or a person who falls within regulation 10(1)(b).]

[<sup>F33</sup>(5) The references in regulations 8(1) and (4) to a local authority in England include references to a person providing services to a local authority in England relating to a troubled families programme. ]

**F27** Words in reg. 8 heading substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(6)(a)**

**F28** Words in reg. 8(1) added (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(6)(b)(i)**

**F29** Word in reg. 8(1) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(6)(b)(ii)**

**F30** Word in reg. 8(1) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(6)(b)(iii)**

**F31** Words in reg. 8(3) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(6)(a)**

**F32** Words in reg. 8(4) added (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(6)(c)**

**F33** Reg. 8(5) added (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(6)(d)**

### Using purposes connected with under-occupation and benefit cap

9.—(1) This regulation applies to relevant information held by a qualifying person for any purpose listed in regulation [<sup>F34</sup>6(1)(f)] to (i).

(2) The purposes set out in paragraph (3) are prescribed—

- (a) under section 131(3)(a) of the 2012 Act as purposes for which the information may be used by that qualifying person; and
- (b) under section 131(3)(b) of the 2012 Act as purposes for use in relation to which the information may be supplied by that qualifying person to another qualifying person.

(3) The purposes are any purposes connected with—

- (a) identifying [<sup>F35</sup>persons in receipt of a relevant social security benefit] who are or may be affected by regulations relating to under-occupation, and providing appropriate types of advice, support and assistance to such persons;
- (b) identifying [<sup>F35</sup>persons in receipt of a relevant social security benefit] who are or may be affected by the benefit cap, and providing appropriate types of advice, support and assistance to such persons.

- F34** Word in reg. 9(1) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(7)**
- F35** Words in reg. 9(3)(a)(b) substituted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(8)**

### **[<sup>F36</sup>Using purposes connected with the healthy start scheme**

**9A.**—(1) This regulation applies to relevant information held by the Secretary of State for Health or by a person providing services to the Secretary of State for Health [<sup>F37</sup>and Social Care] , as a qualifying person for the purpose listed in regulation 6(1)(a)(ii).

- (2) The purposes set out in paragraph (3) are prescribed—
  - (a) under section 131(3)(a) of the 2012 Act as purposes for which the information may be used by that qualifying person; and
  - (b) under section 131(3)(b) of the 2012 Act as purposes for use in relation to which the information may be supplied by that qualifying person to another qualifying person.
- (3) The purposes are any purposes connected with the healthy start scheme.

(4) This regulation permits relevant information to be supplied to another qualifying person only where that other qualifying person is the Secretary of State for Health [<sup>F38</sup>and Social Care] or a person providing services to the Secretary of State for Health relating to the healthy start scheme.

- F36** Regs. 9A, 9B inserted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(9)**
- F37** Words in reg. 9A(1) inserted (11.4.2018) by [The Secretaries of State for Health and Social Care and for Housing, Communities and Local Government and Transfer of Functions \(Commonhold Land\) Order 2018 \(S.I. 2018/378\)](#), art. 1(2), **Sch. para. 21(p)** (with art. 14)
- F38** Words in reg. 9A(4) inserted (11.4.2018) by [The Secretaries of State for Health and Social Care and for Housing, Communities and Local Government and Transfer of Functions \(Commonhold Land\) Order 2018 \(S.I. 2018/378\)](#), art. 1(2), **Sch. para. 21(p)** (with art. 14)

### **Using purposes connected with local welfare provision**

**9B.**—(1) This regulation applies to relevant information held by a qualifying person listed in regulation 10(1)(d) or section 131(11)(a) to (c) of the 2012 Act for the purpose listed in regulation 6(1)(a)(iv).

- (2) The purposes set out in paragraph (3) are prescribed—
  - (a) under section 131(3)(a) of the 2012 Act as purposes for which the information may be used by a qualifying person; and

- (b) subject to regulation 11, under section 131(3)(b) of the 2012 Act as purposes for use in relation to which the information may be supplied by that qualifying person to another qualifying person.
- (3) The purposes are any purposes connected with local welfare provision.
- (4) This regulation permits relevant information to be supplied to another qualifying person only where that other qualifying person is listed in regulation 10(1)(d) or section 131(11)(a) to (c) of the 2012 Act.]

**F36** Regs. 9A, 9B inserted (1.4.2013) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) Amendment and Prescribed Bodies Regulations 2013 \(S.I. 2013/454\)](#), regs. 1(2), **3(9)**

### **[<sup>F39</sup>Using purposes connected with a universal support initiative**

**9C.**—(1) This regulation applies to relevant information held by a qualifying person listed in regulation 10(1)(e) for the purposes listed in regulation 6(1)(q).

- (2) The purposes set out in paragraph (3) are prescribed—
  - (a) under section 131(3)(a) of the 2012 Act as purposes for which the information may be used by that qualifying person; and
  - (b) under section 131(3)(b) of the 2012 Act as purposes for use in relation to which the information may be supplied by that qualifying person to another qualifying person.
- (3) The purposes are any purposes connected with—
  - (a) providing advice, assistance or support to a universal credit claimant under a universal support initiative; and
  - (b) monitoring and evaluating the provision of such advice, assistance or support.
- (4) This regulation permits relevant information to be supplied to another qualifying person only where that other qualifying person is listed in regulation 10(1)(e).]

**F39** Reg. 9C inserted (13.2.2015) by [The Social Security \(Information-sharing in relation to Welfare Services etc.\) \(Amendment\) Regulations 2015 \(S.I. 2015/46\)](#), regs. 1, **2(5)**

### **Qualifying persons**

**[<sup>F40</sup>10.**—(1) The following persons are prescribed as qualifying persons under section 131(11) (g) of the 2012 Act—

- (a) for the purposes of regulations [<sup>F41</sup>5(1)(g),] 6(1)(f) to (i) and 9, a social landlord;
- (b) for the purposes of regulations 6(1)(d) and 8, a person who carries out activities in connection with a troubled families programme;
- (c) for the purposes of regulations 5(1)(a)(ii), 6(1)(a)(ii) and 9A—
  - (i) the Secretary of State for Health [<sup>F42</sup>and Social Care] ;
  - (ii) a person providing services to the Secretary of State for Health relating to the healthy start scheme;
- (d) for the purposes of regulations 5(1)(a)(iii), 6(1)(a)(iv) and 9B—
  - (i) the Scottish Ministers;
  - (ii) a person authorised to exercise any function of the Scottish Ministers relating to local welfare provision;

- (iii) a person providing to the Scottish Ministers services relating to local welfare provision;
  - (iv) the Welsh Ministers;
  - (v) a person authorised to exercise any function of the Welsh Ministers relating to local welfare provision;
  - (vi) a person providing to the Welsh Ministers services relating to local welfare provision.
- [<sup>F43</sup>(e) for the purposes of regulations 5(1)(h), 6(1)(q), 9C, 16(d) and 17(3)(c)—
- (i) a person listed in section 131(11)(a), (b) or (c) of the 2012 Act,
  - (ii) a member of the National Association of Citizens Advice Bureaux or the Scottish Association of Citizens Advice Bureaux,
  - (iii) a credit union within section 1 of the Credit Unions Act 1979,
  - (iv) a social landlord,
  - (v) a charity entered in the register of charities maintained under Part 4 of the Charities Act 2011 or a body entered on the register of charities maintained under the Charities and Trustee Investment (Scotland) Act 2005.]
- [<sup>F44</sup>(f) for the purposes of regulations 5(1)(i) and 6(1)(r), Careers Wales.]
- (2) The provisions of section 132 of the 2012 Act (offence of unlawful disclosure) apply to—
- (a) the qualifying persons listed in paragraph (1) other than the Secretary of State for Health [<sup>F45</sup>and Social Care], the Scottish Ministers and the Welsh Ministers; and
  - (b) any person (“A”) associated with a qualifying person listed in paragraph (1)(a), (c)(i), (d)(i) or (iv) by reason of A’s office or employment or otherwise.]

<b>F40</b>	Reg. 10 substituted (1.4.2013) by <a href="#">The Social Security (Information-sharing in relation to Welfare Services etc.) Amendment and Prescribed Bodies Regulations 2013</a> (S.I. 2013/454), regs. 1(2), <b>3(10)</b>
<b>F41</b>	Word in reg. 10(1)(a) inserted (13.2.2015) by <a href="#">The Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2015</a> (S.I. 2015/46), regs. 1, <b>2(6)(a)</b>
<b>F42</b>	Words in reg. 10(1)(c) inserted (11.4.2018) by <a href="#">The Secretaries of State for Health and Social Care and for Housing, Communities and Local Government and Transfer of Functions (Commonhold Land) Order 2018</a> (S.I. 2018/378), art. 1(2), <b>Sch. para. 21(p)</b> (with art. 14)
<b>F43</b>	Reg. 10(1)(e) inserted (13.2.2015) by <a href="#">The Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2015</a> (S.I. 2015/46), regs. 1, <b>2(6)(b)</b>
<b>F44</b>	Reg. 10(1)(f) inserted (15.11.2017) by <a href="#">The Social Security (Information-sharing in relation to Welfare Services etc.) (Amendment) Regulations 2017</a> (S.I. 2017/1016), regs. 1, <b>2(5)</b>
<b>F45</b>	Words in reg. 10(2) inserted (11.4.2018) by <a href="#">The Secretaries of State for Health and Social Care and for Housing, Communities and Local Government and Transfer of Functions (Commonhold Land) Order 2018</a> (S.I. 2018/378), art. 1(2), <b>Sch. para. 21(p)</b> (with art. 14)

### Excepted matters

**11.—(1)** Regulation 7(2)(b) does not permit relevant information held by a Welsh body or a Scottish body for a purpose listed in regulation [<sup>F46</sup>6(1)(a)(i) or (iii)], (b), (c) or (e) to be supplied by that body to another qualifying person for use in relation to the same or any other such purpose.

[<sup>F47</sup>(1A) Regulation 9B(2)(b) does not permit relevant information held by a Welsh body or a Scottish body to be supplied by that body to another qualifying person for use in relation to any purpose connected with local welfare provision.]

(2) This regulation does not apply if the information was supplied by, or is derived from information supplied to another person by, the Secretary of State or a person providing services to the Secretary of State or a person engaged in the administration of housing benefit.

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| <p><b>F46</b> Word in reg. 11(1) substituted (1.4.2013) by <a href="#">The Social Security (Information-sharing in relation to Welfare Services etc.) Amendment and Prescribed Bodies Regulations 2013 (S.I. 2013/454)</a>, regs. 1(2), <b>3(11)</b></p> <p><b>F47</b> Reg. 11(1A) inserted (1.4.2013) by <a href="#">The Social Security (Information-sharing in relation to Welfare Services etc.) Amendment and Prescribed Bodies Regulations 2013 (S.I. 2013/454)</a>, regs. 1(2), <b>3(12)</b></p> |
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**Changes to legislation:**

There are currently no known outstanding effects for the The Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012, PART 3.