

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY
BY DEPUTY G.P. SOUTHERN OF ST. HELIER**

ANSWER TO BE TABLED ON TUESDAY, 13th FEBRUARY 2007

Question

- (a) In response to an oral question without notice on 30th January 2007 the Minister stated that the Data Protection Commissioner had inspected the draft Income Support (Jersey) Law 200-; will he now inform members when this occurred and what comments were received by his department as a result?
- (b) Will the Minister inform members what tax revenue, if any, is predicted to be required in order to fund income support to compensate for the partial benefits paid under the Long Term Incapacity Allowance scheme when Income Support commences and what projections have been made for the growth of this figure over the coming decade?

Answer

- (a) The Data Protection Commissioner was sent a copy of the draft Income Support Law on the 26 June 2006 and was invited to confirm whether the draft Law was satisfactory from the Data Protection perspective.

The only comments received by my department related to ensuring its conformity with the European Convention of Human Rights (ECHR). These comments were copied to the senior Law Officer undertaking the Human Rights audit of the Law and, indeed, the Data Protection Commissioner (DPC) corresponded directly with the Senior Law Officer. The Law which has now received Royal Assent was confirmed as Human Rights compliant.

- (b) Long Term Incapacity Allowance compensates those with long-term conditions for the loss of faculty arising from those conditions. Unlike benefits which it replaced it does not act as a disincentive to work, rather it is intended as an in-work benefit. As it allows people to work, the intention is for people to earn more income than they would have received had they been in receipt of the legacy benefit and thereby been unable to work and thereby decrease their dependency upon benefits.

In the event that a recipient is unable to find work and is in receipt of LTIA at less than 100%, then currently the person concerned may need to seek assistance through Parish Welfare.

The introduction of Income Support will simply transfer that assistance from Parish Welfare to Income Support, and Income Support will be funded to include the current level of Parish Welfare expenditure.

Income equivalent to the entire parish Welfare budget has already transferred to the States through the introduction of the Island wide rate, along with the responsibility to fund Parish Welfare until Income Support is introduced. No new tax revenues are thereby required.

Until Income Support is in place, the department will not know who in receipt of LTIA will also need to access Income Support and for very obvious data protection reasons the department does not know who on LTIA is also in receipt of Parish Welfare.

It will be sensible to undertake projections for all future Income Support costs once the scheme is in operation. These projections will include estimates of the number of LTIA claimants in paid employment and the number seeking additional support through Income Support.