

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY  
BY DEPUTY G.P. SOUTHERN OF ST. HELIER  
ANSWER TO BE TABLED ON TUESDAY 24th MARCH 2009**

**Question**

Will the Minister inform members how many times, if any, Ministerial discretion has been requested and has been exercised by him and his predecessor over Income Support determinations and decisions?

Will he further detail what issues were involved and what decisions were finally arrived at through the exercise of discretion?

Will he also inform members how many cases have come to the Social Security Appeals Tribunal in the period since it was reformed following the introduction of Income Support, what issues were raised and what rulings were made?

**Answer**

The vast majority of Income Support claimants receive their benefit as a regular weekly amount. Individual payments are also made to claimants through the Special Payment Regulations which provide for most situations in which a specific expense needs to be met.

The Income Support Law does give the Minister the power to make other payments in exceptional circumstances. This is a necessary part of the Income Support framework as it provides the flexibility to address the needs of individuals in unusual and exceptional circumstances. The Income Support Policy Guidelines lay down a number of these circumstances in which the Minister's discretion has been delegated to determining officers.

Only in the most unusual circumstances would a case be referred directly to the Minister.

Since the inception of the Income Support, a total of 10 ministerial decisions have been made in respect of discretionary payments.

These matters are handled with the highest degree of confidentiality and it would not be appropriate to provide details of the exceptional circumstances which gave rise to the need for a discretionary payment. However I can confirm that the payments that were made covered the following types of expense:

The payment of childcare fees to very young mothers (2 cases);  
the payment of a rental component to an owner occupier;  
the payment of a rental component to an individual moving out of residential care;  
the payment of a medical driving assessment fee;  
the payment of a living component to a young adult, previously in foster care;  
the payment of a personal-care component to a child;  
the payment of expenses to attend a funeral (2 cases);

One application was refused in respect of a request for travel costs to attend a memorial service.

Since February 2008 there has been one appeal to the Social Security Tribunal in respect of the assessment of capital in an Income Support application. The appeal was dismissed by the Tribunal.

There has also been one appeal in respect of the backdating of a claim to Long Term Incapacity Allowance. The appeal was dismissed by the Tribunal Chairman as it was out of time.

