

**WRITTEN QUESTION TO THE MINISTER FOR SOCIAL SECURITY
BY DEPUTY S. PITMAN OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 20th APRIL 2010**

Question

“Does the Minister accept that the protection offered by the Income Support (Transitional Provisions) (Amendment) (Jersey) order 2008, due to come into force on October 1st 2010, designed to provide a smooth transition from the previous benefit system to the new one, has not been extended to those suffering a loss in household income (sometimes up to £100 per week) as a result of the review process of all IS recipients now being undertaken by his department? Will he consider extending this protection, and if not why not?”

Answer

The phasing included in the Income Support (IS) (Transitional Provisions) (Jersey) Order 2008 is being applied. All households currently in receipt of IS transition continue to receive 100% protection of their legacy benefits. This will be maintained for those who continue to qualify for legacy benefits until the first down rate in October 2010 as set out in the Transition Order, from which point a reduced amount of protection will continue to be available.

The purpose of the IS transitional order is to provide a phased transfer from previous benefits to IS, provided that entitlement to the previous benefit remains. As the circumstances or income of a household changes it is appropriate for their benefit entitlement to be reviewed. If the change of circumstances is such that they would no longer have qualified for the benefit that they received prior to IS, then the protection in respect of that benefit is removed. This is no different to what would have happened if the previous benefits were still in place and no different to the treatment afforded to an IS recipient. When there is a change in circumstances this must initiate a review of the claim with benefit levels set appropriately according to current circumstances.

If a household experiences a loss of household income of £100 per week, it is more likely that the IS benefit entitlement will increase. At the very least, in this situation, unless the make-up of the household has changed (e.g. death of a member) the protection would be maintained.

However, it may be that this question is seeking advice on the situation in which transition protection of up to £100 per week is withdrawn without phasing following a review of the household circumstances. The reduction of transitional protection following a change of household circumstance will normally occur if -

- the needs of the household have decreased – for example someone has left the household - in which case it is appropriate that the benefit level should be adjusted downwards
- or the income of the household has increased, in which case the loss of benefit is compensated by the increased income of the household

In some cases, the review of the Income Support claim identifies an error made in respect of the previous benefit, and the review will rectify the previous error.

As members will be aware, transitional protection has been extended twice since the beginning of IS and the first reduction is in October 2010. There are no plans to extend this further.