

23.07.17

2 Deputy C.D. Curtis of St. Helier Central of the Minister for Social Security regarding consideration of children in income support repayment plans (OQ.156/2023)

When a determining officer allocates a repayment plan to a Jersey parent of young children and all payments of income support therefore stop with immediate effect, what consideration is given to the circumstances of the children and the impact on them in such cases?

Deputy E. Millar of St. John, St. Lawrence and Trinity (The Minister for Social Security):

I am disappointed by the implication in this question that children can be placed at risk as a result of a repayment plan under the income support system. The further implication that a repayment plan automatically stops payment of income support is factually incorrect and is therefore misleading, although I am sure that was not the Deputy's intention. The question suggests that the entire value of a parent's income support benefit is exhausted by making repayments. In reality, the only situation in which this might occur is if the household has other significant income and the income support claim is topping up that income with a low weekly amount. In that example, the household will continue to have its own income outside any income support payment. A recipient of income support may agree to forego the whole of a small weekly top-up in order to repay an overpayment of benefit that was previously received. In that event, the impact on any children in a household would likely be minimal as the reduction in total income would be small. Officers working in Customer and Local Services will always consider the impact of repayment plans on the welfare of children. Income support repayments are set by taking into account individual household circumstances and the ability to repay. That is the policy. I am aware that the Deputy has been in contact with the department in respect of a specific income support case with very different characteristics. I would urge Members to contact me or Deputy Ferey directly in respect of individual cases where they have concerns. Inevitably the details of individual cases cannot be discussed in public. I can reassure Members that the safeguarding of children is always given a high priority in any income support decisions.

4.2.1 Deputy C.D. Curtis:

I can assure Members that there are cases where income support is stopped completely. Can the Minister detail the support measures and consideration given to families with young children, which has just been alluded to? Can the Minister detail these please?

Deputy E. Millar:

I disagree with the Deputy. Income support does not stop because of a repayment plan. There are many circumstances that come into play when income support ceases and that can be any number of reasons, but it is not just because of a repayment plan. Households with children will continue to receive income support where they need it. Child benefits are taken into ... allowances are made for every child in a household and single parents also receive an extra single parent allowance. Children are supported through the income support system.

4.2.2 Deputy S.Y. Mézec of St. Helier South:

I am delighted to know that cases I have seen in the past were merely a figment of my imagination. Could I ask the Minister if, at any point, when repayment plans are put to income support claimants that any calculation is done to work out whether the imposition of that repayment plan would put

that household with children into what in Jersey would be considered relative low income or relative poverty?

Deputy E. Millar:

Repayment plans are negotiated with the family on a case-by-case basis. The interests of children will always be given high priority.

Deputy S.Y. Mézec:

That was not anything close to approaching an answer to my question. Could I have an answer to my question before posing a supplementary?

Deputy E. Millar:

Could I ask the Deputy to repeat his question?

Deputy S.Y. Mézec:

My question was very specific about whether when those repayments plans are put together, the question of whether that plan would put a household into relative poverty is specifically considered?

[15:00]

Deputy E. Millar:

The income and ability of a family to continue to meet their expenses will always be part of that discussion. I do not know whether relative poverty, as the Deputy suggests, is taken into account. As I say, plans are negotiated and discussed with the adults of the household and it is for them to agree with the department a plan that they feel meets their needs.

4.2.3 Deputy S.Y. Mézec:

It is not much of a negotiation when one side does not have a real choice in the matter. Could the Minister confirm that now that I have raised the issue of repayment plans pushing people into relative poverty, that she will give that matter its due consideration and investigate with her officers whether this can be considered a factor that is compulsory to consider, to ensure that because of issues in the department that people are not pushed into relative poverty while paying back income support that may have perfectly accidentally been overpaid beforehand?

Deputy E. Millar:

I will ask the question of my department but whether or not we adopt it as a policy. Repayments can arise through a number of reasons and it is appropriate that overpayments are repaid because that is fair to all other benefit recipients who do not receive overpayments and also to the taxpayer who funds their income support system.

4.2.4 Deputy G.P. Southern of St. Helier Central:

Is it not the case, will the Minister state, that the minimum claim for a repayment plan on an overpayment is a minimum of £3 per day and there is no upper limit on the amount that can be claimed? It could be £40 a week out of your benefit, and I would like the Minister's opinion.

Deputy E. Millar:

The guidelines specify the sum of £3 a day but those are guidelines only and every repayment plan is considered taking the needs of the family into account. As I keep saying, they are negotiated on a case-by-case basis.

4.2.5 Deputy G.P. Southern:

And the second half of the question, and that there is no upper limit on the amount that can be claimed.

Deputy E. Millar:

There is an upper limit to the extent that we will not negotiate a repayment plan that customers simply cannot afford.

4.2.6 Deputy R.J. Ward:

Can the Minister confirm whether or not there are any families in Jersey, and certainly some in the U.K. (United Kingdom), who due to a repayment being made are accessing foodbanks?

Deputy E. Millar:

I do not have that information. I am not sure how I would get the information. It is very difficult. We have tried very hard to get data and details about foodbank use and it has proved to be enormously difficult. We launched a survey some time last year where we asked the foodbanks to put a leaflet in people's bags. We had very, very small returns to that survey. We tried to make it as simple as possible and we simply did not get any sufficient responses to draw any meaningful conclusions. We work very closely with foodbanks but they also seem to be very ... they do not collect data in the way that would be useful for it. All we get from them generally is anecdotal evidence. They do not capture data and numbers and reasons why people are using foodbanks. I simply cannot answer that question.

4.2.7 Deputy R.J. Ward:

It is interesting that the Minister "cannot" answer the question on whether children are able to access foodbanks because of repayments but at the same time the Minister is saying that they assess every case as to whether the repayments are affordable. To me, it cannot be both of those things. Can I ask the Minister whether or not the department will confirm whether families will have to access a foodbank to continue before they set a repayment?

Deputy E. Millar:

Whether people have to access foodbank is part of the discussion. The discussion is about whether the family can afford the repayment plan.

4.2.8 Deputy C.D. Curtis:

My understanding is that there is only discussion of repayments when the person appeals that. But I go back to my question from before. Could the Minister detail the support measures and consideration given to families with young children in these circumstances?

Deputy E. Millar:

As I say, the income support system is there to support families. Families are supported through the income support and I am not quite sure what else the Deputy wants me to say. We have no other ... I am not quite sure what else she thinks I have in the toolbox ... sorry, I have remembered the first point of her question. Repayment plans are not just calculated when people appeal. When a repayment arises we write to the person involved. We set out the nature of the overpayment, how and where we set out our calculation of the repayment, the person may then come forward and agree the repayment plan. They do not need to appeal to do that. But children are supported through the income support system like all other families.