EXPLANATORY MEMORANDUM TO

THE HEALTH IN PREGNANCY GRANT (ENTITLEMENT AND AMOUNT) REGULATIONS 2008

2008 No. 3108

AND

THE HEALTH IN PREGNANCY GRANT (ADMINISTRATION) REGULATIONS 2008

2008 No. 3109

1. This explanatory memorandum has been prepared by the Treasury and the Commissioners for Her Majesty's Revenue and Customs (HMRC) and is laid before Parliament by Command of Her Majesty.

This memorandum contains information for the Joint Committee on Statutory Instruments.

2. Purpose of the instrument

The Health in Pregnancy Grant aims to provide additional financial support towards the costs all women face in the latter stages of pregnancy. These regulations provide the detailed conditions of entitlement for the Grant and for its administration including how people can make a claim.

3. Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None

4. Legislative Context

4.1 Part 8A of the Social Security Contributions and Benefits Act 1992 and Part 8A of the Social Security Contributions and Benefits (Northern Ireland) Act 1992, which provide for the Health in Pregnancy Grant, were inserted by Part 4 of the Health and Social Care Act 2008.

5. Territorial Extent and Application

5.1 These instruments apply to all of the United Kingdom

6. European Convention on Human Rights

As these instruments are subject to negative resolution procedure and do not amend primary legislation, no statement is required.

7. Policy background

7.1 The Government believes that every child, irrespective of background or circumstances, deserves the best start in life. To achieve this, since 1997, the Government's strategy has been to provide support for all families, with more for those that need it most. This principle of progressive universalism has underpinned the Government's overall approach to reform of financial support, alongside its goals in tackling child poverty. The Health in Pregnancy Grant recognises a gap in financial support to many women during pregnancy whose income just excludes them from existing sources of income related support.

7.2 All women face additional costs during pregnancy and with competing financial pressures, this can lead to some difficult spending choices, especially for women on low incomes. The grant will provide support to all expectant mothers in recognition of these extra costs. Linked to the requirement to receive maternal health advice from a health professional, the Health in Pregnancy Grant is designed to help pregnant women to meet their individual needs, while providing them with flexibility to choose how they budget and where they spend this money.

7.3 The Grant underpins the support that is already available to those mothers-to-be with low incomes provided through the Sure Start Maternity Grant, which helps with the additional costs at the time of the child's birth, and the Healthy Start Vouchers, which help with the costs of milk, fruit and vegetables during pregnancy and after birth.

7.4 The Health in Pregnancy Grant is a non-contributory benefit available to all expectant mothers ordinarily resident in the UK. It can be claimed from the 25th week of pregnancy; it is not taxable and receipt has no bearing on entitlement to income-related benefits. The grant will be payable from 6th April 2009, and women expected to give birth on or after 6th April 2009 will be able to make a claim from January 2009. This is in order to phrase in the administration of the grant.

7.5 The Health in Pregnancy Grant (Entitlement and Amount) Regulations specify the conditions a woman must satisfy to be entitled to the Grant. These include: the definition of a health professional and the requirements for being treated as present in the UK, including provisions relating to Crown servants posted overseas and their family members who accompany them on a posting. The Regulations provide for the amount of the Grant to be £190 in the first instance. The Health in Pregnancy (Administration) Regulations follow a similar approach to that adopted by social security benefits in general. The Regulations prescribe the rules governing the timing and manner in which claims should be made, including what information is required with the claim; the manner and timing of payments including to whom payment should be made with special provision for women who are unable to act for themselves.

- ***Consolidation***

7.6 None

8. Consultation outcome

8.1 No formal consultation has taken place.

9. Guidance

9.1 Information about the Health in Pregnancy Grant have already been sent to healthcare professionals. Regional seminars will be held towards the end of the year for midwives to explain their role in administering the grant and how women can claim. Midwives will be encouraged to give the mother the claim form at the relevant stage of her pregnancy.

9.2 A marketing campaign aimed at eligible pregnant women will begin in early 2009 to coincide with plans to make the form available to health professionals. A number of marketing channels will be used to raise awareness of the grant including; advertising in the parenting press and through marketing activity in antenatal clinics and GPs surgeries.

9.3 To bring Health in Pregnancy Grant to the attention of expectant mothers HMRC will build a free media campaign from December onwards using national, consumer, specialist and regional press and broadcasters. We will also target ethnic media to ensure non-English speakers are aware of the new Grant.

9.4 HMRC will launch an audio podcast in the New Year which will explain how to claim. This will be widely publicised.

9.5 The Health in Pregnancy Grant will be formally launched in April at a ministerial photocall. National broadcast media and photographers will be invited to attend.

9.6 . The marketing campaign will continue to run in 2009/10 to raise awareness of the Health in Pregnancy Grant amongst eligible pregnant women and encourage take-up.

10. Impact

10.1 The impact on business, charities or voluntary bodies is negligible.

10.2 The impact on the public sector is negligible.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The Government wants to ensure that the Health in Pregnancy Grant remains a valuable means of support for pregnant women and does not wish to see the grant become worthless in the future.

12.2 The Grant will be under review by HMT, in particular the amount payable will be periodically reviewed and amended if HMT thinks it appropriate to do so.

13. Contact

Jenny Fox at Her Majesty's Revenue and Customs Tel: 020 7147 2503 or email: jenny.fox@hmrc.gsi.gov.uk can answer any queries regarding the instrument.