EXPLANATORY MEMORANDUM TO

THE SOCIAL SECURITY (ELECTRONIC COMMUNICATIONS) (AMENDMENT) ORDER (NORTHERN IRELAND) 2020

S.R. 2020 No. 147

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Communities to accompany the Statutory Rule (details above) which is to be laid before the Northern Ireland Assembly.

This Order is made under sections 1 and 2 of the Electronic Communications Act (Northern Ireland) 2001.

2. Purpose

2.1. This Order allows for the introduction of an electronic online claim process for Maternity Allowance, Sure Start Maternity Grants and Funeral Expenses Payments.

3. Background

Legislative Context

3.1. The Social Security (Claims and Payments) Regulations (Northern Ireland) 1987 are being amended to allow electronic claims for benefits as well as the use of electronic communications by including Funeral Expenses Payments, Sure Start Maternity Grants and Maternity Allowance.

Policy Background

3.2. The changes being made in respect of electronic claims for Sure Start Maternity Grants, Funeral Expenses Payments and Maternity Allowance are intended to put in place powers to allow claimants to both make electronic claims as well communicate electronically in respect of those claims. The introduction of these changes would be in addition to the current clerical methods for Funeral Expenses Payments, Sure Start Maternity Grants and Maternity Allowance and the further addition of telephone applications for Funeral Expenses Payments and will not detract from the rigorous scrutiny of evidence throughout the claims process.

4. Consultation

4.1. No consultation has taken place as all changes are minor and are intended to support all claimants, improve the service offered and provide more accurate information.

5. Equality Impact

5.1. In accordance with its duty under section 75 of the Northern Ireland Act 1998, the Department has conducted a screening exercise on proposals for

these Regulations and concluded that they do not have significant implications for equality of opportunity. In light of this, the Department considered that an equality impact assessment is not necessary.

6. Regulatory Impact

6.1. There is no, or no significant, impact on business, charities or voluntary bodies or on the public sector.

7. Financial Implications

7.1. The amendments made by this set of Regulations will generate on going savings due to making use of electronic applications. There may also be savings associated with fraud identification and prevention.

8. Section 24 of the Northern Ireland Act 1998

8.1 The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied that these Regulations:

a) are not incompatible with any of the Convention rights;

b) are not incompatible with Community law;

c) do not discriminate against a person or class of person on the ground of religious belief or political opinion; and

d) do not modify an enactment in breach of section 7 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. The corresponding Great Britain Regulations are the Social Fund and Social Security (Claims and Payments) (Amendment) Regulations 2020 (S.I. 2020/600).

10.2. In line with the long-standing policy of parity in social security, the Social Security (Electronic Communications) (Amendment) Order (Northern Ireland) 2020 will come into operation 22nd July 2020. Parity of timing and substance is an integral part of the maintenance of single systems of social security, pensions and child support provided for in section 87 of the Northern Ireland Act 1998.

11. Additional Information

11.1. Not applicable.