POLICY NOTE

The Welfare Foods (Best Start Foods) (Scotland) Amendment Regulations 2019

SSI 2019/232

The above instrument was made in exercise of the powers conferred by section 13 of the Social Security Act 1988 ("the 1988 Act"). The instrument is subject to negative procedure.

Purpose

These regulations amend the Welfare Foods (Best Start Foods) (Scotland) Regulations 2019 SSI/193 ("the principal instrument") to clarify detail and use of enabling powers in the approach to offences contained within the principal instrument.

Policy Objectives

Best Start Foods will replace the Healthy Start Voucher scheme in Scotland from 12 August 2019. Best Start Foods will provide financial support to families with young children on certain low income benefits to access healthy food to build and maintain healthy diets. The principal instrument was made on 30 May 2019 and laid before the Scottish Parliament on 31 May 2019. The Welfare Foods (Best Start Foods) (Scotland) Amendment Regulations 2019 ("the Regulations") will make amendments to clarify detail around regulation 18 of the principal instrument to ensure the principal instrument is as clear, effective and accessible as possible.

This amendment will clarify reference to offences and the application of certain enactments by inserting a new regulation 18 into the principal instrument. Regulation 18 concerns the offence of breaching the Regulations, in particular it is an offence to a fail to notify Scottish Ministers of a change in circumstances that would affect entitlement to the benefit and it is an offence to fail to return a payment card that has been issued for the purposes of Best Start Foods, if requested by Scottish Ministers.

These amendments simply make technical changes to the principal instrument for the purposes of clarification. They do not change meaning or policy intent.

Consultation

As part of the policy development of Best Start Foods policy a public consultation alongside a significant amount of stakeholder engagement. No formal consultation has taken place for this amending legislation as these were not deemed necessary as the Regulations only make technical changes to the principal instrument. No policy changes have been made.

Impact Assessments

In developing Best Start Foods policy a number of impact assessments have been developed, including a Business Regulatory Impact Assessment (BRIA), Equality Impact Assessment and Children's Rights Impact Assessment (CRWIA). These impact assessments evaluated the impact of Best Start Foods on certain groups of people. In reference to the Regulations, no impact assessments have been carried out. As there has been no change in policy there is not expected to be any additional impact as an outcome of these regulations due to the technical nature of the amendments.

Financial Effects

The Minister for Public Health, Sport and Wellbeing confirms that no BRIA is necessary as the instrument does not make any changes to policy and is purely technical in nature, therefore has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Children and Families Directorate
27 June 2019