



Northern Ireland Assembly

COMMITTEE FOR COMMUNITIES

MINUTES OF PROCEEDINGS

**Thursday 6 February 2020
Room 29 Parliament Buildings**

Present: Paula Bradley MLA (Chairperson)
Kellie Armstrong MLA (Deputy Chairperson)
Andy Allen MLA
Jonathan Buckley MLA
Mark Durkan MLA
Sinead Ennis MLA
Robin Newton MBE MLA
Emma Sheerin MLA

Apologies: Carál Ní Chuilín MLA

In Attendance: Kevin Pelan (Assembly Clerk)
Sean McCann (Assistant Assembly Clerk)
Antoinette Bowen (Clerical Supervisor)
Oliver Bellew (Clerical Officer)

The meeting commenced in open session at 10:06a.m.

1. Apologies

As above.

2. Draft Minutes

Agreed: The Committee agreed the minutes of the meeting held on Thursday 30 January 2020.

3. Matters Arising

Members noted a departmental response to a committee query on polygamous marriage in the context of enhanced disability premium. The query arose as part of the Committees' consideration of SR 2019/188: The Social Security Benefits Up-rating Order (No.2) Order (NI) 2019.

The Chairperson advised members that a letter from the department had been received asking the Committee to consider a briefing from the Minister on the drafting of an Assembly Bill on Social Sector Size Criteria for introduction to the Assembly by accelerated passage.

Agreed: The Committee agreed to invite the Minister to brief on this issue at its meeting on Thursday 13 February.

4. Correspondence

The Chairperson drew members' attention to items of correspondence that made specific requests of the Chairperson and Committee.

Agreed: The Committee agreed the course of action as proposed by the Chairperson to address this correspondence.

The Committee considered an invitation from Business in the Community to hold its meeting on 27 February at Camphill Community Glenraig in conjunction with their Ambitious Partnerships Conference.

Agreed: The Committee agreed to write to Business in the Community to advise that it cannot attend the event as the Minister will brief the committee at its meeting on 27 February in Parliament Buildings.

5. Departmental briefing: Permanent Secretary and Deputy Secretaries

The Permanent Secretary and departmental officials joined the meeting at 10:09 a.m.

Tracy Meharg, Permanent Secretary
Colum Boyle, Deputy Secretary for Work and Health
Jackie Kerr, Deputy Secretary for Supporting People

The Permanent Secretary and Deputy Secretaries provided the Committee with an overview of the functions of the Department and their specific areas of responsibility.

The oral evidence was followed by a question and answer session.

Agreed: The Committee agreed to write to the Department seeking the following:

- A departmental briefing at its meeting on 20 February on the review of welfare reform mitigations - its findings, proposals for the future and potential costs.
- A Department response to committee concerns that if a Universal Credit claimant gets 2 earnings payments within an assessment period, their income may be too high to qualify for Universal Credit in that month. There are times, such as during the Christmas period, when employers would pay salaries twice in one month and members feel that this rule is penalising claimants.
- A Departmental response to Committee queries on the figure for successful Personal Independence Payment appeals.

The Chairperson thanked the officials for their attendance.

The Chairperson adjourned the meeting at 12:35 pm

The Chairperson resumed the meeting in public session at 12:53 pm

6. Consideration of Statutory Rules

The following departmental officials joined the meeting at 12:53p.m.

John Noble
Paul McKenna
Jonathan Furphy
Anne McCleary

The officials briefed the Committee and answered members' questions on Statutory Rules on Child Support Regulations.

SR 2019/221: The Child Support (Miscellaneous Amendment No.3) Regulations (NI) 2019

The Committee considered SR 2019/221: The Child Support (Miscellaneous Amendment No.3) Regulations (NI) 2019, which will revoke and re-enact the provisions of the Child Support (Miscellaneous Amendments) Regulations (Northern Ireland) 2018. The Regulations would provide for powers, which were introduced in December 2018, to continue in force.

Agreed: SR 2019/221: The Committee considered The Child Support (Miscellaneous Amendment No.3) Regulations (NI) 2019 and recommended that it be approved by the Assembly.

SR 2019/222: The Child Support (Miscellaneous Amendment No.4) Regulations (NI) 2019

The Committee considered SR 2019/222: The Child Support (Miscellaneous Amendment No.4) Regulations (NI) 2019, which would introduce a number of changes to child maintenance legislation. The rule will change the range of benefits from which arrears of Child Maintenance can be deducted and expand the list of persons from whom relevant information can be requested by or on behalf of the Department. They rule would provide for Child Maintenance debt that was subject to a protected trust deed that has expired without being converted to sequestration (bankruptcy); and make minor and technical changes to the Child Maintenance calculation and fees regulations.

Agreed: The Committee considered SR 2019/222: The Child Support (Miscellaneous Amendment No.4) Regulations (NI) 2019 and recommended that it be approved by the Assembly.

The following departmental officials joined the meeting at 13:19 a.m.

Una McConnell
Rosemary Hughes

The officials briefed the Committee and answered members' questions on a Statutory Rule on Bereavement Support Payment.

SR 2019/181: The Bereavement Support Payment (No.2) Regulations (NI) 2019

The Committee considered SR 2019/181: The Bereavement Support Payment (No.2) Regulations (NI) 2019, which would revoke and re-enact the Bereavement Support Payment Regulations (Northern Ireland) 2019. It sets out the details of the new scheme, and in particular specify the amount to be paid, the duration of the payments, entitlement position for prisoners and territories in which a person must reside in order to receive the new benefit.

Mr Buckley left the meeting at 13:29 p.m.

A number of members raised concerns about the human rights implications of these regulations. Specifically, that the surviving member of a cohabiting couple is not eligible for a bereavement payment.

However, the Committee acknowledged that should the assembly not approve the regulations there would be no legislative framework to make bereavement payments to those who claimed after 6 April 2017.

The Departmental officials further informed the Committee that these regulations were currently subject to a number of judicial reviews.

Agreed: The Committee agreed to write to the Department to ask for more information on the nature and progress of the judicial reviews.

Agreed: The Committee considered SR 2019/181: The Bereavement Support Payment (No.2) Regulations (NI) 2019 and recommended that it be approved by the Assembly.

7. Any Other Business

There was no AOB to record.

8. Date, Time and Place of the next meeting

The next meeting will be on Thursday 13 February at 10.00 a.m. in Room 30, Parliament Buildings.

The meeting adjourned at 13.32 p.m.

Ms Paula Bradley MLA
Chairperson, Committee for Communities