STATES OF JERSEY

DRAFT SOCIAL SECURITY (OVERLAPPING BENEFITS) (JERSEY) AMENDMENT REGULATIONS 202- (P.79/2025) – CHILDREN'S RIGHTS IMPACT ASSESSMENT

Presented to the States on 10th October 2025
by the Minister for Social Security

STATES GREFFE

CHILDREN'S RIGHTS IMPACT ASSESSMENT (CRIA)

PART 1: SCREENING

Name and title of Duty Bearer:	Deputy Lyndsay Feltham, Social Security Minister
Type of Duty Bearer: (Minister, Elected Member or States Assembly Body)	Minister
Assessment completed by (if not completed by duty bearer):	Policy Officer
Date:	03/10/2025

1) Name and brief description of the proposed decision

The subject of your CRIA may be a proposed law, policy or proposition and in accordance with the Law is referred to in this template as the '**decision**'

- What is the problem or issue the decision is trying to address?
- Do children experience this problem differently from adults?

DRAFT SOCIAL SECURITY (OVERLAPPING BENEFITS) (JERSEY) AMENDMENT REGULATIONS 202-

The Minister for Social Security is proposing these draft regulations to update the Social Security legislation so that regular weekly payments to Income Support households are not disrupted by the existence of overlapping Social Security benefit claims, and so that core household expenses can continue to be met.

The proposed law changes would treat an adult or child (over school leaving age, but under 18) receiving a Social Security benefit in the same way.

2) Which groups of children and young people are likely to be affected?

Groups of children could include early years, primary or secondary education; young adults; children with additional learning needs; disabled children; children living in poverty; children from particular ethnic backgrounds; migrants; refugees; care experienced children and LGBTQ+ children

A young person reaches school leaving age on the 30th June in the school year in which they turn 16.

The UNCRC defines a child as being anyone under the age of 18.

Each Social Security benefit has an eligibly test based on contributions paid. As young people become liable to pay Social Security contributions at school leaving age, and could qualify for some Social Security benefits from 6 months after, some children (those aged between school leaving age and 18 years of age) may be affected.

The only young people who would be affected would be those who are part of an Income Support Household, and qualify for a social security benefit.

3) What is the likely impact of the proposed decision on children and on their rights? • Identify any potential positive OR negative impacts and include indirect impacts on children and their rights as described in the UNCRC • Will different groups of children be affected differently by this decision?
The change proposed means if an amount equivalent to a social security benefit payment due to a young person has already been paid through income support to the household, the young person will not receive a payment of social security benefit separately. It is estimated between 5 and 20 16- to 20-year-olds might be affected each year. Young people are treated in the same way as all adults on who are part of income support households. The change is proposed to minimise disruption to payments of the income support household so that the household continues to have income available to pay for core household expenses (ie. rent, food, other essential items). Articles 26 (right to social security) and 27 (right to a standard of living that is good enough to meet the child's physical and social needs and support their development) have been considered. Article 26 states: *'…benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.'* The proposal is not removing a child's right to benefits. It is reducing disruption of income to persons having responsibility for the maintenance of the child. Article 27 states: *1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.* *2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.* *3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.* The proposal ensures those responsible for the child continue to receive income to provide the conditions of living necessary for the child's development.

	Furthermore, income support has mechanisms that can ringfence and pay money direct to third parties if needed (ie. landlords).
4)	Is a full Children's Rights Impact Assessment required? If you have identified impacts on children and their rights, a full CRIA should be completed. If no impacts are identified then a Full CRIA is not required, but please explain your rationale and how you reached this conclusion
	It is determined a full Children's Rights Impact Assessment is not required. As detailed above, articles 26 and 27 have been considered. While the proposal may affect a child's right to receive separate payments of social security benefit, the net financial benefit payable to the family remains the same with no anticipated adverse impact on the child. The intended use for the money is the same, regardless of who it is paid to. This proposal removes the disruption that can be caused by overpayments that could otherwise create ongoing difficulty for the family. Income Support is a well-established model that pays household entitlement (included components designed to cover the expenses of children) to the claimant.