

STATES OF JERSEY



Jersey

DRAFT INCOME SUPPORT (PARENTS, CHILDREN AND HOUSING) (JERSEY) AMENDMENT REGULATIONS 202-

Lodged au Greffe on 21st July 2025
by the Minister for Social Security
Earliest date for debate: 9th September 2025

STATES GREFFE

REPORT

Introduction

The Income Support law has been in operation since 2008. Over the last 17 years, processing and administration has evolved to cater to the wide variety of customers and their circumstances.

The Minister for Social Security is proposing these draft Regulations to update the Income Support legislation to:

1. ensure it is fully aligned with the current and future administration of income support claims;
2. enable more efficient benefit administration; and
3. enable improved data collection.

The proposed amendments are designed to fully protect existing claimants and maintain claim rates at their current level. There will be **no impact** on the amount of Income Support payable to Income Support households.

These changes will also act in support of the Transform Programme (“Transform”), which is an Employment, Social Security and Housing (“ESSH”) initiative to transform services and systems to make it easier for customers. ESSH maintains a complex IT ecosystem to deliver its services, with the aging, bespoke, benefit administration system, NESSIE, being at its centre. Transform will deliver a next-generation customer service and benefits management system that will provide for responsive, efficient, customer-centric Government services.

Summary of proposed amendments

Family Unit

The current legislation uses the term “family unit” without a formal definition. The opportunity is taken, as per Regulation 3 (4D), to provide a clear definition to ensure data can be collected in respect of family units to support more effective processing of claims.

Award of housing for eligible family members not named on lease or licence

There are situations where family members share a dwelling but are not named on the lease or licence and are not part of the same Income Support household. For example, this situation is typical for social housing dwellings where a parent will qualify to occupy social housing, but their adult children (based on age alone) will not. The current operational process is that in support of these family arrangements the claim will include a bedroom for all Income Support eligible members of the household, paying it to the household named on the lease.

However, under the current law, the housing component is not payable in respect of any Income Support household that is not named on lease or licence. The opportunity is therefore taken as per Regulation 3 (4H), to update the legislation, ensuring it is fully aligned with the current and future administration of income support claims.

The opportunity has also been taken as per Regulation 3 to review the whole of Schedule 1 Part 2 paragraph 4 (rates of housing component) in the Regulations to improve the structure of the legislation.

Young people in full time education and working

When a young person in full time education is part of an Income Support household and working, the law currently provides for 100% of the earnings to be disregarded up to the value of the adult component (currently £125.79), and income thereafter to be disregarded at 26%.

In line with current processing, and to provide further incentive for students to be in work, the Minister wishes, as per Regulation 4(2), (5), (7), (8) and (9) and Regulation 6 to update the legislation so that neither the parent Income Support household nor the student themselves are negatively impacted by the young person being in work.

To achieve this, the regulations introduce an earnings level above which a young person in education is better off while having 100% of their income disregarded and no longer being eligible for components. They are essentially not counted on the claim, other than for the purposes of being awarded a bedroom.

This will continue to ensure young students and their parents are ‘better off’ during any period in which the young person is working and fully align the law with the current and future administration of Income Support claims.

Other young people, working

As above, the Minister is committed to incentivising young people to work by ensuring Income Support households are always ‘better off’ during any period in which a young person is working. To achieve this, determining officers currently act outside of the law, but in the best interests of young people by keeping them in or removing them from the ‘parent’ household, whichever results in less loss of benefit. The Minister wishes therefore, as per Regulation 5 to update the legislation in line with current and future administration of Income Support claims.

Award of the housing component when more than one household shares a dwelling

The law includes a calculation for determining how much housing component is payable when more than one household shares a dwelling. The calculation needs adjustment to bring it in line with current administration in situations where the rent charged for a private dwelling is less than the private housing cap, or where the rent charged for a social housing dwelling is more than the social housing cap (when the dwelling is underoccupied). The opportunity is taken through Regulation 3 (4G) and Regulation 4(3) and (4) to update the legislation to ensure it is aligned with the current and future administration of Income Support claims.

Award of the single parent component

Where a young person over school leaving age is assessed to have high personal or long-term care needs, they will, as per the law, be awarded their own income support claim, separate to any parent claim. The law however currently only awards the single parent component if the young person is in the same Income Support household.

Regulation 2 and Regulation 4(6) correct an anomaly in respect of the basic components payable to single parents and proposes an update to ensure the single parents of young people who have separate Income Support claims can, in line with current and future administration continue to be awarded the single parent component.

Financial and staffing implications

There are no additional financial or staffing implications for Government as a result of this proposition.

Children's Rights Impact Assessment

A Children's Rights Impact Assessment (CRIA) screener has been prepared in relation to this proposition and is available to read on the States Assembly website.

EXPLANATORY NOTE

The Income Support (Parents, Children and Housing) (Jersey) Amendment Regulations 202- will, if made, make amendments to the Income Support (Jersey) Law 2007 (the “Law”), the Income Support (Jersey) Regulations 2007 (the “Regulations”) and the Income Support (General Provisions) (Jersey) Order 2008 (the “Order”) in order to amend the current legislative position, principally regarding people under 25 in an income support household.

In particular –

Regulation 1 is an interpretation provision defining the Law, Regulations and Order.

Regulation 2 amends Article 5 of the Law. New paragraph (2)(ba) is inserted to provide a component for a person caring for a young adult who qualifies for a higher level of the personal care element of income support, or the lowest level of standard care under the Long-Term Care (Benefits) (Jersey) Order 2014 (the “Long-Term Care Order”).

Regulation 3 amends Schedule 1 to the Regulations in relation to the rate of housing component, by substituting paragraph 4. A large part of the substitution is for structural reasons to bring the provision up to modern drafting standards, but the redrafted provisions make the following amendments:

- New paragraph 4D defines the term “family unit”, which was previously used without clear definition.
- New paragraph 4G amends the circumstances in which the housing component of income support will be divided between the eligible households occupying a dwelling.
- New paragraph 4H makes provision for specific circumstances in which new paragraph 4G applies, and 2 of the households occupying the dwelling would be part of the same family unit except that the “child” has attained the age of 25 and so no longer fits within the definition of a child of the household with respect to the family unit.

Regulation 4 amends Schedule 1 to the Regulations in relation to exemptions from work, to provide that a member of a household is not entitled to any component of income support if they are exempted from work by reason of pursuing education or training and have earnings that exceed the product of the given formula. It also makes amendments to the Regulations that are necessary as a consequence of the amendments made to the Law in *Regulation 2*.

Regulation 5 amends Article 5 of the Order to provide that a person is treated as a member of the household if they are under 25, in remunerative work, do not meet the criteria for either a higher level of the personal care element of the impairment component or the lowest level of standard care under the Long-Term Care Order, and the amount of income support payable to the household is greater if the person is included in the household than if they are excluded from it.

Regulation 6 replaces Schedule 2, paragraph 5 to the Order in order to restructure and consolidate previous changes to this provision, and to provide that 100% of a person’s earnings are to be disregarded if the person is under 25, is treated as being the member of a household under Article 5, is excepted from the requirement to undertake remunerative work by virtue of undergoing education or training, does not meet the criteria for a higher level of the personal care element of the impairment component, and has earnings that exceed the product of the formula given in Schedule 1, paragraph 1(1A) to the Regulations.

Regulation 7 gives the citation and provides that the Regulations will come into force 7 days after they are made.



DRAFT INCOME SUPPORT (PARENTS, CHILDREN AND HOUSING) (JERSEY) AMENDMENT REGULATIONS 202-

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Jersey

DRAFT INCOME SUPPORT (PARENTS, CHILDREN AND HOUSING) (JERSEY) AMENDMENT REGULATIONS 202-

Made

[date to be inserted]

Coming into force

[date to be inserted]

THE STATES make these Regulations under Articles 5 and 18 of the [Income Support \(Jersey\) Law 2007](#) –

1 Interpretation

In these Regulations –

“Law” means the [Income Support \(Jersey\) Law 2007](#);

“Order” means the [Income Support \(General Provisions\) \(Jersey\) Order 2008](#);

“Regulations” means the [Income Support \(Jersey\) Regulations 2007](#).

2 Article 5 (components and rate of income support) of the Law amended

(1) This Regulation amends Article 5 of the Law.

(2) For Article 5(2)(b) there is substituted –

(b) a rate for an adult who is, other than an adult described in paragraph (2A), the sole adult in a household –

(i) in respect of which there is an entitlement to the component specified in sub-paragraph (c); or

(ii) in which, even though there is no such entitlement, there are 1 or more other adults in the household, each of whom is an adult specified in paragraph (2A);

(ba) a rate for an adult who is the sole adult in the eligible household and who resides with 1 or more adults under the age of 19 –

(i) for whom the adult has parental responsibility or otherwise cares for as part of a family unit; and

(ii) each of whom meets the criteria for –

(A) the rate payable in respect of the personal care element of the impairment component under paragraph 6(3)(b), 6(3)(c) or 6(4) of Schedule 1 to the [Income Support \(Jersey\) Regulations 2007](#); or

- (B) the weekly rate set for the lowest level of standard care for which provision is made under Article 8 of the [Long-Term Care \(Benefits\) \(Jersey\) Order 2014](#);

3 Schedule 1 to the Regulations amended (rates of housing component)

In Schedule 1 to the Regulations, for paragraph 4 (rates of housing component) there is substituted –

4 Meaning of “appropriate to needs of eligible household”

- (1) In paragraphs 4A to 4I, a dwelling is appropriate to the needs of an eligible household –
 - (a) if it is no larger than is reasonably necessary for that household;
 - (b) if, having regard to all the circumstances, it would be unreasonable to expect the household to move from that dwelling; or
 - (c) if –
 - (i) it has become larger than is reasonably necessary for the household because the household has become smaller within the last 12 months; and
 - (ii) the household is taking all reasonable steps to find alternative accommodation that is appropriate to the needs of the household.
- (2) If a dwelling is occupied by more than 1 household, paragraph (1) applies to all the eligible households that occupy the dwelling.

4A Rate of housing component – private sector rental

- (1) This paragraph applies if the dwelling occupied is private sector housing occupied under the terms of a lease or licence by an eligible household.
- (2) The housing component payable is whichever is the lowest of the following –
 - (a) the actual weekly rent payable;
 - (b) if the dwelling is appropriate to the needs of the eligible household, the rate payable under sub-paragraph (3) in respect of a dwelling of that description; or
 - (c) if the dwelling is not appropriate to the needs of the eligible household, the rate payable under sub-paragraph (3) in respect of a dwelling of a description that is appropriate to the needs of the eligible household.
- (3) The rates payable under this sub-paragraph are –

hostel	£158.76
lodgings or bedsit	£192.15
flat with 1 bedroom	£283.29
flat with 2 bedrooms	£362.74
flat with 3 or more bedrooms	£389.13

house with 1 bedroom	£324.73
house with 2 bedrooms	£412.16
house with 3 bedrooms	£481.32
house with 4 bedrooms	£524.65
house with 5 or more bedrooms	£580.58

4B Rate of housing component – social housing

- (1) This paragraph applies if the dwelling occupied by an eligible household is social housing occupied under a lease or licence.
- (2) If the dwelling is appropriate to the needs of the household and –
 - (a) the actual weekly rent is reasonable, the housing component is the actual weekly rent payable; or
 - (b) the actual weekly rent is more than is reasonable, the rate is the rate payable under paragraph 4I in respect of a dwelling of that description.
- (3) If the dwelling is not appropriate to the needs of the household, the rate payable is the lower of –
 - (a) the rate payable under paragraph 4I in respect of a dwelling of a description that is appropriate to the needs of the household; or
 - (b) the actual weekly rent payable.
- (4) In this paragraph, “reasonable”, with regard to rent payable, means an amount of rent that is reasonable having regard to –
 - (a) the fact that the dwelling is social housing; and
 - (b) the value of the property on the open rental market.

4C Rate of housing component – dwelling owned by member of household

- (1) This paragraph applies if an eligible household occupies a dwelling that is owned by a member of the household.
- (2) If the dwelling is appropriate to the needs of the eligible household, the housing component payable is the rate stated in sub-paragraph (4) in respect of a dwelling of that description.
- (3) If the dwelling is not appropriate to the needs of the eligible household, the housing component payable is the rate stated in sub-paragraph (4) in respect of a dwelling of a description that is appropriate to the needs of the eligible household.
- (4) The rates payable under this sub-paragraph are –

bedsit or flat with 1 or 2 bedrooms	£8.89
flat with 3 bedrooms	£12.53
flat with 4 or more bedrooms	£17.71

house with 1 bedroom	£8.89
house with 2 bedrooms	£12.53
house with 3 or more bedrooms	£17.71

4D Meaning of “family unit”

In Articles 4E to 4H, 2 households occupying the same dwelling are part of a “family unit” if –

- (a) 1 of the households consists of a person under the age of 25; and
- (b) a member of the other household –
 - (i) has the main responsibility for the physical care of the person; or
 - (ii) if the person is over school leaving age –
 - (A) had that responsibility until the person attained school leaving age; or
 - (B) is the person’s parent.

4E Dwelling shared by 2 or more eligible households in same family unit

- (1) This paragraph applies if a dwelling is occupied by 2 or more households –
 - (a) each of which is an eligible household; and
 - (b) that are part of the same family unit.
- (2) The rate of housing component is determined under paragraph 4A, 4B or 4C, as appropriate, subject to the following –
 - (a) a dwelling is appropriate to the needs of the household if it is no larger than is reasonably necessary for all the households sharing the dwelling, or if, having regard to all the circumstances, it would be unreasonable to expect all or any of them to move from that dwelling;
 - (b) only 1 housing component is payable in respect of the dwelling; and
 - (c) the component is divided equally between all the households entitled to it.

4F Dwelling shared by 2 or more households in same family unit of which 1 or more not eligible

- (1) This paragraph applies if a dwelling is occupied by 2 or more households –
 - (a) at least 1 of which is not an eligible household; and
 - (b) that are part of the same family unit.
- (2) The rate of housing component is determined under paragraph 4A, 4B or 4C, as appropriate, subject to the following –
 - (a) a dwelling is appropriate to the needs of the household if –
 - (i) it is no larger than is reasonably necessary for all the eligible households sharing the dwelling (or the eligible household, if there is only 1); or

- (ii) if, having regard to all the circumstances, it would be unreasonable to expect all or any of the eligible households (or the eligible household, if there is only 1) to move from that dwelling;
- (b) only 1 housing component is payable in respect of the dwelling; and
- (c) if there is more than 1 eligible household, the component is divided equally between all the eligible households entitled to it.

4G Dwelling shared by 2 or more households not in family unit

- (1) This paragraph applies if a dwelling is occupied by 2 or more households that do not form part of the same family unit.
- (2) If a member of an eligible household owns the dwelling –
 - (a) if the dwelling is appropriate to the needs of the eligible household, the housing component is the rate payable under paragraph 4C in respect of a dwelling of that description; or
 - (b) if the dwelling is not appropriate to the needs of the eligible household, the housing component is the rate payable under paragraph 4C in respect of a dwelling of a description that is appropriate to the needs of the eligible household.
- (3) If the dwelling occupied by the eligible household is social housing occupied under a lease or licence, and the dwelling is appropriate to the needs of all the eligible households occupying the dwelling, the housing component is the amount calculated using the formula $H/B \times T$.
- (4) If the eligible household occupies a dwelling under a lease or licence, the housing component is the lower of –
 - (a) the actual weekly rent payable by the household;
 - (b) the amount calculated using the formula $H/B \times C$; or
 - (c) the amount calculated using the formula $H/B \times T$.
- (5) In this paragraph –

H is the number of bedrooms that is appropriate to the needs of the eligible household;

B is the total number of bedrooms in the dwelling;

C is, for a dwelling of a description that refers to the total number of bedrooms in the dwelling –

 - (i) in the case of private sector housing, the rate payable under paragraph 4A; or
 - (ii) in the case of social housing that is not appropriate to the needs of all the eligible households occupying the dwelling household, the rate payable under paragraph 4I;

T is the total weekly rent payable for the dwelling.

4H Further provision in case of parent/child relationship

- (1) This paragraph applies if –
 - (a) paragraph 4G(3) or (4) applies; and

- (b) 2 of the households occupying the dwelling would form part of the same family unit, but for the person in the child household having attained the age of 25; but
 - (c) not all of the households occupying the dwelling are named on the lease or licence.
- (2) Only 1 housing component is payable in respect of a dwelling.
 - (3) The housing component is calculated based on all the eligible households to whom paragraph (1)(b) applies who occupy the dwelling.
 - (4) If the lease or licence on the dwelling is in the sole name of the parent household, the housing component is payable only if the parent household is an eligible household (and is paid to the parent household).
 - (5) If the lease or licence on the dwelling is in the sole name of the child household, the housing component is payable only if the child household is an eligible household (and is paid to the child household).
 - (6) If the lease or licence on the dwelling is in the joint names of the parent and child households –
 - (a) if only the parent household is an eligible household, the housing component is paid to the parent household;
 - (b) if only the child household is an eligible household, the housing component is paid to the child household; and
 - (c) if both parent and child households are eligible households, the housing component is divided proportionately between the households.
 - (7) In this paragraph –
 - “child” means a member of a child household;
 - “child household” means a household comprising a person –
 - (a) who is over the age of 25; and
 - (b) in respect of whom a member of the parent household –
 - (i) is their parent; or
 - (ii) had responsibility for the person’s physical care until the person attained school leaving age;
 - “parent” means a member of a parent household;
 - “parent household” means a household comprising 1 or more persons who –
 - (a) is the parent of a person in the child household; or
 - (b) had responsibility for the physical care of a member of the child household until that member attained school leaving age.

4I Rates payable under paragraphs 4B(2) and (3) and 4G(5)(ii)

The rates payable under this paragraph are –

hostel	£158.76
lodgings or bedsit	£182.21
flat with 1 bedroom	£268.45

flat with 2 bedrooms	£343.56
flat with 3 or more bedrooms	£368.55
house with 1 bedroom	£307.51
house with 2 bedrooms	£390.60
house with 3 bedrooms	£456.12
house with 4 bedrooms	£497.00
house with 5 or more bedrooms	£550.20

4 Schedule 1 to the Regulations amended (exemptions from work)

- (1) This Regulation amends Schedule 1 to the Regulations.
- (2) After paragraph 1(1)(a) there is inserted –
 - (aa) if the member of the household is excepted from the requirement to be engaged in full time remunerative work by virtue of Article 3(1)(e) (approved education or training) of the Law, during any week in which the member’s weekly earnings exceed the product of the formula set out in paragraph (1A);
- (3) In paragraph 1(4), for “paragraph 4(10)(c) or (11)(c)” there is substituted “paragraph 4E(2)(c), 4F(2)(c) or 4H(6)(c)”.
- (4) In paragraph 1(4A), for “paragraph 4(12)(a)” there is substituted “paragraph 4G(3) or (4)”, in both places in which it occurs.
- (5) After paragraph 1(1) there is inserted –
 - (1A) The formula referred to in sub-paragraph (1)(aa) is as follows –

$$A \times B$$
 where
 A is the rate payable under paragraph 2(a);

$$B = \frac{1 + C}{C}$$

$$C = 1 - (D + E)$$
 D is the percentage of primary Class 1 contributions payable under Schedule 1A, paragraph 3(1) to the [Social Security \(Jersey\) Law 1974](#), expressed as a decimal;
 E is the percentage of earnings disregarded under Schedule 2, paragraph 5(a) to the [Income Support \(General Provisions\) \(Jersey\) Order 2008](#), expressed as a decimal.
- (6) In paragraph 2(b) –
 - (a) after “Article 5(2)(b)” there is inserted “or (ba)”;
 - (b) for “£49.14” there is substituted “£174.93”.
- (7) In paragraph 5(3), for “paragraph 1(1)(b), (c), or (d)” there is substituted “paragraph 1(1)(aa), (b), (c) or (d)”.
- (8) In paragraph 9 –

- (a) the text is numbered as sub-paragraph (1); and
- (b) after the renumbered sub-paragraph (1) there is inserted –
- (2) But a household is not entitled to a child day care component if –
 - (a) the adult member of the household described in sub-paragraph (1)(a) is exempted from the requirement to be in full time remunerative work by virtue of Article 3(1)(e) (approved education or training) of the Law; and
 - (b) the adult member of the household's average earnings, calculated over a period not exceeding 12 months, exceed the product of the formula set out in paragraph 1(1A).
- (9) In paragraph 11(2), for “paragraph 1(1)(b), (c) or (d)” there is substituted “paragraph 1(1)(aa), (b), (c) or (d)”.

5 Article 5 (persons treated as being members of the same household) of the Order amended

- (1) This Regulation amends Article 5 of the Order.
- (2) In paragraph (1)(b), for “paragraph (2)” there is substituted “paragraph (2) or (2A)”.
- (3) For paragraph (2)(b) there is substituted –
 - (b) is excepted from the requirement to be engaged in full time remunerative work by virtue of –
 - (i) Article 3(1)(e) (approved education or training) of the Law; or
 - (ii) if paragraph (2A)(d) does not apply, Article 3(1)(g) (seeking full time work) of the Law;
- (4) After paragraph (2) there is inserted –
 - (2A) The circumstances mentioned in paragraph (1)(b) are that one of the persons –
 - (a) is under 25 years;
 - (b) is in remunerative work;
 - (c) does not meet the criteria for –
 - (i) the rate payable in respect of the personal care element of the impairment component under paragraph 6(3)(b), 6(3)(c) or 6(4) of Schedule 1 to the Regulations; or
 - (ii) the weekly rate set for the lowest level of standard care for which provision is made under Article 8 of the [Long-Term Care \(Benefits\) \(Jersey\) Order 2014](#); and
 - (d) the amount of income support payable to the family unit is greater if the person is treated as being a member of the same household than if the person is treated as being a member of a different household.

6 Schedule 2 to the Order amended

In Schedule 2, for paragraph 5 there is substituted –

5 Percentage of income to be disregarded

In assessing the weekly income of the household, the following is disregarded –

- (a) 26% of the earnings of an adult in the household;
- (b) 100% of the earnings of a child in the household;
- (c) 26% of income derived from a qualifying maintenance payment received by a person in the household;
- (d) 100% of income derived from a pension received by a child in the household;
- (e) the following pension income –
 - (i) in the case of 1 existing pensioner in the household, whichever is the greater of –
 - (A) 100% of the first £55.23 of the person's pension income; or
 - (B) 26% of the person's pension income;
 - (ii) in the case of any other existing pensioner in the household, whichever is the greater of –
 - (A) 100% of the first £35.77 of the person's pension income; or
 - (B) 26% of the person's pension income;
 - (iii) in the case of any new pensioner in the household, 26% of that person's pension income;
- (f) 100% of the aggregate of a person's earnings and any income derived from a pension received by the person, up to the value of the basic component payable in respect of that person under Article 5(2)(a) of the Law, if the person –
 - (i) is under 25 years;
 - (ii) is treated under Article 5(1) as being a member of the same household of another person;
 - (iii) is excepted from the requirement to be engaged in full time remunerative work by virtue of Article 3(1)(e) (approved education or training) of the Law but does not meet the criteria for the rate payable in respect of the personal care element of the impairment component under paragraph 6(3)(b) or (c) of Schedule 1 to the Regulations; and
 - (iv) has weekly earnings that do not exceed the product of the formula given in Schedule 1, paragraph 1(1A) to the Regulations;
- (g) 100% of the aggregate of a person's earnings and any income derived from a pension received by the person, if the person –
 - (i) is under 25 years;
 - (ii) is treated under Article 5(1) as being a member of the same household of another person;
 - (iii) is excepted from the requirement to be engaged in full time remunerative work by virtue of Article 3(1)(e) (approved education or training) of the Law but does not meet the criteria for the rate payable in respect of the personal care element of the

- impairment component under paragraph 6(3)(b) or (c) of Schedule 1 to the Regulations; and
- (iv) has weekly earnings that exceed the product of the formula given in Schedule 1, paragraph 1(1A) to the Regulations.

7 Citation and commencement

These Regulations may be cited as the Income Support (Parents, Children and Housing) (Jersey) Amendment Regulations 202- and come into force 7 days after they are made.