



The Scottish Parliament
Pàrlamaid na h-Alba

Social Justice and Social Security Committee

Tom Pursglove MP,
Minister of State for Disabled
People, Health and Work,
UK Government

Social Justice and Social Security Committee
The Scottish Parliament
Edinburgh
EH99 1SP

Via email only

Email: SJSS.committee@parliament.scot

07 November 2023

Dear Minister,

Industrial Injuries Advisory Council

The Scottish Parliament's Social Justice and Social Security Committee will soon begin scrutiny of Mark Griffin MSP's Members Bill, the [Scottish Employment Injuries Advisory Council Bill](#).

The Bill aims to establish an independent Advisory Council that would advise Scottish Ministers on Employment Injuries Assistance (EIA) (the proposed Scottish replacement for the industrial injuries benefits currently administered by the DWP under agency agreement).

Ahead of this, the Committee is interested in the detail of Section 33 of the Scotland Act 2016 which directly affects the proposed Bill.

As the [Explanatory Notes](#) associated with the 2016 Act set out, Section 33 states:

“The effect of this section is that the Social Security Advisory Committee (SSAC) and Industrial Injuries Advisory Council (IIAC) will only advise the Secretary of State and not Scottish Ministers. SSAC and IIAC cannot give advice to Scottish Ministers on those benefits for which the Scottish Parliament have legislative competence. Scottish Ministers will not be able to refer draft regulations to SSAC or to IIAC for consideration or refer questions relating to relevant social security enactments or industrial injuries benefits.”

The Committee would like to know whether there is any scope for the Scotland Act 2016 to be amended to allow the IIAC to provide advice to Scottish Ministers on relevant devolved benefits.

The Committee would appreciate a response to this letter as soon as possible but by **Thursday 30 November 2023 at the latest.**

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Collette Stevenson', written in a cursive style.

Collette Stevenson MSP
Convener
Social Justice and Social Security Committee