

Cabinet Secretary for Social Justice
Shirley-Anne Somerville MSP



Scottish Government
Riaghaltas na h-Alba
gov.scot

T: 0300 244 4000
E: scottish.ministers@gov.scot

Social Justice and Social
Security Committee
The Scottish Parliament

By email: SJSS.committee@parliament.scot

25 October 2024

Dear

Please find attached a letter (Annex A) that we have received from the Chair of the Scottish Commission on Social Security (SCoSS) in relation to a proposed amendment by Jeremy Balfour MSP at Stage 2 of the Social Security (Amendment) (Scotland) Bill. This is being shared to the Committee for information.

Yours sincerely

SHIRLEY-ANNE SOMERVILLE

ANNEX A – Letter from SCoSS Chair to Cabinet Secretary for Social Justice



Scottish Commission on Social Security
c/o Secretariat
Area 1C South (Mail Point 6)
Victoria Quay
Edinburgh
EH6 6QQ

info@socialsecuritycommission.scot

07 October 2024

Shirley-Anne Somerville MSP
Cabinet Secretary for Social Justice
Scottish Government

By email only

Dear Ms Somerville,

I noted with interest the recent Stage 2 deliberations of the Social Justice and Social Security Committee, on 26 September, of the Social Security (Amendment) (Scotland) Bill 2024. I would like to take this opportunity, on behalf of Scottish Commission on Social Security (SCoSS), to thank you and the members of the Committee for the comments made regarding the contribution SCoSS has made to the development of the devolved social security system in Scotland.

In particular, I am writing with regard to the discussion at Committee regarding the amendment, in the name of Jeremy Balfour MSP, which sought to extend the remit of SCoSS. I note that you committed to clarify the position of the Commission with regard to the amendment prior to consideration of the Bill at Stage 3. This letter, which has been agreed by the Commission, is intended to provide that clarification.

The Commission understand that the purpose of the amendment would be to expand the remit of SCoSS to include scrutiny of all regulations emanating from the 2018 Act and other Scottish Parliament Acts relating to social security except for regulations regarding employment injury assistance.

The Commission notes that the amendments which were agreed at Stage 2 were primarily a consequence of recommendations in the report of the independent, external review of SCoSS by Glen Shuraig consulting. These recommendations were the product of extensive engagement with stakeholders and the external review recommended that some areas of social security legislation should remain outwith SCoSS's remit. It may be prudent to allow time for SCoSS to take on the extended remit, proposed by the review, before consideration is given to any further extension of the SCoSS remit.

The Commission recognises, however, that there could be merit in further extending the remit of SCoSS. The Commission consider that before legislating to further extend the remit of SCoSS it would be appropriate to—

- allow time for engagement with stakeholders on any proposed extension to the remit; and
- that any proposed extension to the remit of the Commission would require a thorough understanding of the resource implications for the Commission of such an extension.

The Commission also notes that section 22 (1) (b) and (c) allows Scottish Ministers and / or the Scottish Parliament to request that SCoSS prepare a report on any matter, relevant to social security.

I hope that this letter is helpful in detailing the position of the Commission with regard to the proposed amendment in the name of Jeremy Balfour MSP. I am, of course, more than happy to discuss this matter with you and your officials if that would be helpful in advance of Stage 3 consideration of the Bill.

Yours sincerely,

Ed Pybus
Chair