



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# **Social Justice and Social Security Committee**

**Thursday 23 September 2021**

**Session 6**



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**SOCIAL JUSTICE AND SOCIAL SECURITY COMMITTEE**

**5<sup>th</sup> Meeting 2021, Session 6**

**CONVENER**

\*Neil Gray (Airdrie and Shotts) (SNP)

**DEPUTY CONVENER**

Natalie Don (Renfrewshire North and West) (SNP)

**COMMITTEE MEMBERS**

\*Jeremy Balfour (Lothian) (Con)

\*Miles Briggs (Lothian) (Con)

\*Foyso Choudhury (Lothian) (Lab)

\*Pam Duncan-Glancy (Glasgow) (Lab)

\*Marie McNair (Clydebank and Milngavie) (SNP)

\*Emma Roddick (Highlands and Islands) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Alison Byrne (Scottish Government)

Shona Robison (Cabinet Secretary for Social Justice, Housing and Local Government)

Evelyn Tweed (Stirling) (SNP) (Committee Substitute)

Paul Tyrer (Scottish Government)

**CLERK TO THE COMMITTEE**

Claire Menzies

**LOCATION**

The Mary Fairfax Somerville Room (CR2)



## Scottish Parliament

### Social Justice and Social Security Committee

Thursday 23 September 2021

*[The Convener opened the meeting at 09:45]*

#### Decision on Taking Business in Private

**The Convener (Neil Gray):** Good morning, everybody, and welcome to the fifth meeting in 2021 of the Social Justice and Social Security Committee. Apologies have been received from Natalie Don, and I am pleased to say that Evelyn Tweed is attending as Natalie's substitute.

Agenda item 1 is a decision on taking business in private. Do members agree to take item 3 in private?

**Members indicated agreement.**

## Scottish Government Priorities

09:45

**The Convener:** Our main item of business is item 2, which is an evidence-taking session with the Cabinet Secretary for Social Justice, Housing and Local Government on the Scottish Government's priorities for government. As this is the first time that Shona Robison has appeared before the committee, I congratulate her on her new role and welcome her to the committee. We were colleagues on the Social Justice and Fairness Commission, so it is a pleasure to see you in your current position, cabinet secretary, and the committee is looking forward to working with you over the coming session.

I also welcome the Scottish Government officials who are supporting the cabinet secretary: Alison Byrne, deputy director, social security management and delivery division; and Paul Tyrer, interim deputy director, social justice and regeneration.

I invite the cabinet secretary to make an opening statement.

**The Cabinet Secretary for Social Justice, Housing and Local Government (Shona Robison):** Thank you, convener, and good morning, everyone. It seems strange being in this position, given that I used to be a committee member, but it is nice to be back for the first time in this role.

As the programme for government made clear, the Scottish Government has an ambitious schedule of work ahead on social justice and social security, and I would like to update the committee briefly on some priority areas, including driving forward our national mission to tackle child poverty and our social security programme as well as combating homelessness and violence against women and girls.

First, on child poverty, we will publish in March our second tackling child poverty delivery plan, which will set out ambitious actions across the three drivers of poverty to deliver our interim targets and will be backed by a further £50 million fund.

We are on track to deliver the Scottish child payment to under-16s by the end of 2022, subject to United Kingdom Government co-operation. We will also double the payment to £20 a week as soon as we can in this session, and we will set out details of exactly when and how when we publish the budget bill. To ensure that we are immediately reaching around 148,000 young people, we are making bridging payments of £520 a year to children who receive free school meals. We've

already paid out £200 of this year's total and agreed dates with the Convention of Scottish Local Authorities for the next two £160 payments in October and December. That, of course, stands in contrast to the UK Government, which in a week's time will cut universal credit by £20 per week, meaning a loss of over £1,000 a year for 6 million households.

We are determined to build a social security system that is based on dignity, fairness and respect. Delivery remains a joint enterprise with the Department for Work and Pensions, and I am grateful to the department for its support and recent constructive ministerial discussions.

The challenges of large-scale benefit delivery are well known. For example, although the UK Government's universal credit was originally supposed to be fully rolled out by 2017, that roll-out is more likely to take until 2026. We are proud that, in the three years since we got the powers and legislative ability to deliver benefits, we have introduced 11 benefits, seven of which are brand new. When all benefits are introduced and we have transferred all clients from the DWP to our Scottish systems, we will be delivering 17 benefits, six more than were originally anticipated.

This parliamentary session will see more milestones reached. From 22 November, child disability payment, our first disability benefit, will roll out nationally, and from mid-October, we will begin to transfer awards for Scottish clients currently receiving disability living allowance for children on to that payment. Moreover, from the end of November, we will pay child winter heating assistance for the second year, extending eligibility to severely disabled young people who receive personal independence payments.

If our Carer's Allowance Supplement (Scotland) Bill passes, we will make a double payment of the supplement in December, totalling £462.80. I thank the committee for carrying out its work on the bill in what was a very short timeframe.

Next year, we will launch the adult disability payment, which will replace the personal independence payment, and begin transferring around 300,000 Scottish clients on to our new benefit. Thereafter, my immediate priorities will be delivering Scottish carers assistance—on which we are working with the DWP to agree a timetable—and our winter heating benefits. Following discussions with the DWP, we will start in winter 2022 with our new annual £50 winter heating payment, which will specifically be for low-income households that are currently eligible for cold weather payments. That will be followed by pension-age winter heating assistance, which will mirror the current winter fuel payment and is provisionally scheduled for winter 2024.

That is clearly a packed programme requiring significant amounts of legislation, and I am grateful for the committee's support. When all those benefits are rolled out, we will reach 1.8 million people—around one person in three in Scotland. Social Security Scotland is preparing for that now. It expects to recruit more than 2,000 permanent employees over the next year and, by autumn next year, it will directly employ more than 3,500 people. That recruitment provides secure, long-term employment in Dundee and Glasgow and across the country through our local delivery service, boosting economic opportunities for communities throughout Scotland. I hope that that will be welcomed by all.

I am pleased that members of the committee have joined our cross-party steering group to take forward a minimum income guarantee, which is potentially revolutionary. We are also acting decisively to tackle homelessness and rough sleeping, investing £50 million this parliamentary session in a new ending homelessness together fund. We are also investing more than £100 million to support front-line services and prevent violence against women and girls through our equally safe fund and other measures.

I am happy to take any questions.

**Pam Duncan-Glancy (Glasgow) (Lab):** I congratulate you on your post, cabinet secretary, and welcome you to the committee. As you will be aware, various policies have had to be adjusted due to pressure on Social Security Scotland. How many additional staff and what additional resources does Social Security Scotland need to deliver the payments for which it has responsibility? What resources does the Government anticipate the agency will need once all passported benefits have been transferred from the DWP?

**Shona Robison:** I look forward to working with you on many of these areas of joint responsibility and interest.

As I laid out in my opening remarks, Social Security Scotland has been building up over time, but it is clear that there needs to be a significant increase in staffing, not least with the transfer of the disability benefits. Therefore, we are heading towards a staffing complement of around 3,500 to ensure that the agency has the capacity to deliver the type of service that we want to deliver for clients. That is good not only for clients but for the local economies not only in Dundee and Glasgow but throughout Scotland, where local teams will give a direct face-to-face service to people.

I ask Alison Byrne to say something more about the pace of build-up in the staffing complement.

**Alison Byrne (Scottish Government):** As the cabinet secretary set out, the agency is getting

itself ready to roll out child disability payment nationally in November and move on to adult disability payment next year. It is substantially increasing its staff. A lot of that is to do with the decisions that the Scottish Government has taken about how the benefits will be delivered, including the decision that in-house access will be provided to health and social care practitioners to help to support client applications. Therefore, the agency will recruit significantly over the coming year. Obviously, it takes time to plan and to get the right people with the right skills in post. However, recruitment is on track to enable the Scottish Government to launch those significant and complex disability benefits as the cabinet secretary set out.

**Pam Duncan-Glancy:** I have a follow-up question. I appreciate that it will take substantial staffing resources to deliver the payments as they stand, but they would be delivered with exactly the same eligibility and in exactly the same amounts as the reserved benefits. For example, in response to the ADP consultation, the Government said that it favours largely replicating the eligibility criteria as they exist in PIP, for reasons of staffing resource. How many extra staff would you need in order to start moving on eligibility and adequacy for adult disability payment? Do you believe that the current criteria that are used for PIP are fair, and what is your view on the 20m rule?

**Shona Robison:** There are a lot of questions in there. Let me try to take them in turn.

It is important to recognise that the look and feel for clients will be very different—for example, functional examinations will be removed from the consultation. As you are aware, the DWP routinely carries out tests during assessments such as asking clients to touch their toes and so on. All that will be removed. Assessments will be replaced with person-centred consultations and I intend to address concerns about how the criteria are applied, including those relating to mobility.

A new way of making entitlement decisions for ADP will ensure that the criteria are more fairly applied to all clients. In relation to the engagement of local teams, the feedback from families on the pilot for child disability payment has been very positive, as a lot of time has been spent on supporting people through the system. If you translate that approach to ADP, there will be more staff-intensive support for people applying for the first time for ADP and for cases being transferred.

You mentioned the 20m rule and I understand stakeholders' concerns about that. There are a couple of things to bear in mind. First, and you have used this expression, in relation to the safe and secure transfer, the DWP has been very clear

that the criteria require to remain the same for people to be entitled to their passported benefits.

I recently raised the issue of policy divergence with the UK Minister for Disabled People, Health and Work. We want to diverge on policy and we have said that we will review ADP in 2023 after the cases are transferred. The UK Government has announced through its green paper that it wants to review disability payments and is consider making changes to them in the rest of the UK. I said to the minister that, given that policy divergence, we need to be able to develop and deliver policy that is suited to the needs of people with disabilities here in Scotland, without being constrained by concerns about the risk of losing passported benefits.

Ben Macpherson, who is Minister for Social Security and Local Government, wrote to the UK minister, who has unfortunately now moved on, explicitly asking the UK Government for assurances on the passported benefits issue. We have a journey to go on the issue; we do not have that assurance yet, but we have an agreement to discuss it on an on-going basis. At the moment, we need to make sure that people will get their payments and that they are not put at risk. Even though there are frustrations, which I understand, we cannot risk people not getting their payments.

However, I want to fully engage with the committee, SCOSS and the equality budget advisory group, which I met recently and which in its commentary recognised that people first need to have their benefits secured when they are transferred. I recognise that the review opens up opportunities for policy divergence and I want to work with the committee on considering those options.

I am sorry that that was a long answer, but it is a very complicated issue.

**The Convener:** That is helpful, cabinet secretary. We have further questions from Emma Roddick first, to be followed by Jeremy Balfour. I hope to come in on that part, too, at some stage.

10:00

**Emma Roddick (Highlands and Islands) (SNP):** I note that the previous cabinet secretary raised issues with the joint ministerial working group on accessing data in order to extend the Scottish child payment. Can you provide an update on how that went and whether those issues are still a factor?

**Shona Robison:** Again, we raised that issue directly with the Minister for Disabled People, Health and Work, I think last week. It is a critical issue, and we need movement on the data from the DWP. In the meantime, we have brought in

bridging payments to ensure that families get money for their kids this year and next. However, we need the data in order to be able to move across to the new system.

It is fair to say that there is yet to be an agreement on the method for that. The DWP has suggested one route, but we do not have full confidence that it will deliver that within our timeframes. Our officials have suggested a different way, which has not yet been accepted. Officials are working very closely on it, and I have to put on record that we have a very good working relationship, particularly at official level, and I am confident that a solution will be found. Alison Byrne is very close to these discussions, so I will perhaps let her add a bit of detail.

**Alison Byrne:** As the cabinet secretary said, we continue to work very closely with the DWP on how we can access the data required to deliver phase 2 of the Scottish child payment, which is for six to 16-year-olds. Social Security Scotland does not currently hold that data, so, without access to information on entitlement to reserved benefits, the Scottish Government could not deliver that benefit. As the cabinet secretary said, we have established that the DWP holds the data that we need. The challenge is the method through which the DWP will transfer that data to us and, therefore, what digital infrastructure we need to build to plug into DWP systems to get that. As the cabinet secretary said, timing remains critical for us on that, but we are working hard with the DWP. We have another meeting with it today, so we are hopeful and confident that we can reach a resolution.

**The Convener:** Thank you, Alison—that is helpful. For the record, we have invited the Secretary of State for Work and Pensions to appear before the committee so that we can discuss some of those issues about data sharing and relationship building, which will clearly be important.

**Jeremy Balfour (Lothian) (Con):** Good morning, cabinet secretary, and welcome back to the committee.

**Shona Robison:** Thank you.

**Jeremy Balfour:** I will follow up a point made by Pam Duncan-Glancy on the divergence in policy. Under the Social Security (Scotland) Act 2018, we diverge in policy on terminal illness. Was there a problem with the DWP at that point? Did it react negatively to that? Is it aware of that divergence? Is there a way we can build a relationship around policy difference? Does it seem to be working okay at the moment?

**Shona Robison:** I am sorry, I did not quite catch—

**Jeremy Balfour:** It was on terminal illness. Our definitions north and south of the border are different. That was obviously a change in policy, so I wonder how the DWP and the UK Government reacted to that change.

**Shona Robison:** I might bring Alison Byrne in, because she would have been around when that happened. The difference will be around eligibility for passporting benefits. I take your point that there were different approaches to terminal illness, but I do not think that that would have put at risk any of the passporting benefits, whereas the mobility component of PIP and then of adult disability payment is seen by the DWP as a fundamental part of the eligibility for passporting benefits. Therefore, I think that we could say that it is being treated in a different way.

We have to get beyond that. The fact that the UK Government has published its green paper seems to me an opportunity, because it is clearly thinking about making changes. If we are both doing so, we need to come to some agreement that that is okay and that it should not put at risk passporting to benefits that are still reserved.

I am quite optimistic that we can get there and, if we can, it opens up a lot of opportunities for the review of ADP from 2023 and allows us to scope and build something that, were we starting with a blank sheet of paper, we would choose to put in place instead of what we are inheriting. That said, as I said in response to Pam Duncan-Glancy, things will still feel a lot different for clients, given the major changes that will be made. However, we want to go further than that.

**Jeremy Balfour:** Either last week or the week before, we heard evidence about take-up. As you will be aware from your work on the committee, a lot of benefits are still not being taken up, but it was suggested that, if we were to run a campaign in Scotland to encourage more people to apply for attendance allowance or any of those benefits, it might have a financial cost to the Scottish Government. If more people were to take up benefits, would that have to be funded by the Scottish Government or would it continue to come out of the Westminster budget? Have you had discussions on that? Do you have any clarity in your thinking with regard to running take-up campaigns and the costs that might come from them?

**Shona Robison:** I remember the committee getting into this issue in quite a lot of detail when I sat on it, and to say that it is complex is an understatement.

The issue, as you have laid out clearly, relates to concerns about the fiscal framework and any knock-on effects. The previous cabinet secretary for social security wrote to the Secretary of State



for Work and Pensions in February last year to agree that an increase in take-up of reserved benefits to which an individual was already entitled fell outside the scope of the spillover provisions—which, as you will know, are also complex—and that the DWP would not seek to raise a spillover claim in that scenario. Where one of the qualifying criteria for a Scottish benefit is that entitlement is conditional on the receipt of a reserved benefit—in the main, income-related benefits—Social Security Scotland signposts clients to those reserved benefits. Indeed, that is particularly important in relation to take-up of the Scottish child payment.

Although Social Security Scotland does not directly promote reserved benefits as a matter of course, as we would regard that as the role of the UK Government, we fund advice services that give advice on all benefits, whether they be devolved or reserved, to try to maximise take-up and people's incomes. There are on-going issues around the fiscal framework—indeed, the view that changes need to be made to the fiscal framework on this issue has been expressed a number of times—but that is as much of an update as I can give you.

**Jeremy Balfour:** It is a very complex issue. I am not sure that I totally followed your answer, but that is more to do with my understanding. Would it be possible to write back to the committee, putting your response in more layman's language? If we are seeking to promote benefits that are now devolved to a new agency, I would find it helpful to know who is going to pay for that. I appreciate that the subject is very complex, and that it is not easy to give a one-word answer, but some kind of letter back to the committee would be helpful.

**The Convener:** I was just going to suggest that.

**Shona Robison:** I am happy to do that, and it might help if I provided the correspondence from the previous cabinet secretary.

**The Convener:** That would be very helpful. We have received some useful and interesting evidence on benefit take-up, such as the work that was done on deep-end practices in Glasgow. It would be really helpful for the committee to get a handle on exactly how the fiscal framework works in that scenario, as it is an area that we are very interested in.

My first question is in two parts. Cabinet secretary, will you explain how challenging it has been for you and Social Security Scotland to develop new social security benefits under the hybrid, or part-devolved, system that we are currently operating under? You have alluded to some of those challenges already.

The next part is for Ms Byrne or Mr Tyrer. I note that seven of the 11 benefits that are currently being delivered are new. Will you outline the differences in relation to infrastructure, logistics

and manpower between developing a completely new benefit and maintaining a replacement benefit?

**Shona Robison:** It is complex. We have to bear in mind that Social Security Scotland was first established following the passing of the Social Security (Scotland) Act 2018; it did not have any infrastructure, so all that had to be built from scratch. If the UK Government decides to bring in a new benefit through the DWP, it has all the infrastructure there to do that. Social Security Scotland had none of that; in essence, it had to start building from scratch, and every new benefit has to be built from scratch. We have an issue in relation to the winter benefits in that regard—if there is not a process of household matching, Social Security Scotland has to build a new system for that one benefit. The committee can imagine the complexities.

On top of that, we have the issue of case transfer. I do not think that it has been attempted on the scale that we will do it, with such a large number of cases being transferred from a department in one Government to an agency in a different Government. The complexity of that alone is huge. There is no room for error, because people need continuity in their payments. All that is very challenging.

The Scottish child payment was delivered within 18 months, which was a very ambitious timescale. In order to deliver it in that timeframe, we used the top-up powers; in essence, we used the entitlement to universal credit to top up that benefit entitlement with the Scottish child payment. Going forward, it would be good to have a different legislative basis for the Scottish child payment. However, if we had tried to do that in the available timeframe, it would not have been possible to get the payments out.

We have a hybrid system that is not ideal. As I said, if we were starting with a blank sheet of paper, we would not build a hybrid system that involved interaction with the DWP, which can bring its own challenges, while simultaneously trying to build platforms for a system here in Scotland.

Alison Byrne will be able to say a bit more about that, because she is closer to the complexities of the system.

**Alison Byrne:** To expand on what the cabinet secretary said, one of the challenges that we faced in building a brand new public service from scratch was the fact that there was no existing infrastructure in Scotland. When the DWP launches a new benefit, it already has a payments system, a document management system and a telephony system—it has everything that it needs to support the launch of a new benefit. We have built all that from scratch.

I will give the committee an example to bring that to life a bit. In July, we launched the pilot for child disability payment in three local authority areas. In order to launch that pilot in three local authority areas, we had to procure, build, develop and release 20 big bits of new functionality. That included everything from the development of the digital portal—the new online way that clients can access disability benefits in Scotland—and an appointment booking tool, so that clients can go online and book an appointment with their local delivery officer, all the way through to building a document management system so that we can communicate with clients in a variety of ways, including through texts and letters. Those systems and the pace and scale of the processes that we are putting in place to build the infrastructure that is necessary to deliver benefits in Scotland are hugely complex.

10:15

On the convener's question about what a hybrid system means, it means that we need to take those bits of kit in Scotland and plug them back into the DWP. We extract ourselves to design and deliver a system for Scotland, but then we need to plug it back in again to share information because, as the cabinet secretary said, particularly for the disability benefits, there are a number of passported entitlements that require our systems to talk to the DWP's systems to ensure that clients get the benefits that they currently receive. Added to that is the issue of case transfer, which is a considerable and significant undertaking for both Governments. About 700,000 cases of existing Scottish clients will be transferred from DWP systems to Scottish systems, including all the associated case records and documentation.

The hybrid nature of the system lends an additional layer of complexity to something that is already challenging because we are building a brand-new public service from scratch.

**The Convener:** That was helpful and useful.

Has the Scottish Government done an impact analysis of what I would euphemistically describe as the UK welfare reform that has taken place over the past decade? How has that reform impacted on the Scottish Government's ability to deliver on its devolved areas of priority in social security?

**Shona Robison:** Not only the Scottish Government but numerous organisations have done various bits of analysis on the impact of welfare reform.

At the moment, there is a lot of attention on the removal of the £20 uplift in universal credit, which it is estimated will remove £460 million from Scottish beneficiaries. We are fast approaching D

day on that and, as I said in the debate last week, I sincerely hope that there is a change of heart on the issue. Apart from anything else, we are in a bit of a perfect storm at the moment, with rising fuel and food costs. It would be the worst time to compound those financial pressures on households by removing the universal credit uplift. For some families that are just about keeping their heads above water, it will be a very challenging situation that will make this winter extremely difficult. That will have a huge impact.

Alongside that, we have raised concerns over the piece about measures such as the benefit cap and the two-child limit, which put pressure on families that are already struggling. It is also worth bearing in mind that many of the recipients of universal credit are already working. One of the UK Government's responses has been that people should go out and get additional hours, but that fails to recognise that—as the committee knows well from the previous work that its predecessor did on how many people are in in-work poverty—many of the people who are on universal credit are already working but are working in insecure, low-paid jobs.

The removal of the universal credit uplift is huge and will add to a perfect storm that is brewing. It will also undermine the work that we are doing, not least around the Scottish child payment. We are trying to get that money into people's hands, and our commitment to doubling that payment is shared around the table. Because of the removal of the universal credit uplift, we will be giving with one hand and taking away with the other. That will not help us to get towards our interim child poverty targets, which is a huge concern to me.

I hope that I have given you a flavour of the work that has been done. We can write to the committee with information on the further analysis that has been done—there is a lot of detail in that. Members will be aware of the headline figures, but we can furnish the committee with more detailed evidence on that, if that would be helpful.

**The Convener:** That would be most helpful, cabinet secretary. Thank you.

We will stick with the theme of poverty and child poverty targets, and I will bring in Emma Roddick and then Marie McNair.

**Emma Roddick:** I liked your comment, cabinet secretary, that recognised that joined-up work across the portfolio is needed in order to improve people's lives. However, poverty and child poverty are affected by the work of every Government portfolio. Therefore, how are you working with other cabinet secretaries to ensure that their decision making is poverty aware and their policies are poverty proof?

**Shona Robison:** That is an important question, because tackling child poverty cannot be the responsibility of just my portfolio—it must be the responsibility of the whole of Government. Indeed, it is also the responsibility of the UK Government, local government and the third sector. We need to work together to tackle child poverty, which is why I said in my previous answer that it does not help if another organisation is facing in a different direction.

Just yesterday, I gave a presentation to the public services reform group, which is a group of cabinet secretaries and ministers that is chaired by the Deputy First Minister, to look at how we make the necessary improvements to public services and do things differently. I made a number of asks, including that we have shared responsibility for tackling child poverty—of course, everybody accepts and acknowledges that. I also said that we need game-changing policy ideas from across Government to add to the Scottish child payment, which is described as a game changer by many organisations.

It is fair to say that tackling child poverty needs to be done in three ways. The first is to ensure that people have opportunities to get into work that is secure and that pays at least the living wage, and employability programmes are an important part of that. Secondly, we need to reduce costs, which includes the provision of wraparound childcare. Housing costs, which are already lower here than in the rest of the UK, are important in that respect, too. The third area is social security and other supports.

We need those other bits. Employability is a very important area, and we are looking at how we can make employability services work better for people. Around 90 per cent of children who live in poverty live in one of the six priority groups of families that we have identified. Those key groups face issues that are to do with not just financial poverty but such factors as being lone parents, being from a black and minority ethnic community and all those additional issues. It is not just a case of saying, “There’s a door over there, if you can find it, to get on the employability programme,” because that does not work for folk with all those pressures on them. We need to wrap all the support around those families. It is not a question of providing a job opportunity or training alone; it is a case of helping with childcare and transport costs, removing some of the barriers and relieving some of the pressures. If we can get that right, that will get us a significant way towards meeting the poverty targets, even against the really difficult backdrop that we described earlier.

That is one of the main areas of focus. Cabinet secretaries and ministers will bring other things to the table, but there is a big opportunity there, if we

can get it right. Again, I am happy to keep the committee furnished with updates on the detail of that work as we progress.

**Marie McNair (Clydebank and Milngavie) (SNP):** Good morning. Thank you for taking the time to give evidence to the committee. I will go back to Emma Roddick’s point about poverty proofing. As you are aware, last week, we took evidence from the Poverty and Inequality Commission, the Child Poverty Action Group and the Joseph Rowntree Foundation. They suggested that there is little evidence that the Scottish Government poverty proofs all policies and budgets. Is that a fair comment?

**Shona Robison:** I think that we can get better at that. There is more work to do; we try to do that as much as we can, but we need to make sure that, for example, we interrogate all our spend. A commitment that was agreed yesterday was that we would interrogate the proposals in the spending review and the budget with regard to the impact of that spend on tackling child poverty. That will be a really important part of getting to the right solutions.

Of course, that might mean making some difficult choices—setting budgets and working through the spending review usually do—but I am keen to keep a laser focus on this. In difficult times, difficult decisions need to be made, because you cannot do everything. For me, though, this issue must be the Government’s overriding priority. I think that that has been accepted, but the issue then is how we make it happen.

The comment that you cited is probably fair-ish comment. There is always room for improvement; we can get better at poverty proofing, and I want to push that.

**Marie McNair:** My experience as a local councillor is that people often struggle to navigate the social security system, and unfortunately they do not get access to their full entitlements. How important is the role of the advice sector in that respect, and how do you plan to support it, especially given the Scottish Government’s obligation to promote social security entitlements?

**Shona Robison:** An important obligation on us is the duty to promote benefit entitlement and uptake, and it would be nice if the UK Government did the same, because that would help.

Advice services are important, and they deliver huge gains for not only individuals but families and communities, given that the money that people get is quite often spent in local communities. The value of that is huge, and we see it as being key to ensuring that people get access to what they are entitled to and are then able to support their families.

We want to do more of that. For example, you will be aware of the work that has been done on co-locating advice services in places where people go, such as general practitioner surgeries and schools, to make things not only easier but perhaps less threatening. After all, if they are already in that place, they will not have to walk anywhere else. We need to do more of that. Those who work on the front line in the health service or other services really value the ability to signpost someone who might have turned up for health reasons but who has expressed concern about the impact of debt and financial worries on their mental health. The ability to signpost such a person to an advice worker is really important, and there is scope to do more of that.

**Marie McNair:** How confident is the Scottish Government that the child poverty targets will be met?

**Shona Robison:** I am certainly doing everything that I can, as is the Scottish Government, to leave no stone unturned. We will absolutely give it our best shot. If we manage to do all that, we will have played our part in reaching the targets.

Of course, I cannot control the impact on those targets of decisions that are made elsewhere. How frustrating would it be if the analysis suggested that we would have reached the targets had people not lost £20 a week of their universal credit? As the motto says, you can control only what you can control; we can do only what we can do, but we will work alongside the third sector and local government to do everything that we can. I absolutely give that commitment. I am confident that we will do everything that we can, but some things are just outwith our control.

10:30

At the moment, I am worried about what I described earlier as a perfect storm. The worry of fuel poverty rates going up this winter because of rising energy bills is fast upon us; last night, I attended a Scottish Government resilience meeting in which we looked at those very issues. Again, many of the issues, such as energy caps, are reserved, and we want the UK Government to do everything it can around energy prices. The big energy companies have a role to play here, too, because we need to keep people safe over winter. As ever, the Scottish Government will step up to do what it can—you would expect nothing less—but it is a worry for people's household incomes that all these pressures are brewing at the same time.

**The Convener:** Thank you very much, cabinet secretary. Before I move on to the next set of

questions, which will be led by Evelyn Tweed, I want to bring in Pam Duncan-Glancy.

**Pam Duncan-Glancy:** Thank you for the opportunity, convener. Cabinet secretary, you are right to highlight the perfect storm that people are facing; I am genuinely terrified for families and what they will be able to do about fuel poverty, particularly with the cut to universal credit. It is a shame, given that we could have had a publicly owned energy firm that could have addressed some of that issue.

I will focus on two of the groups that you identified—children and disabled people—in relation to poverty. First, with regard to the Scottish child payment, we heard evidence last week that social security will have to do the “heavy lifting” if we are to meet the targets on tackling child poverty. I understand that the £20 cut to universal credit is catastrophic and should not go ahead; however, the targets were set without caveat by the Parliament, which means that we need to look across everything that we do here to find ways of meeting them. Will you commit to doing all that you can to meet the child poverty targets, regardless of what is happening elsewhere? Our view is that the Scottish child payment needs to be doubled and doubled again next year. Can you set out how you intend to meet the targets?

Secondly, have you made an assessment of the extra costs of living as a disabled person, so that we can begin to address some of the poverty that disabled people face?

**Shona Robison:** Let me make it absolutely clear: my answer to your first question is yes, and I say that without hesitation. We will do absolutely everything that we can to meet those targets. You are right to say that there were no caveats when they were set, but I think that it is fair for me to point out when progress is undermined by decisions that are made elsewhere and our task is made all the more difficult.

As for your point that social security will need to do the heavy lifting here, that is true to a degree, but I highlight the Joseph Rowntree Foundation's comment that it is not sustainable to try to meet the child poverty targets through social security alone. Not only is that unsustainable financially, but it does not recognise the other two pillars of reducing costs and providing employment. Those are hugely important, which is why I spent a little bit of time earlier talking about the importance of game-changing interventions around employability and making it easier for parents, in particular, to get to where they want to in their lives. Employment and employment opportunities play a huge part in that.

We have said that we want to make progress on doubling the Scottish child payment as quickly as we can, and we have set that in the context of the forthcoming budget bill. I am confident that we will make progress as quickly as is humanly possible and that that will make a difference, but I also point out that it sits alongside all the other interventions for supporting families. The bridging payments, for example, have put money into the hands of families now, without our having to wait for the DWP data issues to be resolved. The payments have been a way of recognising that the issue is current and that people need the money, and they got that support into people's hands.

However, that sits alongside the best start grant, which ensures that we help families with the cost of food, and the work that has been going on around free school meals and holiday meals, all of which is support in cash and in kind for families to keep them afloat. You can be assured that we are looking at whether there is more that we can do over the winter, because we want to do everything that we possibly can to keep families safe this winter.

**The Convener:** There was also a question about the assessment of the additional costs of disability.

**Shona Robison:** My apologies, convener. Yes, work has been done on the additional costs, by not just the Scottish Government but many external agencies. I am happy to write to the committee with more information on that, if that would be helpful.

**The Convener:** That is lovely. Thank you, cabinet secretary.

**Evelyn Tweed (Stirling) (SNP):** I am very interested in a minimum income guarantee, as I think the public are, too. How challenging will it be to put that in place?

**Shona Robison:** First, I thank all the parties represented here who have agreed to take part in the minimum income guarantee work as a kind of political overview and oversight, which is important in itself, because it is an ambitious thing to do. Having as much political consensus as possible on the principle is helpful. Creating a minimum income below which no one would fall is a different way of thinking about the support that people get. Of course, that is not just about the cash that people get—whether through work or support such as social security payments—but support in kind in the form of wraparound childcare or help with transport costs, for example.

Work has begun on that, and the expert group will be doing the heavy lifting on the detail of how that could work in practice. We think that we can make more progress on a minimum income guarantee than would be possible on a universal

basic income. That is because, although a minimum income guarantee runs up against the tax and benefits system, doing it fully will give us some latitude to make progress and test some of the thinking about how a minimum income guarantee might work in Scotland without necessarily having full control over the tax and benefits system. We do not have that full control at the moment.

I am keen for us to get on with the work. I would like to get political agreement on some of the ideas that emerge from the expert group, which we could then test out. It is exciting. It will not be easy to do, and it will not be done a week on Tuesday; it will take some time. Again, I thank colleagues for their political support on that.

**Evelyn Tweed:** I am really pleased to hear that there is cross-party input and that we are all working together to see a good conclusion to the work. Will we be able to implement something by the end of session 6?

**Shona Robison:** I think that we will be able to implement something. I am not sure whether it will be a fully-fledged, all-singing, all-dancing minimum income guarantee. We will be guided by the expert group, but I certainly think that we will be able to implement elements of it, and it might be that we do bits at a time. If the expert group recommends a change that could get us on to a stepping stone towards a full minimum income guarantee, we might be able to do that as part of a process of implementation.

If we could do that by the end of session 6, that would be good, and, yes, if it is possible, we will do that. If it is not possible to introduce a full minimum income guarantee, we would want to have stepping stones towards that. We will be guided by the expertise of those in the expert group. Paul Tyrer might want to say more about the work of the group.

**Paul Tyrer (Scottish Government):** The original idea for a minimum income guarantee came from the social renewal advisory board report, which was published in January. The board made a minimum income guarantee the first and very ambitious call to action in its report and also saw it as a long-term ambition. The board recognised the complexity and difficulty of getting to that game-changing minimum income guarantee, so the report talked about it as a 10-year ambition and mentioned delivery in 2030 as realistic. The cabinet secretary talked about the potential for stepping stones towards that, but the report recognised the challenge of that target.

**Marie McNair:** What engagements with the DWP have your officials had regarding MIG?

**Shona Robison:** Over the piece, there has been a lot of engagement. First, the Scottish

Government made many requests to the UK Government for dialogue around testing out the theory of universal basic income. It would be generous to say that the response was lukewarm. There is no joint commitment or agreement to work towards that, so that is a bit of a problem. We have raised the minimum income guarantee with the UK Government and, although its response is not particularly less lukewarm, we will continue to discuss the opportunities.

Clearly, if we had an integrated tax and benefit system, it would be easier to make a lot of the more ambitious changes but, as Paul Tyrer said, the social renewal advisory board has given us a very ambitious series of recommendations, and it would be remiss of us not to try and do what we can, even within devolved powers, to make progress towards them. I will not put much store in getting any support or help from the UK Government—we need to just get on and do what we can ourselves.

**Marie McNair:** How feasible will that be without full devolution of welfare and employment law to Scotland?

**Shona Robison:** Having half the tools in our box is never as good as having a full toolbox, so we will continue to argue that having full control over benefits here makes more sense. We talked earlier about the challenges of a hybrid system and the complexities of the interaction of those two systems. Without a doubt, that will continue to be a challenge, and that is before we get into the policy divergence issues, which are also a challenge. There is a growing political consensus that having employment powers here makes sense; a lot of the trade unions are in favour of that and it would give us the opportunity to make changes around, for example, the statutory basis for the living wage and the issues around terms and conditions. If those powers are devolved here, this Parliament can make the policy choices that it wants to make, and I am optimistic that that will eventually happen.

**Miles Briggs (Lothian) (Con):** I will ask about homelessness, specifically with regard to the September 2017 Scottish Government announcement of an additional £50 million over five years to tackle homelessness and rough sleeping. It is not exactly clear in the latest programme for government whether the £50 million ending homelessness together fund is additional money. Could you clarify that?

10:45

**Shona Robison:** Paul, is that additional money? *[Interruption.]* We might have to come back to you on that. I think that it is, but I want to confirm that. Is that okay?

**Miles Briggs:** That would be helpful. If it is additional money, how much money is still in the 2017 fund to be allocated? It should run for another two years, if my calculations are correct.

**Shona Robison:** I will come back to you on the detail of that.

**Miles Briggs:** I also want to mention the implementation of unsuitable accommodation orders. Many families, during the pandemic especially, have been left in bed and breakfasts and hotels and other unsuitable accommodation. When will the Government fully implement those orders?

**Shona Robison:** Miles Briggs will be aware that there were exceptions during the pandemic, because of increases in the need for temporary accommodation and keeping people safe in hotels. Nobody wants unsuitable temporary accommodation to be used. We have given local authorities until the end of September to make sure that they are not using unsuitable temporary accommodation and officials have been working closely with the local authorities that told us that they have the biggest challenge in meeting that deadline.

It will not surprise Miles Briggs to learn which local authorities those are. The City of Edinburgh Council is one, and I have had some very constructive conversations with the Housing, Homelessness and Fair Work Committee convener, Kate Campbell. Despite the challenges, the council has taken some innovative approaches to try and use every lever at its disposal to increase the accommodation supply and work towards not using unsuitable temporary accommodation. The council flagged that meeting the end of September deadline will be challenging.

Other local authorities are in similar situations, but the vast majority are confident that they will meet the deadline. We are working particularly closely with the handful of local authorities—I am trying to remember how many—that will find the deadline difficult to meet. We will give them support to meet their responsibilities beyond the end of September.

**Miles Briggs:** It would be helpful for the committee if you could keep us updated on that.

**Shona Robison:** I am happy to do so.

**Miles Briggs:** I know from discussions that I have had with the cabinet secretary that organisations such as Crisis Scotland and Shelter Scotland have put forward a preventive model, which I know the cabinet secretary and Government are considering, to strengthen homelessness prevention legislation. Given the impact of the pandemic, could you outline the

timescale for that? There are opportunities to consider a preventive model.

**Shona Robison:** I will get back to the committee on the timeframe in relation to the homelessness prevention duty, but we hope to do that relatively soon. Prevention is key. There is some good work being done around the ambitious rapid rehousing plans that local authorities are taking forward. There has been a sea change and a move away from the previous systems that we had towards a recognition that a housing-first approach is important for those who have additional vulnerabilities. Preventing homelessness involves local authorities and registered social landlords working with tenants who are at risk of becoming homeless.

It is not in a landlord's interests for a tenant to lose their tenancy and end up back in the system, so a lot of preventive work has gone on, in particular with local authorities and RSLs. The pandemic has been tough and, as you will be well aware, we have worked on a number of ways of strengthening the position—the pre-action protocols, the loan fund and the grant fund—to try to ensure that people do not lose their tenancies and that we make tenancies sustainable. That is the best way of preventing homelessness. For people who have particular challenges, such as addiction issues or mental health challenges, the rapid rehousing and housing first model is definitely the way, because it gets them back into a sustainable tenancy with the wraparound support that they need.

**Emma Roddick:** Miles Briggs covered my question on the unsuitable accommodation order. I welcome the response and the further updates that are to come.

As someone who has been homeless, I welcome the fact that homelessness is under the social justice remit rather than the housing remit. Is that reflective of the Government's good understanding of the drivers of homelessness beyond simply housing availability?

**Shona Robison:** Yes. It is not just about bricks and mortar, is it? It is about all the other support that someone needs. We must recognise that housing is itself an important anti-poverty measure in that it gives a safe and sustainable route for us to provide the support that the person or family needs. Whether that is support to deal with addictions, mental health problems, debt or employability, having a safe and sustainable tenancy is important to someone being able to deal with all the other issues that are in their life.

It is our ambition to supply a big number of affordable homes—110,000—but it is not only about building or acquiring new houses; it is about

ensuring that people are successfully supported in those tenancies.

**Emma Roddick:** Highland Council is worried about changes to the rapid rehousing policy in that, previously, somebody had to have a connection to the area to have a right to be housed. What conversations are you having with councils to ensure that they are supported to deal with what they see as a challenging pressure that is coming towards them?

**Shona Robison:** As you would expect, individual local authorities and COSLA have raised those issues with us. It is about supporting local authorities that have concerns. Making the changes is the right thing to do, but we understand that some local authorities will have more concerns than others. We need to work with them to overcome those challenges.

**Marie McNair:** Has there been any assessment of the pressures that the UK Government's welfare cuts are putting on the drivers of homelessness?

**Shona Robison:** It was revealing that a UK Government adviser said—I might have used the quotation in my speech last week—that the UC cut would drive up homelessness. You can see why. If a tenancy is just—I emphasise “just”—sustainable and the tenant loses £20 a week, that can knock what was a sustainable tenancy into being unsustainable for all the reasons that we understand.

The cut will have a knock-on effect on homelessness. That is why it is absolutely wrong headed and, at this late stage, I hope that sense prevails and that, given all the other pressures, the UK Government thinks again.

**Pam Duncan-Glancy:** The cabinet secretary will be aware that, for some time, thousands of disabled people across Scotland have been unable to access homes and have been considered to be, in effect, homeless. In the Glasgow region, the council is building accessible houses on a very small scale—only about 8 per cent are accessible. The current Government target is 10 per cent, but that is not in legislation. Given the huge variability across the country in relation to those builds, and the significant need for accessible housing for disabled people, will the Government consider making that a statutory target?

**Shona Robison:** I am always open to considering such matters. Let me say a couple of things. The housing to 2040 strategy sets out the need for barrier-free housing and the need to ensure that, rather than trying to retrofit homes, all homes are built in a way that is barrier free. That is absolutely right and proper. As we take forward the housing standard that we want to apply across

all tenures, there will be opportunities to make the improvements that are needed.

We will consult on the rental sector strategy, and a housing bill will follow. There might be opportunities to make some improvements around some of those things.

If we set the target in statute, we need to be confident that it can be delivered, so there would need to be a lot of work. However, I will give that further consideration. I am also happy to have a follow-up discussion with Pam Duncan-Glancy about the case that she cited and how that might work in practice.

**The Convener:** Before I bring in Jeremy Balfour and Foysol Choudhury, I have a question. However, I am conscious of time—I do not know whether you can stay for five or 10 minutes beyond 11 o'clock, cabinet secretary.

**Shona Robison:** That is fine.

**The Convener:** Thank you.

Recently, attention has rightly been given to the treatment of refugees and asylum seekers. Will you expand on the work that the Scottish Government can do to provide access to support for those with no recourse to public funds? What work is going on in the Scottish Government? How is it working with the UK Government to address the situation, which is very challenging for those involved?

**Shona Robison:** It is very challenging. We have made it clear that we want to play our part in the Afghan resettlement programme. Angus Robertson and I have been involved in a number of calls with UK ministers around Scotland playing its part and stepping up to the plate to do what we can to help people who are fleeing an intolerable situation.

The approach that we have taken is captured in “Ending Destitution Together”, which was published back in March and is a joint document between the Government and COSLA. It looks at how to improve and strengthen the provision of support and services for people living in Scotland with no recourse to public funds. The strategy is informed by powerful testimony, which I have heard myself, because I have met—virtually—a number of asylum seekers and refugees and heard directly some of their challenges.

Third sector organisations that provide front-line support are critical, as is the expertise of legal practitioners and others in supporting people and helping them to deal with trauma, for example. The strategy sets out the initial actions to deliver essential needs, which will enable access to specialist advice and advocacy.

In answer to the convener’s other question, we will continue to press the UK Government to make changes to reduce the risk of people falling into destitution as a result of their immigration status. There are very strict rules; someone’s ability to remain here can be jeopardised if they get access to public funds that are regarded as not being acceptable or as breaching the rules. There needs to be caution in that respect. We have also specifically asked the UK Government to remove the Scottish welfare fund from the list of restricted public funds, as that would give us a flexible way of helping people in crisis. Unfortunately, we have not yet reached any agreement on that, but we will continue to pursue the matter.

11:00

**The Convener:** I find that very interesting, and I know that committee colleagues will be interested in that, too. If you could continue to furnish us with updates in those areas, that would be helpful, particularly if the secretary of state were to come before us in future.

**Jeremy Balfour:** Cabinet secretary, your portfolio has, to say the least, a very large remit. Indeed, I was interested to note that you are responsible for the Office of the Scottish Charity Regulator and charities. It is perhaps not the most sexy subject for discussion, but a number of people have contacted me over the years to ask whether any thought has been given to reforming OSCR. For example, a charity with two people has to fill out almost the same number of forms every year as the National Trust for Scotland or other very large charities. I know that, earlier this year, OSCR ran a consultation, which has now concluded, but is any thought being given to charity law reform? It might not sound exciting, but such reform would make it a lot easier for many people to engage in the local community.

**Shona Robison:** I thank Jeremy Balfour for recognising my rather large remit, although I should say that it creates opportunities for me to join the dots across the portfolio.

A charities bill will be introduced in this parliamentary session, and there will be an opportunity to look at some of the issues that charities have raised and to which OSCR is keen for changes to be made in the light of experience. Again, I am happy to write to the committee with a bit more detail, if that would be helpful.

**Jeremy Balfour:** I would be grateful if you would do that.

If anything positive has come out of the past 18 months, it has been the relationship involving local government, the Scottish Government and the third sector, particularly with regard to homelessness. In Edinburgh, for example, a very



positive three-tiered approach was taken, and it really worked. The third sector talks a lot about future proofing its funding. It often receives only one-year funding. Indeed, when I worked in a third sector organisation, whether we got our redundancy notices every December depended on whether we had money coming in the next year. It was not the most ideal place for any organisation to be in. I know that it is difficult to forecast funding, but are you doing any work with your colleagues, particularly Kate Forbes, on a two to three-year funding package for the third sector to allow it to plan things better?

**Shona Robison:** The issue is constantly under discussion. I have a lot of sympathy with the desire for multiyear funding so that organisations know the lie of the land beyond just one year. Indeed, Kate Forbes has said that local government has that desire, too. However, such funding will be possible only if the Scottish Government itself has certainty. If it gets only a one-year funding settlement from the UK Government, it is very difficult to go beyond that for the organisations that the Scottish Government funds. It therefore all depends on the certainty that we get.

I was able to give an indication of the funds that will be available over five years for affordable housing, but that was only because of the Government's commitment to meeting the affordable housing targets, which is a key priority for any funding that we get. I was able to do that in that instance, but it is more difficult to do that on a larger scale.

In short, those discussions are on-going. We know that it would be better for the third sector to have that certainty, and we will continue to discuss the opportunities to work towards that.

**Foyso Choudhury (Lothian) (Lab):** I congratulate you on your new role, cabinet secretary.

With regard to the third sector, do you agree that Scotland's voluntary organisations and social enterprises are integral to Scotland's economic and social fabric? If so, should they have had representation on the Scottish Government's advisory council on economic transformation and a meaningful role in producing Scotland's economic strategy?

**Shona Robison:** I have heard the sector's concerns about the advisory council and understand where it is coming from in that respect. I have had a number of meetings with third sector organisations and social enterprises at which we have talked a lot about their role—not least their economic role—in the Covid recovery phase.

Social enterprises, in particular, are keen to play an increasing role, and the new plan for social

enterprises recognises that they have a particular role to play. Some are keen to do more in areas in which they might not traditionally have been involved. For example, in a conference call that I had with representatives of the social enterprise sector, they were keen to look at whether they could get involved with social housing supply as part of the approach to affordable housing, which is not traditionally an area in which they have been involved. Such a development could be quite exciting, and we have agreed to do more work on it.

It is important that we continue to grasp the can-do mentality that we had during the pandemic. The third sector really stepped up to the plate by helping to keep people safe and to build community resilience, and we want that sort of thing to grow and the sector to be an equal partner. I know that we have a bit of work to do to make that a reality, but as far as my portfolio is concerned, I want to ensure that the third sector—and social enterprise as part of that—is at the heart of what we are doing.

**The Convener:** One of the clear positives of the pandemic was not just the third sector's engagement but the volunteering work that was done. There appears to be anecdotal evidence that volunteering levels spiked quite considerably during that period, partly because people might have been on furlough and therefore had more time or because of other community engagement reasons. How can we support the Scottish Council for Voluntary Organisations and other organisations to ensure that we harness the greater engagement in volunteering that happened during the pandemic and take advantage of it in future?

**Shona Robison:** That is a really important point. Almost a whole new set of volunteers appeared; they were people who had never volunteered before, but they wanted to look after their neighbours. A lot of it was very informal, but it nevertheless tapped into something very special and precious.

One of the challenges that we face is that, as the voluntary sector will tell you, there has been a bit of a fall-off in the number of traditional volunteers. Charity shops were closed for a prolonged period of time, and those who did their volunteering work in such shops got out of that habit or perhaps found other opportunities. As a result, a lot of charity shops are struggling. Indeed, when I spoke to people in some of my local shops last week, they said that they were struggling to find volunteers. We therefore need to play our part and send out a message to encourage people back into volunteering, including in more traditional settings, and ensure that they are supported.

It is a bit of a double-edged sword. We have work to do to ensure that we maintain the voluntary sector and all the services that it provides.

**The Convener:** Thank you very much indeed, cabinet secretary. You have been very generous with your time this morning, and I am very grateful for that, as we have been able to cover a lot of ground. Mr Balfour highlighted your wide remit, which the committee shares, so the fact that we have been able to cover a lot of it today is very much appreciated. We look forward to your follow-up correspondence on some of the questions that we asked and to working with you on shared priorities to deliver the programme for government.

We now move into private session.

11:10

*Meeting continued in private until 11:20.*

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