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24 February 2023

Dear Judith and Mark,

I am writing to provide you with the draft Disability Assistance (Miscellaneous Amendment) (Scotland) Regulations 2023, made under sections 31(2) and 95 of the Social Security (Scotland) Act 2018(a). I am pleased to provide SCoSS with a formal request for scrutiny of these draft amendment Regulations.

These amendments to the Disability Assistance for Children and Young People (Scotland) Regulations 2021, the Disability Assistance for Working Age People (Scotland) Regulations 2022, the Social Security (Invalid Care Allowance) Regulations 1976 and the Disability Assistance for Working Age People (Transitional Provisions and Miscellaneous Amendment) (Scotland) Regulations 2022, are principally intended to further smooth the journey for people moving from Child Disability Payment to Adult Disability Payment, whilst also including small, technical changes and clarifications. The changes we are making will ensure that these individuals who are transitioning from Child Disability Payment to Adult Disability Payment do so smoothly and have financial continuity. This aligns with the Scottish Government's overall policy intent for disability assistance: to improve outcomes for disabled people.

Along with the Regulations, I also provide a policy note, table of amendments and draft impact assessments. These assessments have been provided for information only and we plan to undertake further work to finalise these before the Regulations are formally laid before Parliament.

I am happy to provide you with 12 weeks to scrutinise the draft regulations and I would ask that SCoSS provide their scrutiny report on these regulations by 19 May 2023. Of course, if you are able to provide a finalised report, along with any recommendations, at an earlier date, this would be helpful in ensuring that I have sufficient time to consider your recommendations before the regulations are laid in Parliament in September.

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It may be helpful to note that I have sent a copy of these draft Regulations to the Social Justice and Social Security Committee.

Finally, I want to extend my thanks to the Commission for considering these regulations. The introduction of Adult Disability Payment and Child Disability Payment has been central to building a social security system that better meets the needs of disabled people in Scotland. I recognise SCoSS' vital role in scrutinising our proposals thus far and I thank you for your continued co-operation and support.

Yours sincerely,

A handwritten signature in black ink that reads "Ben Macpherson". The signature is fluid and cursive, with a long horizontal stroke at the end.

BEN MACPHERSON

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