



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

Dr. Sally Witcher
c/o Scottish Government

Dear Dr Witcher,

Following the initial draft regulations provided to SCoSS on 12 December, I enclose an amended draft of the Disability Assistance for Children and Young People (Scotland) Regulations 2020 made under sections 30(2), 31(2), 36(2), 41(4)(a), 43(5) and 52 of the Social Security (Scotland) Act 2018.

I also provide with the regulations, a policy note drafted to assist SCoSS with their deliberations along with drafts of the Equalities Impact Assessment, the Business and Regulatory Impact Assessment, the Islands Impact Assessment, and the Children's Rights and Wellbeing Impact Assessment that were sent to SCoSS earlier this year.

It may be helpful to note that these draft regulations will be published today and I have sent a copy to the Social Security Committee with the associated papers and documents.

There are a number of amendments made to the previous draft regulations provided to both SCoSS and the Social Security Committee on 12 December to take account of early views provided by members of the commission including:

- the interpretation and definition of a number of phrases to ensure that the existing case law definition of these terms is reflected in the regulations;
- in relation to reporting of a change of circumstances, changing the threshold at which a new determination would be made through amendments to the phrasing of regulation 31(1)(a)(i); and
- provision to ensure that where a redetermination or an appeal increases the level of assistance a client should have received for a period, the backpayment relating to that entitlement is paid net of any Short-Term Assistance they have already received.

I am also pleased to confirm today, that as part of our ongoing engagement with stakeholders, the Scottish Government has decided that the devolved replacement for Disability Living Allowance for Children (DLAC) will be known as Child Disability Payment.

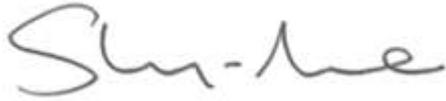
As you know, I have requested that SCoSS provide a report on the policy proposals set out in these draft regulations by 28 February to allow me to consider the content of your report in

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot



relation to any amendments required before the regulations are laid before parliament in Spring 2020. I look forward to receiving your report.

Yours Sincerely,



SHIRLEY-ANNE SOMERVILLE

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot



INVESTORS
IN PEOPLE

Accredited
Until 2020

