

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

Dr Sally Witcher  
Sally.Witcher@socialsecuritycommission.scot

1 April 2020

Dear Sally,

In light of the Government advice we are all now following in relation to Covid-19, the need for social distancing and inevitable additional staff absences due to illness, there has been a need for us to consider the implications for our plans and programme across social security - for the benefits we are already delivering, the devolved benefits due to be implemented this year and those programmed for coming years.

I would like to set out in so far as possible at this stage our changed priorities and its implications for both the Scottish Government and the Scottish Commission on Social Security.

### **Implications of Covid-19**

It is clear to me that due to the reduction of staff available not only within the Scottish Government but also within the DWP, where staff are necessary to this joint work programme, and our suppliers and contractors, coupled with the need to redirect staff to the overall response to Covid-19, it will not be possible to stand up the services planned for this and early next year – including the launch of Child Disability Payment, due this summer, and the Scottish replacement for PIP, due to go live from spring 2021. As you will know, DWP are also facing challenges and concentrating on meeting the emerging unprecedented demand for Universal Credit.

These decisions have been very difficult to make but it is clear that the crisis we are facing means there is no choice. This decision has also been taken due to the unprecedented demand there is now on our health and social care sectors. We were relying on those services to be a major part in progressing the design of our new assessments service and supporting work on the processes for case managers in Social Security Scotland to access medical advice (including having in place the necessary information sharing arrangements with NHS boards and local authorities.) Those vital services must of course be entirely turned to responding to the impact of Covid-19.

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This decision will also affect the timetable for launch of all remaining devolved benefits within Wave 2, i.e. Carer's Allowance, Industrial Injuries Disablement Benefit, and case transfers of all benefits.

It will take some time to undertake a complete programme re-plan, which we will undertake in collaboration with DWP. In the meantime, as a responsible Government, we need to ensure that people with disabilities continue to receive the benefits to which they are entitled. I have agreed with the DWP that they will continue delivering disability benefits for existing and new Scottish clients over a longer transition period.

As a result of these exceptional circumstances, there will be a clear impact upon the work of the Commission in its role of scrutinising social security legislation and providing a critical appraisal of the Scottish Government's performance. Once we have greater certainty regarding our short and long term ambitions for Wave 2 benefits delivery, I will share a further update with you.

I remain grateful to the Commission for their scrutiny of both the Scottish Child Payment Regulations and the Disability Assistance for Children and Young People Regulations that this programme re-plan is most likely to impact on. The recommendations provided to date will be considered as part of the future delivery of both of these forms of assistance and more broadly on the commencement of devolved social security in Scotland.

## Key Priorities

In terms of my key priorities, my first priority is to maintain live running within Social Security Scotland, to continue to pay the much needed benefits that we have already implemented, to meet any increased demands on our services, and to provide any additional flexibility where possible to respond to Covid-19. For example, we have agreed measures with the Department for Work and Pensions to ease rules for carers in receipt of carer's allowance during this time.

Under enabling powers in the Social Security Contributions and Benefits Act 1992, I will lay draft regulations before Parliament on Wednesday 1 April that will allow carers to retain their entitlement to carer's allowance if they have a temporary break in caring as a result of coronavirus. Administrative changes will also be put in place to temporarily relax the requirement that care must be provided in the physical presence of the cared for person, meaning emotional care can also count towards the required 35 hours of care.

As I outlined during my call, the Scottish Government is also introducing a £350 million support package as part of Scotland's response to this pandemic, and will support those in need and protect the health, welfare and wellbeing of the people of Scotland. This will include a £50 million fund for capacity in social security and Council Tax Reduction. This will be available to relieve pressure on devolved Social Security benefits and Council Tax Reduction payments, ensuring Social Security Scotland and councils can help those in need.

In addition, a further £45 million of additional support for the Scottish Welfare Fund will help councils meet additional demand for Crisis Grants and Community Care Grants. Our shared focus is on anyone at risk – we must recognise that for many people, they will not be used to asking or accessing such support.

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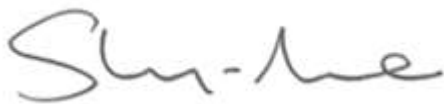
My second key priority is to use resources available to continue to build the Scottish Child Payment. This benefit which will tackle child poverty will be needed so we will do everything we can to get it up and running as soon as possible. I remain hopeful that the first applications will be accepted by the end of 2020, with the first payments being made next year. However, this will not be introduced until Social Security Scotland is stabilised and able to recruit and train staff.

The Scottish Government will also pay the Carers Allowance Supplement in June and December, and I also hope to be able to launch Child Winter Heating Assistance as planned in November, if DWP is still able to supply us with the necessary data. This will make a tangible difference for severely disabled children in Scotland, without impacting on Social Security Scotland's wider delivery.

None of these decisions have been easy to take and I recognise that this news will come as a disappointment to the people who have lived experience of the social security system, as well as our stakeholders, but our focus needs to be on ensuring existing benefits continue to be paid, and can meet increased demand.

The Scottish Government nevertheless intends to continue working towards a social security system that treats everyone with the fairness, dignity and respect they deserve.

Kind regards,



**SHIRLEY-ANNE SOMERVILLE**

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