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Further to the previous draft Winter Heating Assistance for Children and Young People (Scotland) Amendment Regulations issued to SCoSS for scrutiny on 2 August 2021, I enclose a further draft of the Regulations for scrutiny. I apologise for this late change and greatly appreciate your consideration of this minor amendment.

As a result of expanding eligibility for Child Winter Heating Assistance to more families this year, I am conscious of the additional workload for Social Security Scotland at a time when they are also managing the National roll out of Child Disability Payment (CDP). I want to ensure that we do not put at risk the safe delivery of either benefit.

The current regulations state that Social Security Scotland should make all determinations by 31 December 2021. I would like to assure you that Social Security Scotland will make every endeavour to ensure this is achieved. However, I have been made aware of a risk that factors associated with the technical delivery of the increased caseload, combined with the launch of CDP National, mean that a small proportion of clients may not receive a determination by that date. I have therefore concluded that the safest approach for all Social Security Scotland clients is to remove this requirement.

I would like to assure you and reiterate that Social Security Scotland is working towards paying all clients in line with the original deadline of 31 December 2021, and if that is not possible for a very small number of people then we will ensure that payments are made at the earliest opportunity, whilst delivering our services to the high standards we expect. I trust you will understand the need to prioritise a safe and secure journey for all clients in these circumstances.

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As SCoSS is aware, individuals with lived experience of disability benefits have told us that delivering a safe and secure transition from the UK-wide to the Scottish social security system is important to them. Providing clients with a safe and secure transition has been our guiding principle from the start and it is crucial that our benefits are introduced and delivered at the right pace. Therefore, I have decided to not replace the current deadline with a new date. This will allow us to respond to any potential unforeseen delivery challenges beyond 2021 and to make the payment at a time during winter where it is most needed by clients. As Child Winter Heating Assistance is a new benefit, more data will need to be gathered to identify when this optimum time would be.

To allow Social Security Scotland sufficient time to deliver payments after the regulations come into force, I would be grateful if the Commission could now provide me with its scrutiny report of the enclosed amended regulations by 24 August, to allow the parliamentary timetable to proceed as required. I understand the considerable pressure the Commission is under and my officials stand ready to assist with meeting this deadline in any way they can. I would be more than happy to meet with the Chair of the Commission to discuss this further, if that would be helpful.

I am very grateful for the support SCoSS has offered regarding the draft Winter Heating Assistance for Children and Young People (Scotland) Amendment Regulations and am confident that, with your scrutiny, these regulations will contribute to creating a social security system based on of dignity, fairness, and respect.

BEN MACPHERSON

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