

Document 1 – 2CL - DWP and SG meeting - note of meeting - 17 December 2024

Meeting Note - 17 December 2024

DWP – Scottish Government (SG) – Two Child Limit Mitigation

Introductions

DWP

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Scottish Government

Ian Davidson (ID) – Head of Social Security Policy

[Redacted – 38(1)(b)]

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Overview of the Scottish Government’s plans for mitigating the two-child limit

Scottish Government provided an overview of delivery plans. This is a top priority and the expectation from Ministers is that it should be delivered as quickly as possible. Budget has been committed for implementation and work is kicking off immediately.

[Redacted – 29(1)(a)]

Legislation

[Redacted – 29(1)(a)]

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Programme

[Redacted – 29(1)(a)]

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Universal Credit policy and operations

[Redacted – 29(1)(a)]

Child Poverty Taskforce

[Redacted – 29(1)(a)]

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Conclusions

[Redacted – 29(1)(a)]

It was agreed that the group should reconvene reasonably early in January to review to review progress on the actions outlined above.

Document 2 – Note of meeting with Cab Sec on 11.12

2 Child Policy Meeting - 11th December 2024

Summary Note of Meeting

- **Present:** Cabinet Secretary for Social Justice; Stephen Kerr, Director for Social Security; Leanne Carson, Social Security Programme Director; Ian Davidson, Social Security Policy Deputy Director; Colin McAllister, First Minister’s Chief of Staff; ELP, Special Adviser; [Redacted - 38(1)(b)], Deputy Private Secretary.
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 - [Redacted - 29(1)(a)]
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16th December 2024

Document 3 – DWP SoS Response to Cabinet Secretary for Social Justice - 12 December 2024

Withhold entirely under section 28(1) of FOISA (relations within the UK)

Document 4 - Letter from Cabinet Secretary for Social Justice - 9 January 2025

Cabinet Secretary for Social Justice
Shirley-Anne Somerville MSP
F/T: 0300 244 4000
E: scottish.ministers@gov.scot

Rt Hon Liz Kendall MP
Secretary of State for Work and Pensions
Caxton House
Tothill Street
London
SW1H 9NA
secretaryofstate@dwp.gov.uk

9 January 2024

Dear Liz,

May I take this opportunity, in my first letter of 2025, to wish you and your ministerial team a happy new year.

You are in receipt of my letter of 16 December which, amongst other things, set out our initial data requirements in order to implement our recently announced policy of mitigating the two-child limit for Universal Credit in so far as we can within our devolved powers. I remain keen, as I said then, to meet as early as possible to discuss this important work further.

As well as data, we both understand that a number of additional and significant steps are required before our mitigation payments can be made including both the UK and Scottish Parliaments passing legislation. As you appreciate, it will be essential that the necessary UK legislation makes provision for our payments to be disregarded for the purposes of assessing an individual's entitlement for relevant reserved benefits. Such payments must also be excluded from the Benefits Cap.

In an ITV Border interview with Scottish Labour leader Anas Sarwar yesterday, Mr Sarwar said that your Department stands ready, willing and able to allow payments to be made from this April, either by providing the data or by administering

yourselves. Indeed he questioned why there was a need to wait “more than three months”.

I would be grateful if you could confirm if this is indeed the case and whether or not such Mr Sarwar is correct as his implication was that he had this direct from the Department as he was asked if he had spoken to anyone in the DWP. Whilst it would be highly irregular for this significant undertaking on policy to not have been given in the first instance to the Scottish Government, at either Ministerial or official level, if it's the case that work can be done within the next three months then I suggest we meet as soon as possible to discuss. My office earlier this week has asked for suitable dates, and awaits confirmation.

I look forward to discussing with you in person shortly.

If Mr Sarwar is correct, furthermore I would be grateful if you could confirm that you are satisfied that UK Government Ministers have the legal powers to make these payments on our behalf and that the payments you would make will be disregarded for the purposes of assessing entitlements to reserved benefits and excluded as necessary from the Cap.

I have copied this letter to the First Minister and Ian Murray, Secretary of State for Scotland.

I look forward to hearing from you as soon as possible.

Yours sincerely,

SHIRLEY-ANNE SOMERVILLE

Document 5 - Letter from Shirley-Anne Somerville Cabinet Secretary for Social Justice - 16 December 2024

Cabinet Secretary for Social Justice
Shirley-Anne Somerville MSP
T: 0300 244 4000
E: scottish.ministers@gov.scot

Rt Hon Liz Kendall MP
Secretary of State for Work and Pensions
Caxton House
Tothill Street
London
SW1H 9NA
By Email: secretaryofstate@dwp.gov.uk

16 December 2024

Dear Liz,

Thank you for your letter and commitment to support the work to mitigate the two-child limit in Scotland, a crucial step in tackling child poverty in this country, building on the wide-ranging action we have already taken, including the establishment of the Scottish Child Payment. Through our mitigation policy we expect to provide up to £3,500 per child per annum which, as CPAG in Scotland estimates, could lift around 15,000 children out of poverty.

As you will be aware our officials are already in discussions about the data and information that we will require to administer payments. Further meetings will take place before Christmas. For information, the attached Annex contains details of the data we anticipate will be needed.

As officials have also discussed, it is essential that any UK legislation to make provision for payments to be disregarded for the purposes of assessing entitlement for relevant reserved benefits is also taken forward in good time for when payments go live. Such payments must also be excluded from the Benefits Cap. The Scottish Government will take legislation to the Scottish Parliament as quickly as possible next year and we would expect, in keeping with the Prime Minister's undertaking last week to the First Minister to do everything possible, that UK legislation will be prioritised accordingly.

It would be helpful if we could meet reasonably soon in the New Year to take stock of the progress being made by officials. My Private Office will therefore be in touch with you in that regard.

I have copied this letter to the First Minister; Jamie Hepburn, Minister for Parliamentary Business and Ian Murray, Secretary of State for Scotland.

Yours sincerely,

SHIRLEY-ANNE SOMERVILLE

Document 6 – Email RE Meeting with Cabinet Secretary SJ 11.12.24 - Main Actions

Ian, Leanne

[Redacted - 29(1)(a)]

Stephen

Stephen Kerr

Social Security Director & Programme SRO

T: [Redacted - 38(1)(b)] E: stephen.kerr@gov.scot

P Please save paper – do you need to print this e-mail?

From: Stephen Kerr
Sent: Wednesday, December 11, 2024 3:27 PM
To: Ian Davidson ; Leanne Carson
Cc: Julie Humphreys
Subject: Meeting with Cabinet Secretary SJ 11.12.24 - Main Actions

Ian, Leanne

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Thanks,

Stephen

Stephen Kerr

Social Security Director & Programme SRO

T: [Redacted - 38(1)(b)] E: stephen.kerr@gov.scot

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Document 7 - Slides 2CL for Cab Sec

Slide 1

OFFICIAL: SENSITIVE

TWO CHILD LIMIT - MINISTERIAL UPDATE [REDACTED - 29(1)(A)]

11th DECEMBER 2024

Slide 2

OFFICIAL: SENSITIVE

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Slide 3

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Slide 7

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