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Rt Hon Liz Kendall MP
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9 January 2025

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.

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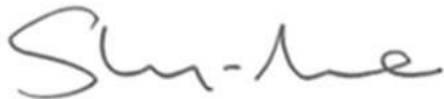
I look forward to discussing with you in person shortly.

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

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