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Co-chairs
Scottish Commission on Social Security
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19 December 2022

Dear Mark and Judith,

I am pleased to submit a draft of 'The Social Security (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2023' to the Scottish Commission on Social Security for consideration as part of the affirmative procedure outlined in section 97 of the Social Security (Scotland) Act 2018. I also attach 'Devolved Social Security Assistance: Up-rating for Inflation: A report in fulfilment of section 86A: Duty to consider effects of inflation' which explains the Scottish Government's approach to up-rating for the financial year 2023-24.

The regulations increase the amounts of Child Disability Payment, Adult Disability Payment, Funeral Support Payment, Young Carer Grant, Child Winter Heating Assistance, Winter Heating Payment, Best Start Grants and Best Start Foods by the rate of inflation (10.1%). Scottish Child Payment has been increased to £25 per week in November 2022, which represents an above-inflation increase of 25%. The opportunity has also been taken through these regulations to make amendments to The Welfare Foods (Best Start Foods) (Scotland) Regulations 2019 to increase the income thresholds for Best Start Foods to take account of the increases in the National Living Wage and the increased levels of Working Tax Credit and Child Tax Credit.

The regulations also make amendments to the Social Security (Invalid Care Allowance) Regulations 1976 and the Social Security Benefit (Dependency) Regulations 1977. These amendments are made by exercising the Scottish Ministers executive competence and make changes to earnings limits used to determine entitlement to carer's allowance and to additional payments payable to carer's allowance recipients, so far as payment is the responsibility of the Scottish Ministers. These changes had been made in a separate instrument, the Carer's Allowance Up-rating (Miscellaneous Amendment) (Scotland) Regulations 2022, in the last up-rating exercise but will now be contained in these regulations in this forthcoming exercise.

I understand that you will be having discussions with my officials regarding the content of the draft Regulations, and I have asked them to agree an appropriate timescale for this work with you.

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I have asked my officials to send a copy of this letter to the Convener of the Social Security Committee in order to notify them that our proposals have been submitted to the Commission for consideration.

I look forward to receiving your report in due course.

Yours sincerely,

A handwritten signature in black ink that reads "Ben Macpherson". The signature is fluid and cursive, with a long horizontal stroke at the end.

BEN MACPHERSON

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