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30 November 2021

Dear Sally,

Thank you for your scrutiny reports of 18 November 2021 on the policy proposals contained in:

- the Disability Assistance for Children and Young People (Scotland) Regulations 2021 and the Scottish Child Payment Regulations 2020 (Miscellaneous Amendments) Regulations 2022, and
- the Suspension of Assistance (Disability Assistance for Children and Young People) (Scottish Child Payment) (Scotland) Regulations 2021.

Yesterday, the draft regulations containing these proposals were laid in the Scottish Parliament under one instrument. The regulations are titled the Scottish Child Payment Regulations 2020 and the Disability Assistance for Children and Young People (Scotland) Regulations 2021 (Miscellaneous Amendments) Regulations 2022. The regulations were accompanied by the Scottish Government's responses to the two scrutiny reports, which I am pleased to attach along with a copy of the regulations.

I am pleased to confirm that we have accepted the recommendations made by SCoSS, and we will continue to reflect on SCoSS' observations.

I fully recognise the challenges SCoSS is currently facing and remain committed to ensuring that the Commission has the resources it requires to carry out adequate scrutiny of the legislation that is referred to them.

Please note that the regulations make further amendments to the Disability for Children and Young People (Scotland) Regulations 2021 which we have not been able to refer to SCoSS. These further amendments are to be made using the regulation-making powers in sections 31(2), 36(2) and 79 of the Social Security Scotland Act 2018.

These further amendments make some drafting clarifications, technical corrections and changes to ensure consistency with the Adult Disability Regulations and immigration legislation. They also make changes to the Scottish Child Payment Regulations to ensure there is consistency with Child Disability Payment. In the time available from when we became aware of the need to make these changes, it was not possible to refer these regulations to SCoSS for scrutiny.

I hope SCoSS agree that these further changes are minor and largely technical in nature and do not depart from the original policy intent of the provisions which have already been considered by SCoSS.

Thank you again for your continued co-operation and support. I am grateful to SCoSS Members for the helpful and constructive way in which they have engaged with officials, and in helping to scrutinise these regulations by providing insightful and relevant policy analysis.

Best regards,



BEN MACPHERSON

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