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Dear Judith and Mark,

I would like to start by thanking you for your letter of 22 March and your expedited scrutiny of technical amendments to Short-Term Assistance (STA) provisions within the Disability Assistance for Older People (Scotland) Regulations 2024, as well as amendments to make equivalent changes across Adult Disability Payment (ADP) and Child Disability Payment (CDP). Given the particularly challenging timescales required to scrutinise these regulations, I am grateful to the Commission for your consideration.

The analysis SCoSS has completed of the technical amendments has been helpful and will contribute to ensuring that STA provides valuable financial support to clients. I am delighted to confirm that I have accepted your constructive recommendations. I am certain that these actions demonstrate our ongoing commitment to learning from evidence and expertise to improve outcomes for the people of Scotland.

Please find attached my full response to the recommendations provided by the Commission in the accompanying annex. I have also written to the Convenor of the Social Justice and Social Security Committee.

Laying of The Disability Assistance for Older People (Scotland) Regulations 2024

I am pleased to inform you that today I have laid The Disability Assistance for Older People (Scotland) Regulations 2024 and accompanying documents in Parliament.

The principal aim of this legislation is to introduce Pension Age Disability Payment, which will replace Attendance Allowance for disabled people in Scotland who are over State Pension age.

The introduction of Pension Age Disability Payment marks a significant milestone, this being the final of our new Disability Assistance benefits that people can apply for, bringing the benefits of our social security system based on dignity, fairness and respect to disabled people of all age groups in Scotland.

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After the successful phased launch of Adult Disability Payment, I am using a similar approach for the launch of Pension Age Disability Payment. The first phase will begin on 21 October 2024 in the areas of Argyll and Bute, Highland, Orkney Islands, City of Aberdeen, and Shetland Islands. Phase 2 will begin on 24 March 2025 in the areas of Moray, Aberdeenshire, East Ayrshire, North Ayrshire, South Ayrshire, Western Isles, Stirling, Clackmannanshire, Falkirk, Fife, Angus, City of Dundee, and Perth & Kinross. The national launch of Pension Age Disability Payment in all remaining areas of Scotland will be on 22 April 2025.

I am laying these regulations at this time as it is one part of a suite of regulations that are required in order to enable the delivery of Pension Age Disability Payment. This includes regulations in the UK Parliament, and ensures adequate time given the potential for breaks in UK Parliamentary laying time this year.

In developing Pension Age Disability Payment we have listened to advice from people with lived experience of disability benefits and other experts in the social security field to ensure that we focus on addressing key concerns. These include enabling people to apply in the way that suits them best to make applications more accessible, bringing our definition of terminal illness in line with Child Disability Payment and Adult Disability Payment, and streamlining the process for designating a third party representative, which may be of particular support to those applying for Pension Age Disability Payment.

I am grateful for your consideration and scrutiny of these regulations and am pleased to have accepted the majority of your recommendations. I am grateful for your commitment to ensuring the people of Scotland receive the service they deserve.

Yours sincerely,



SHIRLEY-ANNE SOMERVILLE

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