

F/T: 0300 244 4000  
E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

Ed Pybus  
Chair  
Scottish Commission on Social Security  
c/o Secretariat  
Victoria Quay  
Edinburgh  
EH6 6QQ

By email: [info@socialsecuritycommission.scot](mailto:info@socialsecuritycommission.scot)

16 December 2024

Dear Ed,

I am pleased to submit a draft of 'The Social Security (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2025' 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 'Social Security Assistance in Scotland: Up-rating for Inflation in 2025-26' which explains the Scottish Government's approach to up-rating for the financial year 2025-26.

The Regulations increase the rates of all benefits delivered under the 2018 Act by the rate of inflation in the 12 months to September 2024 (1.7%). Best Start Foods is not currently delivered through powers within the 2018 Act however the Regulations also increase the rate of this payment in line with the other benefits. Regulations are not required to give effect to up-rating of Job Start Payment and Carer's Allowance Supplement.

The Regulations also make amendments to the Social Security (Invalid Care Allowance) Regulations 1976 and the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023. These amendments make changes to earnings limits used to determine entitlement to Carer's Allowance and Carer Support Payment. Both changes increase the earnings limits for the respective payments.


The draft regulations also include a minor amendment to the Carer Support Payment regulations to reflect a new UK entitlement being introduced from April 2025 – Neonatal Care Leave and Pay. This amendment will enable neonatal care pay to be treated as earnings for the purposes of entitlement to Carer Support Payment, in the same way as maternity, paternity or adoption pay.

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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.

I have asked my officials to send a copy of this letter to the Convener of the Social Justice and 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.



**SHIRLEY-ANNE SOMERVILLE**

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St Andrew's House, Regent Road, Edinburgh EH1 3DG  
[www.gov.scot](http://www.gov.scot)

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