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5 September 2025

Dear Ed,

**The Carer's Assistance (Miscellaneous and Consequential Amendments, Revocation, Transitional and Saving Provisions) (Scotland) Regulations 2025**

I am pleased to inform you that the Carer's Assistance (Miscellaneous and Consequential Amendments, Revocation, Transitional and Saving Provisions) (Scotland) Regulations 2025 ('the draft amendment regulations'), were laid in the Scottish Parliament today. These draft amendment regulations make provision for a range of improvements to carer benefits in Scotland under sections 28(2), 41(4)(a), 43(5), 51(1), 52, 82 and 95 of the Social Security (Scotland) Act 2018. I previously sent the draft amendment regulations to the Scottish Commission on Social Security (SCoSS) with the formal request for scrutiny of these draft regulations in February 2025. An updated draft of the regulations was shared on 23 July 2025. I would like to reiterate my letter of 4 March 2025, thanking you for your time and feedback on the draft regulations.

We have since produced a response to your report, including your further response of 25 August 2025, which is set out as an annex to this letter. In total, we have accepted 11 of your 15 recommendations and partially accepted the remaining four.

As you know, the principal regulations for Carer Support Payment, setting out rules for the benefit which is replacing Carer's Allowance in Scotland, came into force on 19 November 2023. Carer Support Payment has been available for new applications across the whole of Scotland since 4 November 2024. The principal regulations also provided for a 'case transfer' process which provides for the transfer of Carer's Allowance awards for carers in Scotland from the Department for Work and Pensions (DWP) and onto Carer Support Payment administered by Social Security Scotland. This process began in February 2024 and is now nearly complete.

These draft amendment regulations make provision to deliver a series of priority improvements that the Scottish Government committed to bring forward once Carer Support Payment was available nationally and case transfer from Carer's Allowance was complete, including new extra support for those receiving the benefit and caring for more than one person ('the Carer Additional Person Payment'), and extended support for carers after the loss of the person they care for. It also makes provision for the Scottish Carer Supplement which will replace, for most carers, the Carer's Allowance Supplement currently paid under section 81 of the Social Security (Scotland) Act 2018. To deliver a single application route for all 3 payments, the draft amendment regulations make provision for the Carer Additional Person Payment and Scottish Carer Supplement to be paid alongside Carer Support Payment as part of an overall award of Carer Support. They also ensure people already receiving Carer Support Payment can have their award transferred to Carer Support without an application.

The draft amendment regulations also make other changes including:

- removing the requirement for carers to have cared for a certain period before they can continue to get support when they have a temporary break from caring
- extending eligibility to Young Carer Grant to 19-year olds
- clarifying certain effective date and backdating rules in light of feedback received during the pilot period
- providing for savings, revocation and transitional provisions,
- making amendments consequential to this instrument, and
- making other miscellaneous changes

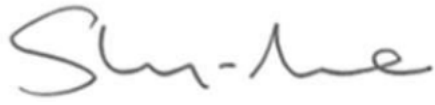
I am also providing a draft policy note, a document summarising the impact assessment of the proposed improvements (following review of the existing impact assessments for Carer Support Payment and the Young Carer Grant), as well as the Child Rights and Wellbeing impact assessment. An update to the Data Protection Impact Assessment was not undertaken because the impacts of this legislation on the use of personal data are covered by considerations in the previously published assessment.

I want to extend my thanks to the Commission for their input on these regulations. SCoSS' role in scrutinising these proposals helps to ensure that we achieve our aim of delivering a social security system in Scotland that meets our values of treating people with dignity, fairness and respect.

I have informed the Social Justice and Social Security Committee as well as the Carer Benefits Advisory Group regarding the laying of the draft amendment regulations.

I am proud to mark another major milestone in the process of delivering devolved social security and in building a system that better meets the needs of carers and disabled people in Scotland.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Shirley-Anne". The signature is fluid and cursive, with a large initial 'S' and a distinct hyphen.

**SHIRLEY-ANNE SOMERVILLE**