

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

By email: info@socialsecuritycommission.scot

13 January 2026

Dear Ed,

I am pleased to submit a draft of 'The Social Security (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2026' and policy note 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 2026-27' which explains the Scottish Government's approach to up-rating for the financial year 2026-27 and the associated Child Rights and Wellbeing Impact Assessment.

The Regulations increase the rates of all benefits delivered under the 2018 Act by the rate of inflation in the 12 months to September 2025 (3.8%). 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 make some minor amendments to other social security regulations and some of these changes were referred separately for scrutiny to the Commission on 30 October 2025. Others were identified following that referral and have been included in this version of the draft Regulations.

This includes amendments correcting an issue related to the transitional rate of Adult Disability Payment in 2025-26 where it was not effectively up-rated in the legislation. Clients in receipt of this rate were unaffected as the correct rate was applied by Social Security Scotland.

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Further amendments also 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.

I am aware that we have not been able to provide a full scrutiny period for these Regulations, and I am grateful for the Commission for agreeing to carry out their scrutiny in a shorter timetable.

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.

Yours sincerely,



SHIRLEY-ANNE SOMERVILLE

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