



T: 0300 244 4000
E: scottish.ministers@gov.scot

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

By email to: info@socialsecuritycommission.scot

16 September 2026

Provisions for inclusion in the Social Security (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2027

Dear Ed,

I am writing to provide SCoSS with draft provisions which will be part of the Social Security (Up-rating) (Miscellaneous Amendments) (Scotland) Regulations 2027 ('the up-rating regulations') which will be referred to the Commission in due course.

I enclose draft provisions and request that the Commission consider these and provide a report to the Scottish Ministers, as part of the report on the up-rating regulations to be referred, in accordance with their function under section 22(1)(a) and 97(4) of the Social Security (Scotland) Act 2018.

The provisions make minor amendments to the following regulations:

The Winter Heating Assistance (Pension Age) (Scotland) Regulations 2024: to include a provision to ensure that the intended payment rate is applied in a scenario where two or more people aged 80 or over, together with at least one other person aged under 80, live in the same household (i.e. a household of three or more individuals). This amendment will ensure that the 'higher shared rate' (c.£211.15 under PAWHP regulation 10(6)(b)) payment will only ever be issued to a person aged 80 or over living with one or more pensioners who are all under 80. Please note that the value reflected in the amendment provision is subject to up-rating.



Social Security (Cross-border Provision, Case Transfer and Miscellaneous Amendments) (Scotland) Regulations 2025: to correct a minor drafting error where paragraphs are referred to that were later removed due to being deemed unnecessary. This error does not cause issues in practice and the savings provision in question does not have a broader effect than was intended.

I will send a copy of this letter and draft regulations to the Social Justice, Housing and Local Government Committee to notify them that our proposals have been submitted to the Commission.

I am grateful for your continued work in ensuring that devolved social security delivers a system that meets the needs of the people of Scotland and I look forward to receiving your report.

Yours sincerely



SHIRLEY-ANNE SOMERVILLE

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

INVESTORS IN PEOPLE
We invest in people Silver

