

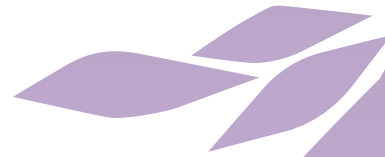


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Social Security Committee Comataidh Tèarainteachd Sòisealta

Subordinate legislation considered by the Social Security Committee on 4 March 2021



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Social Security Committee

To consider and report on matters relating to social security (including the delivery and payment of benefits that help address poverty) falling within the responsibility of the Cabinet Secretary for Social Security and Older People.



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The Disability Assistance for Children and Young People (Scotland) Regulations 2021

1. The Disability Assistance for Children and Young People (Scotland) Regulations 2021 [draft] were first laid before the Parliament on 12 February 2021. After laying, minor errors were identified including the wrong rate of payment. The Regulations were withdrawn and re-laid on 26 February.
2. The regulations are subject to the affirmative procedure (Rule 10.6) and it is for the Social Security Committee to recommend to Parliament whether they should be approved.
3. The regulations establish Child Disability Payment (CDP), a new form of social security assistance replacing Disability Living Allowance for children (DLAC) in Scotland. The benefit will support children and young people with a physical or mental disability, or a terminal illness by providing financial assistance to help meet the additional costs associated with care and mobility needs.
4. The Delegated Powers and Law Reform Committee considered the regulations at its meeting on 2 March 2021 and did not raise any issues.
5. Following the evidence session, Shirley-Anne Somerville moved motion S5M-24149—

That the Social Security Committee recommends that the Disability Assistance for Children and Young People (Scotland) Regulations 2021 [draft] be approved.

The motion was agreed to without division.

6. The evidence taken can be found in the Official Report for 4 March 2021.
7. The Social Security Committee recommends to the Parliament The Disability Assistance for Children and Young People (Scotland) Regulations 2021 [draft] be approved.

The Social Security Information-sharing (Scotland) Regulations 2021

8. The Social Security Information-sharing (Scotland) Regulations 2021 [draft] were laid before the Parliament on 12 February 2021 and referred to the Social Security Committee.
9. The regulations are subject to the affirmative procedure (Rule 10.6) and it is for the Social Security Committee to recommend to Parliament whether they should be approved.
10. The regulations specify three additional persons (GP practices, the Public Guardian and accredited vehicles suppliers for persons with disabilities) who may be required to supply information to the Scottish Ministers for use by Ministers in carrying out their social security functions.
11. Scottish Ministers will also be able to share information with local authorities for the purposes of deciding entitlement to other schemes such as council tax reduction, Scottish Welfare Fund, discretionary housing
12. The Delegated Powers and Law Reform Committee considered the regulations at its meeting on 23 February 2021 and did not raise any issues.
13. Following the evidence session, Shirley-Anne Somerville moved motion S5M-24148—

That the Social Security Committee recommends that the Social Security Information-sharing (Scotland) Regulations 2021 [draft] be approved.

The motion was agreed to without division.

14. The evidence taken can be found in the Official Report for 4 March 2021.
15. The Social Security Committee recommends to the Parliament the Social Security Information-sharing (Scotland) Regulations 2021 [draft] be approved.

The Social Security Up-rating (Scotland) Order 2021

16. The Social Security Up-rating (Scotland) Order 2021 [draft] was laid before the Parliament on 10 February 2021 and referred to the Social Security Committee.
17. The regulations are subject to the affirmative procedure (Rule 10.6) and it is for the Social Security Committee to recommend to Parliament whether they should be approved.
18. The purpose of the Regulations is to uprate benefits currently administered by the Department for Work and Pensions (DWP). They are uprated in line with DWP policy which uses CPI inflation for carer and disability benefits (0.5%). The benefits uprated include:
 - Attendance Allowance,
 - Carer's Allowance
 - Disability Living Allowance
 - Industrial Injuries Disablement Benefit
 - Industrial Death Benefit
 - Personal Independence Payment
 - Severe Disablement Allowance.
19. The Delegated Powers and Law Reform Committee considered the regulations at its meeting on 2 March 2021 and did not raise any issues.
20. Following the evidence session, Shirley-Anne Somerville moved motion S5M-24124 -

That the Social Security Committee recommends that the Social Security Up-rating (Scotland) Order 2021 [draft] be approved.

The motion was agreed to without division.

21. The evidence taken can be found in the Official Report for 4 March 2021.
22. The Social Security Committee recommends to the Parliament the Social Security Up-rating (Scotland) Order 2021 [draft] be approved.

The Social Security (Up-rating) (Miscellaneous Amendment) (Scotland) Regulations 2021

23. The Social Security (Up-rating) (Miscellaneous Amendment) (Scotland) Regulations 2021 [draft] was laid before the Parliament on 10 February 2021 and referred to the Social Security Committee.
24. The regulations are subject to the affirmative procedure (Rule 10.6) and it is for the Social Security Committee to recommend to Parliament whether they should be approved.
25. The purpose of the Regulations is to uprate certain benefits delivered by Social Security Scotland. This year the Scottish Government is uprating some benefits above inflation (0.5%) and will uprate the following by 1%:
- Young Carer Grant
 - Funeral Support Payment
 - Best Start Grant
 - Child Winter Heating Assistance
26. The regulations also correct a technical issue to ensure that child dependency increases, paid with a carer's allowance, can include an increase for a qualifying young person.
27. The Delegated Powers and Law Reform Committee considered the regulations at its meeting on 23 February 2021 and did not raise any issues.
28. Following the evidence session, Shirley-Anne Somerville moved motion S5M-24125—
- That the Social Security Committee recommends that the Social Security (Up-rating) (Miscellaneous Amendment) (Scotland) Regulations 2021 [draft] be approved.
- The motion was agreed to without division.
29. The evidence taken can be found in the Official Report for 4 March 2021.
30. The Social Security Committee recommends to the Parliament that the Social Security (Up-rating) (Miscellaneous Amendment) (Scotland) Regulations 2021 [draft] be approved.

