



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

Collette Stevenson MSP, Convener
Social Justice and Social Security Committee
Scottish Parliament
Edinburgh
EH99 1SP

By email to: sjss.committee@parliament.scot

06 November 2023

Dear Convener

Thank you for your letter of 25 October 2023 regarding timescales for the delivery of Employment Injuries Assistance (EIA).

As the committee is aware the Industrial Injuries Disablement Scheme (the Scheme) is currently being delivered in Scotland by the Department for Work and Pensions (DWP) on behalf of Scottish Ministers under an agency agreement. That agency agreement currently runs to March 2026.

As always, protecting the continuity of payments is our first priority during the devolution of all disability assistance, including for the approximately 25,000 people currently in receipt of awards under the Scheme in Scotland. The Committee will no doubt be aware of the particular complexities of the Scheme, which was introduced in 1948 and is delivered almost entirely using paper-based systems; around 150,000 files for Scottish clients are currently held in warehouses in contrast to the largely digital systems associated with the disability benefits devolved to date.

Although current clients are largely satisfied with the Scheme, as reflected in the 2016 consultation responses, we recognise the many calls for changes to be made through Employment Injury Assistance, including to modernise the Scheme in line with the working environment of today. There are constraints on our ability to do so: Employment Injuries Assistance must be affordable within the resources transferred from the UK Government; the process for its establishment must provide value for money in light of the complexities noted above; payments to current clients must be protected; and, more broadly, there are limitations to our ability to deliver a fully modernised system of employment protection given the continued reservation of relevant powers, for example, in relation to employment law and health and safety.

The Scottish Government will shortly undertake a public consultation covering all of these matters and I look forward to discussing the results of that with the Committee in due course.

In the meantime, we continue to work closely with DWP on all aspects of the devolution programme. As part of that the Governments are fully committed to working through the complex arrangements for the devolution of the Scheme in a way and to a timetable that protects the interests of current clients and delivers Employment Injury Assistance in a form that best serves the people of Scotland.

Yours sincerely

SHIRLEY-ANNE SOMERVILLE