



Collette Stevenson MSP, Convener
Scottish Justice and Social Security Committee
The Scottish Parliament
Edinburgh
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By email: sjss.committee@parliament.scot

Dear Convener

I write in response to the Committee's Stage 1 report on the Scottish Employment Injuries Advisory Council (SEIAC) Bill, published on 11 January.

I would like to thank the Committee and its members for considering all of the written and oral evidence during your evidence sessions leading up to the publication of the report. I was pleased to give evidence on 30 November to present the Scottish Government's rationale for opposing the Bill and I note the Committee's support of the Scottish Government position to not recommend the Bill to Parliament.

I also recognise the range of views that stakeholders and experts presented about the current scheme. I understand that many people hold strong views around how the scheme could be improved and the Scottish Government will continue to work closely with stakeholders and people with experience of the current system in the course of ongoing policy development for Employment Injury Assistance (EIA).

You have asked that I respond to Paragraphs 57, 64 and 161 which I have done so below.

Paragraph 57

The Committee intends to write to the Scottish Government asking whether the practical process of transferring these files onto a digital format has started.

As I stated during my evidence session to the committee on 30 November 2023, more than 100,000 paper files relating to Scottish awards are held in a number of warehouses, contrasting starkly with the largely digital files associated with the awards that have been transferred to date. We are continuing to consider the issues associated with case transfer.

Paragraph 64

The Committee notes that the agency agreement would need to continue, not just until EIA is introduced but until case transfer from Industrial Injuries Disablement Benefit is complete. Given the Cabinet Secretary's description of the complexities of case transfer, the Committee asks the Scottish Government to clarify whether it views the end of the current agency agreement as a 'hard deadline' for this process.

As the Committee recognised in its report, there are a number of challenges associated with case transfer for this suite of benefits. As I have stated throughout the process, my priority is the protection of current payments. While the agency agreement is due to come to an end on April 1 2026, the Scottish Government and UK Government will continue to work together in the best interest of people currently in receipt of an industrial injuries benefit in Scotland.

Paragraph 161

The Committee notes that during evidence taking it still did not get a definitive timescale for the consultation. This Bill and the work of the Member in Charge has made it clear that quicker progress is needed and therefore again the Committee asks the Scottish Government to advise on the detailed timings for the Scottish Government's consultation as a matter of urgency.

I said during my evidence session to the Committee on 30 November that I intend to publish a consultation on EIA early in 2024.

I understand that some people are keen to see changes made more quickly and I recognise the range of views stakeholders have on EIA. I would like to reassure the committee that work on the consultation is ongoing and I remain committed to launching it early this year. I will provide a more detailed update on timings as soon as I am able to.

I look forward to the Stage 1 debate in Parliament and I hope the Committee find this information useful.

Yours sincerely,

SHIRLEY-ANNE SOMERVILLE