



OFFICIAL REPORT
AITHISG OIFIGEIL

Social Justice and Social Security Committee

Thursday 21 November 2024

Session 6



The Scottish Parliament
Pàrlamaid na h-Alba

© Parliamentary copyright. Scottish Parliamentary Corporate Body

Information on the Scottish Parliament's copyright policy can be found on the website - www.parliament.scot or by contacting Public Information on 0131 348 5000

Thursday 21 November 2024

CONTENTS

	Col.
INTERESTS	1
DECISION ON TAKING BUSINESS IN PRIVATE	2
CHILD POVERTY (SCOTLAND) ACT 2017 (POST-LEGISLATIVE SCRUTINY)	3
SUBORDINATE LEGISLATION	24
Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 [Draft].....	24
Council Tax Reduction (Scotland) Amendment (No 3) Regulations 2024 (SSI 2024/310).....	30
Disability Assistance (Scottish Adult Disability Living Allowance) (Consequential Amendment, Revocation and Saving Provision) Regulations 2024 (SSI 2024/311).....	30

SOCIAL JUSTICE AND SOCIAL SECURITY COMMITTEE

31st Meeting 2024, Session 6

CONVENER

*Collette Stevenson (East Kilbride) (SNP)

DEPUTY CONVENER

*Bob Doris (Glasgow Maryhill and Springburn) (SNP)

COMMITTEE MEMBERS

*Jeremy Balfour (Lothian) (Con)
Katy Clark (West Scotland) (Lab)
*Gordon MacDonald (Edinburgh Pentlands) (SNP)
*Marie McNair (Clydebank and Milngavie) (SNP)
*Paul O’Kane (West Scotland) (Lab)
*Liz Smith (Mid Scotland and Fife) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Evan Beswick (Argyll and Bute Health and Social Care Partnership)
Martin Booth (Glasgow City Council)
Sally Buchanan (Falkirk Council)
Peter Kelly (Poverty Alliance)
Shirley-Anne Somerville (Cabinet Secretary for Social Justice)

CLERK TO THE COMMITTEE

Claire Menzies

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament
**Social Justice and Social
Security Committee**

Thursday 21 November 2024

*[The Deputy Convener opened the meeting at
09:00]*

Interests

The Deputy Convener (Bob Doris): Good morning, and welcome to the 31st meeting of the Social Justice and Social Security Committee in 2024. We have received apologies from Katy Clark. Marie McNair and Collette Stevenson join us online. I welcome Gordon MacDonald back to the committee, replacing Kevin Stewart, whom I thank for his valued contribution to the committee during the time that he was on it.

Our first agenda item is a declaration of interests. Gordon, as a new member of the committee, do you have any relevant interests to declare?

Gordon MacDonald (Edinburgh Pentlands) (SNP): The only thing worth mentioning is that my wife is a councillor on West Lothian Council.

The Deputy Convener: Thank you, Gordon. That is now on the record.

**Decision on Taking Business in
Private**

09:01

The Deputy Convener: Agenda item 2 is a decision on taking item 7 in private. I will just check with the clerk that I have got the number right—is it item 7 or item 8? It is definitely item 8.

Are we all agreed to take agenda item 8 in private?

Members indicated agreement.

Child Poverty (Scotland) Act 2017 (Post-legislative Scrutiny)

09:01

The Deputy Convener: Our next agenda item is the first evidence session on post-legislative scrutiny of the Child Poverty (Scotland) Act 2017. The committee has already done some scrutiny work on child poverty, including inquiries into the impact of the Scottish child payment and efforts to increase earnings from parental employment.

This inquiry adds to that work by considering the impact of having a legislative framework in the act that underpins policies.

Today, we will hear from a panel of witnesses focusing on the impact of the act on local policy and delivery. I welcome the witnesses, who are attending remotely: Evan Beswick, who is the chief officer at Argyll and Bute health and social care partnership; Sally Buchanan, who is the library services and fairer Falkirk manager at Falkirk Council; Martin Booth, who is the executive director of finance at Glasgow City Council; and Peter Kelly, who is the chief executive of the Poverty Alliance. I thank all four of you for joining us; your support is appreciated.

We have received apologies from Charlotte Cuddihy from NHS Lothian, who unfortunately is unable to attend the meeting this morning.

I will mention a few housekeeping rules before we start the formal evidence session. I ask those giving evidence to wait until I say—or another member asking a question says—your name before you speak. Please allow our broadcasting colleagues a few seconds to turn on your microphone, as a small pause before speaking is desirable. Please also type “R” in the chat box if you wish to come in. Be a little patient, because the clerks will pass me the information—I will not see the chat box myself.

I ask everyone—I include myself in this—to keep questions and answers as concise as possible. The first question is from Collette Stevenson.

Collette Stevenson (East Kilbride) (SNP): Good morning. I apologise for not being able to attend in person.

I want to touch on the reporting requirements. I thank each of you for the submissions that you have sent to us. Each of the submissions touches on the reporting requirements, saying that they are quite labour intensive and that they have been an added burden. To what extent have you been able to integrate reporting under the Child Poverty (Scotland) Act 2017 with other statutory reporting

requirements? I put that question to Martin Booth first.

Martin Booth (Glasgow City Council): Good morning. Thank you for that question, Ms Stevenson.

The reporting requirements for anything that we do in local government are fairly onerous. Reporting under the 2017 act is slightly different—it certainly is in our position. However, the fact that we are working jointly with the health board to produce the report means that the reporting comes from a different place.

The need to produce an annual report is good, as it keeps us disciplined and it makes sure that we are working together and keeping our elected members well briefed. It also helps to ensure that focusing on this remains a key priority, but it does not particularly tie in with any of the other reporting. It is probably in the health and social care partnership where that reporting would be duplicated, rather than on the council side of things.

Collette Stevenson: Thanks very much for that. Would Sally Buchanan like to come in on that point?

Sally Buchanan (Falkirk Council): Good morning. I am happy to answer that question from the perspective of Falkirk Council. This year, we have taken steps to align the child poverty reporting requirements with the aims of our anti-poverty strategy, which forms part of the reporting of our local outcomes and improvement plan, under community planning.

This is the first year that we have got to that stage. Earlier this year, we got approval for our new anti-poverty strategy, which has a focus on targeting child poverty, and that will be our child poverty action plan going forward. We will report back annually on that wider strategy, which will focus on, and include a specific section on, what we are doing on child poverty.

We hope that doing that will streamline our reporting a bit, because a lot of time is spent on reporting. An annual reporting cycle comes around quite quickly, especially given the timescales for getting reports into council committees and then to community planning boards for approval. We want to make sure that we are leaving enough time for action, not just reporting. I am hopeful that, going forward, we will have a better balance.

Collette Stevenson: Thanks very much for that, Sally. I see that Peter Kelly wants to come in. You were on my radar anyway, Peter, so I would welcome your comments.

Peter Kelly (Poverty Alliance): It is good discipline to do annual reporting to make sure that child poverty—and poverty in general—stays high

up on the agenda of local authorities and health boards. That good discipline is important.

There is undoubtedly a balance to be struck between reporting and doing. In our role as one of the national partners, we have certainly heard in a lot of feedback that the balance does not feel quite right sometimes and that there is a strong emphasis on reporting even though most—well, all—colleagues in local authorities and health boards want to get on and make sure that they are delivering.

It is good to reflect on that balance, but what is also partly an issue—Sally has already highlighted it—is that there must be scope to ensure that all those important responsibilities are streamlined and given due regard. Where there are responsibilities to report on—for instance, employability or child wellbeing—there are opportunities to see how that work can be better co-ordinated.

Finally, there is an issue around the resources that are available to do the co-ordination and planning. The Convention of Scottish Local Authorities mentioned that point to the committee. Initially, £5,000 was given to local authorities to support the production of local child poverty action reports, but no other resource has been dedicated to that. I know that budgets are constrained across the public sector, but if we want to spend time—which is important time—on meaningfully planning and reporting on what we are doing on child poverty, the resources that are required for that need to be considered.

Collette Stevenson: Thanks very much, Peter. I see that Evan Beswick would like to come in.

Evan Beswick (Argyll and Bute Health and Social Care Partnership): From an Argyll and Bute perspective, my one addition to the other witnesses' sensible comments is on the small authority, remote and rural components of reporting. Every reporting requirement has a disproportionate impact on a small local authority like ours, where fewer than 100,000 people are spread across a huge landmass, including 23 inhabited islands. For every reporting requirement that we have, we have to produce the same number of reports as a large local authority but with fewer resources and, in particular, a smaller workforce.

Recruitment is a challenge for all local authorities, but particularly rural ones. Anything that can be done to streamline the reporting requirements, to make them a bit less onerous, would be really helpful and would enable us to focus on the work of reducing poverty.

Collette Stevenson: Thank you, Evan. If no one else wants to come in I will pass back to the deputy convener.

The Deputy Convener: Thank you, Collette. I call Liz Smith.

Liz Smith (Mid Scotland and Fife) (Con): Good morning. I want to frame my questions around an important comment from the recent Joseph Rowntree Foundation report, which was published in October this year. The report was very supportive of the Scottish child payment, and we know that there has been excellent feedback from families who receive that payment.

However, the report criticised the United Kingdom Government and the Scottish Government on the point of data, saying that it was extremely difficult to measure the impact of the policy on actual outcomes. How easy is it for you to capture what you think is the most meaningful data, to measure how successful you are in reducing poverty?

Peter Kelly: Colleagues will have direct experience of how they are using data to address child poverty locally. We are a step removed from that, but what we have seen throughout the process since the 2017 act was passed is a greater focus on data and on the development and collection of local data.

That is a good focus to have, and local authorities—you see this right throughout the local child poverty action reports, whatever form they come in—pay strong attention to understanding the data that is available. That highlights where data is lacking and where there are still gaps in the data. I am sure that colleagues would reflect on that. Often, addressing large national data sets is outwith the control of local authorities or health boards. Through the labour force survey, we know that in-work poverty is a key dimension of the picture of child poverty, but getting good local labour market statistics, particularly on pay, to see whether policies are affecting that, is really challenging.

Local authorities and health boards are doing the best that they can with the data that they have. The Dundee fairness and local child poverty action plan takes a useful scorecard approach, linking its targets with available data to track progress over longer periods of time, from when the plan was initially set to the current year, and to make projections for the future.

The Dundee partnership is using the data as best it can, but there is undoubtedly a question to consider. You mentioned the Scottish child payment, and that is absolutely critical for the national picture. We need to get that right, and the Scottish and UK Governments need to work better together to get that sorted.

Liz Smith: Could I push you a little further on that question, Mr Kelly? It is extremely important. How easy is it for you to identify where the gaps

are in the national data, to improve the measurability of your policy commitments? You mentioned that you would like to see better data on employment in particular. Are there any other ways in which having better data could help in identifying how successful we are being in different areas?

09:15

Peter Kelly: The question is about the ability to use at the local level data that has been gathered at the national level, and you are asking how difficult it is to do that. It is very difficult, and there are significant gaps. In the local measurement of child poverty, we use proxies for the income data. We would prefer to have the income data, but I think—I should say that I am not a researcher or a data expert—that there is a balance to be struck between having that data and the resource that would be required to gather so much of it at the local level. Finding that balance is a real challenge—particularly, as Evan Beswick said, for smaller local authorities where the collection of that data is never going to be a priority.

Liz Smith: I want to ask Mr Beswick if he has any further comments on that point, because it must be very difficult to collect the relevant data in Argyll and Bute. Is it a particular problem to do that in rural communities?

Evan Beswick: It absolutely is. I preface this by saying that I agree with Peter Kelly's comments, although I am no data expert. One of the challenges is that a lot of our data sets do not cover the small pockets of population that we have, because they are not refined enough to do so. As Peter said, to do that at a local level would require significant resources.

Through the work that has been driven by the act, we have been able to invest money from the child poverty practice accelerator fund into some very technical and specific data work. We have bought in data sets from other organisations that have allowed us to refine our work and target it much more closely to where it is most needed. That work is resource intensive, but it has been very valuable that we have been able to do it.

Liz Smith: That is interesting. We will come to the aspect of collaboration between different local authorities, which is important in trying to close up some of the gaps.

My final question is about how easy—

The Deputy Convener: I apologise for talking across you, but Sally Buchanan and Martin Booth want to comment on the previous point.

Liz Smith: Of course.

Sally Buchanan: Thank you. We have spent a lot of time talking about data and gathering it, and we have made some really good progress with both those things, which has been very helpful in ensuring that tackling child poverty gets the attention that it requires both from Falkirk Council and from our national health service colleagues. A few years ago, we did some work in partnership with the NHS to look at data, which resulted in a diagram showing all the different referral pathways that exist. The work was very important for getting the issue on to the agenda throughout our organisations, and it has made quite a difference.

However, I add a word of caution. There is a real risk of going down a rabbit hole with data. You can spend a lot of time gathering an awful lot of data and, at the end of the day, say, "So, what are we going to do differently now that we've got all this data? Does it actually tell us anything that we didn't know at the start?"

In Falkirk, we are making really good inroads into working out how we can use our local data to target our services appropriately and to match up different data sets so that we identify people who are missing out on benefits. We are doing things with our local data that are really useful on the ground. We are using the data to look at small or incremental changes—things that help small numbers of people but that help those people to get money that they were missing out on beforehand. All of that is absolutely the right stuff and we should be doing it.

We have done a lot of work on data, and I think we need to be cautious about how many more resources we put into looking at data when we do not necessarily have clarity of purpose or know what we will do at the end of the process. We need to make use of the data that we have, but I am cautious about how much more data collection we invest in.

The Deputy Convener: Martin Booth wants to comment.

Martin Booth: I come from a slightly different viewpoint. I was asked to take responsibility for the child poverty targets in Glasgow at around the time when the Scottish child payment came in. A councillor asked me whether it would make a significant difference and, if they doubled it, whether that would eradicate child poverty in Glasgow. The honest answer was that we did not know. We had an idea of the number of children living in poverty, but we had no idea of the depth of that poverty.

We therefore undertook some research, which we first published in February 2020 immediately before the lockdown—timing is everything—and we have repeated that data exercise every year since then. The most recent data is from the

summer of this year. We therefore have a really good understanding of the levels of poverty and the areas and the kinds of family make-up in which people are more likely to be in poverty. We might have thought that we knew that, but we definitely know it now.

Our data is not 100 per cent accurate, because it is based on what we can access, such as data on council tax and housing benefit. We have had a really positive relationship with the Department for Work and Pensions. It has been more challenging with Social Security Scotland. We believe that the Scottish child payment is significantly underclaimed in Glasgow, but there are issues with that agency sharing data with us. The DWP has been very good at sharing data. However, there is a lot that we are allowed to use for research purposes but not for targeting—we know about families that are in difficulty, but we cannot legally use that data to access them. The data has allowed us to target individual wards. We know the wards that have the deepest levels of poverty and the wards with the most children that are on the verge of poverty. If we can carry out early intervention to prevent families from falling into crisis, that can make a big difference.

Having the data is really important, but having a wider data set and access to all the data would be really helpful, as would being able to use that data to target families that need help, rather than having to take a wildfire approach. The data has made a massive difference.

Liz Smith: Thank you for those extremely helpful comments, Mr Booth. Are policies likely to be more successful in tackling child poverty if they tackle poverty in general? Implicit in what you have just told the committee is the idea that it is really about helping families to get out of poverty—which, by definition, helps children. Does the data that you have collected recently show that policies to tackle the overall level of poverty are best at tackling child poverty—on top of the child payment, obviously?

Mr Booth?

Martin Booth: Sorry—I was just waiting to be unmuted.

That is a difficult question, because the situation is so complex. Clearly, children who live in poverty are in families, so it is about dealing with family poverty. A lot of our actions have been about trying to target families in particular.

We are in the fortunate position of being a pathfinder project with the Scottish Government, and within that we have strong allies who help us to break down some barriers and to have a more flexible approach to some funding. Some of that funding has been really helpful in recent years. The whole family wellbeing fund, for example, has

made a real difference. I have been in local government for quite a long time, and we have been talking about early intervention for a very long time. It feels as though the whole family wellbeing fund is the first proper opportunity for early intervention.

In addition, through working closely with our colleagues on the employability side with the no one left behind funding, we have been supported by the Scottish Government in the flexible use of such resources to target families. That has allowed us to target families in the areas that we know are most likely to have people in child poverty—for example, families with lots of children, young children or a member who has a disability. Those are all driver areas, which we try to target. However, tying it down to specific instances is probably more difficult, because there are so many influencing factors.

The Deputy Convener: I know that Peter Kelly wants to come in, but before he does that, I will be sneaky and ask a final question in this area. If I ask it now, our witnesses can respond to both questions and we can then move on to the next line of questioning.

Peter, if you have any reflections on Ms Smith's question, it would be good to hear them, but I also have a question about the consequences of not implementing the act at a local level. I do not really like the word "consequences", but is there a belief that the act is being implemented right across Scotland at a local level? If there is evidence that it is not, what should happen next? That is perhaps a better way of phrasing the question, but I know that you wanted to come in on the original question, too.

Peter Kelly: Yes—I want to respond to Liz Smith's question, because it is a fundamental question about our approach to tackling child poverty. There is an old saying—a data person will probably tell me that it is wrong—that there are no poor children in rich families. We tackle child poverty by tackling family poverty, and we do that through a variety of interventions. As Martin Booth said, we cannot focus just on efforts that are directed solely at children; we have to think about the employability piece with regard to parents, the efforts to increase the number of jobs that pay at least the real living wage and so on. They are all part of the general effort to tackle child poverty. It is difficult to tease all of that out, which is why the efforts that some local authorities and health boards have made to integrate their child poverty action reports into wider reports can be quite helpful.

On the question of consequences for not producing reports, that is the main responsibility when it comes to implementing the act. We need to be very clear that local authorities and health

boards across Scotland have engaged very actively in the process. Clearly, there is variation in the approach that has been taken across the country, but that is almost to be expected, given the ways in which the act has been framed and the guidance has developed and changed over the years since the bill was passed. We expect a degree of local variation in the way in which local authorities and health boards report on what they are doing to tackle child poverty.

There have been very few instances of a complete lack of engagement, or non-reporting. However, where that happens, we need to understand what lies behind it. One of the challenges with the process is that, very often, it has been an internal reporting mechanism—a report goes to councillors or senior officials in the health board, it is signed off, and that is the end of the matter. Some local authorities have been more creative in using the local child poverty action report as part of the effort to galvanise and build action around child poverty and to be more public about it.

Where local authorities or health boards are not meeting the responsibility to report, that needs to be investigated, at the very least. I do not know whether such a matter needs to go to this committee in Parliament so that questions can be asked of those local authorities, but it needs to be investigated. The Improvement Service certainly provides a good deal of support, and it has tried to do that in a very positive and encouraging way. The national partners recognise the challenges that the public sector experiences; indeed, we talked about that in response to the opening question with regard to resources.

If there is a failure to comply with what are quite standard requests, we need to understand the reasons for that. Ultimately, it is for the Parliament and the committee to ask those questions if authorities are unable to deliver on their commitments to produce a report.

The Deputy Convener: That is helpful. I am conscious that we are talking about reporting but it is as much about delivery and outcomes as it is about reporting. With that in mind, I hand back to Liz Smith, who I think has another question.

09:30

Liz Smith: I have finished, convener.

The Deputy Convener: Did you not want to ask about collaboration?

Liz Smith: I can do, yes.

In response to the original questions, two or three of you flagged up that, when it comes to the use of data, it is important that local authorities can learn from one other. Is there sufficient

collaboration across local authorities on addressing the issues? Mr Beswick, you are from Argyll and Bute, and I am sure that it is not as easy for you to collaborate as it is for those in the inner cities. Is the collaboration good enough?

Evan Beswick: I suggest that the greatest strength of the act and the response that it has prompted from us has been collaboration locally rather than between local authorities, as well as the use of the act as a focus to bring together partners across health, social care and the third sector to drive collaboration and collate experiences of what has worked well and whether the data has driven access, as we have discussed. Local sharing has been more important and, to link it to the previous questions, it has also been more important than the reporting function, albeit that reporting is useful in sharing that experience and providing focus through the organisation.

Liz Smith: Would anybody else like to comment on how easy it is to get the various stakeholders to collaborate with you within the local authority that you run? How easy is it to get health boards and other stakeholders on the same page as you? Mr Booth, would you like to comment on that?

Martin Booth: Collaboration has been a real positive of the act. I chair a local child poverty working group. The health and social care partnership sends a senior person to that, and education is also heavily involved. Indeed, all the council departments are heavily involved, along with a number of external agencies such as Clyde Gateway and Jobs and Business Glasgow. In fact, they are both leading on some of our pilot area works rather than the council. Locally, things have been positive and it feels as though everybody is pushing in the same direction.

As I said earlier, there is a mixed message from some of the national bodies about the amount of data sharing that we can get, but locally things have been very positive.

The Deputy Convener: Evan Beswick and Sally Buchanan have indicated that they want to come in. The evidence so far is that the 2017 act and the efforts of local authorities and health boards are fostering better collaboration. If Evan or Sally have something to contradict that or to show that there are other challenges, it would be good to get it on the record. If not, we will move on to the next line of questioning.

I do not think that Sally wants to say anything. Evan, do you have any comments?

Evan Beswick: No.

The Deputy Convener: That is helpful. Thank you. I hand over to Jeremy Balfour.

Jeremy Balfour (Lothian) (Con): I want to follow on a wee bit from what my colleague was asking. To what extent has the 2017 act resulted in additional interventions at the local level to tackle child poverty that might not have been happening before the act was passed? What has changed as a result of the act?

I will start with Peter Kelly and then others can jump in, if that is okay.

Peter Kelly: We have seen a variety of efforts across the country to initiate and develop new approaches to tackling child poverty. Some of that has been driven by the dedicated resources that have been made available by the Scottish Government—that is, by new funding streams coming on and local authorities taking advantage of them.

Martin Booth mentioned the whole family wellbeing fund, which is obviously from the Scottish Government. There is also the pathfinder initiative in Dundee, which I am a bit more familiar with. Those initiatives have been important in stimulating new approaches, which I would see as collaborations between the Scottish Government, local authorities and other partners at local level.

In Dundee, the pathfinder initiative is doing things and initiating approaches that would not have been there before. It has given local stakeholders the opportunity to act in different ways. That is evidence of how the 2017 act is facilitating the opportunity for new approaches.

However, a balance is needed when it comes to innovation and newness. Martin highlighted some of the excellent work that is going on in Glasgow—things that we know work, and that need to be scaled up. Income maximisation work is the bread and butter of anti-poverty work at local level. It still needs to happen, and it needs to be delivered at greater scale and greater pace.

Martin also mentioned the uptake of the Scottish child payment in Glasgow. There is more work to be done on some of those areas. It is about a balance between the need for innovation and new approaches, and the need to go further with some of the tried and tested approaches.

Jeremy Balfour: I do not know whether anyone else wants to come in.

The Deputy Convener: Nobody else has indicated that they want to come in at the moment.

Jeremy Balfour: I think that Martin has just indicated that he wants to come in, with a wee wave.

The Deputy Convener: Sally Buchanan has definitely indicated that she wants to come in. She has been a good witness in putting her request to

speak into the box. We will take you first, Sally. *[Laughter.]*

Sally Buchanan: Thank you for that.

Things are different for us around collaboration, including with our partners in the NHS. The 2017 act brought us together to work together. Through that, we have identified a number of specific areas where we can jointly target our services and tweak things to do that little bit more.

Particularly in relation to areas such as support for third trimester pregnancy and infant feeding, we are making sure that, between us and the NHS, we have a pathway and that support is available so that, for example, families, and particularly families with young children, have access to what they need in order to feed the kids.

The benefits and the new bits are those successful collaborations and targeting of services to ensure that people are getting what they need. Our health visitors and midwives are raising awareness of income maximisation services and doing direct referrals. They are bringing those services in and ensuring that families get what they are entitled to.

I highlight those additional benefits, collaborations and interventions. We have done some really successful stuff around infant feeding and third trimester pregnancy recently, as well as around a focus on our early years, where we have brought services to parents at a particular establishment, again, arising through that joint work and collaboration with the NHS and the third sector.

Martin Booth: To build on the comments that Sally Buchanan made, a lot of the real challenges are about building a trusting relationship with people who need support. It is about how we deliver services and ensuring that we remove barriers to entry—or “threshold anxiety”, as some people call it.

We have a project through which we put financial inclusion support officers into schools, because some families do not see schools as a threatening place. Likewise, we provide financial advisers within general practices in some of our most deprived communities.

One initiative that took place through our health and social care partnership involved grants that, previously, had been given out by a social worker. There is stigma attached to a social worker being involved with a family so, instead, we now allow our health visitors to give out some support grants. There is far less stigma that way, and it is a much faster process for getting families the support that they need in an emergency. It is about reducing those barriers to entry, or working together, to

make a real difference and make it easy for families to access support.

Evan Beswick: The question is really important. It is about the tangible benefits that have come from the 2017 act. I will add a few specifics from an Argyll and Bute perspective.

There have been changes in the way in which we approach our consultation and engagement with children. The link in the 2017 act to specific other policy frameworks, such as the United Nations Convention on the Rights of the Child, is important in that. Some of the co-production work that we have done specifically with children has been a change to what has happened on the ground, which has informed and helped our approach locally.

Secondly, I will mention the work of the welfare rights team in Argyll and Bute. In 2023-24, about £4.5 million of client gain has been supported by that team. Given that we are talking about reducing poverty, that is real money in people's pockets that would not have happened without the work of that team. That is a real, tangible benefit.

Finally, the work that has been done through the 2017 act, and the focus that that has provided, has helped us in working with partners to communicate the importance of a specifically rural approach to poverty. The funding that has been delivered through the islands cost crisis emergency fund—about £1 million in the past year—has been valuable in tackling rural poverty.

Those are some specific examples.

Peter Kelly: I have a quick comment to follow Evan Beswick's.

It is also about process innovation. Evan talked about co-production, and there has been a real movement in how that is done at local authority and health board level. That would not have happened without the 2017 act. There are lots of examples, such as Edinburgh's process with the End Poverty Edinburgh group of citizens who influence the development of the plan; the work that is going on in Dundee; the innovative work on engagement in Aberdeenshire; and, similarly, in Dumfries and Galloway. That situation has undoubtedly been driven by the 2017 act, no question.

Jeremy Balfour: To go back to the project that you have been talking about, Peter, and to what we heard about in Argyll and Bute, I am interested to know whether we can point to evidence that the 2017 act is making a real difference to real families. I have heard people using lots of buzzwords and saying, "We'll try and measure this—it is new," but what evidence is being taken, or what data do we have, to say that the 2017 act is making a real difference to people in Glasgow,

Argyll and Bute, Falkirk or wherever? Do we have that evidence? Is it being collected by the local authorities as we go along?

Peter Kelly: I will give a quick answer, because my colleagues are well placed to set out what is happening in their local authorities. We see evidence across the local child poverty action reports of where activities are making a difference. For example, as Evan Beswick just mentioned, additional gain is coming from welfare rights work, which is being given greater prominence and focus as a result of prioritisation through the existence of the 2017 act and its requirements on local stakeholders to produce such reports. I cannot go through those action reports line by line, but they are full of evidence that says where things are working.

We know that some of the big drivers have not been in local authorities' favour over the past few years, and that has put a constraint on what can be done practically at a local level. However, what we see over and over again is that local authorities, in difficult circumstances, are trying to prioritise efforts to address poverty. They could arguably do more and have better prioritisation processes, but those efforts are on-going and absolutely genuine.

09:45

The Deputy Convener: Sally Buchanan and Martin Booth want to come in. I will take Sally first.

Sally Buchanan: I am conscious of the time, so I will be brief and highlight the impact that has directly arisen from collaboration between Falkirk Council and NHS Forth Valley. We have helped 78 people to get a welfare benefits gain of over £233,000 through our parental employment support fund over the past six months, and we have assisted 19 people who are in debt, providing support to manage over £133,000-worth of debt.

Six-month paid work placements in the NHS have been set up for 21 people, and a separate work academy has led to four people being offered jobs. Those are examples of collaborative work on employability between the council and NHS Forth Valley that I do not think would have happened if we did not have that focus on child poverty. Those families are moving into employment in a way that will make a difference to them.

Martin Booth: From our data starting point of 2020, the number of children Glasgow who are in poverty has reduced, but fairly marginally. That is because of the other pressures on the system.

We produced the data because we were concerned that all of the indicators were suggesting that the levels of child poverty in

Glasgow would significantly increase. Although things such as the Scottish child payment have undoubtedly made a difference, a lot of our interventions have also made a difference. However, the roll-out of universal credit has been a backward step in regard to reducing the levels of poverty.

Despite all of those things and the cost of living crisis, we have still managed to make progress. Without the interventions, the numbers would have been significantly worse than they are now, so a lot of work has been to stop making things worse. At the moment, that feels like a big success, but, in a more stable position, I hope that we can start to make inroads.

The Deputy Convener: Thank you very much. I call Paul O’Kane.

Paul O’Kane (West Scotland) (Lab): I will follow on from many of those themes. The committee is trying to drill down beyond the data that has been collected and to look at targets

The 2017 act contains a number of national targets, and we are keen to understand their relevance in local areas—we have heard some points on that already. We are also keen to assess the extent to which local authorities feel that they can contribute to the national targets and whether it is the witnesses’ view that we are on track to meet some of them.

Can Martin Booth start on that? I am interested in what he said about the data that Glasgow City Council collects. What are your reflections on the targets?

Martin Booth: It is fair to say that the whole of Scotland is not in the same starting position and Glasgow’s levels of poverty are significantly above the average. Having a national target helps to focus minds to see that we are all trying to achieve the same thing; we are all trying to reduce child poverty.

When I was given responsibility for the issue, I had a team working on it that was very committed to making a difference, and part of the issue, and one of my concerns, was that the data might show that things were getting worse, despite the team’s efforts. That is why it was about motivating and understanding.

At the moment, our motivation is not so much to meet the national targets as it is to reduce the depth of poverty faced by those who are in poverty; it is also about trying to prevent families from falling into poverty, given the impacts of that on a number of service areas. That is really challenging. It does not feel as if we are making a massive contribution to meeting the national targets, but having them is important because it focuses minds.

Paul O’Kane: Would anyone else like to comment?

The Deputy Convener: Evan Beswick has indicated that he would like to.

Evan Beswick: There is a bit of a line through to questions about how easy it has been to bring partners to the table and about action on local authorities that may not have engaged in the same way.

Local teams are driven to respond to the act because there is strong, strategic alignment with what they see every day in terms of the impact on children and families and what we are trying to achieve as a health and social care partnership. From my perspective, we are trying to move to a more proactive, preventative model, while recognising all the social determinants of poor health and poor life circumstances.

That is very much pushing at an open door, and it has been very easy to bring partners to the table. I am the chief officer and chair of the Argyll and Bute child poverty action group, and I think that the act and the national focus have supported that multi-organisational approach.

Having the national targets has been important. I suggest that they have probably been more important nationally in maintaining a focus in potentially diversionary circumstances, such as the Covid-19 pandemic. We have kept that focus. They have also been important in supporting a response to requests for funding. Funding makes a difference. I mentioned the rural funding that had been received, which we are using to support rural fuel poverty.

Locally, the target does not drive the action; the target is the benefit that can come out of tackling child poverty and how that strategically aligns to what we are trying to achieve locally.

Paul O’Kane: Peter Kelly, what is your view on the interplay between national targets and local contexts? As I referenced in my opening question, there are concerns about missing the interim target and then missing the longer-term target. Might it be helpful for the Poverty Alliance to have a national role in that?

Peter Kelly: Picking up what Martin Booth said about overall targets focusing minds and focusing efforts, we have seen that right across the country, despite his point about not everyone starting at the same place. Dundee has set some very ambitious targets in its report on reducing child poverty, but it is not starting from the same place as East Renfrewshire, for example.

How those targets play out in specific local authorities and how they can be a motivating factor, or perhaps a demotivating factor if the task seems too great, is still important. The question

whether we are on track is a different one. According to the Poverty and Inequality Commission, we are not on track to meet our 2030 targets, which is really concerning.

The responsibility for that is a shared one, obviously, but I think that the Scottish Government could be doing more to make sure that, going into the next child poverty delivery plan, we are more focused on reaching the targets. We will have to do more through reducing costs and increasing incomes through social security and through work.

We have been through some horrendous times over the past four years with Covid and the cost of living crisis, but the targets that have been set are not just for when the economy is working well and everything is going well; they are there to focus minds to redouble efforts when things are difficult.

We are very supportive of the existence of targets, which are needed in any anti-poverty strategy at national or local level.

The Deputy Convener: I will ask Martin Booth a brief supplementary question. I am interested in what you said about having a very committed team that has had success on the ground, but the data then having gone in a different direction because the team is blown off course by other factors. Before I ask my question, which is about the UK Government, I make it clear that there is a shared responsibility, and that the Scottish Government has to do more, too.

Glasgow City Council operates the private rented sector hub, and a reported 1,400 families affected by the benefit cap were supported by it between 2019 and June 2023 to help them to sustain tenancies or move into sustainable housing options. Factors such as the local housing allowance freeze and other benefits issues can impact success on the ground. How do you report that? I know that Glasgow City Council does not want to make excuses, but I want to quantify how much more you could have done had all things been equal, and had you not been blown off course because of either Scottish or UK policy decisions. How do you factor that into the work of Glasgow City Council?

Martin Booth: I do not think that we specifically factor it in, although we are very aware of it in the background. We are far more focused on trying to make things better than we are on the reason why something has occurred. Housing specialists from some of our registered social landlord partners are in our Glasgow Helps team so that they can build their knowledge and can deal with issues when they come up. We try to have a no wrong door approach so that, if someone comes in, we do not pass them to another provider to deal with their query—we try to deal with everything in one place.

My apologies—I cannot easily answer your question on how we quantify the impact of any negative factors.

The Deputy Convener: I suppose that I was asking it as a way of showing appreciation for the work that happens on the ground, which I am conscious of.

Sally Buchanan, I apologise that I am not going to be able to get to you, because I have broken my own rule, which is that I have asked an additional question that did not have to be asked. I have been told that we have until 10 past 10 to dispose of the questions. I have been a bad chair.

Marie McNair (Clydebank and Milngavie) (SNP): Good morning. It is quite clear from the discussion that the 2017 act has led to improvements in the availability of local data on child poverty. I want to give folk the opportunity to make additional comments on that if they want to. I will go to Peter Kelly first.

Peter Kelly: I reflect the comments that we rehearsed earlier. Clearly, there have been greater efforts to use local data. In addition to some of the examples that Martin Booth provided, a range of local authorities have done their own surveys of individuals to assess their experiences of poverty, and so on. Great efforts have been made by local partners across the piece to gather both qualitative and quantitative data that tells us how the experience of poverty is changing, and to use that data more creatively to feed into an understanding of what has changed and what needs to change. There have been efforts in West Lothian and West Dunbartonshire to understand the experiential aspects of poverty and how they can be integrated into strategy development. It is important that we have the qualitative data, rather than just having a focus on the harder, more quantitative stuff.

The Deputy Convener: No one else wants to come in, so I will go back to Marie McNair.

Marie McNair: I am interested in the examples that Mr Booth gave of how Glasgow City Council changed local policies in response to insights from local data on child poverty. Glasgow's report says that you are making progress on ensuring that that data informs policy. Can you comment on examples that arise from the data? How are you sharing the data not only inside the council, but outside the council with key partners?

10:00

Martin Booth: On the second part of your question, we have a child poverty action group that all our partner agencies are involved with. We publish the data in reports—this year's is called "Child Poverty in Glasgow 2024"—which we take

to committee to ensure that it is shared across the council.

On examples that arise from the data, I can talk about one of my biggest frustrations. The data on children who are entitled to the school footwear and clothing grant is driven by data that we hold, because it is driven by council tax and housing benefit-type data. We can automate the payments of that grant; we automatically pay about 95 per cent of the families of children who are entitled to that money—they do not have to apply. It is only the families of children who fall through the system who have to apply. We cannot do that with other education-based benefits, because the criteria for free school meals and education maintenance allowance are different from the criteria for the school clothing grant. To me, if you need a school clothing grant, you need free school meals as well and, if you are of the appropriate age, you also need an education maintenance allowance. If we could simplify the system and the structure, we could make that process a lot easier. We would have a much better take-up rate if we had control of that, because we could force those payments out. Those sorts of things would allow us to make an even bigger difference.

I said that we think that the Scottish child payment is about 25 per cent underclaimed. It would make a massive difference to families in Glasgow if we could get the claimant rate up to 100 per cent, but we need the data to do that. There are things that could be done to make a difference, and the plea would be to encourage other agencies to share and simplify the data and to standardise things.

The Deputy Convener: I am quite alarmed to hear about the uptake of the Scottish child payment in Glasgow, so you might have a Glasgow MSP reaching out to you very soon. Before I bring in Paul O’Kane, Sally Buchanan would like to come in.

Sally Buchanan: On social security and the uptake of the Scottish child payment, there is an opportunity at a national level to look at a data-sharing agreement. There is no need for us to do that work 32 times. If we worked together and had a data-sharing agreement, we could do much better targeting and improve the uptake rate.

The Deputy Convener: Thank you for saving us time. Paul O’Kane immediately nodded his head when you spoke, because that was the substance of his follow-up question. Thank you for that, because we now have a clear understanding.

Gordon MacDonald: Good morning. I am a bit alarmed by some of the information that I have heard this morning. Martin Booth mentioned that the Scottish child payment is 25 per cent underclaimed and that we need to simplify the

system so that the school clothing grant and free school meals can be claimed together. Sally Buchanan referred to a data-sharing agreement and Peter Kelly said that income maximisation needs to be rolled out at greater pace. In order to tackle those and other issues, what further support is required from the Improvement Service’s national partners group so that local partners can be more effective in tackling child poverty?

Martin Booth: I do not think that the things that we have spoken about are in the Improvement Service’s gift. The Improvement Service is a valuable support across local government. Sally raised the need for a data-sharing agreement with Social Security Scotland. We would use that data only for good—to ensure that families claim the Scottish child payment. I am not sure what lever would make that happen, but I do not think that it is for the Improvement Service to do that; I think that that would need to be done by Government.

Likewise, the criteria for education-based benefits are set by legislation. Why are the criteria for those benefits not all the same?

Gordon MacDonald: I noted that the Child Poverty Action Group said that we need

“More detailed guidance on the expected role of local partners”

and a method for measuring success at a local level. Are such things in the gift of the Improvement Service’s national partners group?

Martin Booth: Again, I think that that is about standardisation. We have really good buy-in from all our local partners. This is not about trying to coerce the willing. Everybody is willing and everybody understands that this is probably the biggest single challenge for our society. All the partners—whether that is RSLs, the third sector or other agencies—are prepared to work, and are working, together on that, so the co-ordination of the work is really good. There are different problems in different areas, which is maybe why it is difficult to do national comparisons.

Peter Kelly: There were two parts to the question. On the support that the Improvement Service and the national partners group can provide, the Improvement Service is given dedicated funding to deliver the child poverty co-ordinator role and to provide support to local authorities on that. We have talked about resources for local authorities and health boards to produce the reports. The resource that is available for national support is limited.

The Scottish poverty and inequality research unit at Glasgow Caledonian University also provides a bit of support, and, where that is taken up by local authorities, it is well received. I have been involved in what we call the self-assessment

process. That process is on-going in West Dunbartonshire and colleagues from the national partners group are providing support where we can so that local authorities and health boards can identify the kind of external input and support that they might need. However, that resource is relatively limited.

We have been through various iterations of the guidance to local partners on how their local child poverty action reports should be produced. I am sure that there will be further iterations of the guidance in order to make it as clear as possible but also to reflect the diversity of approaches that the 2017 act is trying to encourage and which are probably necessary. The needs that Evan Beswick has described are very different from those that Martin Booth has described, so the approach needs to be flexible. However, we must be clear about how we are measuring success, using data and involving people with lived experience. We can provide guidance on how those things can be improved.

The Deputy Convener: That completes our evidence session. The clerks will be happy that we almost got through on time. I thank all our witnesses for joining us. That felt like a discussion, rather than an evidence session, and it was really useful. Thank you for your efforts in helping us with our post-legislative scrutiny—it is very much appreciated.

Next week, the committee will take evidence from organisations that campaigned for the 2017 act and some oversight bodies.

I briefly suspend the meeting to set up for the next item of business.

10:09

Meeting suspended.

10:14

On resuming—

Subordinate Legislation

Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 [Draft]

The Deputy Convener: Welcome back, everyone.

Our next item of business is agenda item 4, which is consideration of an affirmative statutory instrument—the draft Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025. The instrument is laid under the affirmative procedure, which means that the Parliament must approve it before it comes into force.

Before we move to the formal part of the agenda item, I bring in Mr Balfour.

Jeremy Balfour: I remind members of my entry in the register of members' interests and note that I am in receipt of personal independence payment—PIP. However, I am pleased to say that I am hoping to transfer to the new Scottish adult payment in January. I am looking forward to that.

The Deputy Convener: I think that Mr Balfour is hoping that that will be a seamless transfer.

I welcome to the meeting Shirley-Anne Somerville, the Cabinet Secretary for Social Justice. I also welcome her team of officials from the Scottish Government. They are Beth Stanners, who is a senior policy officer in the carer benefits and case transfer policy unit; David Hilber, who is team leader in case transfer policy; and Thomas Nicol, who is a lawyer. You are all very welcome, and I thank you for joining us today.

Following this evidence session, the committee will be invited, in an upcoming agenda item, to consider a motion to approve the instrument.

I remind everyone that Scottish Government officials can speak under this agenda item, but not in the debate that follows.

I invite the cabinet secretary to make a short opening statement.

The Cabinet Secretary for Social Justice (Shirley-Anne Somerville): Good morning, convener. I look forward to Mr Balfour's direct feedback on the case transfer process, as it progresses.

I am pleased to speak to the committee about the draft Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 today. The regulations, and the associated

consequential amendments, will introduce the Scottish adult disability living allowance from March 2025 and provide a like-for-like case transfer for all remaining adults in Scotland who are in receipt of disability living allowance. This is the final important milestone in the Scottish Government's ambitious five-year project to safely and securely transfer people's disability and carer benefits from the Department for Work and Pensions to Social Security Scotland.

Like DLA for adults in the rest of the United Kingdom, Scottish adult DLA will not be open to new applications. Adult disability payment will remain the main disability assistance for adults in Scotland. Instead, Scottish adult DLA maintains the commitment that was made that adults who were over 65 in 2013 when PIP was introduced can continue to receive DLA for as long as they are eligible. The regulations extend that commitment to all adults who are still on DLA, regardless of their age.

That approach is in marked difference to that of the DWP, which requires anyone who was under 65 in 2013 to make an application for personal independence payment if they have a changing condition or are due an award review. We have repeatedly heard how that process has caused significant stress and anxiety for those who went through face-to-face PIP assessments, and we have taken the opportunity to remove that concern from people.

As our priority is the safe and secure transition of awards, the eligibility rules for Scottish adult DLA are broadly similar to those for DLA. However, we have made a number of improvements, as we have done for other forms of disability assistance in Scotland, such as our more generous special rules for terminal illness, providing short-term assistance and ensuring that equal consideration is given to all sources of supporting information.

Once people's awards have safely moved to Scottish adult DLA, anyone in the younger group—those who were under 65 in 2013—can apply for adult disability payment if they wish to do so. We will provide individuals with clear information to inform their choice of whether they wish to apply for ADP or remain on Scottish adult DLA.

We have engaged extensively with disabled people and our key stakeholders in developing proposals for the transfer of all remaining DLA awards for adults in Scotland. I am immensely grateful to everyone who has participated in the process for Scottish adult DLA, including the members of the former disability and carer benefits expert advisory group, who have been so generous with their time, and the members of the Scottish Commission on Social Security, which

provided a number of thoughtful and constructive recommendations on draft regulations. I have accepted almost all of the recommendations from both groups, and I issued my response to the commission's report when the regulations were laid.

I welcome the opportunity to assist the committee with further consideration of the regulations today.

The Deputy Convener: Thank you, cabinet secretary. We have a few questions this morning.

Paul O'Kane: Good morning, cabinet secretary and officials.

I will broaden out from where we started the conversation. What is the Government doing to ensure that all those who are transferring will be properly supported and communicated with?

In addition, we know that there have, in the past, been issues affecting processing times, which we have debated and discussed. I appreciate that such issues can be challenging, but I am keen to know what preparation the cabinet secretary is making for some of those known challenges.

Shirley-Anne Somerville: We have very much designed the case transfer process to be safe and secure. Ensuring that people receive the right payments at the right time, with no break in entitlement, is important, and is the top priority. As with other case transfers, people will not need to do anything—the process will happen automatically.

As part of the case transfer process, people will receive letters that clearly explain why the DLA award has been selected for case transfer, what they can expect and who they can contact for further information. We will communicate with individuals in the stakeholder organisations through the usual range of channels to ensure that they are aware of what is going on, should they be required to support anyone who is going through the case transfer process.

We recently met the ill health and disability benefits stakeholder reference group to discuss the approach to communications. The group's members were supportive of our planned approach, which is to provide information that is tailored to individuals' specific circumstances.

I appreciate what Paul O'Kane said about the timings in some of the earliest areas of case transfer. Timings have improved markedly, and I thank the DWP for its work in speeding up the movement of cases to Social Security Scotland.

The feedback from people who have been through the case transfer process has been positive. The client survey that was conducted in October and November 2023 showed that a

significant majority of people felt informed and reassured about the process, and 80 per cent of people said that the communication that they had received was clear and easy to understand. From 2024-25, the Scottish Government has also allocated £12 million to support, for example, third sector organisations in provision of assistance and support.

I hope that that gives the committee reassurance that we are learning with regard to the improvements that we need to make in the case transfer process, and that we are also supporting others who can give independent advice through that process.

Collette Stevenson: Good morning, cabinet secretary. Paul O’Kane kind of stole my thunder there, because I am a bit concerned about case transfer, too, given that there have been concerns previously.

I am seeking a level of comfort with regard to awareness of potential issues. Our committee papers state that approximately 66,000 people will be transferring, so I would like to know that the transfer will be seamless.

Shirley-Anne Somerville: I am happy to provide further detail in writing about the success of the case transfer process. I was speaking just this week to DWP and Scotland Office colleagues about how the case transfer process has gone exceptionally well, from the points of view of both Governments. We appreciate that there were lessons to learn about speeding up the process at the beginning, but it is going exceptionally smoothly and well, and to time. I am happy to provide reassurance to the committee on that, and in particular on what will happen with the individuals who will be coming over to Scottish adult DLA.

In addition to the information that I gave in my first answer, to Paul O’Kane, I note that we are keen to ensure that Social Security Scotland is staffed, and that those staff are trained specifically on Scottish adult DLA. Some of them will be new staff, but there will also be experienced staff who have dealt with the case transfer process with the adult disability payment, so the new staff can gain from experience that has already been amassed of the previous process.

The Deputy Convener: Collette Stevenson, do you want to add anything?

Collette Stevenson: No, thank you. That is fine.

The Deputy Convener: I call Jeremy Balfour.

Jeremy Balfour: I wish a good morning to you and your team, cabinet secretary. We welcome the transfer, as it seems to be the final piece in the jigsaw.

I have a couple of questions. In your statement, you said that you said that if there is a change in a claimant’s circumstances, the DWP makes them apply for PIP. For clarification, if someone is on DLA at the moment, and their circumstances change and they give notification of the change, will they be reviewed under the DLA regulations, as before? How will that work in practice?

Shirley-Anne Somerville: I am happy to clear that up, and my officials can chip in if I miss anything.

That is one of the changes that we are keen to make from the DWP’s practice. The DWP requires people to change to PIP when their circumstances change. We will not do that: claimants will be assessed in the Scottish adult DLA system and will not be required to change over to the new system. They may wish to do so, but that is for them to decide—we may come on to that discussion later—but there is no requirement for them to do so.

Jeremy Balfour: What advice would Social Security Scotland give to somebody on whether it would be helpful to them to swap over to the new system? Will people be referred to some kind of adviser? Obviously, everyone’s circumstances are different—for some people there has been a benefit to swapping from DLA to PIP, while for others there has not. If someone were to phone in to ask, how would that work in practice?

Shirley-Anne Somerville: You have raised an important point about advice. Social Security Scotland will not give advice to anyone. It is not there to do so, for this benefit or, indeed, for any others. What it can give, and will give, is information. It will give the information that there is the option to move over to the adult disability payment.

As you say, some people will benefit from that information and some people might not. It is not possible to know whether specific individuals would benefit from it until they have gone through the adult disability payment process. However, it is absolutely not the role of the agency—nor should it be—to suggest to someone whether they would or would not be better off after the process.

The important part is to provide the information and, as I mentioned in my earlier answers, to signpost people to those who can give advice. We provide the information; others provide the advice.

Jeremy Balfour: You mentioned that you had picked up most of the points that were recommended by SCOSS. One of the areas on which you did not seem to be so keen was the recommendation to provide flexibility in the 12-month deadline to reinstate an award. The Scottish Government decided against doing so. Why did you come to that decision?

Shirley-Anne Somerville: We gave careful consideration to that point. In essence, the decision came down to the fact that I believe that a bright-line rule, such as the one that we have suggested, provides clarity and consistency for both individuals and support organisations.

People will be able to request that their Scottish adult DLA award be reinstated if it has ended in the past year. That ensures parity with the DWP's approach for DLA renewal applications for an interval. We anticipate that, due to the rolling awards and light-touch reviews, the process will rarely be needed for Scottish adult DLA awards. On the other hand, the DWP's DLA renewal process requires a full new application at the end of a fixed-term award. There are nuanced differences.

We believe that the provisions in the regulations have been drafted in a way that maintains Scottish adult DLA as a closed benefit, which means that it is available only for individuals who already have a DLA award when the Scottish adult DLA award is launched. We also believe that it is appropriate to limit to 12 months the length of time in which two awards can be linked, given that the awards must be underpinned by the same condition or conditions. Of course, if someone whose award ended more than 12 months ago has experienced a change in their condition, they may be entitled to disability assistance, but they would make a new application through the adult disability payment system.

Jeremy Balfour: Thank you. I have no further questions.

The Deputy Convener: There being no further questions—

Bear with me a second. I will just check whether this is a new agenda item. I nearly stayed in the previous agenda item, cabinet secretary.

There being no further questions, we move to the next item, which is formal consideration of the motion. I invite the cabinet secretary to move the motion.

Motion moved,

That the Social Justice and Social Security Committee recommends that the Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025 [draft] be approved.—[*Shirley-Anne Somerville*]

The Deputy Convener: There being no members wishing to contribute to a short debate on the matter, I should, technically, ask the cabinet secretary whether she wishes to sum up.

Shirley-Anne Somerville: I will pass.

The Deputy Convener: Perfect.

Motion agreed to.

10:30

The Deputy Convener: The committee will report on the outcome of the motion in due course. I invite members to delegate to our convener, or me, if required, the signing off of that report. Is that agreed?

Members indicated agreement.

The Deputy Convener: That concludes that item. Cabinet secretary, I thank you and your officials for your attendance this morning.

Before we move to item 6, it has been drawn to my attention that we were unclear about whether we were to take item 7 or item 8 in private, which was because of a numbering error in my brief. We will take item 7 in private. I just wanted to correct that on the record.

Council Tax Reduction (Scotland) Amendment (No 3) Regulations 2024 (SSI 2024/310)

The Deputy Convener: Item 6 is consideration of two pieces of subordinate legislation. The first is a Scottish statutory instrument on council tax reduction. It is subject to the negative procedure. The main purpose of the instrument is to update the Council Tax Reduction (State Pension Credit) (Scotland) Regulations of 2012 and 2021.

There being no comments, I ask members whether they are content to note the instrument?

Members indicated agreement.

Disability Assistance (Scottish Adult Disability Living Allowance) (Consequential Amendment, Revocation and Saving Provision) Regulations 2024 (SSI 2024/311)

The Deputy Convener: Second under item 6 is consideration of another SSI that is also subject to the negative procedure. The main purpose of the regulations is to make consequential amendments and revocation and savings provisions as a result of the introduction of the Scottish adult disability living allowance.

There being no comments from members, is the committee content to note the SSI?

Members indicated agreement.

The Deputy Convener: We move to item 7, so we will continue in private.

10:33

Meeting continued in private until 10:43.

This is the final edition of the *Official Report* of this meeting. It is part of the Scottish Parliament *Official Report* archive and has been sent for legal deposit.

Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

All documents are available on
the Scottish Parliament website at:

www.parliament.scot

Information on non-endorsed print suppliers
is available here:

www.parliament.scot/documents

For information on the Scottish Parliament contact
Public Information on:

Telephone: 0131 348 5000

Textphone: 0800 092 7100

Email: sp.info@parliament.scot



The Scottish Parliament
Pàrlamaid na h-Alba