

# **Social Justice and Social Security Committee**

## **31<sup>st</sup> Meeting, 2023 (Session 6), Thursday 30 November 2023**

### **Delivering Scottish Social Security**

#### **Note by the Clerk**

##### Background

1. The Committee agreed at its meeting on 21 September to hold an evidence session with Dr Sally Witcher, the former Chair of the Scottish Commission on Social Security (SCoSS).
2. The purpose of the session is to gain further insight into what lessons can be learned for the Scottish Social Security system going forward.
3. Dr Witcher recently wrote an article (annexed) that was published in the Journal of Social Security Law on her experiences as former Chair of the SCoSS and on the strengths, weaknesses and valuable learning arising through the innovative development of a new Scottish social security system.
4. Dr Sally Witcher OBE FRSA, Founder and Director, “Inclusive New Normal” (social enterprise) biography states:

Sally has worked throughout her career on poverty, inequality and exclusion. Former roles include Chair of the Scottish Commission on Social Security (Scottish Government) and Disability Employment Advisory Group (UK Government), CEO of Inclusion Scotland and Child Poverty Action Group (UK), senior civil servant in the Office for Disability Issues, DWP, and Care Inspectorate Board member. She has a PhD on diversity and social inclusion (University of Edinburgh) and an Honorary Doctorate (University of Stirling), was a visiting lecturer (Queen Margaret University College), and member of numerous research advisory

committees including the LSE's Centre for Analysis of Social Exclusion. Her first degree was in Fine Art (Slade School, University College London). She is a disabled person, and at high risk from Covid or, more accurately, responses to it.

**Clerks to the Committee  
27 November 2023**

# Annexe

## Personal Reflections as Former Chair of the Scottish Commission on Social Security

Sally Witcher\*

☞ Devolution; Scotland; Social security administration; Social security benefits

### Abstract

*In this article, Sally Witcher reflects on her experiences in her former role and on the strengths, weaknesses and valuable learning arising through the innovative development of a new Scottish social security system for which there was no blueprint. She explores the many interdependencies between reserved and devolved benefits, the implications for the Commission, and why the promise of “complete autonomy” over devolved benefits transpired not to be all it first seemed.*

### Introduction

It was with a heavy heart last year that I took the difficult decision to step down from my role as Chair of the Scottish Commission on Social Security (SCoSS) before the end of my term.<sup>1</sup> My reasons largely—not entirely—concerned my situation as a person still at high risk from Covid or, more accurately, Scottish Government’s abandonment of people still at high clinical risk.<sup>2</sup> While my commitment to their goals for devolved social security and to the important role of SCoSS was not undiminished, my assessment of what Scottish Government can realistically achieve in the current circumstances was.

The chance to be intimately involved in the establishment of a new social security system founded on dignity, fairness and respect is the stuff of which social-security-policy-wonks’ dreams are made, let alone those of the unfortunate recipients of a UK Government system frequently experienced as punitive and inefficient. As both wonk and recipient, I saw it as a unique opportunity to help build something better; to put to productive use experience amassed during a career in and around social security, spanning third sector, DWP, civil service and academia, which extended back to the introduction of Disability Living Allowance (DLA) in 1991,<sup>3</sup> and to a time when devolved social security was but a glint in a Scottish Government Minister’s eye.

\* Doctor and OBE.

<sup>1</sup> Details on the role and work of the SCoSS are available on its website, available at <https://socialsecuritycommission.scot/>.

<sup>2</sup> Letter from Dr Sally Witcher, Chair, SCoSS, to Ms Elena Witham MSP, Convenor, Social Justice and Social Security Committee, 6 June 2022, available at [https://www.parliament.scot/-/media/files/committees/social-justice-and-social-security-committee/correspondence/2022/20220606\\_dr-witcher\\_resignation-as-scoss-chair.pdf](https://www.parliament.scot/-/media/files/committees/social-justice-and-social-security-committee/correspondence/2022/20220606_dr-witcher_resignation-as-scoss-chair.pdf).

<sup>3</sup> Disability Living Allowance and Disability Working Allowance Act 1991 c.21.

As Commission Chair, and in earlier roles, I have been privileged to be in the thick of developing the devolved system. It has been a story of high expectations bumping up against implicit, consequently rendered explicit, constraints: of interdependent systems administered by governments frequently pulling in different directions; of the length of time it takes to set in place what's needed for effective, efficient delivery. Nonetheless, it is a tale of ingenuity; of finding creative ways to build a progressive human rights-based system onto the highly uncondusive, rickety, labyrinthine, ever-shifting foundations of the UK social security system. Excitement at the discovery of possibilities has been interwoven with frustration, as the promise held out by the Smith Commission report that the Scottish Parliament would have complete autonomy (within fiscal constraints) in determining the structure and value of devolved benefits, transpired not to be all it first seemed.<sup>4</sup>

I found it more exciting than daunting that there was no blueprint for setting up a devolved social security system like this, or a body quite like SCoSS. Without the encumbrance of entrenched “business as usual” there was freedom—indeed an imperative—to innovate. As with anything truly new and ambitious, some things worked well; some less so, though none irrevocably. It would have been astonishing if much valuable learning had not ensued. It did. In this article, I set out some of my personal reflections, central among which is how the stories of SCoSS, and devolved and reserved social security, are inextricably intertwined.

## Designing the devolved system

It is not often the words “conceptual beauty” are used in relation to social security. Yet, where it concerns the innovation and internal coherence of the architectural framework of the Scottish devolved system, I feel they may be justified.

The Social Security (Scotland) Act 2018 opened with a series of high-level governing principles, spanning the purposes and values of the new system, and the entire policy and delivery cycle, from policy development through to continuous improvement.<sup>5</sup> These were to be operationalised via a Charter, co-designed with people using social security, with performance against its expectations reported annually to the Scottish Parliament. Then there was SCoSS, a body independent of both the Scottish Government and Parliament yet working closely with both, charged with assessing whether the principles and human rights were embedded into regulations and the Charter expectations were fulfilled.

This was bolstered by requirements on government to promote take-up and provide accessible information and independent advocacy. “Lived experience” of using social security ran through the system like a stick of rock, encompassing

<sup>4</sup> The Smith Commission was established in the wake of the 2014 Scottish Independence Referendum to firm up newly devolved powers. See Report of the Smith Commission for further devolution of powers to the Scottish Parliament (2014), paras 51, 54, available at <https://webarchive.nationalarchives.gov.uk/ukgwa/20151202171017/https://www.smith-commission.scot/>.

<sup>5</sup> Social Security (Scotland) Act 2018 asp.9. Section 1 sets out these principles which are: (a) social security is an investment in the people of Scotland; (b) social security is itself a human right and essential to the realisation of other human rights; (c) the delivery of social security is a public service; (d) respect for the dignity of individuals is to be at the heart of the Scottish social security system; (e) the Scottish social security system is to contribute to reducing poverty in Scotland; (f) the Scottish social security system is to be designed with the people of Scotland on the basis of evidence; (g) opportunities are to be sought to continuously improve the Scottish social security system in ways which—(i) put the needs of those who require assistance first; and (ii) advance equality and non-discrimination; and (h) the Scottish social security system is to be efficient and deliver value for money.

large “experience panels” involved in policy development,<sup>6</sup> “client panels” providing feedback on delivery and the meeting of Charter expectations,<sup>7</sup> down to the stipulation in the Act that Ministers must have regard to the desirability of recruiting someone with personal experience of disability when making appointments to SCoSS.<sup>8</sup> That’s as it should be. If the system does not work for the very people it is for, then everyone is wasting their time—and those people who know whether or not it works are the people themselves.

So far so beautiful. As ever, the devil is in the detail. It’s also always in the translation of policy on paper into law, to delivery, and thence into the corresponding impact on lives. There are challenges to building a robust system that stays on track through changing social, economic and political times. Governments with short attention spans in an ever-fluid environment and the civil service propensity to work in tightly focused silos, are among the reasons why it is crucial to scrutinise regulations through wide-angled lenses as well as magnifying glasses. If one cog in the system is out of kilter, unforeseen consequences ensue, avoidable inconsistency and complexity is spawned, and at worst, the whole thing jams up. This requires situating any one component part within the context of contemporaneous adjoining policy areas and tracking back to what came before and forwards to plot how it might play out. All of this is particularly important to establishing a new system. Getting it right the first time, whether a whole system or a benefit assessment, spares a lot of grief later on. And, it is in relation to such challenges, that SCoSS’s role has proven to be particularly helpful.

## Designing SCoSS

Unusually for a Non-Departmental Public Body (NDPB), SCoSS is directly integrated into the parliamentary legislative process. The 2018 Act requires that certain draft regulations are referred to SCoSS,<sup>9</sup> that SCoSS must report on their compatibility with the principles and Human Rights Conventions, and that its recommendations and observations along with Scottish Government’s responses must be laid in Parliament with the regulations. SCoSS reports then serve as tools to help inform the Committee’s scrutiny. As a way of getting expert external advice embedded into an area of highly complex legislation, the SCoSS model might usefully lend itself to replication. In other respects, it transpired it could do with some adjustment.

Our independence from government was critical to our credibility. That may well be why SCoSS was established as a “body corporate”; a legally separate entity to Scottish Government. Yet SCoSS was also to be wholly dependent on the Scottish Government civil service to provide a secretariat, for its communications and procurement—a feature more typical of an advisory body that is not separately constituted. Perhaps that was intended to spare the Board (that is, the SCoSS Chair

<sup>6</sup> The publications of the Social Security Experience Panels are available at <https://www.gov.scot/collections/social-security-experience-panels-publications/>.

<sup>7</sup> Social Security Scotland, “Social Security Client Panels Research: Members’ feedback survey” (2022), available at <https://www.socialsecurity.gov.scot/asset-storage/production/downloads/Social-Security-Scotland-Client-Panels-Members%E2%80%99-Feedback-Survey-Report-2022.pdf>. Client panels newsletters provide updates about the work of the panels and are available at <https://www.socialsecurity.gov.scot/search?query=client+panels>.

<sup>8</sup> Social Security (Scotland) Act 2018 Sch.1 s.14(3)(b).

<sup>9</sup> Social Security (Scotland) Act 2018 ss.22(1) and 97.

and members) time-consuming staffing and organisational requirements. However, the resulting hybrid—the separation between governance and executive and between responsibility and power to hold to account—was, shall we say (in the spirit of customary civil servant understatement), not ideal in the way it played out. Scottish Government struggled to provide us with the support we needed and so the Board had little option but to delay and downsize work and/or roll up our sleeves to do whatever was needed ourselves. This was not necessarily attributable to a lack of effort on the part of the many largely temporary, short-term members of the secretariat who came and went, or senior officials. They, and consequently we, were often at the mercy of cumbersome, time-consuming bureaucratic systems.

Good intentions may not have played out as intended, but it is not straightforward to build independence from government into NDPBs. In my time, I have seen different Ministerial expectations and degrees of comfort with divergence. Some keep a tight grip on their NDPBs; others are content to leave them more to their own devices. Corporate separation is no guarantee of freedom to set your own priorities, work plans and timetables. In SCoSS's case, our priorities had to be the scrutiny of draft regulations and the governance requirements of a corporate body. Our scrutiny work was driven by regulatory timelines set by government, sometimes themselves driven by the UK Government. Governance demands were also non-negotiable and, in my view, sometimes disproportionately onerous given our size and purpose, taking away precious Board and secretariat time from SCoSS's core business. However, none of this prevented the content of our reports from being completely ours to independently determine.

Happily, by the time I departed, recruitment to a much-expanded secretariat of permanent staff was in the pipeline and my suggestion had been heeded that a review of SCoSS's constitution would be timely and helpful.

## Delivering core business

There were various casualties from the need to concentrate on the delivery of non-negotiable essentials. Unlike the nearest equivalent Westminster body, the Social Security Advisory Committee (SSAC),<sup>10</sup> SCoSS has no power independently to decide to undertake investigations, unless the topic concerned the meeting of a Social Security Charter expectation. We had wanted to do more to involve people with lived experience in our work, on stakeholder engagement, timely, accessible communication and, notably, the Social Security Charter.<sup>11</sup>

SCoSS is charged with reporting “from time to time” on its assessment of the extent to which Charter expectations are being fulfilled and must report if it receives evidence suggesting that they frequently are not. That immediately posed the question of how we would know. We took an early interest in measurement frameworks under development and made several attempts to get evidence-gathering initiatives off the ground, thwarted by the pandemic, secretariat churn and the lack

<sup>10</sup> Social Security Administration Act 1992 s.170 and Social Security Administration (Northern Ireland) Act 1992 ss.149–151 and Sch.5. The role and work of the Social Security Advisory Committee is available at <https://www.gov.uk/government/organisations/social-security-advisory-committee>.

<sup>11</sup> Social Security Scotland, “Our Charter” (2019), available at <https://www.socialsecurity.gov.scot/about/our-charter>.

of our own website, which took three and a half years to get into place. Happily, by the time I left, it looked like some related work was at last good to go.

Also happily, the way the Social Security Charter had been innovatively co-designed with people with lived experience,<sup>12</sup> and how it was subsequently used by Social Security Scotland, had set a robust course. I had been heavily involved in its development in earlier roles, initially without great enthusiasm given my allergy to meaningless motherhood and apple pie, the usual hallmark of Charters. This, though, was a Charter with teeth, in the form of annual public reporting to Parliament on performance and SCoSS's oversight role. It served to drive standards from the ground up, as user-defined expectations were incorporated into Social Security Scotland metrics and embedded into organisational culture. Subsequent annual reports, informed by user feedback, provide a positive account. Maybe it will be when the scale of delivery ramps up that SCoSS's role will really kick in, to ensure high standards are sustained.

It was in the area of scrutiny where we necessarily focused the bulk of our attention and where, drawing on the wide-ranging expertise of Commission members and effective collaborative working, I feel we were able to add significant value. The vast majority of our recommendations were accepted,<sup>13</sup> leading to demonstrable improvements and positive feedback across the political spectrum. It is a rare satisfaction—the holy grail of policy work—to make recommendations that in short order lead to a more robust system and identifiable positive impact on the lives of those who need it. We could not have achieved this without the support of policy officials, who responded promptly to our questions, as we all did our utmost to meet often challenging legislative timelines, with a shared goal of ensuring regulations were as robust as possible. Here SCoSS's relationship with civil service-dom worked well.

Of course, there was learning here too, for all concerned. There were some oddities in how SCoSS's role in relation to scrutiny was defined. We were obliged to scrutinise regulations against the principles and Human Rights Conventions, yet the fact that social security is a human right was anyway set out in one of the principles, and according to the Explanatory Notes to the Scotland Act 1998:

“The Scotland Act has various devices which ensure that a member of the Scottish Executive would be acting *ultra vires* if he made any subordinate legislation or did any other act which is incompatible with any of the Convention rights.”<sup>14</sup>

Furthermore, in case of remaining wriggle room for doubt, Scottish Government has committed to incorporating all manner of human rights Conventions into domestic law. I dare say you can not have too much of a good thing! Will it translate into impact? We'll see.

What was potentially more problematic, or at least confusing, was that sets of draft regulations referred to us could contain regulations that fell within our remit

<sup>12</sup> Scottish Government, “Developing the Social Security Charter: co-design process” (2019) available at <https://www.gov.scot/publications/developing-scottish-social-security-charter-co-design-action/pages/1/>.

<sup>13</sup> See the SCoSS scrutiny reports, available at <https://socialsecuritycommission.scot/publications/draft-regulations/>.

<sup>14</sup> Scotland Act 1998 c.46 Explanatory Notes s.100: Human Rights, available at <https://www.legislation.gov.uk/ukpga/1998/46/notes/division/3/48/20>.

alongside others that did not. Disentangling these intersecting cogs was not always useful or practical. Moreover, the regulations within SCoSS's remit that pertain to the big-ticket new benefits appear more limited in scope than for top-up benefits,<sup>15</sup> and highly complex transfer regulations did not fall to our scrutiny. Perhaps that was intended. Perhaps not.

It was SCoSS's task to be a politically neutral, authoritative force in what was inevitably a highly-charged political environment. Our authority and impact depended on it. We could only succeed if we had credibility across the political spectrum. There were significant risks if we got it wrong that we would find ourselves cast in the uncomfortable and inappropriate role of political football. It was therefore important that our scrutiny was evidence-based, transparent and consistent. Spelling out how our remarks were rooted in the governing principles and human rights was helpful here. It obviously needed to be technically accurate. It needed to be well-informed by stakeholder, including delivery, perspectives. It needed to avoid straying into areas that were rightfully matters for political judgement. It was essential for SCoSS's credibility that its recommendations were realistic and, if in doubt, to independently challenge apparent constraints to ascertain what "realistic" means. That sometimes led us to conclusions we might have preferred not to draw. I personally found having to accept the reality that doing away with the "20 metre rule" for the PIP higher mobility payment as an eligibility criterion for the Scottish Adult Disability Payment was not going to be feasible at that time a particularly bitter pill to swallow.

## Constraints and interdependencies

The extent to which the exercise of devolved powers remain shackled to the cooperation of the Westminster Government should have come as no surprise to me. I recall writing an essay on the Scotland Act 1998 for my Masters back in 1998/99 and being struck by how the basis for the operation of devolution appeared effectively to be one of "gentlemen's agreement". This was fine, so long as UK and Scottish Governments remained politically aligned. However, should a UK Government be hostile to devolution, the Scottish Government's political direction, or spending on public services (resulting in cuts to Scottish Government funding), the latter appeared to have little recourse. So maybe I should have been more sceptical when the Smith Commission Report promised complete autonomy over the structure and value of devolved benefits along with new powers to create new benefits in areas of devolved responsibility, later enshrined in the Scotland Act 2016.<sup>16</sup> Clearly, not all benefits were to be devolved, and those that were do not operate in isolation from those were not. Therein lay considerable challenges. Indeed, some of the ensuing "detailed practical aspects" were flagged in the Command Paper that followed the Smith Report.<sup>17</sup>

<sup>15</sup> Social Security (Scotland) Act 2018 asp.9 s.97 Ch.2 Pt 2 and s.79.

<sup>16</sup> Scotland Act 2016 c.11 Pt 3.

<sup>17</sup> HM Government, "Scotland in the United Kingdom: An enduring settlement" (CM 8890, 2015) para.4.1.7, available at <https://webarchive.nationalarchives.gov.uk/ukgwa/20151202171017/https://www.smith-commission.scot//>.



Our scrutiny of Adult Disability draft regulations shone a bright light on a number of ties to Westminster, along with delivery challenges.<sup>18</sup> It had been agreed, on the basis of the expressed views of people with lived experience, that safe, secure transfer took priority over immediate improvements (though it is hard to see how anything else would have been possible). Whether they appreciated quite how protracted the process would consequently be is debateable. Certainly, Scottish Government has been under pressure from various quarters to get a move on, including from the UK government, somewhat ironically given the UK Governments' less than glorious track record on efficient introduction of changes, with claimants paying the price. Here the task was more challenging still—to introduce a whole new system to meet the high standards set by the Charter, and with a plethora of complexities generated by the multiple interdependencies of the two systems.

Stakeholder haste to expedite the transfer of devolved benefits was partly driven by the desire to liberate claimants from the cruelties of the DWP system and partly by the promise of “complete autonomy” once the constraint had been lifted of agency agreements with DWP that prevented significant change while it continued to deliver benefits in areas of devolved responsibility. Yet what became clear to me as SCoSS conducted its scrutiny was that post-transfer sunlit uplands were a mirage. One set of shackles would be removed; others remained firmly in place.

So long as devolved benefits serve as passports for reserved ones, it will be for Westminster to determine whether or not they do. Thus, more a generous devolved benefit could mean loss of reserved benefit, leaving recipients worse off, or at least presenting a massive reassessment headache. It is in the nature of devolved top-up benefits, paying additional amounts to recipients of designated reserved benefits, that changes to the latter will have implications for the former. We seemed to be building a system whereby access to reserved benefits is via devolved ones and vice versa. That did not seem conducive to “complete autonomy”.

Interconnected finances are a further factor. The fiscal framework (the constraint to complete autonomy cited by the Smith Report) requires that Scottish Government must pay Westminster if its actions increase the latter's expenditure. I recall one query that surfaced was the implications of promoting the take up of top-up benefits for the take up of passporting reserved ones. Clearly, if Westminster cuts reserved benefit equivalents, that feeds through into less money for Scotland. Where is the money to come from for more generous devolved benefit? And how much impact on poverty levels can it have to pour more water into a leaky bucket while the UK Government punctures in more holes? No doubt some. For those in poverty, every little really does help.

For me, the biggest wake-up call of how easily Westminster could pull the rug came with the publication of DWP's Green Paper: “Shaping Future Support”.<sup>19</sup> While acknowledging that some parts of the social security system have been devolved in Scotland and claiming that once new devolved benefits had been

<sup>18</sup> SCoSS, “Disability Assistance for Working Age People (Scotland) Regulations: scrutiny report” (2021), available at <https://socialsecuritycommission.scot/publications/draft-regulations/scoss-scrutiny-of-the-disability-assistance-for-working-age-people-scotland-regulations-adult-disability-payment/scoss-scrutiny-report-disability-assistance-working-age-people-adp/adp-scrutiny-report-eligibility/>.

<sup>19</sup> DWP, “Shaping future support: the health and disability green paper” (2023), available at <https://www.gov.uk/government/consultations/shaping-future-support-the-health-and-disability-green-paper/shaping-future-support-the-health-and-disability-green-paper>.

introduced new proposals for PIP/ DLA would not apply,<sup>20</sup> they went on to float the future possibility of a new single benefit, providing support for disabled people/ those with health conditions on low income and with extra costs, or with completely different objectives.<sup>21</sup> No prizes for spotting the obvious problems for Scotland—and had there been prizes, DWP would clearly not have been among the winners.

Despite such constraints on policy changes, Scottish Government has thankfully been able to diverge a long way from Westminster where it concerns how delivery is conducted, with dignity, fairness and respect. The importance of that to claimants should not be underestimated. Matters pertinent to delivery often featured in draft regulations, and SCoSS increasingly referred to the Charter expectations in its scrutiny accordingly. Yet, there are significant ties to Westminster at delivery as well as policy level. Where payments are interdependent, each government needs to know who is getting what of the other's benefit. That means IT systems need to speak to each other—no straightforward matter. Then there's the process to consider when people move from one country to another, the implications of withdrawal from Europe, the Home Office's response to the actions of the Taliban and Vladimir Putin, and so on. It is not just DWP that can determine what Scottish Government—and hence SCoSS—has to prioritise, can and can not do.

A further consideration is what deviation from reserved benefits might mean for the application of existing case law. That does not just apply to major policy changes—indeed that might be less problematic than where it concerns more subtle, even minor changes to the wording of devolved regulations, or poor join-up with reserved.

All this had direct implications for the scale and complexity of the multidimensional technical task confronting SCoSS. It was frequently not just a matter of ensuring that regulations pertaining to each component of the devolved system technically married with all its other parts but with regulations for reserved benefits too. Each can have a bearing on the other, as can policy changes. This is why, in the early days, I warmly welcomed and reciprocated the keenness of the then Chair of Westminster's SSAC to liaise regularly with SCoSS on matters arising at the complex interface between our respective remits, and why such a relationship remains extremely desirable.

## Conclusion and forward look

Despite many challenges of different kinds, by the time I left, SCoSS had firmly established itself as an essential devolved social security cog. While neither the principles nor the Charter had legal clout, both had considerable clout of a different kind, and SCoSS was a critical part of that machinery. It was a privilege to work with my expert Commission colleagues, hard-working officials, thoughtful Ministers and engaged Committees and to play a direct part in taking forward progressive innovations. A few like Scottish Child Payment were of substantial

<sup>20</sup> DWP, "Shaping future support: the health and disability green paper" (2023) para.63, available at <https://www.gov.uk/government/consultations/shaping-future-support-the-health-and-disability-green-paper/shaping-future-support-the-health-and-disability-green-paper>.

<sup>21</sup> DWP, "Shaping future support: the health and disability green paper" (2023) para.297, available at <https://www.gov.uk/government/consultations/shaping-future-support-the-health-and-disability-green-paper/shaping-future-support-the-health-and-disability-green-paper>.

scale, many smaller, but still worthwhile. Scottish Government has done good things within the constraints of its power and SCoSS's unique role, has facilitated them to be done better. However, a strength of the system is how it benefits from the input of multiple key players: people with lived experience, third-sector stakeholders, and the parliamentary committee, and how a delivery perspective informs policy development. The establishment of the devolved system has at times been an extraordinarily fruitful and innovative exercise in collaborative policymaking. At times, I saw glimpses of what a different kind of participatory, collaborative politics and a progressive Scotland might achieve with more autonomy.

That is not to say everything attempted was a roaring success. However, Scottish Government is to be congratulated for having the courage to try new approaches with the inevitably accompanying risks; something that is never easy in an adversarial party-political system. What matters now is whether it learns from experience and takes remedial action, where needed. With regard to learning what SCoSS needs to perform its role to maximum efficacy and efficiency, the signs are good. With an expanded secretariat and hopefully Board, and a more fitting constitution, it should be well equipped for the task ahead.

Scottish Government's room for manoeuvre may be smaller than initially expected, but there remains considerable scope to make a meaningful positive difference. It therefore also matters that Scottish Governments continue to give political attention and priority to this key, complex area of policy; to seek out creative ways to test out and flex to the max its powers to deliver a system based on dignity, fairness and respect.

While there could, in due course, be more room to manoeuvre, that is not a given. What would be the implications should Westminster proceed to merge devolved and reserved benefits into one? What if it abandons human rights? How—or will—the devastating impact of unmanaged Covid spread for people still at high clinical risk, unpaid carers and those with long Covid, be factored into devolved benefits? Can the forthcoming review of Adult Disability Payment achieve more than small, if helpful, improvements to Westminster's approach? With creativity and collaboration, there should at least be ways to soften the edges.

It will always be challenging to capture and embed anything in a fast-moving political environment that frequently changes direction and personnel. In such a setting, a body like SCoSS could provide much-needed continuity, as a repository of institutional memory, learning and expertise. With a cost-of-living crisis, pressure will no doubt grow on Scottish Government to do as much as, and probably more than, its powers permit. So hang onto your hats, for what will no doubt continue to be a bumpy ride towards our vitally important destination.