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I wrote on 28 February to provide the Committee with a policy position paper on the scrutiny of social security regulations, including an explanation of our amendments on superaffirmative resolution and the role of the Scottish Commission on Social Security. As you know, amendment 132, agreed on 1 March, does not require the Government to consult the Commission in relation to regulations for early years assistance and funeral expense assistance. This is to allow for the delivery of these two devolved benefits to the publicly announced timetable by summer 2019 and consequently in advance of the Commission being established.

The illustrative regulations that we have issued for Best Start Grant (BSG) and Funeral Expense Assistance (FEA) have already been subject to considerable scrutiny. They were issued to the Social Security and the Delegated Powers and Law Reform Committees, published on the Scottish Government and the Scottish Parliament websites and included in the Social Security Newsletter which was sent to over 3,000 stakeholders. They were shared with a request for feedback with the BSG and FEA Reference Groups respectively. In addition, the BSG illustrative regulations were shared with the Disability and Carers Benefit Expert Advisory Group and its Scrutiny Sub Group, the Scottish Parliament Social Security Expert Panel members and selected stakeholders who have engaged in detail of the Social Security (Scotland) Bill. Engagement on the FEA illustrative regulations is continuing and has included sharing these with stakeholders such as the Cross-Party Group on Funerals and Bereavement.

While we are not required to follow the statutory process for super affirmative resolution for the BSG and FEA regulations, I am now considering whether anything further might be done to ensure that all parties involved are content that relevant additional scrutiny has been secured within the timeframe we are working to. The BSG illustrative regulations are in the process of being revised to take account of the feedback received during the engagement outlined above and we are preparing to launch a further public consultation. I would like to offer Committee Members the opportunity to influence arrangements for expert scrutiny of the BSG regulations during the consultation period and of those for the FEA when they reach this stage.



One option that I am considering is to draw on the expertise of Scottish members of the UK Social Security Advisory Committee, if they agree, by asking them to comment on the regulations. I would also be happy to take a submission from the Scottish Parliament Social Security Expert Panel or for them to meet with my officials to provide their views. I look forward to hearing the Committee's views before making a final decision.

Following the consultation and my final consideration of the points raised in responses, the BSG regulations will be laid with the full procedure for affirmative resolution. As set out in the policy position paper, at this point the Committee will have an opportunity to take evidence and scrutinise the regulations in the normal way, including the opportunity to take evidence as they see fit, before they are voted on by the whole Parliament.

I look forward to hearing from you with any comments or points the Committee wish to make.

Kind regards



**JEANE FREEMAN**