

**To: Ms Elena Witham MSP**

Convenor, Social Justice and Social Security  
Committee

**By email**

6 June 2022

Dear Convenor,

I am writing to let you know that earlier today I gave notice to the Minister for Social Security and Local Government that I would like to leave my role of Chair of the Scottish Commission on Social Security (SCoSS) a few months before the end of my four-year term of appointment in January 2023. This follows my prior confirmation to him that I did not wish to seek reappointment. I will be serving out a notice period, during which it will be business as usual. Please do not hesitate to get in touch if I or SCoSS can be of assistance during that time.

This decision is in no small part due to personal circumstances. Here is not the place to rehearse my views of the Scottish Government's approach to the ongoing Covid-19 pandemic. Suffice it to say that it has placed me personally in an extremely difficult position, as someone with exceptionally high underlying clinical risk who is ineligible for additional boosters and antiviral treatments. This has caused me to consider carefully how I wish to use my remaining time. Throughout my career, including, in this role, I have worked towards tackling inequality, making human rights real and promoting full inclusion. In the current context, I need to speak freely and publicly on these topics, and it is on this that I now want to focus more of my time and energy.

In addition, it has been a challenging period for SCoSS over the last year and, for various reasons, throughout much of its time. In some ways this was reasonable to expect, though clearly the disruption of a pandemic could not have been foreseen. There was no blueprint for a new Scottish devolved social security system or for a body like SCoSS that builds specialist external strategic, technical and lived experience expertise, in a highly complex area, directly into the legislative process while helping to embed human rights and key principles into both legislation and delivery. There has been much valuable learning about the nature of the environment, the demands and constraints under which we are all obliged to operate and, in that context, what is required to enable SCoSS to fulfil its whole remit effectively and efficiently.

As currently set up, the Board is responsible for SCoSS's performance yet is dependent on Scottish Government to provide support. It cannot itself take direct action to address deficits. This has meant that we have needed to narrow our focus onto the minimum essentials, namely scrutiny of draft regulations and the audit and governance requirements on a 'body corporate' Non-Departmental Public Body. I am disappointed that consequently we have been unable to make more headway with work on the Social Security Charter, stakeholder engagement and communications, including, importantly, with people with lived experience.

That is why I warmly welcome recent agreement that a review of SCoSS's constitution, governance model and support needs is necessary, and that action to shore up secretariat resilience should be expedited. I leave confident that Scottish

Government now has plans in place and is committed to seeing them through, even though it may take a matter of years rather than months to come to full fruition, should primary legislation be required.

Despite the challenges, I am proud of what we have achieved. SCoSS has successfully established itself as a key feature in the devolved social security landscape. Our reports have had a demonstrable positive impact. This is a tribute to the expertise and commitment of SCoSS Board members, and their willingness to go beyond the call of duty, as has been necessary to deliver high quality, timely outputs. It has been a real pleasure to work with such knowledgeable, dedicated people, to see new forms of assistance come into being and how the Social Security Charter, which in a previous role I had some involvement in developing, is now driving a positive culture and practices in Social Security Scotland.

Officials have done their best to meet our support needs in the face of many competing priorities and demands on their time, within staffing constraints and those of slow-moving internal systems. I remain wholly confident in Scottish Government's willingness to provide reliable, resilient support and its agreement that it is needed. That they have experienced challenges in delivering it is in no way attributable to lack of effort or of recognition of the added value that SCoSS provides, or how much more it could provide with appropriate support. There has been, and remains, much good will on all sides. But we are where we are. For me, as SCoSS Chair, that has not always been a comfortable place.

To hand in my notice at this point is not a decision I take lightly. It was a great honour to be appointed to the position of SCoSS Chair and, in that and previous roles, to have played a part in the development of a devolved social security system based on dignity, fairness and respect, on human rights and the excellent principles in the 2018 Act, all rooted in lived experience. My support for that goal remains undiminished, as does my desire to work towards it in whatever other capacity I may.

Finally, I wish you and your colleagues on the Committee every success with your critically important role scrutinising social security regulations and holding to account, and, similarly, to my successor in leading SCoSS forward through the next chapter.

Kind regards



**Dr Sally Witcher OBE**

**Chair, Scottish Commission on Social Security**

Cc Mr Ben Macpherson, Minister for Social Security and Local Government  
Ms Shona Robison, Cabinet Secretary for Social Justice, Housing and Local Government  
Paul Johnston, Director General Communities  
Stephen Kerr, Social Security Director  
Ian Davidson, Deputy Director, Social Security Policy