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Convener
Social Justice and Social Security Committee
The Scottish Parliament
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30 January 2026

Dear Convener,

Thank you for your letter of 22 January regarding Section 8 of the Social Security (Amendment) (Scotland) Act 2025 and the provisions which relate to a new determination of entitlement during appeal.

Work is in hand to implement the range of provisions of the Act. Section 8 is of course an important priority, strengthening our rights-based system and promoting greater flexibility and choice over how people can challenge decisions about their entitlement.

Implementation of Section 8 requires further legislation, including commencement regulations, amendments to the Tribunal rules, and changes to operational guidance and systems. This work is now proceeding in a planned way so that the provisions will be implemented effectively. I am not yet able to provide a definitive date for when the new arrangements will go live but will of course keep the Committee updated.

Yours sincerely,

SHIRLEY-ANNE SOMERVILLE

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