



The Scottish Parliament
Pàrlamaid na h-Alba

Published 24 October 2025
SP Paper 892
9th Report, 2025 (Session 6)

Social Justice and Social Security Committee

Carer's Assistance (Miscellaneous and Consequential Amendments, Revocation, Transitional and Saving Provisions) (Scotland) Regulations 2025 [draft]



Published in Scotland by the Scottish Parliamentary Corporate Body.

All documents are available on the Scottish
Parliament website at:
<https://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

Contents

Introduction	1
Carer's Assistance (Miscellaneous and Consequential Amendments, Revocation, Transitional and Saving Provisions) (Scotland) Regulations 2025 [draft]	2
Consideration by the Delegated Powers and Law Reform Committee	3
Consideration by the Social Justice and Social Security Committee	4
Recommendation	6

Social Justice and Social Security Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Social Justice excluding matters relating to housing and tenants' rights.



SJSS.committee@parliament.scot



0131 348 5986

Committee Membership



Convener
Collette Stevenson
Scottish National Party



Deputy Convener
Bob Doris
Scottish National Party



Jeremy Balfour
Independent



Michael Marra
Scottish Labour



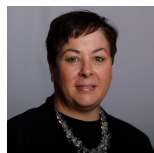
Marie McNair
Scottish National Party



Carol Mochan
Scottish Labour



Alexander Stewart
Scottish Conservative
and Unionist Party



Elena Whitham
Scottish National Party

Introduction

1. This report sets out the Social Justice and Social Security Committee's consideration of the Carer's Assistance (Miscellaneous and Consequential Amendments, Revocation, Transitional and Saving Provisions) (Scotland) Regulations 2025 [draft] at its meeting on 09 October 2025.
2. The [minutes](#) of the meeting have been published on the Committee's web page. [The Official Report](#) of the meeting is available on the Scottish Parliament's website.

Carer's Assistance (Miscellaneous and Consequential Amendments, Revocation, Transitional and Saving Provisions) (Scotland) Regulations 2025 [draft]

3. The Carer's Assistance (Miscellaneous and Consequential Amendments, Revocation, Transitional and Saving Provisions) (Scotland) Regulations 2025 [draft] were laid on 5 September 2025. This instrument is subject to the affirmative procedure, which means it is for the Committee to recommend to the Parliament whether the draft regulations should be approved.
4. According to the [Policy Note](#), the purpose of the instrument is to amend the Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023 to make provision for the introduction of Carer Support, consisting of Carer Support Payment, Carer Additional Person Payment, and Scottish Carer Supplement.
5. The instrument extends the period a carer continues to get support after the death of a cared for person from 8 to 12 weeks; removes the requirement for carers to have been providing care for at least 14 or 22 of the past 26 weeks to become entitled to continue to be paid during a temporary break in care, and provides for the extension of eligibility for Young Carer Grant to 19-year-olds.

Consideration by the Delegated Powers and Law Reform Committee

6. The Delegated Powers and Law Reform Committee (DPLR) considered the Carer's Assistance (Miscellaneous and Consequential Amendments, Revocation, Transitional and Saving Provisions) (Scotland) Regulations 2025 [draft] on [23 September 2025](#) and reported on it in its [66th report, 2025](#). It drew the instrument to the attention of the Parliament on the general reporting ground, noting a missing year in the date referenced in regulation 17(1)(b) and erroneous references to paragraph (3) in regulation 17(3). In response, the Scottish Government confirmed these were typographical errors and that the correct reference should be to paragraph (2) of regulation 17. It undertook to address these through either a correction slip or an amending instrument to ensure clarity.
7. The DPLR Committee also raised a query regarding Schedule 2, paragraph 1(4)(a)(iii), where a reference is made to 15 March 2025 in relation to entitlement to Carer Additional Person Payment. As the instrument indicates that entitlement should not arise before 15 March 2026, the Scottish Government acknowledged this was an error and confirmed that the year would be corrected by correction slip or amending instrument.

Consideration by the Social Justice and Social Security Committee

8. At its meeting on 9 October 2025, the Social Justice and Social Security Committee heard from Shirley-Anne Somerville, Cabinet Secretary for Social Justice and supporting Scottish Government officials.
9. In her opening statement, the Cabinet Secretary told the Committee that the draft Regulations represent a milestone in the devolution of social security in Scotland and further recognise the contribution of unpaid carers. She explained that following the national roll-out of Carer Support Payment and the completion of case transfer from Carer's Allowance, these Regulations introduce Carer Support as a single benefit comprising Carer Support Payment, Scottish Carer Supplement, and the new Carer Additional Person Payment.
10. The Cabinet Secretary highlighted improvements such as: extending support following the death of a cared-for person from 8 to 12 weeks; removing minimum caring-period requirements during temporary breaks; and extending Young Carer Grant eligibility to 19-year-olds. The Scottish Carer Supplement will replace the Carer's Allowance Supplement and be paid more regularly alongside Carer Support Payment.
11. The Cabinet Secretary confirmed that existing recipients will be transferred automatically and that the changes aim to simplify processes, improve clarity, and provide additional financial support to carers. The Cabinet Secretary thanked carers, advisory groups, officials, and the Scottish Commission on Social Security for their contributions and emphasised that these Regulations mark an important step in improving support for unpaid carers in Scotland.
12. During the evidence session, Members questioned the complexity of the new regulations and how the Scottish Government will ensure carers clearly understand how to access support, particularly when their circumstances change. Members also sought the Cabinet Secretary's views on extending full access to Carer Support Payment to young carers from age 16, as suggested by stakeholders, and requested an update on progress toward a potential 'recognition payment' for older carers who are excluded due to receiving the state pension. Finally, Members asked about discussions with the DWP to address issues that may prevent some carers from receiving the full four-week extension to the Carer Support Payment 'run-on' due to interactions with Universal Credit.
13. The Cabinet Secretary explained that the Carer Support Payment is the most complex devolved benefit because of its links with reserved UK benefits, and confirmed that the Scottish Government is developing targeted communications to ensure carers receive clear, timely information about their entitlements. Carers will be proactively notified about their awards and invited to apply for additional payments such as the Carer Additional Person Payment. She noted that replacing the twice-yearly Carer's Allowance Supplement with the more regular Scottish Carer Supplement will simplify the system and make payments more accurate.
14. Addressing support for young carers, the Cabinet Secretary said the decision to

extend the Young Carer Grant to 19-year-olds ensures continuity for those in full-time non-advanced education, while also acknowledging stakeholder calls for broader access to Carer Support Payment from age 16. She emphasised that the Government wants to support young carers appropriately without encouraging them to take on additional caring responsibilities at too young an age, and that it will continue to review and evaluate these benefits in consultation with young people.

15. On older carers, the Cabinet Secretary confirmed that although the idea of a “recognition payment” for those in receipt of the state pension had been explored, work on this had not been taken forward as the Scottish Government's focus remains on implementing the current improvements. Finally, in relation to the 12-week “run-on” period after bereavement, she explained that while most carers will benefit fully, some may lose out due to how Universal Credit assessment cycles work. The Scottish Government has raised the issue with the DWP, which maintains the current approach is acceptable, though discussions will continue as part of its wider review of Universal Credit.
16. Following the evidence session, the Cabinet Secretary for Social Justice moved motion S6M-18774. The motion was agreed to without division.

Recommendation

17. The Social Justice and Social Security Committee recommends that the Carer's Assistance (Miscellaneous and Consequential Amendments, Revocation, Transitional and Saving Provisions) (Scotland) Regulations 2025 [draft] be approved.

