

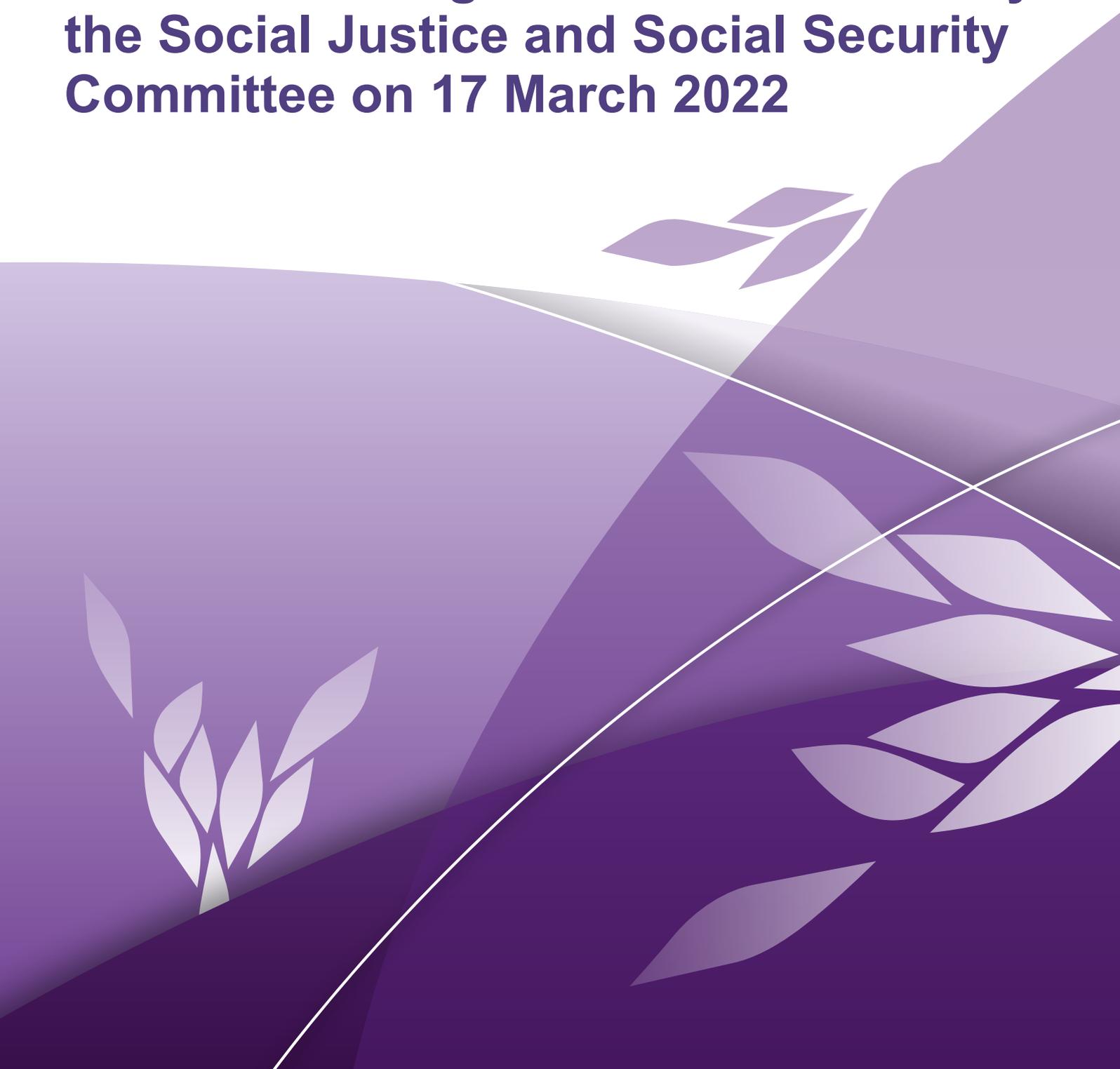


The Scottish Parliament
Pàrlamaid na h-Alba

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4th Report, 2022 (Session 6)

Social Justice and Social Security Committee

Subordinate Legislation considered by the Social Justice and Social Security Committee on 17 March 2022



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Social Justice and Social Security Committee

To consider and report on matters falling within the responsibility of the Cabinet Secretary for Social Justice, Housing and Local Government, excluding matters relating to local government, housing and planning.



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Committee Membership



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The Social Security Up-rating (Scotland) Order 2022

1. This report sets out the Social Justice and Social Security Committee's consideration of the [Social Security Up-rating \(Scotland\) Order 2022](#) (11th meeting, 2022). The [minutes](#) of the meeting have been published on the Committee's webpages. The [Official Report](#) of the meeting will be published in due course.
2. The Social Security Up-rating (Scotland) Order 2022 was laid on 28 January 2022. This Scottish Statutory Instrument (SSI) was made in exercise of the powers conferred by sections 150(9) and 150A(6), and 189(1) and (4) of the Social Security Administration Act 1992 ('the 1992 Act'). This instrument is subject to the affirmative procedure, which means it is for the Committee to recommend to the Parliament whether the draft regulations be approved.
3. According to the [Policy Note](#) the instrument uprates the weekly rates of payment of the following benefits:
 - Attendance Allowance
 - Carer's Allowance
 - Disability Living Allowance
 - Industrial Injuries Disablement Benefit
 - Industrial Death Benefit
 - Personal Independence Payment
 - Severe Disablement Allowance.

Under the Agency agreements for these benefits Scottish Ministers are committed to uprate these benefits at the same rate as the DWP.

4. The Delegated Powers and Law Reform Committee considered the instrument at its meeting on [8 February 2022](#) and no points were raised.
5. During the evidence session, one member noted that if the Scottish Government was delivering these benefits, the agency agreement would not be in place and the Scottish Government would have the ability to up-rate benefits above inflation levels. The Minister advised that the pandemic made it challenging to meet the original timescale and indicated that Social Security Scotland are delivering the new benefits at pace.
6. The Minister was also asked if he was aware of any intention by the UK Government to increase the up-rating level above standard inflation levels. The Minister said that we would encourage the UK Government to up-rate social security benefits further than the 3.1% set.
7. Following the evidence session the Minister for Social Security and Local Government moved motion S6M-03002—

That the Social Justice and Social Security Committee recommends that the Social Security Up-rating (Scotland) Order 2022 be approved.

8. The motion was agreed to without division.

The Social Justice and Social Security Committee recommends to the Scottish Parliament that the Social Security Up-rating (Scotland) Order 2022 be approved.

