

## New Social Security Powers in the Scotland Act 2016

The Scotland Act 2016 devolves new social security powers to Scotland and gives the Scottish Parliament and Government the opportunity to create distinct welfare policies in the area of devolved responsibility.

The Smith Commission was tasked with providing recommendations on potential financial, welfare and taxation powers that could be devolved to Scotland. The Commission recommended that the Scottish Parliament be given complete autonomy to determine the structure and value of a range of powers over disability, ill health and caring benefits, and devolution of the components of the Regulated Social Fund.

The disability-related benefits to be devolved to the Scottish Parliament include Attendance Allowance, Carer's Allowance, Disability Living Allowance, Personal Independence Payments, Industrial Injuries Disablement Benefit and Severe Disablement Allowance. In addition, the following components of the Regulated Social Fund will be devolved - Cold Weather Payment, Funeral Payment, Sure Start Maternity Grant and Winter Fuel Payment. Discretionary Housing Payments are also to be fully devolved to the Scottish Parliament.

The Smith Commission also recommended that the Scottish Government should be given the administrative power to vary elements of Universal Credit, including the housing cost element, and that the Scottish Parliament be given powers to create new benefits in areas of devolved responsibility, and to top-up reserved benefits.

Part three of the Scotland Act 2016 has been enacted to implement these recommendations and the Scottish Government anticipates that it will begin to come into force during 2016. The Scottish Government intends to introduce a Social Security Bill in the first year of the Scottish Parliament. Timescales for delivering social security benefits in Scotland have yet to be formalised.

## Principles Underlying Social Security in Scotland

In 2015, the Scottish Government announced that social security in Scotland will be based on the following five principles:

- Social security is an investment in the people of Scotland.
- Respect for the dignity of individuals is at the heart of everything we do.
- Our processes and services will be evidence-based and designed with the people of Scotland.

- We will strive for continuous improvement in all our policies, processes and systems, putting the user experience first.
- We will demonstrate that our services are efficient and value for money.

Underpinning these principles is the aim is to create a fairer society and to contribute to the wider Scottish Government goal of tackling poverty and inequality. Short-term and long-term outcomes have been created to inform the development of social security and to evaluate its functions in the future.

These principles, aims and outcomes will be used in an 'options-appraisal' which will identify and assess the viability of the options for the delivery for the social security system.

### Delivery of Social Security

A new agency, directly accountable to Ministers, will be created to oversee the delivery of social security benefits in Scotland. The Scottish Government is now considering how the agency will work in practice, including how services will be delivered to people. This will involve continuing to work in partnership with stakeholders and ensuring that decisions made are based on robust evidence, taking into account the financial affordability and economic value for money of the options being considered and whether proposals are achievable.

The Scottish Government aims to make changes as soon as practically possible, and once the powers and finances are made available. However, this will only be done when all the correct systems and processes are in place and a transition plan is agreed with the UK Government, to safeguard payments which are important to so many recipients.

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