

T: 0300 244 4000

E: [scottish.ministers@gov.scot](mailto:scottish.ministers@gov.scot)

Collette Stevenson  
Convener  
Social Justice and Social Security Committee  
The Scottish Parliament  
Edinburgh  
EH99 1SP

By email:

27 November 2024

Dear Collette

### **Social Security (Amendment) (Scotland) Bill: Stage 3**

The Stage 3 debate on the Social Security (Amendment) (Scotland) Bill is shortly due to take place, with a date having been fixed for Tuesday 3 December.

The Scottish Government has sought to work constructively with stakeholders and with the Scottish Parliament to improve the legislation from the outset, and I appreciate the contributions of the Committee in improving the legislation at Stage 2.

I have been meeting recently with members of the Committee and with party spokespeople, and I have been asked in those meetings for reassurance on the provisions at Part 6 (information for audit). I am sharing the same information with the Committee here in order that all members have that reassurance.

I can confirm that failure to provide information requested as part of an audit would not be considered by Social Security Scotland as an indicator of fraud. No-one will ever be investigated or reported to the Crown Office Procurator Fiscal Service (COPFS) solely as a result of not providing the information requested as part of the audit process.

I would like to provide reassurance that people selected to participate in the audit exercise will be able to provide the required information in a range of formats and they will also be able to access support to help them to engage in the process. Reasonable timescales will always be in place to give time to gather information and access any support needed.

In addition, I would like to take this opportunity to highlight the ongoing stakeholder engagement we are undertaking in connection with these Bill provisions.

Alongside the public consultation we committed to at Stage 2 in relation to categories of individuals exempted from participation in audit activity, which will be subject to scrutiny by the Scottish Commission on Social Security (SCoSS) and to the affirmative regulation-making procedure, my officials have invited more than 20 stakeholder organisations to take part in a short life working group to develop person-centred communications and processes in support of these provisions.

My officials will work closely with stakeholders to ensure that we are only seeking information from the correct people, and that no-one is disproportionately or unfairly affected as a result of being asked to provide information.

I trust that this information will be helpful ahead of Stage 3.

Yours Sincerely

**Shirley-Anne Somerville**