



Department
for Work &
Pensions

GUY OPPERMAN MP
Minister for Pensions and Financial
Inclusion

Ian Blackford MP
House of Commons

SM February 2018

Dear Ian,

I am writing with regards to our exchange in the House of Commons during the debate 'State Pension Age: Women' on 29th November 2017. Contrary to your contention that I "perhaps inadvertently sought to mislead the House", the position I set out in relation to the Scottish Government's power was correct. I feel it is important to set the record straight and to explain that position.

The SNP 2016 manifesto included a commitment to "*assess the impact of these changes and the options open to the Scottish Government, with a view to providing support to these women when we have the power to do so*". The Scottish Government has significant new powers available to it to tailor welfare provision for people in Scotland. Two powers in particular would enable the Scottish Government, if it so chose, to provide support to this group.

Firstly, under section 26 of the 2016 Act, the Scottish Government can make a discretionary payment to any individual it believes requires that support to meet a short-term need to avoid a risk to their wellbeing. This power is wide in scope and leaves significant discretion to the Scottish Government as to what constitutes a "short-term" need and a "risk to the wellbeing" of an individual.

Secondly, section 28 of the 2016 Act confers a broad power on the Scottish Parliament to legislate to create new benefits within areas of devolved competence.

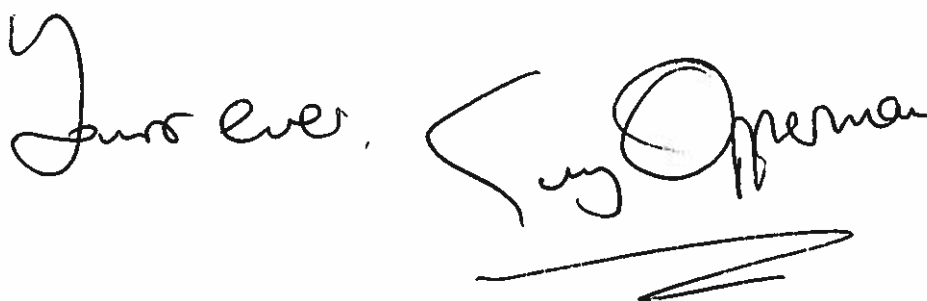
Although the Scottish Parliament's new powers do not extend to "providing assistance by way of a pension" to "individuals who qualify by reason of old age", they can be used to pay benefit to those who have not yet attained State Pension age.

Indeed, Jeane Freeman, in her letter to my predecessor, Richard Harrington, of 22 June, specifically acknowledged that the legislation does not define "old age" in the manner you described. Support provided by the Scottish Government need not, in any case, take the form of "a pension" at all; it could use its powers to provide support in other ways.

Should the Scottish Government wish to exercise their considerable powers to provide financial support to those impacted by the changes to the State Pension they are able to do so. This would be entirely a matter for them and the UK Government would not seek to stop them.

I have placed a copy of this letter in the Library of the House.

Yours ever,
Guy Opperman

A handwritten signature in black ink, reading "Yours ever," followed by "Guy Opperman". The signature is written in a cursive style. Below the signature is a horizontal line with a double underline.

GUY OPPERMAN MP
MINISTER FOR PENSIONS AND FINANCIAL INCLUSION