

The Rt Hon Thérèse Coffey MP
Secretary of State
Department for Work and Pensions
Caxton House
6-12 Tothill Street
London
SW1H 9NA

7 February 2022

Dear Secretary of State,

Way to Work: Regulations

Thank you for your letter of 3 February giving me notice of your intention to invoke the urgency procedure under section 173 of the Social Security Administration Act 1992 to make and lay regulations to effect relevant policy changes around the 'permitted period' in order to deliver the Government's Way to Work campaign.

We look forward to receiving the regulations, and supporting documentation, at the earliest opportunity to enable the Committee to undertake its statutory scrutiny of them. Although our next scheduled meeting is 16 March, we intend to arrange an extraordinary meeting of the Committee as soon as possible to ensure that we are able to undertake that scrutiny, and provide advice to you as appropriate, in a timely manner.

The Committee has yet to receive the paperwork ahead of our scrutiny of these proposals. Although we have not had sight of draft regulations, based solely on the Government's announcement on 26 January and the legislation currently in place, it is not currently clear to us why it is necessary to amend existing legislation to deliver the Way to Work campaign.

Our understanding is that existing regulations already provide adequate space for the implementation of the campaign through the provision of Secretary of State discretion on limitations on work-related requirements, without needing a general rule. If further amendments are necessary, could you provide further information

about the nature of any extra powers (beyond a change to the permitted period) you are seeking.

As the Way to Work Campaign has been presented as a change of government policy unconnected to either external factors or a fiscal event, the compelling need for urgency in this specific case is not apparent, beyond the ordinary desires to effect policy without delay. We would welcome a greater appreciation about the necessity for urgency in this case.

The Committee would welcome further clarification on the points raised in this letter. I would, of course, be very happy to discuss this further if that would be helpful.

A copy of this letter goes to Lady Stedman-Scott, the Minister for Welfare Delivery, and Jonathan Mills.

A handwritten signature in black ink, appearing to read 'Stephen Brien'.

Stephen Brien
SSAC Chair