



Department
for Work &
Pensions

Rt Hon. Sir Stephen Timms MP
Minister for Social Security
and Disability
Caxton House
Tothill Street
LONDON
SW1H 9DA

Dr Stephen Brien
Chair, Social Security Advisory Committee

19 September 2024

Dear Stephen,

The Social Security ((Infected Blood Capital Disregard) (Amendment) Regulations 2024

We are very grateful for the committee's scrutiny of the above regulations on 11 September 2024 and for confirming that you do not intend to take these regulations on formal reference.

I wanted to acknowledge the concerns you raised in your subsequent letter to me and assure you that the Department is actively considering these and will respond to you once the requisite work is complete.

The committee's letter sets out your short-term concerns, including:

- whether reliance on payments to "estates" is sufficient to covers issues where there are a number of beneficiaries to an estate, where the will is contested or where someone has died intestate or in bankruptcy;
- a desire for greater clarity relating to the treatment interest or income derived from capital. The committee believes that an amendment may be required to the regulations to provide absolute clarity on the treatment of interest or income derived from capital for the avoidance of doubt.

And 'longer term' concerns, including further assurances:

- that a communication strategy is put in place that ensures that all beneficiaries – not just those currently on means tested benefit are clear on the treatment of this capital in the means tested benefit system.
- that the current system for marking those customers who are also beneficiaries of these compensation payments is fit for purpose.
- Finally, the committee asked for the DWP to explore the case for a legislative framework to be introduced which could be applied to all compensation

schemes which shared similar characteristics or policy intent – as a future-proofing approach.

I understand that the committee wishes to publish this response alongside the letter from the chair on the SSAC landing page on Gov.uk from as early as Thursday 19 September 2024. As I am sure you will appreciate, given the complexities of the issues highlighted above – I have asked my officials to prepare a further, fuller response once they have had the necessary discussions – both external and internal - to impact these issues. They will reply to the committee as soon as is practicable once this work has occurred.

With all best wishes,

A handwritten signature in black ink, reading "Stephen Timms". The signature is written in a cursive style with a horizontal line above the name.

Rt Hon. Sir Stephen Timms MP
Minister for Social Security and Disability