

CHILD POVERTY (SCOTLAND) ACT 2017

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 9 – Delivery plan

23. **Section 9** sets out provisions relating to the requirement on the Scottish Ministers to prepare delivery plans relating to the child poverty targets within the Act. Subsection (1) states that the Scottish Ministers must prepare plans for the periods: (a) 1 April 2018 to 31 March 2022; (b) 1 April 2022 to 31 March 2026; and (c) 1 April 2026 to 31 March 2031.
24. Subsection (2) states that a delivery plan must set out the measures that the Scottish Ministers propose to take during the period of the plan in order to meet the child poverty targets; an assessment of the contribution that those measures are expected to make to meeting the child poverty targets; an explanation of how that assessment has been arrived at; and an assessment of the financial resources required to fund those measures. Section 14(2) defines “child poverty targets” as meaning both the interim and the 2030 targets to the extent that the plan relates to a period ending on or before 31 March 2024 and meaning only the 2030 targets to the extent that the plan relates to a period beginning on or after 1 April 2024.
25. This means that: the first delivery plan will relate to both the interim and the 2030 targets throughout the period of that plan; the second delivery plan will relate to both the interim and the 2030 targets until 31 March 2024 and the 2030 targets only from 1 April 2024 until the end of the period of that plan on 31 March 2026; and the third delivery plan will relate to the 2030 targets only throughout the period of that plan.
26. Subsection (3) requires the Scottish Ministers to set out in each delivery plan what measures they propose to take during the period of the plan in relation to each of the matters that are listed in that subsection.
27. Subsection (4) requires delivery plans to set out whether the Scottish Ministers intend to bring forward legislation during the period of the plan to exercise the powers provided for in section 24 of the Scotland Act 2016 (discretionary payments: top-up of reserved benefits) in relation to providing a top-up of child benefit.
28. Subsection (5) provides that the delivery plan may also include other information about child poverty, as the Scottish Ministers consider appropriate. Subsection (6) requires the Scottish Ministers to (a) consult the Poverty and Inequality Commission (see section 8) on the measures they propose to include in the delivery plan, (b) have regard to any recommendations made by the Commission, and (c) set out in the plan any changes they have made as a result of any recommendations made by the Commission.
29. Subsection (7) requires the Scottish Ministers to, as soon as reasonably practicable after preparing a delivery plan and before the beginning of the period of the plan, to: lay the plan before the Scottish Parliament, make a statement to the Parliament in relation to the plan and publish the plan.

*These notes relate to the Child Poverty (Scotland) Act 2017
(asp 6) which received Royal Assent on 18 December 2017*

30. Subsection (8) provides that, in preparing a delivery plan, the Scottish Ministers must consult (a) such local authorities, or associations of local authorities, (b) such persons and organisations working with or representing children, (c) such persons and organisations working with or representing parents, (e) such persons and organisations working with or representing children or parents in households where the fact that someone in the household has one or more protected characteristics adversely affects the income, or increases the expenditure, of the household (see the definition of “protected characteristics” in section 14(1)), and (f) such persons who have experience of living in poverty and such other persons, all as the Scottish Ministers consider appropriate. The Scottish Ministers must also consult the Scottish Parliament (paragraph (d)).
31. Subsection (9) provides that the requirement to consult various persons (including the Commission) in the course of preparing the delivery plan is complied with even if the consultation is undertaken or initiated before section 9 comes into force.