



A New Future for Social Security: Consultation on Social Security in Scotland National Carers Organisation Briefings: Briefing Three: Disability Benefits

The Scotland Act 2016 will devolve a number of social security powers to the Scottish Parliament.

The Scottish Government is consulting on how they can best use these powers in the short, long and medium term and they have produced a consultation document which you can download at: <https://consult.scotland.gov.uk/social-security/social-security-in-scotland>

The National Carer Organisations have produced summary versions of relevant sections in the consultation to help you get involved. This is the third briefing which covers disability benefits.

The remaining briefings: Briefing One on Principles and Process and Briefing Two on Carers Benefits can be found on each of the national carer organisations websites and on the Carers Scotland website at: <http://www.carersuk.org/scotland/policy/policy-library>.

We are seeking carers' views on the government's proposals and these will help to inform our submission to the consultation. You can read more about how to submit your views at the end of this briefing paper.

Background - Disability Benefits

The Scottish Government will receive powers to provide benefits for people with a disability or health condition. These powers are currently delivered in the UK through: Disability Living Allowance (DLA), Personal Independence Payment (PIP), Attendance Allowance (AA), Industrial and Injuries Disablement Benefit (IIDB). They will also take responsibility for Severe Disablement Allowance for those people still receiving it.

The broad purpose of DLA, PIP and AA is to recognise the impact of living with a disability or health condition and the additional costs this can incur.

The Scottish Government has committed to maintaining the current level of disability benefit payments once the powers have been transferred and to raising them annually by at least the rate of inflation. They have said their priority is to ensure there is a 'secure and smooth transition, ensuring all recipients continue to receive their benefits'

Over the longer term, they plan to reform aspects of the devolved disability benefits, working in partnership with disabled people and the organisations that support them. They are considering a 'whole-of-life' disability benefit that meets people's needs at different stages of their life

Evidence to Support a person's application

The government is looking at options around what evidence they will use to support a person's application for disability benefits. This will include medical information and other supporting evidence, such as evidence provided by social care services and education.

They are considering the wider sharing of information, including medical information, between public sector organisations. For example, this could include NHS Scotland pre-populating application forms. This can only be done where there is legislation underlying the collection of information, which allows it to be used for the specific purposes it is being requested for - for example, to support a disability benefit application.

Eligibility

Eligibility Criteria: Currently eligibility for disability benefits is based on a person's mobility and daily care/living needs

The government is considering introducing an automatic entitlement for certain conditions which meet the eligibility criteria. This would be in cases where the condition is particularly severe or has a significant impact on a person's life. In these cases people would receive disability benefits without the standard application and assessment.

The government would need to give careful consideration to deciding which conditions would meet this criteria and would plan to take into account the views of medical professionals and people with direct experience of living with the condition.

People with a terminal illness: Current DWP practice is to provide a separate and fast-tracked approach to providing PIP, DLA and AA to people with terminal illnesses within 14 days. They are seeking views on how appropriate and responsive this process currently is and whether it should be extended to include all disability-related benefits. They are also considering the idea of providing a lump sum for people in this position.

Transitions: In the longer term, the government intends to improve transitions from one benefit to another to make sure that the social security system is responsive to the different needs that people will have at different times in their lives.

They are also considering removal of age-related requirements, so that it would not be necessary for everyone to apply for a new or different benefit when they reach a specific age. This whole-of-life approach would allow a more person-centred approach to reassessments and potentially offer a secure and more flexible benefit for disabled people.

Assessments

Different benefits have specific criteria in order to address a range of issues. This is why the current DWP system adopts different approaches, in order to determine whether a person is eligible or not and to make a decision on the level of their award. For example, for DLA and AA, decision makers in DWP make judgments based on the application form and other supporting evidence. For PIP there is a face-to-face assessment by an independent professional using detailed descriptions and points.

The Scottish Government is seeking to reform assessment procedures, minimising the number of face-to-face assessments where possible. They are looking at the potential for existing online data being shared and online interactions that are designed for ease of use and accessibility for applicants.

Proposals for awards

The Scottish Government is considering introducing long-term awards for conditions that are unlikely to change, across all disability benefits. This would remove the need for unnecessary re-assessments, which are often distressing and frustrating for people whose circumstances are unlikely ever to change, and for their families.

These awards may include the expectation that if there is a change, the claimant has a responsibility to inform the social security system. They are also considering how best to strike a balance between the benefits of long-term awards and recognising the role of medical advances and that conditions can fluctuate.

Alternatives to cash

The government is considering providing people with the choice to claim alternatives to cash payments. The intention would be for these alternatives to address the higher costs of living with a disability. Areas they are exploring include discounted energy tariffs and adaptations to the home.

This approach would be similar to the existing Motability Scheme which provides leased cars, scooters and powered wheelchairs to disabled people in exchange for their mobility allowance. The individual's right to choose between cash and any alternatives would be protected at all times.

The government recognises the value of continuing the Motability scheme and is asking people's views on this. They are also considering ways in which they can support older people with mobility problems who are not eligible for mobility allowance

Additional support

Applying for and being assessed for disability benefits can often be a challenging process for people with particular health conditions and impairments. Even with an open and accessible social security system, featuring clear advice and application processes, some people will need additional support. They are asking people's views on what kind of support should be available for people who need additional support when making a claim and being assessed.

Industrial Injuries Disability Benefit (IIDB)

IIDB is a benefit which can be claimed by people who have suffered ill health and disability as a result of their work. The government is looking at a range of issues in connection with this benefit and considering ways in which it may be improved.

For example, they are seeking people's views on whether there should be a different approach taken with people who have a life-limiting condition compared to people with less severe conditions. They are also asking if a lump sum would be more appropriate than a weekly benefit payment.

Severe Disablement Allowance

Severe Disablement Allowance (SDA) was available to people unable to work for at least 28 weeks in a row because of illness or disability. It was closed to new applicants in 2001. The equivalent benefit available now is Employment Support Allowance (ESA), which is not being devolved. Working age recipients of SDA are being transferred onto ESA.

The Scottish Government has said that it intends to ensure that people who are still receiving SDA when the powers are transferred will continue to receive the same level of award through Scotland's social security system. This will only apply to a small number of people.

Give us your views

We have produced a survey of key questions which will help us inform our response to the Scottish Government. This can be found at: <https://www.surveymonkey.co.uk/r/SocSec16>

We are also supporting events for carers to discuss the issues. A number of local carer support organisations will be holding discussion sessions and we are also facilitating several national events. If you would like to find out more about attending event, in the first instance, please contact Claire Cairns at the Coalition of Carers in Scotland coalition@carersnet.org.

Contacts

We are happy to provide further information on any of the above. If you have any questions or would like more details, please contact one of the following individuals.

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