

Devolution of Disability and Carer Benefits

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Social Security Policy

Background

- A number of social security benefits are being transferred to the Scottish Government as a result of the Smith Commission and then the Scotland Act 2016.
- Scotland's underpinning approach to this is informed by the 2016 consultation on **The Future of Social Security in Scotland** and the resulting **Social Security (Scotland) Act 2018**.

Reserved and Devolved

Benefits to remain reserved to the UK Government

Universal Credit (which replaces Jobseeker's Allowance, Income Related Employment Support Allowance, Working Tax Credits, Child Tax Credits and housing Benefit)

State Pension and Pension Credit

Contributory Employment Support Allowance

Child Benefit

Maternity and Paternity Pay

Benefits being devolved to the Scottish Government

Ill Health and Disability Benefits which means – Disability Living Allowance, Personal Independence Payment, Attendance Allowance, Severe Disablement Allowance and Industrial Injuries Disablement Benefit

Carers Allowance

Sure Start Maternity Grants

Funeral Payments

Cold Weather Payments and Winter Fuel Payments

Discretionary Housing Payments

Some powers in relation to Universal Credit (e.g. variation in payment frequency)

New Devolved Benefits for Disabled People and their Carers

DWP benefit	Scottish replacement	Who's it for?	When does it start?
<i>No equivalent</i>	Carer's Allowance Supplement (CAS)	People who already receive Carer's Allowance	Started Sept 2018
<i>No equivalent</i>	Young Carer Grant (YCG)	16-18 years	Autumn 2019
Disability Living Allowance for Children (DLA)	Disability Assistance for Children and Young People (DACYP)	Under 18's	Summer 2020
Personal Independence Payment (PIP)	Disability Assistance for Working Age People (DAWAP)	Working age people	Early 2021
<i>No equivalent</i>	Additional payment for carers of more than one disabled child	People who are caring for more than one disabled child	Early 2021
Attendance Allowance (AA)	Disability Assistance for Older People (DAOP)	People over retirement age	2021
Carer's Allowance (CA)	Carer's Assistance	People with significant caring responsibilities	Early 2022
Industrial Injuries Disablement Benefit (IIDB)	Employment Injuries Assistance (EIA)	People injured at work	Autumn 2022

Background

“Delivering Disability Assistance offers us an opportunity to have a positive impact on a huge number of people who contribute significantly to our communities, adding talent, diversity and richness to our society.”



**Cabinet Secretary for
Social Security and Older
People**

What does the Scottish Government already know people want to change?

- Application and assessment – it's too complex and stressful
- Eligibility criteria - discriminates against certain groups and isn't transparent enough
- Need more flexibility, accessibility and a person-centred approach
- Need a range of application channels
- Should treat people with dignity and respect
- Extension of terminal illness rules
- Minimise stress and anxiety on people

What has the Scottish Government already said it will change?

- Reformed assessments
- Streamlined multi-channel applications
- Reduce the strain on families
- New definition of terminal illness
- Right to support
- Accessible communications

What was in the consultation?

- Benefit names!
- Rolling awards
- Qualified assessors
- Applications
- Decision Making
- Supporting Information

Some consultation themes

**Breaks in
eligibility**

**Winter
Heating
Allowance**

Age

**Decision
making**

What next?

- Analyse the consultation findings and agree with Scottish Ministers what we should put in the legislation
- Scottish Commission on Social Security scrutinise the legislation
- Scottish Fiscal Commission provide a report on the financial implications on the Scottish Budget.
- Legislation laid at Parliament and considered by Committee
- Disability Assistance delivered in Scotland

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Questions and comments?