

Social Security

A Consultation on Disability Assistance in Scotland

**Scottish Government response -
Easy Read**

October 2019



Scottish Government
Riaghaltas na h-Alba
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1. Introduction

Between March and May 2019, the Scottish Government asked people for their views on whether the way that we are planning to pay Disability Assistance will meet their needs.

This document shows the questions we asked, what people said and, most importantly what we now plan to do.

2. Disability Assistance in Scotland

Disability Assistance will give people extra money to help them pay for the care and support they need because of their disability or long-term health condition.

2.1 Disability Assistance Names

We asked what people thought of our new names for Scottish Disability Assistance:

Current Name	Proposed Name
Disability Living Allowance	Disability Assistance for Children and Young People
Personal Independence Payment	Disability Assistance for Working Age People
Attendance Allowance	Disability Assistance for Older People

A lot of people liked the new names of the three disability payments but some thought they were hard to understand and didn't like some words like 'disability', 'assistance', 'working' 'older' and 'pension'.

We will continue talking to experts and members of the public to make sure we get the names right.

2.2 Applying for Disability Assistance

We asked if people would like to have different ways of applying for Disability Assistance, including online, by telephone and paper forms.

Almost everyone agreed so we will speak to people who have applied for benefits before about the best ways of doing this.

2.3 Where People Live

We asked if people thought we should use similar rules to the UK Government's DWP (Department of Work and Pensions) to check whether people live in Scotland.

We will also have the same rules as the UK to stop people from losing benefits if they are away from home for short periods.

2.4 Making Decisions about Benefits

We asked about how we should make decisions about who gets Disability Assistance.

Most people thought we should look at people's daily lives when making decisions about Disability Assistance.

We will make sure people who make decisions have the right skills and experience to do this.

2.5 Looking at Decisions Again

We asked if people thought one month was enough time for someone to ask Social Security Scotland to look at a decision again.

Many people thought that one month was enough time, but some people told us that they may need longer, especially if they need to get help with asking us to look again at a decision.

We also asked if people thought that Social Security Scotland should have between 40 and 60 days to look again at a decision.

Although many people thought this was acceptable, a small number of people thought the process needs to be quicker.

We will give people 42 calendar days to ask us for a redetermination.

Social Security Scotland will now have 56 calendar days to make a redetermination.

2.6 Short Term Assistance

We asked about paying benefits when someone asks for a decision to be looked at again.

Many people thought this should only be paid to people living in Scotland and that it should be paid it back if paid accidentally.

People also agreed that STA should not be paid if fraud has occurred and that it should only be paid from the date when the person was eligible to receive it if a tribunal makes the decision that they should have been paid it.

We are happy that most people agree with our ideas about STA.

We will pay STA to people living outside of Scotland to ensure that we treat everyone the same.

2.7 Breaks in Disability Assistance

We asked if Disability Payments should be stopped after 28 days when someone has a break in their eligibility.

Views on this were mixed.

We will not make significant changes to the current rules.

Disability Assistance provides financial help to disabled people to meet their care and mobility needs.

When a disabled person is in hospital or residential care, their care needs are already being met.

We recognise that children and young people in legal custody may still spend some time at home.

We will allow children and young people who are entitled to DACYP to keep the mobility component when they are being held in custody.

2.8 Overpayment Recovery

We asked if people wanted to tell us about their experiences of paying back money to DWP.

Many people thought DWP often asked people to pay back too much money, and too quickly. This can leave people without money.

We want to make sure we're treating people fairly so we will look at how we can do this.

3. Disability Assistance for Children and Young People (DACYP)

We asked for views on how we plan to replace DLA for Children with a new benefit called DACYP for children and young people aged 3 months to 18 years old.

We also asked for views on our plans to give a lump sum payment of £200 to children and young people who get the highest rate of DACYP.

Almost everyone agreed these were good ideas although some people thought we should pay DACYP up to age 21.

We do plan to begin paying up to 18 and will pay the £200 extra for winter heating for some children from summer 2020.

We will keep working closely with our expert advisors and members of the public.

4. Disability Assistance for Working Age People (DAWAP)

We asked for views on our plans to replace Personal Independence Payment with a new benefit called DAWAP, which will be for people aged 16 to state pension age.

We also asked for views on making decisions about an award by looking at the supporting information and giving people points from a list of different activities.

Some people agreed with our proposal that we will make decisions about an award by looking at the supporting information and giving people points from a list of different activities.

Other people thought that using points was an unfair way to decide if someone should get DAWAP because it does not take into account a person's daily life.

We will develop guidance to ensure that people who make decisions look at all of the information available about a person, and have access to specialist advisors.

We will make sure people who make decisions have the right skills and experience to do this.

4.1 Attending an Assessment

We asked people for their views on face-to-face assessments should work if we need more information about how a person's health condition affects them.

Many people thought that any assessment should be close to where they live and not expect them to travel a long way.

If someone misses an assessment more than once, people thought that there should be no limit to the number of times the appointment can be booked again.

Many people also thought it was a good idea to record the audio of an assessment as long as people said they were happy for it to go ahead.

We will offer people choice and flexibility about when and where they may be asked to attend a face-to-face assessment.

5. Disability Assistance for Older People (DAOP)

We asked for your views on how we plan to replace Attendance Allowance with a new benefit called DAOP, which will be for people who are state pension age or older.

Most people agreed this was a good approach.

Some people thought that there should be one benefit for all adults and that older people should not have a different benefit paid to them, so we may think more about this in the future.



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