

Disability and Carers Benefits Expert Advisory Group
Meeting 9: Tuesday 26 February 2019, 11.00 am – 4.00 pm
The Crags Sports Centre, 10 Bowmont Place, Edinburgh EH8 9RY

Note of Meeting

Present: Jim McCormick (Chair) (JMcC); Tressa Burke (Deputy Chair) (TB); Fiona Collie (FC); Chris Creegan (CC); Ewan MacDonald (EMacD); Shaben Begum (SBe); Jim McGoldrick (JMcG)

Apologies: Sandra Black (SBI); Sarah Hammond (SH); Jatin Haria (JH); Lucinda Godfrey (LG); Billy Watson (BW); Angela O'Hagan (AO'H); Andrew Strong (AS) (delegate for Ian Welsh); Etienne d'Aboville (Ed'A); Angela O'Hagan (AO'H); Frank Reilly (FR); Carol Tannahill (CT); Alan McDevitt (AmcD)

In Attendance: Sally Witcher (Chair of the Scottish Commission on Social Security) (SW)

Secretariat: Katherine Ross (KR)

Welcome and Introductions

JMcC welcomed everyone to the meeting. He reflected on developments since the previous meeting, including the delivery of both the Carer's Allowance Supplement and Best Start Grant Pregnancy and Baby Payment; as well as the establishment of both the Scottish Commission on Social Security and the Executive Advisory Body for Social Security Scotland (the agency). It was noted the extensive progress and effort made to date, as well as the fundamental work to come, including the creation of the assessments process for Disability Assistance.

Members raised the issue of avoidable and unavoidable duplication of work amidst the changing advisory landscape and being mindful of re-calibrating the Group's Terms of Reference if necessary. Particular reference was made to CC's appointment to the Agency's Executive Advisory Body, and SW's and JP's appointment to the Commission. JMcC thanked them both for their considerable contribution to the Group to date, particularly in relation to the work on the Charter and scrutiny.

It was acknowledged, in light of the SCoSS appointments, that both SW and JP had stepped down as Group members as of 23rd January and now hold observer status. Details of which will be confirmed in due course. In discussing membership, it was also announced that TB will replace SW as Group Deputy Chair. JMcC welcomed this appointment and informed members to sight her in Group correspondence.

Members agreed that the Group needs to continue to have high calibre input going forward. A skills audit of members will be carried out to identify any gaps in expertise or experience. It was agreed that the secretariat will draft a letter to Cabinet Secretary in due course with recommendations for future membership.

JMcC acknowledged that the low attendance of the current meeting was due to a last-minute re-scheduling to ensure members had access to the Group Review Report in advance. It was agreed that the meeting instead be an opportunity to discuss issues, following which feedback and agreement will be sought from the wider Group.

DACBEAG9/260219/Action 1:
Secretariat to carry out a skills audit of members.
Action for: Secretariat
Action by: after Group meeting

DACBEAG9/260219/Action 2:
Secretariat to draft a letter to Cabinet Secretary outlining changes to membership in light of recent appointments.
Action for: Secretariat
Action by: ongoing after the meeting

Review Reflection – Ways of Working

Members discussed the final Review Report which outlined the results of survey responses from members as well as qualitative interviews with selected members and officials.

The Report prompted productive discussions on the Group's working practices. Members agreed it would be useful for the Group to be more proactive in confirming with officials the specific requests being made.

Members also discussed options to improve advice and suggested making sure that officials provided as much information and evidence as is shareable. Another option was to have a research official whose remit included responding to Group requests for literature reviews or evidence compiling when necessary. This would help ensure that Group advice is enriched by existing work/evidence in tandem with the lived experience perspective currently provided through members' expertise and networks.

It was also suggested that the Group could be involved in the earlier stages of policy development, i.e. during the user-research stage and before the consultation stage. This is with the aim of ensuring Group advice has the most influence and impact.

Members discussed work distribution among the Group, particularly between workstream members and Group members. It was agreed that a sign-off panel be trialled that takes a closer look at advice drafted by the workstream. This would be a rotating panel, where members would volunteer to join when capacity allowed. The existing feedback mechanisms for the wider Group will stay the same, i.e. any advice draft from the workstream(s) will be shared with the Group along with any unresolved issues that required comment. The sign-off panel would ensure a more thorough examination of the advice, by non-workstream members who would bring different experience and expertise. It was then go to the Chair and Deputy for agreement.

Members agreed that the Review was nonetheless a snapshot and were content that it is now on a more productive trajectory. Particular consideration was given to the substantive work carried out by the Group in the last quarter of 2018.

Members reflected on the evolving advisory landscape and agreed that the Group function will likely change, prompting a revision of the Terms of Reference in due course.

DACBEAG9/260219/Action 3:
Secretariat to draft a revised ToR for Group comment
Action for: Secretariat
Action by: ongoing, after Group meeting

Ministerial Request for Advice

The Group discussed the recent letter from the Cabinet Secretary outlining her next set of priorities for the Group. This included: Child DLA, informal observations in assessments, accessibility and inclusive communication for the Agency, as well as follow up advice on sources of supporting information.

Members agreed to consider these requests in principle, re-evaluating how the Group can contribute after being provided with more information from officials.

Members agreed unanimously to take on Child DLA and discussed how to convene the Group in a way that taps into existing work and networks. Ideas included taking an inquiry-based approach and hosting a workshop. It was agreed the secretariat would approach officials to gather further information and evidence.

Members discussed informal observations in assessments, noting in the first instance that they are not in-keeping with previous Group advice and expectations that the assessment process will be consistent and transparent. There is also overwhelming negativity around this issue in existing reserved benefits.

Members agreed to produce follow up advice on sources of supporting information. This is on the basis that members felt it necessary to clarify that they not prioritising medical information or putting diagnostic labels on clients. It was agreed that the secretariat would request necessary information and evidence on the assessments asks from the relevant officials

Regarding the request to consider accessibility and inclusive communication for the Agency, whilst members were keen to contribute to these efforts, they were nonetheless mindful of the existing work that has been carried out in this field by other organisations and following the meeting with Agency staff, will discuss if or how they can add value to this area. It was agreed the secretariat would contact the lead official to take this meeting forward.

JMcC informed members that officials indicated the advice sent last quarter had been well received, particularly the advice on suitably qualified assessors and award duration. He stated that the Group will now be given a rolling programme of work as the pace of benefit delivery picks up. Members agreed the importance in structuring

the Group in way that ensures advice is ambitious and achievable, and where each member feels they have capacity to contribute in some form.

In light of this it was agreed that now would be a good opportunity for members to confirm their positions on workstreams and/or make suggestions as to who might be beneficial additions.

In addition to this, it was suggested that members consider whether they would be open to the idea of extending the frequency and or duration of meetings depending on workload. Members would have an opportunity to comment on this and above discussions via a feedback form to be circulated in due course after the meeting.

DACBEAG9/260219/Action 4:

Secretariat to provide a summary of discussions and proposed actions of the meeting for members to feedback.

Action for: Secretariat, all members

Action by: ongoing, after Group meeting

SCoSS Appointments

Newly-appointed SCoSS Chair SW provided a brief overview the Commission, including its function, as set out in the Social Security (Scotland) Act, and scope. The Commission is responsible for the scrutiny of draft legislation. This entails reporting on its observations and recommendations in relation to the regulations to be laid in Parliament. Ministers must also lay a response to this report in tandem with the laying of the regulations.

SW confirmed that the Commission decides the time needed to scrutinise regulations. However, Scottish Ministers will have an overall timetable for regulations to be laid and passed in Parliament to enable a benefit to be brought in by a specific date. Therefore an extended period of scrutiny may impact on the laying date for those regulations, preventing them from being passed in time.

SW reflected on issues that could fall within the Commission's remit, including the monitoring and upholding of the Charter (and the implications it has for future policy development).

Overlap with existing bodies

Members agreed there is great value to be had in establishing a direct link with SCoSS . **The Group has a policy advisory function and the SCoSS will advise on regulations drafted in light of Scottish Government's policy intentions.** Members appreciated that more will become apparent as the Commission gets up and running.

Members also reflected on the interactions and implications of CC's appointment to the Executive Advisory Body for Social Security Scotland (the agency). CC indicated that there was no apparent conflict of interest, though both bodies will incur unavoidable overlap from time to time. It was agreed that the Group will consider whether to continue running the Agency workstream, and instead have a small

number of members become Agency rapporteurs to ensure the Group can add value to areas of interest, e.g. local engagement.

Long-term priorities

The latter part of the meeting discussed the Group's long-term priorities. Members were keen to produce a legacy note exploring ways to improve the system post safe and secure transition.

Members reflected on ways in which to take this forward, including hosting an international event and using agile ways of working (e.g. 'think tank'). It was agreed that it should consider the broader public perspective, cross-country comparisons, as well as Brexit and budget implications. The Group were mindful not to duplicate efforts and agreed to tap into existing networks and resources.

Members agreed that the priority should be to gain insight into international systems and intend to explore the option of hosting an event for international delegates. It was agreed that the secretariat contact members who have previous experience in international comparisons.

Members agreed the note will be in the format of an options appraisal and with a clear goal of achieving deliverable outcomes.

DACBEAG9/260218/Action 5:

Secretariat to contact members (e.g. FR) who have experience in international work.

Action for: Secretariat

Action by: after the meeting

AOB

None

Next Group meeting will take place in Glasgow (time and date tbc).

Thanks and close.

Action log:

Details	Action for	Action by
Secretariat to carry out a skills audit	Secretariat	After the meeting
Secretariat to draft a revised ToR for Group comment	Secretariat	Ongoing after the meeting
Secretariat to draft a letter to Cabinet Secretary outlining	Secretariat	After the meeting

changes to membership in light of recent appointments.		
Secretariat to provide a summary of discussions and proposed actions of the meeting for members to feedback.	Secretariat, all members	As soon as possible after the meeting
Secretariat to contact members who have experience in international work	Secretariat	After meeting