

Ill Health and Disability Benefits Stakeholder Reference Group Meeting

Meeting 17
22 April 2020
VScene
10:00 – 11:00

Present:

Claire McDermott, Chair, Scottish Government
Donna Burnett, NHS
Ed Pybus, CPAG
Hannah Ross, COSLA
Jim Hume, Support in Mind Scotland
Kate Burton, NHS
Rob Gowans, Citizens Advice Scotland
Yvette Burgess, Coalition of Care and support Providers in Scotland

In Attendance:

Heather Mole, Secretariat, Scottish Government
Shonagh Martin, Scottish Government

Apologies:

Annie Gunner Logan, Coalition of Care and Support providers in Scotland
Bill Scott, Inclusion Scotland
Cate Vallis, RNIB
Duncan McIntyre, Chair of Learning Disability Practice Network
Emilia Crighton, NHS
Gerard McFeely, NHS
Gill Young, Castle Rock Edinvar
Patricia Moultrie, Scottish GP Committee of the BMA
Richard Gass, Rights Advice Scotland
Dr Mini Mishra, Scottish Government

Agenda item 1. Welcome

1.1 Chair, Claire McDermott (CM), welcomed members to the 17th meeting of the Ill Health and Disability Benefits Stakeholder Reference Group, explaining that given the current circumstances we are using this meeting to seek feedback from stakeholders about their organisational capacity and their members or service users. There will also be an opportunity for members to ask questions following the Cabinet Secretary for Social Security and Older People's statement on 1 April.

Agenda Item 2. Member Feedback

1.2 Members gave an update on how their organisation/service is managing in these uncertain times, what their capacity is like and gave feedback from their members or service users on what issues they are facing.

2.2 Kate Burton (KB) updated the group on what the NHS are doing in terms of embedding welfare rights in general practice. As general practice surgeries increased remote consulting in response to the Covid emergency, welfare advice providers have been using a phone line service and GP's are still referring patients when required.

KB noted the challenge of digital literacy for some members of the public. Which must be considered during a crisis such as this one. KB also mentioned the [IRISS report](#) that came out in April which talks about digital literacy and exclusion. She noted that the number for Social Security Scotland was difficult to find if clients are unable to access the internet.

KB added that they have been contacting all advice services across Scotland that are being delivered by local authorities to find out if they are engaged in local authority resilience cells.

2.3 Rob Gowans (RG) updated that CAS have been working to provide a telephone based advice service as well as providing advice via email and web chats. CAS (in partnership with the Scottish Government) have launched a national help line for general advice which can then be referred on for more specialist advice.

RG noted that there is currently a high demand for advice with 50-60% of advice relating to benefits and 25% relating to employment. There is a large number of people trying to claim Universal Credit (UC) due to people losing their jobs or being made redundant. RG also noted that most of their policy work has been around UC following on from changes that the DWP have made to cope with the demand for UC. CAS are hoping to publish some of the statistics around advice trends. RG will share these with the group when they are available.

RG also highlighted that they have had difficulties getting information from the DWP, particularly regarding PIP, the suspension of assessments and the replacement process for assessments.

2.4 Jim Hume (JH) updated on the National Rural Mental Health Forum. JH noted that the Forum has an outreach of ½ million people in rural areas and the Charity Support in Mind Scotland, who run the National Rural Mental Health Forum, support 1500 people per week. Although centres are closed and carers cannot make visits at the moment, people are looking for more support than normal. There is an expectation of an upturn in people looking for help once the COVID-19 crisis is over as a result of Post-Traumatic Stress. They are also part of the Distress Brief Intervention project which has now been rolled out to the whole of Scotland (previously only certain parts of Scotland).

JH noted the '[Clear your head](#)' campaign that is currently being promoted on television. The network of the National Rural Mental Health Forum are feeding in emerging issues to the SG rural directorate and the SG Mental Health Directorate and would be happy to provide this information to the Disability Benefits Policy Unit aswell.

2.5 Ed Pybus (EP) then gave an update for CPAG. He reiterated concerns about communications with DWP regarding PIP assessments and making claims. He emphasised concerns that KB had raised about digital inclusion and problems with some people requiring medical evidence that GPs were not providing (one instance of a client being unable to obtain a DS1500). KB offered to follow up any problems of this nature through the Royal College of General Practitioners and with Directors of Public Health.

EP also noted that he had noticed a point on the Social Security Scotland website stating that people should ignore messages saying that they are out of time to make their claim as they have extended the time and question whether there was a way to remove the gate keeping so that if a case is late, the portal can override this. The Chair agreed to follow this up.

2.6 Yvette Burgess (YB) updated that the Coalition of Care and Support Providers in Scotland are working to re-configure services, particularly homelessness services, to help people who have been sleeping rough to get into hotel accommodation. Their contacts have also been engaged in helping people claim the benefits that they are entitled to.

2.7 Hannah Ross (HR) updated that COSLA are prioritising COVID-19 related work by convening groups and progressing work through virtual leaders meetings. They are involved in multi-agency work to support their members and communities.

ACTION: RG to share statistics on CAS advice trends with group when available.

ACTION: CM to follow up on the portal issue.

Agenda Item 3. Scottish Government update

3.1 The Chair noted that the priority for the programme is to get financial support to those most affected by the current crisis through the Scottish Welfare Fund and the delivery of Scottish Child Payment (SCP) and Child Winter Heating Assistance (CWhA) by the end of this year.

3.2 CM shared that the Disability benefits policy team are largely intact but have some team members managing working from home and child care arrangements. However, within the larger programme some staff have been temporarily redeployed to work on the response to COVID -19. The expectation is that they will return to the programme when that is possible.

3.3 CM updated that work is still continuing, including work on CDP and PIP policy, development of the end to end process for PIP and CDP and the consultation service design.

3.4 Cross cutting work to support these areas is also progressing with some exceptions, most notably Terminal Illness and information gathering as this work involves health and social care professionals. Motability have been accredited under

the AVE scheme and will therefore be ready to stand up during the delivery of the first form of assistance.

3.5 Work to set out the new timeframe for disability benefits is ongoing. This is dependent on when services return to normal. The Cabinet Secretary is looking to update parliament as soon as possible but this could take some time. There are resource implications for programme and the agency. The agency are currently focusing on continuing to deliver the wave 1 benefits while preparing to deliver SCP and CWHA.

CAS offered to provide any evidence about how the current system works to help fill in gaps in the research which was welcomed. It was noted that there was a further call with CAS scheduled for next week to pick up this offer of assistance.

Agenda Item 4. Update on Expedited Bill

The Chair gave an update on the Social Security and Administrations Tribunals Scotland Bill.

1.3 The expedited Bill to deal with social security administration issues and tribunals is expected to be introduced on Monday 27 April.

In summary, the Bill seeks to deliver necessary improvements to the existing legislative framework for social security by making provisions as follows:

- to create statutory fraud offences, in relation to new types of ‘top up’ assistance created under section 79 of the Social Security (Scotland) Act 2018 (“the 2018 Act”);
- to appoint persons to act on behalf of a child in relation to their application for assistance under the 2018 Act, ensuring that an appropriate person in the child’s life is the person that Social Security Scotland will deal with when the child’s parent or guardian is unable to act;
- to allow for the appointment of a person to act on behalf of an adult who does not lack capacity but due to difficult circumstances wishes for an appointee to act on their behalf;
- to introduce powers for the Scottish Ministers to withhold information about an individual’s health where that would be likely to cause serious harm to the recipient’s physical or mental health;
- to extend responsibility for diagnosing a terminal illness for social security purposes beyond registered medical practitioners; and
- to enable existing judges in other courts or tribunals to hear appeals in in the Social Security Chamber of the First-tier Tribunal for Scotland and in the Upper Tribunal for Scotland.

4.2 CM noted that they are still working through how this Bill will progress due to the parliament only sitting 1 day per week and issues associated with social distancing.

4.3 The suspension of payment of benefits will not be included at introduction of this bill but it is an issue that is still being considered.

CM added that she would be happy to take any individual phone calls to discuss any comments or questions.

ACTION: CM to circulate a link to the expedited bill.

Agenda Item 5. Questions submitted beforehand

5.1 KB highlighted that those who were experiencing the highest inequality at the beginning of the crisis will still be experiencing the most inequality after it. She also reminded the group that they should not forget the evidence that we know works to help people access the benefits they are entitled to.

5.2 EP promoted the [Bright Blue research](#) 'Separate Support: Attitudes to Social Security in Scotland' funded by the Joseph Rowntree foundation that was released last week. He noted that it shows the public are very much in agreement with what the Scottish Government are doing. EP agreed to circulate the report to the rest of the group.

5.3 EP added that the UK Government have raised the number of tax credits for UC, if this is reduced again after the crisis, many people will find themselves worse off than they are at the moment. EP asked that the Scottish Government consider whether there is anything they could do to mitigate this issue.

5.4 Members asked for information about the implications of the delay to the launch of disability benefits, the alternative for cancelling DWP face to face assessments for PIP and the re-contracting of assessment services. CM noted that DWP are currently undertaking the re-contracting of services and discussions are ongoing about Scotland's involvement in that. Members will be updated as soon as possible on any developments

CM confirmed that DWP have announced that all review activity has been suspended for 3 months meaning anyone who was due for a re-assessment will have it paused and they will continue to receive their current award. If they already had an appointment for a face to face assessment, Independent Assessment Services (IAS) will contact them to arrange a telephone assessment. This process began on 3rd of April and they are slowly increasing the number of telephone assessments being done. Pausing re-assessments allows providers to focus on new claims and that new claims will also be invited to a telephone assessment.

Members questioned what the DWP are doing for people whose awards are due to run out. CM suggested that members give their feedback and questions for DWP to

the Scottish Government who will endeavour to get clarification from UK Government counterparts. Members agreed that they would be happy to do this.

5.5 CM noted that there has been an impact on the Motability scheme provision which is currently closed to new applications due to car dealerships being closed. Motability are providing a continuity service for existing customers.

ACTION: CM to provide further information on DWP processes.

ACTION: Members to send questions and feedback to CM, Heather Mole or Shonagh Martin.

Agenda Item 6. AOB and Close

6.1 RG asked for an update on the CDP regulations. Officials will feedback on this item.

6.2 HM noted that the meeting technology had not been entirely successful as two members were unable to join and the quality of the call was unstable. Members suggested Zoom and Microsoft Teams for future calls, though Microsoft Teams is unavailable for Scottish Government employees to use. Officials will explore other options for the next meeting.

6.3 CM thanked members for joining the meeting of the IHDBSRG and closed.

ACTION: CM to get an update on CDP regulations

ACTION: Officials to look into other methods for hosting online meetings.