

BRIEFING PAPER

Creating a Fairer Scotland: A New Future for Social Security in Scotland

In October 2015, the Scottish Government published '*Creating a Fairer Scotland: Social Security, the Story So Far and Next Steps*'. This summarised conversations with citizens and organisations across Scotland.

In this paper the Scottish Government outline some of the early priorities that they seek to achieve through taking a fairer approach to social security, as well as the principles underpinning that approach. The vision and principles have been developed following a substantial programme of engagement with many stakeholders across Scotland, and they incorporate the views and ideas from those who are affected by the powers: primarily those who will receive the devolved benefits, groups who represent their interests, and those who will be key to making the vision a reality.

The Scottish Government's first priority is to make sure that as powers are devolved, people in receipt of the benefits continue to receive the correct amount of money they rely on, and that this is delivered on time.

Placing dignity and respect at the heart of all the Scottish Government does means that the delivery of social security is as important as the policy. The Cabinet Secretary for Social Justice, Communities and Pensioners' Rights therefore proposes to establish an agency within the Scottish Government. While the social security delivery platform will work in partnership with other organisations, there will be a public body at the centre, administering devolved benefits. This agency will work with stakeholders, practitioners and experts from local government, the third sector and representative organisations across Scotland.

Vision & Principles

The Scottish Government's vision is that Social Security is important to all of us. It should be able to support each of us as and when we need it.

Engagement with the people of Scotland has informed the development of a vision for social security powers, and a set of principles by which we they will be used.

PRINCIPLES

Principle 1: Social security is an investment in the people of Scotland

- Social security is an investment in the whole of Scotland and is an important tool for tackling poverty and inequality. Where some people face additional costs in their daily lives, it is right that society as a whole helps to meet those costs.
- Social security should help provide protection and act as a safety net in times of need. It should also aspire to provide a springboard and maximise the life chances of everyone, acting as an early intervention to give people the best possible chance.

Principle 2: Respect for the dignity of individuals is at the heart of everything the Scottish Government do

- At every step of engagement with individuals, the Scottish Government will treat people with dignity and respect. This means using language that is carefully considered and does not stigmatise.
- Social security should be regarded by everyone in society as an integral component of a fair and prosperous country.

Principle 3: Processes and services will be evidence based and designed with the people of Scotland

- Policies and processes should be based on the best evidence, and that those who are affected by them should have their say and are listened to. By combining the best evidence available with the views of applicants and professionals who provide support, it will be possible to design more effective policies and services. They will be better equipped to meet the needs of those who rely on them.

Principle 4: The Scottish Government will strive for continuous improvement in all policies, processes and systems, putting user experience first

- In the first instance, the priority will be to ensure a smooth transition from existing UK benefits to new Scottish arrangements, so that people will continue to receive the support to which they are entitled.
- Policies, processes and systems should evolve in response to how Scotland and its people change over time. They must have a transparent approach to monitoring and review which is built around listening to applicants and recipients.

Principle 5: Services will be shown to be efficient and value for money

- Taxpayers are entitled to expect that the investment we all make in social security should be well managed, cost effective and streamlined. This will be aligned with other services, where appropriate.
- It is clear from consultation that the system can be complex for individuals. The Scottish Government will look to reduce the bureaucracy involved in claiming benefits and ensure that, at all stages, people are provided with the relevant information on how the system will work for them.
- We will continue to work closely with other Scottish public services, learning from good practice and innovation with a view to working smarter to help deliver better objectives at a time of falling budgets.



AIMS

In the short to medium term the Scottish Government will ensure that:

- Recipients are treated with respect and dignity.
- Benefits are administered swiftly and meet the varying needs of recipients.
- People can access help and advice to claim the benefits to which they are entitled.
- Benefit take-up is maximised.
- There is efficiency for Scottish taxpayers.
- Scottish social security works well alongside other services.
- Benefit recipients have positive experiences of Scotland's social security.

In the longer term, the Scottish Government will ensure that:

- There is a person-centred social security service aligned with other services including, but not limited to, health and social care, housing and employment.
- Changes to social security mean there is less pressure on other public services.
- Benefit take-up continues to be maximised.
- There is greater integration with other support, including Self Directed Support.
- People with ill health or disability are supported to participate in society, fulfilling their potential in life and, if possible, in work.
- Recipients have an increased sense of control over their lives.
- The people of Scotland have more positive attitudes to social security.

WHAT THE SCOTTISH GOVERNMENT WILL DO - EARLY PRIORITIES

Feedback has shown that the most immediate priority is to ensure a safe, secure transition from the UK Government to the Scottish Government, making sure people see no disruption to payments which are a lifeline for many.

The Scottish Government has made four commitments to using new social security powers to improve the financial support available to benefit recipients.

1. Effectively abolish the bedroom tax.
2. Begin to increase Carer's Allowance to the level of Jobseeker's Allowance.
3. Abolish the rule whereby children with disabilities and their families stop receiving Disability Living Allowance/Carer's Allowance when they are in hospital for more than 84 days.
4. Enable Universal Credit to be paid directly to social landlords, as well as offering twice monthly payments to recipients rather than monthly payments.

Assessment

The Scottish Government will design a person-centred assessment process, stopping the 'revolving door' of assessments that have caused so much stress and anxiety. Long-term awards will be introduced for those with long term conditions. Wherever possible, assessments for those will be paper-based rather than face-to-face. Flexibility will be introduced into disability benefits.

User engagement

The Scottish Government will work with users and support services to develop working practices and processes which are humane, supportive and joined up. People will be aware of what is needed from them at each step of the process. The Scottish Government will build on the success of the recent devolution of the Independent Living Fund (ILF) to Scotland, an approach which was co-produced with disabled people, the organisations representing them and statutory sector partners. The new organisation ILF Scotland has been fully operational since 1 July 2015 and is run nationally with 19 disabled people at the heart of its decision making.

Disability benefits for adults – Disability Living Allowance and Personal Independence Payments

Many people will undergo a stressful transition from Disability Living Allowance (DLA) to Personal Independence Payments (PIP) over the next three years.

The Scottish Government intends to provide stability in the early years of transfer to the new system for people already receiving benefits. They will not ask anyone to be reassessed for the new Scottish benefits until they either wish to do so themselves, or they reach their reassessment point with their PIP award.

Carer's Allowance

The Scottish Government acknowledges the immense contribution carers, the majority of whom are women, make. They must be supported and sustained in their role. The devolution of Carer's Allowance provides an opportunity to better recognise this through the benefits system, alongside the wider support for eligible carers through the Carers (Scotland) Act 2016. It is estimated that unpaid carers save the Scottish economy £10.8 billion per year. This highlights the importance of the contribution carers make, unpaid, in relation to the amount of money spent annually on health and social services. Poor carer health can result in greater use of health and care services by the cared for person. Effective support for carers which allows them to maintain positive health and wellbeing can help prevent use of health and care services by the cared for person. The Scottish Government have announced that when powers are transferred, they will begin to increase Carer's Allowance to the same level of Jobseeker's Allowance. This will result in eligible carers receiving around £600 more each year.

Funeral Payments

Devolution of funeral payments gives the opportunity to set up a new benefit which is more streamlined, predictable and better integrated with Scottish policy, as part of a wider focus on funeral costs and funeral planning. The Scottish Government will aim to process applications for the funeral payment, once this power has been devolved, within ten working days of receipt of a completed application and make payments as soon as practicable thereafter. They will also create a more transparent benefit, allowing applicants and those supporting them to make better informed decisions when planning a funeral.

Sure Start Maternity Grants

The Sure Start Maternity Grant assists families on low incomes when faced with the costs of their first child, as part of an integrated package of social security, health and social care. There are a number of barriers which prevent women from getting a grant. The Scottish Government are therefore seeking to embed the Sure Start Maternity Grant with existing devolved support, for example by looking at how the grant can be used to link applicants to other services. They will also ensure effective connections are made with midwives, health visitors and other services, such as Family Nurse Partnerships, which are already in contact with potentially vulnerable mothers. This will make it easier for women to get the support they need during pregnancy, making a contribution to tackling child poverty and giving children a better start in life.

Winter Fuel and Cold Weather Payments

Winter Fuel Payments will not be means tested. Everyone who is currently eligible will retain their entitlement. There is also consideration as to whether it would be appropriate to extend eligibility to other vulnerable households, as well as whether it would help people more if the payment was converted to a fuel bill rebate.

Universal Credit

Universal Credit remains reserved to the UK Government, but new administrative flexibilities will be used to implement things differently, on Scotland's own terms. Applicants will be able to have their housing costs paid directly to social landlords, as well as having the choice to have their payments made twice per month, from the start of their claim. The Scottish Government want to give people more control over how they manage their Universal Credit account. Discussions are taking place regarding offering tenants in the private sector the same choice of having their rent paid directly to their landlord. The Scotland Bill will also give the Scottish Government the power to vary existing plans for single household payments of Universal Credit, meaning that payments would be split between members of a household.

Sanctions

There are significant concerns about the way that DWP applies sanctions to people on benefits. Scottish Government research has found that claimants who face sanctions are often unable to comply with conditions for a range of complex reasons, including lack of awareness, knowledge and understanding of the process; as well as practical and personal barriers. The Scottish Government are exploring how best to use the UK Government's 'Early Warning' trial to minimise the number of sanctions that are imposed.

A BETTER FUTURE

Establishing a Social Security Agency

The Scottish Government will establish a new national Social Security Agency. This means that, while these new powers will be delivered in partnership with other organisations, there will be a public body at the centre, overseeing devolved benefits. The new agency will be accountable directly to Scottish Ministers (who are, in turn, accountable to the Parliament). This means that those who will implement policy decisions in relation to devolved benefits will be answerable to the people of Scotland in a way that has not been possible before. Designing bespoke processes to support the delivery of devolved benefits by a new agency also gives the opportunity to simplify some of the existing bureaucracy. Systems and processes will be simplified, so that more resources can be spent on 'front-end', direct support rather than 'back-room' costs.

Treating people with dignity and respect

One of the key problems with the current system is the negative way it makes claimants feel. Scotland's public services will be based on a culture of respect, treating people with respect and dignity. The public will be expected to treat staff in those services in the same way. Language will be used which doesn't stigmatise individuals. Placing dignity and respect at the heart of policies and practices means the agency will have to support services that can be shaped flexibly to users' needs, rather than requiring everyone to undergo a mechanical, arbitrary 'one size fits all' approach. Ensuring the safe delivery of payments to recipients is essential, but as well as this, clear and timely information will be provided throughout all processes. Application forms, letters and other information will be easy to understand. Uncertainty about changes to benefits can cause significant stress to recipients. Each time there is a change – and particularly when responsibility transfers for each benefit from DWP to Scottish Ministers – a planning process will be put in place with DWP to make this transition as smooth as possible. A statutory process will be set out to enable individuals to challenge decisions made.

Participation

The Programme for Government makes clear the need to encourage and facilitate participation by everyone in the debates and decisions that matter to them most. The Scottish Government will continue its ongoing and wide-reaching programme of engagement and discussion with stakeholders across the range of social security powers. As well as this, user panels will be established, which are made up of benefit recipients, to help understand user views, shape the design of processes, and to monitor the impact of transitions and changes. There is a commitment to working with stakeholders, representative organisations and current users of the system, at every stage and every step on the way.

Longer-term reform

Once successful transition is assured, the Scottish Government will start to introduce longer term changes. For example on disability benefits, there will be consideration of opportunities to create consistent criteria for applicants throughout the time they require social security support. There will also be development of assessment processes which combine a person-centred approach with making the best of the services and resources that already exist to support and care for people. The devolved disability benefits will reflect wider aspects of the Scottish Government's vision for social security, such as the integration of social security powers with existing devolved services and support. A single benefit for people with ill health and disabilities will be considered as replacing, in the longer term, the existing different arrangements for children, older people and working age adults.

There are a wide range of existing advice, advocacy and support services currently provided in Scotland by organisations such as Citizens Advice Bureaux, charities and representative groups, local authorities and DWP. The new Social Security Agency will not, cannot and should not replace these services, but it will have to align with them and support a seamless customer experience, from advice to application and payment.

When the devolved benefits are established, the Scottish Government will work with the UK Government to ensure that those who are entitled to support through both reserved and devolved benefits are able to access that support as easily as possible. Work will also be carried out across all the devolved services that support people who are in receipt of benefits, to help ensure social security is aligned with them, and focused on the best outcomes for people.

Claimants will be made clearly aware how long processes will take and what will happen to them during their application or assessment. Maladministration and burdensome bureaucracy in the existing system can have a significant effect – causing delays to payments, leaving individuals without enough money for basics such as food, heating and rent. This should not happen; at the very least, a social security system should deliver the safety-net it is supposed to provide within a reasonable time-frame.

While the Scottish Government will be unable to speed up decisions in the 85% of the social security system that will remain reserved to DWP, they will be able to set out clear timescales for applications, assessments and decisions. A wide range of advice and information will be made available, in order to ensure everyone understands which benefits are being devolved and what new services our agency will provide. Information and guidance will be accessible to all; there will be online services for those who are able to use them and trained staff available to answer questions over the phone. It will be easier for stakeholders, representative groups and local delivery organisations to feedback on performance and for future improvements to the service to be ‘co-produced’ by drawing on Scottish knowledge, experience and need.



The full text of Creating a Fairer Scotland: A New Future for Social Security in Scotland can be found here:

<http://www.gov.scot/Topics/People/fairerscotland/future-powers/Publications/Future>

Overall information about the Scottish Government’s Fairer Scotland discussions can be found here:

<http://www.gov.scot/Topics/People/fairerscotland>

The summary of the survey undertaken by the SWC on further social security powers, as well as a copy of the report produced from a discussion event held by the organisation, can be found here:

<http://www.scottishwomensconvention.org/activities/fairerwork>