

Response ID ANON-CU3W-6WMA-W

Submitted to **A Consultation on Improving Disability Assistance in Scotland**

Submitted on **2019-05-28 16:11:56**

Section 1 - Disability Assistance in Scotland

1 Do you agree or disagree with the proposal to name Disability Assistance for clients aged 0-18 years old Disability Assistance for Children and Young People (DACYP)?

Agree

2 If you disagreed, please could you explain why.

If you disagreed, please could you explain why.:

Agree; proposed name is clear and concise.

3 Do you agree or disagree with the proposal to name Disability Assistance for clients aged 16 years old to state pension age Disability Assistance for Working-Age People (DAWAP)?

Agree

4 If you disagreed, please could you explain why.

If you disagreed, please could you explain why.:

Agree; proposed name is clear and concise.

5 Do you agree or disagree with the proposal to name Disability Assistance for clients who are state pension age or older Disability Assistance for Older People (DAOP)?

Agree

6 If you disagreed, please could you explain why.

If you disagreed, please could you explain why.:

Agree; proposed name is clear and concise.

7 Do you agree or disagree with the proposal to enable multiple application channels for Disability Assistance?

Agree

8 If you disagreed, please could you explain why.

If you disagreed, please could you explain why. :

Agree; to be inclusive, accessible and to respect individual choice and ability

9 Do you agree or disagree with the proposal to broadly replicate the current temporary absence rules?

Not Answered

10 If you disagreed, please could you explain why?

If you disagreed, please could you explain why?:

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

11 Do you agree or disagree with the proposal to implement a person-centred approach to making decisions about entitlement for Disability Assistance?

Agree

12 If you disagreed, please could you explain why?

If you disagreed, please could you explain why?:

Agree; this will allow consideration to be made of the specific circumstances and nuanced lived experience of each person.

The proposed provisions for people with terminal illness are particularly welcome.

The proposed condition of 'reasonableness' based on a person-centred assessment of functional ability (4.8) is to be welcomed, and should be explicitly laid out in the benefit regulations and guidance.

13 Do you agree or disagree with our proposed approach to the involvement of Specialist Advisors in Decision Making?

Agree

14 If you disagreed, please could you explain why.

If you disagreed, please could you explain why. :

15 What factors should Case Managers take into account in deciding when a Specialist Advisor should be involved?

What factors should Case Managers take into account in deciding when a Specialist Advisor should be involved? :

The factors stated i.e complexity of application, existence of a complex or rare condition, fluctuating condition; in addition, where there are complications caused by polypharmacy and where there are other complicating life circumstances and/or traumatic adverse life experiences that may exacerbate the person's medical condition.

16 Do you agree or disagree that the decision making process for Disability Assistance for Children and Young People, and for Older People should use existing supporting information and not through face-to-face assessments?

Agree

17 If you disagreed, please could you explain why.

If you disagreed, please could you explain why.:

18 What types of supporting information would be relevant in assessing an application for Disability Assistance eg. social work report, medical report?

What types of supporting information would be relevant in assessing an application for Disability Assistance eg. social work report, medical report?:

Social Work Scotland welcomes the principle that there should be no hierarchy of information. As well as medical and social work assessment information, there should be use made of all other relevant professional sources of information, i.e. occupational therapy, physiotherapy, nursing, education, plus information garnered from those who can contribute insight as to the lived experience of the person.

Practical issues in relation to verification of source of reports may need to be considered.

It should be noted that the content of social work assessments vary across Scotland, and that this is likely to feature in the workplan of the reform of Adult Social Care.

19 Do you agree or disagree with the proposal to have no set award durations but to set an award review date when a decision on a Disability Assistance application is made?

Don't know

20 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

21 Do you agree or disagree with the proposal to set an award review date 5-10 years in the future for a person with a condition unlikely to change?

Don't know

22 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

23 Do you agree or disagree with the proposal that a change of circumstances should be defined as a change which has an impact on the level of assistance a person receives?

Don't know

24 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

25 Do you agree or disagree with the proposal that clients have 31 days to request a redetermination?

Don't know

26 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

27 We have proposed that Social Security Scotland have a period of between 40 and 60 days to consider a redetermination of Disability Assistance. Do you agree or disagree with this proposal?

Don't know

28 If you disagreed, please explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

29 Do you agree or disagree that STA should not be paid to people who are not living or present in Scotland?

Don't know

30 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

31 Do you agree or disagree that STA should not be recoverable except where it is later established that the principal assistance type was claimed fraudulently when STA was awarded?

Don't know

32 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

33 Do you agree or disagree that STA should not be available where an investigation by Social Security Scotland has determined that the original payment was claimed fraudulently?

Don't know

34 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

35 Do you agree or disagree that any deductions being made from an on-going assistance type to service an overpayment liability should also be applied to STA?

Don't know

36 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

37 Do you agree or disagree that for successful process decision appeals where the tribunal has overturned Social Security Scotland's decision, STA should become available at the point the decision is overturned rather than the date of the original request?

Don't know

38 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

39 Do you agree or disagree with the proposed approach that, generally, where there is a break in a client's eligibility to receive the benefit, eg. due to being in residential care, they will cease to receive the benefit?

Don't know

40 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

41 Please outline any comments or experience you would like to share with us about overpayment recovery and the current DWP approach to deductions?

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

Section 2 – Disability Assistance for Children and Young People (DACYP)

42 Do you agree or disagree with our proposal to provide entitlement to Disability Assistance for Children and Young People to clients aged 0-18 years?

Agree

43 If you disagreed, please could you explain why.

Comments::

44 Do you agree or disagree with our proposal to extend eligibility, for those in receipt of Disability Assistance for Children and Young People before the age of 16, to age 18?

Agree

45 If you disagreed, please could you explain why.

Comments::

Agree. The proposed provisions for people aged 16 – 18 transitioning to adulthood are to be welcomed.

46 Do you agree or disagree with our approach to the eligibility rules for the different components of Disability Assistance for Children and Young People?

Don't know

47 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

48 Do you agree or disagree with the proposal to make a £200 Winter Heating Assistance payment to families in receipt of the highest rate care component of Disability Assistance for Children and Young People?

Agree

49 If you disagreed, please could you explain why.

Comments::

Section 3 - Disability Assistance for Working Age People (DAWAP)

50 Do you agree or disagree with our proposal to use a points based system to assess eligibility in relation to Disability Assistance for Working-Age People?

Don't know

51 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

52 Do you have any suggestions about the most appropriate way to assess eligibility in relation to mobility for Disability Assistance for Working-Age People?

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

53 Do you have any comments on the full list of descriptors (provided at page 36) currently used to assess claims for Personal Independence Payments?

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

54 What types of observations, as part of a face to face assessment, do you believe are inappropriate?

Comments::

Observations that are based on the prejudgements or assumptions of the assessor, and not supported by evidence.

55 In relation to assessments, what are your views on acceptable distances to travel?

Comments::

Social Work Scotland welcomes the introduction of home assessments. With Social Security Scotland staff based in each local authority, it would be appropriate to ensure that assessments are carried out as close to the person's home address as possible, in the person's preferred location.

56 What other circumstances should the Agency take into account?

Comments::

57 In relation to assessments, how many times do you think an individual should be able to reschedule, or fail to attend, an appointment?

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

58 In relation to a missed assessment, do you have any comments on what should amount to exceptional circumstances (e.g. hospital admissions)?

Comments::

SWS has no comment to make on the more technical/procedural questions in the consultation.

59 Please provide any comments you wish to make about the audio recording of assessments.

Comments::

We think that the person should have the right to decline audio recording of their assessment.

Section 4 - Disability Assistance for Older People (DAOP)

60 Do you agree or disagree with our proposal that Disability Assistance for Older People is provided to those who are state pension age or older?

Don't know

61 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

62 Do you agree or disagree with the proposed eligibility criteria for Disability Assistance for Older People?

Don't know

63 If you disagreed, please could you explain why.

Comments::

Social Work Scotland has no comment to make on the more technical/procedural questions in the consultation.

64 If you have any further comments you would like to make relating to Disability Assistance benefits not covered by this consultation document, please provide them below.

Comments::

No further comments

About you

What is your name?

Name:

Dr Jane Kellock

What is your email address?

Email:

jane.kellock@socialworkscotland.org

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

Social Work Scotland

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

Evaluation

Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)

Matrix 1 - How satisfied were you with this consultation?:

Slightly satisfied

Please enter comments here.:

Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:

Slightly satisfied

Please enter comments here.: