



Tressa Burke  
Assessments Workstream  
Disability and Carer Benefits Expert Advisory Group

Dear Tressa,

Thank you for your advice and recommendations of 31 May about the use of informal observations during assessments. I am sharing my response with you in confidence at this stage. This policy will be announced in due course.

We know that the current approach to the use of such observations is not well received, often leading to inaccurate conclusions in assessment reports. For that reason, I was keen that the Consultation on Disability Assistance also sought views on this matter. A majority of respondents (72.9%) responded to the question on informal observations. Significant numbers of respondents made comments about how they perceived assessments should be conducted; a key concern being that informal observations need to be discussed openly during the assessment in order to be transparent.

Having now had the opportunity to consider your advice alongside the responses to the consultation, I can confirm that I am happy to accept the Workstream's recommendations that informal observations, both 'functional' and 'non-functional', be permitted subject to the following guidelines:

- specific guidance, training and resources are developed for assessors regarding informal observations;
- clients must be made aware of what informal observations are, why they are being made and what impact they will have on the decision;
- all observations must be shared and recorded, the clients response should also be recorded;
- all clients must be informed of what observations have been made in the assessment, what the assessor infers from them, and that either the client or their advocate are given the right to comment on or challenge these observations during the assessment; and



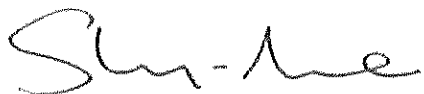
- Informal observations must be restricted to the assessment itself – observations cannot be made in the assessment centre (e.g. from the waiting room/car park etc. to assessment room) or on the person’s journey to and from the assessment centre.

I am grateful for the views and recommendations provided by the Workstream and the effort of its members in developing these. It is important that this policy is appropriately designed, communicated to individuals and that staff are supported to deliver it. Taking the approach outlined by the Workstream is in keeping with our commitment to treating people with dignity, fairness and respect and fosters trust between individuals and the Agency. This also supports a transparent and accessible assessments service, ensuring that clients are aware of what will happen at each stage of the process.

I will outline my support of these recommendations in the Scottish Government response to the Disability Assistance Consultation.

I wish you well in your continued consideration of these important matters and look forward to your next piece of advice.

Kind regards,



**SHIRLEY-ANNE SOMERVILLE**

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St Andrew's House, Regent Road, Edinburgh EH1 3DG  
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