**A New Future for Social Security**

**Consultation on Social Security in Scotland**

**Answer Booklet**

**July 2016**



**Introduction to the Answer Booklet**

This is designed to accompany the Consultation on Social Security in Scotland which can be found here: <http://www.gov.scot/Publications/2016/07/9955> . This booklet should be used if you can not or do not wish to provide an online response. Please refer to the consultation document to give context to the questions.

Send your completed response to:

socialsecurityconsultation@gov.scot

or

Social Security Consultation

5th Floor

5 Atlantic Quay

150 Broomielaw

Glasgow

G2 8LU.

We need to know how you wish your response to be handled and, in particular,

whether you are happy for your response to be made public. Please complete and

return the **Respondent Information Form**. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the

provisions of the Freedom of Information (Scotland) Act 2002 and would therefore

have to consider any request made to it under the Act for information relating to

responses made to this consultation exercise.

**Comments and complaints**

If you have any comments about how this consultation exercise has been conducted, please send them to:

Chris Boyland

5 Atlantic Quay, 5th floor

150 Broomielaw

Glasgow,

G2 8LU.

Or

E-mail: socialsecurityconsultation@gov.scot

**RESPONDENT INFORMATION FORM**

Consultation on Social Security in Scotland to determine how best to use the new social security powers which will be devolved by the Scotland Act 2016.

**Please Note** this form **must** be returned with your response.

Are you responding as an individual or an organisation?

[ ]  Individual

[ ]  Organisation

Full name or organisation’s name

Phone number

Address

Postcode

Email

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

[ ]  Publish response with name

[ ]  Publish response only (anonymous)

[ ]  Do not publish response

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

[ ]  No

**CONSULTATION QUESTIONS**

**PART 1: A PRINCIPLED APPROACH**

**1. Fixing the principles in legislation**

**Q: Which way do you think principles should be embedded in the legislation?**

(please tick the option/s you prefer)

|  |  |
| --- | --- |
| 1. As a ‘Claimant Charter’?
 |  |
| 1. Placing principles in legislation?
 |  |
| 1. Some other way, please specify
 |  |

Why do you favour this/these option/s?

Please explain your answer

If you think option A, ‘ a Claimant Charter’ is the best way to embed principles in the legislation please advise:

**Q: What should be in the Charter?**

Please explain your answer

**Q: Should the Charter be drafted by:**

(please tick the option/s you prefer)

|  |  |
| --- | --- |
| 1. An advisory group?
 |  |
| 1. A wider group of potential users and other groups or organisations?
 |  |
| 1. Both
 |  |
| 1. Some other way, please specify
 |  |

Why do you favour this/these option/s?

Please explain your answer

**Q: We are considering whether or not to adopt the name, “Claimant Charter”. Can you think of another name that would suit this proposal better? If so, what other name would you choose?**

Please specify below

**Q: Do you have any further comments on the ‘Claimant Charter’?**

Please specify below

If you think option B ‘placing the principles in legislation’ is the best way to embed principles in the legislation, please advise:

**Q: On whom would you place a duty to abide by the principle that claimants should be treated with dignity and respect?** (please tick the option you prefer)

|  |  |
| --- | --- |
| 1. The Scottish Government
 |  |
| 1. The Scottish Ministers
 |  |
| 1. The Chief Executive of the Social Security Agency
 |  |
| 1. Someone else, please specify
 |  |

Please specify below

**Q: Do you have any further comments on placing principles in legislation?**

Please specify below

**Q: Do you have any further comments or suggestions in relation to our overall approach, to fix our principles in legislation? For example, do you feel that there is no need to fix principles in legislation?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

Please explain your answer

**2. Outcomes and the user experience**

**Q: Are the outcomes (shown in the table on page 17 of the consultation) the right high level outcomes to develop and measure social security in Scotland?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

Please explain your answer

**Q: Are there any other outcomes that you think we should also include (and if so, why?)**

Please specify below

**Q: How can the Scottish social security system ensure all social security communications are designed with dignity and respect at their core?**

Please specify below

**Q: With whom should the Scottish Government consult, in order to ensure that the use of language for social security in Scotland is accessible and appropriate?**

Please specify below

**Q: Are there any particular words or phrases that should not be used when delivering social security in Scotland?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

Please state below which words or phrases should not be used

**Q: What else could be done to enhance the user experience, when considering the following?**

* When people first get in touch
* When they are in the processes of applying for a benefit
* When a decision is made (for example, about whether they receive a benefit)
* When they are in receipt of a benefit

Please specify below

**Q: How should the Scottish social security system communicate with service users? (For example, text messaging or social media)?**

Please specify below

**Q: What are your views on how the Scottish Government can ensure that a Scottish social security system is designed with users using a co-production and co-design approach?**

Please specify below

**Q: We are considering whether or not to adopt the name “User Panels”. Can you think of another name that would better suit the groups of existing social security claimants which we will set up?**

Please specify below

**3. Delivering social security in Scotland**

**Q: Should the social security agency administer all social security benefits in Scotland?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

Please explain you answer

**Q: Should the social security agency in Scotland be responsible for providing benefits in cash only or offer a choice of goods and cash?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

Please explain you answer

**Q: How best can we harness digital services for social security delivery in Scotland?**

Please specify below

**Q: Should social security in Scotland make some provision for face to face**

**contact?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

Please explain you answer

**Q: Who should deliver social security medical assessments for disability related benefits?**

Please specify below

**Q: Should we, as much as possible, aim to deliver social security through already available public sector services and organisations?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

Please explain you answer

**Q: Should any aspect of social security be delivered by others such as the 3rd sector, not for profit organisations, social enterprises or the private sector?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

If yes, which aspects?

**4. Equality and low income**

**Q: How can the Scottish Government improve its partial EqIA so as to produce a full EqIA to support the Bill?**

These prompts could be helpful in framing your answer:

* What does the Scottish Government need to do, as it develops a Scottish social security system, to ensure that equality implications are fully taken into account?
* What does the Scottish Government need to do, as it develops a Scottish social security system, to ensure that any implications for those on low incomes are fully taken into account?
* Are there equality considerations for individual benefits that you would like to draw to our attention?
* Are there considerations about individual benefits for those on low incomes that you would like to draw to our attention?
* What are your views on how we can best gather equality information for the new Scottish benefits?
* What does the Scottish Government need to do to ensure that its social security legislation (including secondary legislation and guidance) aligns its vision and principles with equality for all those who need assistance through Social Security support?
* What does the Scottish Government need to do to ensure that a Scottish social security system provides the right level of support for those who need it, and what are the possible equality impacts of this?

Please specify below

**5. Independent advice and scrutiny**

**Q: Do you think that there is a need for an independent body to be set up to scrutinise Scottish social security arrangements?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

Please explain your answer

**Q: If you agree, does the body need to be established in law or would administrative establishment by the Scottish government of the day be sufficient?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer  |

**Q: If yes, what practical arrangements should be made for the independent body (for example, the law could state how appointments to it are made and the length of time an individual may serve as a member of the body)?**

|  |
| --- |
| Please specify below  |

**Q: Should there be a statutory body to oversee Scottish social security decision making standards?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer  |

**Q: If yes, should this be a separate body in its own right?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer  |

**Q: Do you have any other views about the independent scrutiny of social security arrangements in Scotland (e.g. alternative approaches)?**

|  |
| --- |
| Please specify below  |

**PART 2: THE DEVOLVED BENEFITS**

**6. Disability Benefits** (Disability Living Allowance, Personal Independence Payment, Attendance Allowance, Severed Disablement Allowance and Industrial Injuries Disablement Benefit)

**Q: Thinking of the current benefits, what are your views on what is right and what is wrong with them?**

**Disability Living Allowance (DLA)**

|  |
| --- |
| What is right with DLA? |

|  |
| --- |
| What is wrong with DLA? |

**Personal Independence Payment (PIP)**

|  |
| --- |
| What is right with PIP? |

|  |
| --- |
| What is wrong with PIP? |

**Attendance Allowance (AA)**

|  |
| --- |
| What is right with AA? |

|  |
| --- |
| What is wrong with AA? |

**Q: Is there any particular change that could be made to these disability benefits that would significantly improve equality?**

|  |
| --- |
| Please specify below  |

We want to make sure that the process is clear and accessible from start to finish, and that people claiming devolved benefits understand how and when their claim will be dealt with.

**Q: In relation to the above how should the new Scottish social security system operate in terms of**:

* A person applying for a disability related benefit
* The eligibility criteria set for disability related benefits
* The assessment/consideration of the application and the person’s disability and/or health condition
* The provision of entitlements and awards (at present cash payments and the option of the Motability Scheme)
* The review and appeal process where a person isn’t content with the outcome

|  |
| --- |
| Please specify below  |

**Q: With this in mind, do you think that timescales should be set for assessments and decision making?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer  |

**Q: What evidence and information, if any, should be required to support an application for a Scottish benefit?**

|  |
| --- |
| Please specify below  |

Who should be responsible for requesting this information?

|  |
| --- |
| Please specify below  |

Who should be responsible for providing it?

|  |
| --- |
| Please specify below  |

|  |
| --- |
| Please explain why |

**Q: Should the individual be asked to give their consent (Note: consent must be freely given, specific and informed) to allow access to their personal information, including medical records, in the interests of simplifying and speeding up the application process and/or reducing the need for appeals due to lack of evidence?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| If no, please explain why |

**Q:** **If the individual has given their permission**, **should a Scottish social security agency be able to request information on their behalf?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| If no, please explain why |

**Q: Do you agree that the impact of a person’s impairment or disability is the best way to determine entitlement to the benefits?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| If yes, which aspects of an individual’s life should the criteria cover and why?  |

|  |
| --- |
| If no, how do you suggest entitlement is determined? |

**Q: Currently there are only special rules for the terminally ill but should there be others?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |
| How could this be determined? |

**Q: What do you think are the advantages and disadvantages of automatic entitlement?**

|  |
| --- |
| Please specify below |

**Q: Would applicants be content for their medical or other publicly-held records, for example, prescribing and medicines information or information held by HMRC, to be accessed to support automatic entitlement where a legal basis existed to do this?**

|  |
| --- |
| Please specify below |

**Q: Do you agree that the current UK-wide PIP and AA process for supporting people with terminal illnesses is responsive and appropriate?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| If yes, should this approach be applied to all disability-related benefits for people with a terminal illness?  |

|  |
| --- |
| If no, how could the approach could be improved?  |

**Q: Should there be additional flexibility, for example, an up-front lump sum?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your reasons |

**Q: In the longer term, do you think that the Scottish Government should explore the potential for a consistent approach to eligibility across all ages, with interventions to meet specific needs at certain life stages or situations?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: What would the advantages and disadvantages of a single, whole-of-life benefit be?**

|  |
| --- |
| Please specify below |

**Q: Could the current assessment processes for disability benefits be improved?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain how |

**Q: For those people that may require a face-to-face assessment, who do you think should deliver the assessments and how?**

For example, private organisation, not-for-profit organisation, public sector body or professional from health or social care.

|  |
| --- |
| Please specify below |

**Q: What are the advantages and disadvantages of different types of assessments?**

e.g. paper based, face-to-face, telephone

|  |
| --- |
| Please specify below |

**Q: How could the existing assessment process be improved?**

|  |
| --- |
| Please specify below |

**Q: Could technology support the assessment process to promote accessibility, communication and convenience?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: If yes, please explain what technology would be helpful**

e.g. Skype, video conferencing

|  |
| --- |
| Please specify below |

**Q: If the individual’s condition or circumstances are unlikely to change, should they have to be re-assessed?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: What evidence do you think would be required to determine that a person should / or should not be reassessed?**

|  |
| --- |
| Please specify below |

**Q: Who should provide that evidence?**

|  |
| --- |
| Please specify below |

**Q: Do you think people should be offered the choice of some of their benefit being given to provide alternative support, such as reduced energy tariffs or adaptations to their homes?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

|  |
| --- |
| What alternative support do you think we should be considering? (Please specify below) |

**Q: Would a one-off, lump sum payment be more appropriate than regular payments in some situations**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain the reason for your answer |

|  |
| --- |
| If yes, what are they?  |

**Q: What would be the advantages and disadvantages of such an approach?**

|  |
| --- |
| Please specify below  |

**Q: Should the new Scottish social security system continue to support the Motability scheme?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: How could the new Scottish social security system support older people with mobility problems not eligible for a mobility allowance?**

|  |
| --- |
| Please specify below |

**Q: How could the new Scottish social security system better support people of all ages with mobility problems who are in receipt of a mobility allowance?**

|  |
| --- |
| Please specify below |

**Q: What kind of additional support should be available for people who need more help with their application and during assessment?**

|  |
| --- |
| Please specify below |

**Q: How could disability benefits work more effectively with other services at national and local level assuming that legislation allows for this** e.g. with health and social care, professionals supporting families with a disabled child.

|  |
| --- |
| Please specify below |

**Q: How do you think this might be achieved?**

|  |
| --- |
| Please specify below |

**Q: What are the risks?**

|  |
| --- |
| Please specify below |

**Q: If DLA and PIP help meet the additional costs of disability, what is the role of Industrial Injuries Disablement Benefit (IIDB) and its supplementary allowances (Constant Attendance Allowance, Reduced Earnings Allowance etc) in the benefits system?**

|  |
| --- |
| Please specify below |

**Q: In addition to the issues set out at page 47 of the consultation, please tell us:**

|  |
| --- |
| **What is right with the IIDB scheme?** |

|  |
| --- |
| **What is wrong with the IIDB scheme?** |
| Please explain your answer  |

**Q: Should different approaches be taken for people with life limiting conditions compared to people with less severe conditions?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| What would be the advantages or disadvantages of such an approach? |

**Q: Are there situations where a one off lump sum payment would be more appropriate than a regular weekly IIDB benefit payment?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| What are they, and why? What would be the advantages and disadvantages of such an approach? |

**Q: Should the Scottish Government seek to work with the UK Government to reform the IIDB scheme?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| If yes, what should the priorities be? What barriers might there be to this approach? |

**Q: Do you agree with the Scottish Governments approach to Severe Disablement Allowance?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**7. Carers Allowance**

**Q: Do you agree with the Scottish Government’s overall approach to developing a Scottish Carer’s Benefit?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: Do you agree with our proposed short to medium term priorities for developing a Scottish carer’s benefit?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: How can we improve the user experience for the carer (e.g. the application and assessment process for carer’s benefit)?**

|  |
| --- |
| Please specify below  |

**Q: Should the Scottish Government offer the choice of exchanging some (or all) of a cash benefit for alternative support (e.g. reduced energy tariffs)?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: What alternative support should be considered?**

|  |
| --- |
| Please specify below  |

**Q: How can we achieve a better alignment between a future Scottish carer benefit and other devolved services?**

|  |
| --- |
| Please specify below  |

**Q: How can we improve the support given to young people with significant caring responsibilities - beyond what is currently available?**

|  |
| --- |
| Please specify below  |

**Q: Do you agree with our proposed long term plans for developing a Scottish Carer’s Benefit?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: Do you have any other comments about the Scottish Governments proposals for a Scottish Carer’s Benefit?**

|  |
| --- |
|  |

**8. Winter Fuel and Cold Weather Payments**

**Q: Do you have any comments about the Scottish Government’s proposals for Winter Fuel and Cold Weather Payments?**

|  |
| --- |
| Please specify below |

**Q: Could changes be made to the eligibility criteria for Cold Weather Payments? For example, what temperature and length should Cold Weather Payments be made on in Scotland?**

|  |
| --- |
| Please specify below |

**9. Funeral Payments**

**Q: Proposals for Funeral Payment: What should the benefit cover?**

|  |
| --- |
| Please specify below |

**Q: Which of these elements do you think should be paid for by the Funeral Payment?**

|  |  |  |
| --- | --- | --- |
|  | YES | NO |
| Professional funeral director fees – advice and administration etc. |  |  |
| Removal or collection of the deceased |  |  |
| Care and storage of the deceased before the funeral |  |  |
| Coffin  |  |  |
| Hearse or transport of the deceased |  |  |
| Limousines or other car(s) for the family |  |  |
| Flowers  |  |  |
| Death notice in a paper/local advertising to announce details of funeral (time and location) |  |  |
| Fees associated with the ceremony e.g. for the minister or other celebrant  |  |  |
| Order of service sheets  |  |  |
| Catering for wake/funeral reception  |  |  |
| Venue hire for a wake/funeral reception  |  |  |
| Memorial headstone or plaque  |  |  |
| Travel expenses to arrange or attend the funeral |  |  |

**Q: Are there other elements that you think should be included or explicitly excluded?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: How can we improve the process for identifying whether someone is responsible for the funeral and should receive the funeral payment?**

|  |
| --- |
| Please specify below |

**Q: In terms of the Scottish Funeral Payment, are there any qualifying benefits (e.g. Pension Credit) that you would add to or take away from the current qualifying benefit list?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer |

**Q: Is the three month application window for a Funeral Payment sufficient time for claimants to apply?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| If no, please explain your answer and suggest an alternative length of time in which a claim could be made. |

**Q: What are your views on the options for speeding up and simplifying the payment?**

|  |
| --- |
| Please specify below |

**Q: The other funds which are deducted from the DWP funeral payment are listed below. What sorts of funds do you think it is appropriate to deduct from a Scottish FP?**

|  |  |  |
| --- | --- | --- |
|  | YES | NO |
| Funds in the deceased’s bank account |  |  |
| Funeral plan/insurance policy |  |  |
| Contributions from charities or employers |  |  |
| Money from an occupational pension scheme |  |  |
| Money from a burial club |  |  |

**Q: Are there any other funds that you think are appropriate to deduct?**

|  |
| --- |
| Please specify below |

**Q: Which services should promote awareness of the funeral payment to ensure that claimants know about it at the relevant time?**

|  |
| --- |
| Please specify below |

**Q: Are there any other points that you would like to raise in connection with the new Scottish Funeral Payment?**

|  |
| --- |
| Please specify below |

**10.** **Best Start Grant**

**Q: What are your views on who should receive the Best Start Grant (BSG)?**

|  |
| --- |
| Please specify below |

**Q: Should we continue to use the same system to determine who is responsible for a child for the purposes of the BSG application?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: Do you agree that each of the three BSG payments should only be made once for each child?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| If no, what exceptions would you make to this rule? |

**Q: Should we continue to use the same method as the SSMG to determine whether a child is the first child in a household?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

|  |
| --- |
| **If no, what alternative method should we use?** |

**Q: Do you agree that we should retain the requirement to obtain advice from a medical professional before making a maternity payment?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer |

**Q: Are there other points during the first five years of a child’s life when families face greater pressure than at the start of nursery (other than birth and the start of school)?**

|  |
| --- |
| Please specify below |

**Q: What are your views on defining ‘the start of nursery’ as the point of entitlement to a funded early learning and childcare place, for the purposes of making the second payment?**

|  |
| --- |
| Please specify below |

**Q: Are there any particular issues related to the nursery payment that you think we should consider?**

|  |
| --- |
| Please specify below |

**Q: Are there any particular issues related to the school payment that you think we should consider?**

|  |
| --- |
| Please specify below |

**Q: Should the school payment be payable to all eligible children who begin primary school for the first time in Scotland, or should an upper age limit be included?**

|  |
| --- |
| Please specify below |

**Q: What are your views on our proposals in relation to the BSG application process?**

|  |
| --- |
| Please specify below |

**Q: What are your views on establishing an integrated application process for the BSG and Healthy Start?**

|  |
| --- |
| Please specify below |

**Q: What are the advantages and disadvantages of this approach?**

|  |
| --- |
| Please specify below |

**Q: Would the option to receive items rather than a cash payment as part of the BSG have benefits?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: Which services should promote awareness of the BSG to ensure that claimants know about it at the relevant time?**

|  |
| --- |
| Please specify below |

**11. Discretionary Housing Payment**

**Q: Could the way that Discretionary Housing Payments (DHPs) are currently used be improved?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: Could the administration of DHP applications be improved?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: Does the guidance for local authorities on DHPs need amending?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**12. Job Grant**

**Q: What should the Scottish Government consider in developing the Job Grant?**

|  |
| --- |
| Please specify below |

**13. Universal Credit flexibilities**

**Q: Should the choice of managed payments of rent be extended to private sector landlords in the future?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: Should payments of Universal Credit be split between members of a household?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

If Yes, please indicate if you think the default position should be:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| a) automatic payments to individuals, with the option to choose a joint payment(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

b) automatic household payments, with the option to choose individual payments?(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

 |

**If Yes, how do you think payments should be split? For example 50/50 between members of a couple or weighted towards the person who is the main carer if the claim includes dependent children?**

|  |
| --- |
| Please specify below |

**Q: Do you have any other comments about how the Scottish Government’s powers over Universal Credit administrative flexibilities will be delivered?**

|  |
| --- |
| Please specify below |

**Q: Do you have any comments about the Scottish Government’s powers over the housing element of Universal Credit?**

|  |
| --- |
| Please specify below |

**PART 3: OPERATIONAL POLICY**

**14. Advice, representation and advocacy**

**Q: What role[s] should publicly funded advice providers play in the development of a new Scottish social security system?**

|  |
| --- |
| Please specify below |

**Q: What steps need to be taken, to understand the likely impact of the transfer of the devolved benefits on publicly funded advice in Scotland?**

|  |
| --- |
| Please specify below |

**Q: How could the transfer of the devolved benefits to Scotland be used to drive improvements in the provision of publicly funded advice?**

|  |
| --- |
| Please specify below |

**Q: Do you think that Independent Advocacy services should be available to help people successfully claim appropriate benefits?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: What next steps would you recommend that would help the Scottish Government better understand the likely impact of the transfer of the devolved benefits on independent advocacy services?**

|  |
| --- |
| Please specify below |

**15. Complaints, reviews and appeals**

**Q: Do you agree that we should base our CHP on the Scottish Public Services Ombudsman’s ‘Statement of Complaints Handling Principles’?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: How should a Scottish internal review process work?**

|  |
| --- |
| Please specify below |

**Q: What would be a reasonable timescale for the review to be carried out?**

|  |
| --- |
| Please specify below |

**Q: Should a tribunal be used as the forum for dispute resolution for the Scottish social security system?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: If no, are there any alternative methods of dispute resolution that you think would be preferable to a tribunal?**

|  |
| --- |
| Please specify below |

**Q: How can we ensure that our values underpin the appeals process for a Scottish Social Security agency?**

|  |
| --- |
| Please specify below |

**Q: Are there any other values that you feel should be reflected in the design of the appeals process?**

|  |
| --- |
| Please specify below |

**Q: What do you consider would be reasonable timescales to hear an appeal in relation a decision on a devolved benefit?**

|  |
| --- |
| Please specify below |

**Q: In order to ensure a transparent appeals process, what steps could be taken to ensure that those appealing fully understand and are kept informed at each stage of the appeals process?**

|  |
| --- |
| Please specify below |

**Q: How could the existing appeals process be improved?**

|  |
| --- |
| Please specify below |

**16. Residency and cross-border issues**

**Q: Should Scottish benefits only be payable to individuals who are resident in Scotland?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain why |

**Q: What are your views on the ‘habitual’ residence test currently used in the UK by DWP?**

|  |
| --- |
| Please specify below |

**Q: Are there other issues that the Scottish Government should take into account when it comes to residency rules?**

|  |
| --- |
| Please specify below |

**Q: What factors should Scottish Government consider in seeking to coordinate its social security system with other social security systems in the UK?**

|  |
| --- |
| Please specify below |

**Q: How can the Scottish Government ensure that no-one either falls through the cracks or is able to make a ‘double-claim’?**

|  |
| --- |
| Please specify below |

**17. Managing overpayments and debt**

**Q: Could the existing arrangements for recovering social security overpayments be improved in the new Scottish social security system?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| If yes, please explain your answer |

**Q: What are your views on the role that financial advice can play in the recovery of overpayments?**

|  |
| --- |
| Please specify below |

**18. Fraud**

**Q: Should the existing Scottish Government approach to fraud be adopted for use in our social security system?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| If no, what else should be used instead? |

**Q: If yes, should our existing counter-fraud strategy be adapted in any way?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer |

**Q: How could the new Scottish social security system ‘design out’ errors and reduce the potential for fraud at the application stage?**

|  |
| --- |
| Please specify below |

**Q: Should the Scottish social security system adopt DWP’s existing code of practice for investigators?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer |

**Q: What are your views on the existing range of powers granted to investigators?**

|  |
| --- |
| Please specify below |

**Q: What are your views on conducting interviews under caution?**

|  |
| --- |
| Please specify below |

**Q: What improvements could be made around conducting interviews under caution?**

|  |
| --- |
| Please specify below |

**Q: Should the Scottish Government retain the same list of offences which people can be found guilty of in terms of social security fraud?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer |

**Q: Should the Scottish Government impose the same level of penalties for social security fraud as are currently imposed?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer |

**19.** **Safeguarding your information**

**Q: Should the existing Scottish Government approach to Identity Management and Privacy Principles be adopted for use in our social security system?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer |

**Q: If yes, should our existing Identity Management and Privacy Principles be adapted in any way?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain how |

**Q: Who do you consider should be consulted in regard to the Privacy Impact Assessment and what form would this take?**

|  |
| --- |
| Please specify below |

**Q: What are your views on privacy issues that may affect the new agency?**

|  |
| --- |
| Please specify below |

**Q: Do you perceive any risks to the individual?**

|  |
| --- |
| Please specify below |

|  |
| --- |
| If Yes, What solutions might be considered to mitigate against these? |

**Q: Would you support strictly controlled sharing of information between public sector bodies and the agency, where legislation allowed, to make the application process easier for claimants?** For example, this information could be used to prepopulate application forms or to support applications, reducing the burden on applicants.

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer |

**Q: Would you support strictly controlled sharing of information between a Scottish social security agency and other public sector organisations (for example local authorities) to support service improvements and deliver value for money?**

(please tick one box)

|  |  |
| --- | --- |
| **Yes** |  |
| **No**  |  |

|  |
| --- |
| Please explain your answer |

**Q: What are your views on having the option to complete social security application forms online? Can you foresee any disadvantages?**

|  |
| --- |
| Please specify below |

**Q: What are your views on the new agency providing a secure email account or other electronic access to check and correct information for the purposes of assessing applications (noting that any such provision would need to be audited and regulated so that the security and accuracy of the information would not be compromised)?**

|  |
| --- |
| Please specify below |

**20. Uprating**

**Q: What are your views on the best way to ensure that devolved benefits keep pace with the cost of living?**

|  |
| --- |
| Please specify below |

**Q: Are there any devolved benefits in particular where uprating based on a measure of inflation would not be effective?**

|  |
| --- |
| If so, please explain which benefits and why |