

# ***THE SOCIAL SECURITY (SCOTLAND ) BILL 2017***

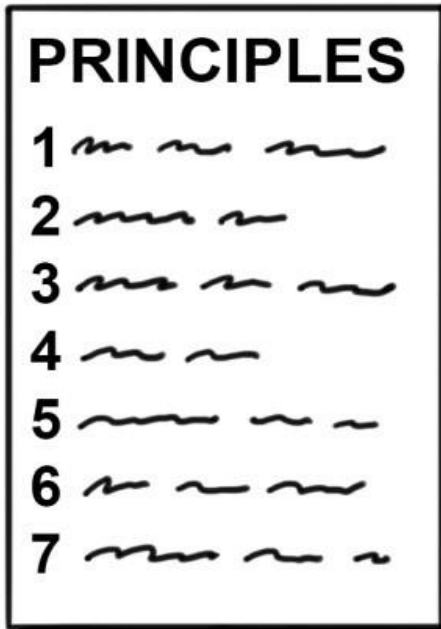


**The Bill represents the next step in building a new Scottish social security system.**

It will be delivered alongside work to set up a new Scottish social security agency.

## *THE BILL*

The Bill will establish a Scottish system based on the principle that **social security is a human right and is key to the establishment of other human rights.**



**Part 1 of the Bill sets out seven principles.** These principles will make it possible to check that the new social security system is running properly.

## ***THE BILL***

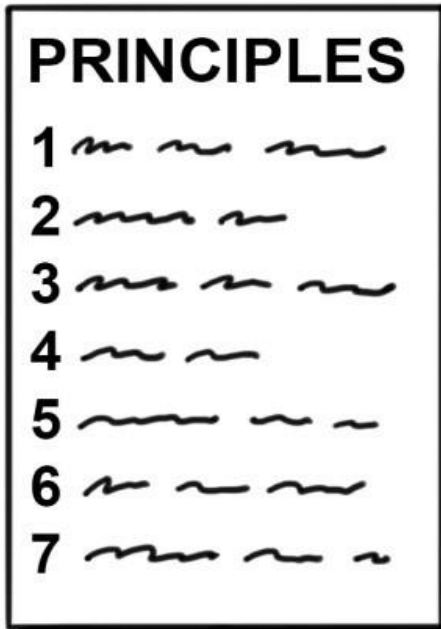
The Bill enables the Scottish Government to **create new benefits and new versions of existing benefits.**



We can improve the way benefits are delivered.  
**For example, we will replace ‘mandatory reconsiderations’ with a fairer process.**

## *THE BILL*

The Scottish Government will have to produce a charter and **report to the Parliament on their delivery against the charter.**



The Bill also reflects the Scottish Government's commitment to **help maximise people's incomes and encourage the take-up of all benefits.**

## ***GIVING OF ASSISTANCE***



The Bill sets out the rules by which the Scottish Government will provide social security assistance.

# ***GIVING OF ASSISTANCE***

The rules will cover:



- making decisions about who gets benefits
- having a decision looked at again, if someone thinks it was wrong
- how to appeal against a decision

# ***GIVING OF ASSISTANCE***

The rules will **also** cover:



- What happens when people are paid too much by mistake and
- What happens when people claim benefits they know they shouldn't get (this is called fraud)

## ***CHALLENGING DECISIONS***

We will introduce a new, fairer approach to challenging decisions.

The initial decision will be set aside and the 're-determination process' will be a complete re-run of the application and decision process.



## ***CHALLENGING DECISIONS***

- Re-determinations will have fixed time-limits.
- If the agency does not complete a re-determination within the time limit, the individual will be able to proceed directly to an appeal to a tribunal.
- The Bill does not replicate the DWP's existing civil penalty regime in relation to overpayments.

## ***TYPES OF ASSISTANCE***



- The Bill describes the types of social security assistance which the Government will give
- The Bill also allows the Scottish Government to make regulations for different benefits

# *TYPES OF ASSISTANCE*



- We will provide illustrative regulations during Stage 1 of the Parliamentary process
- So people will be able to see what we think the rules should be

# ***TYPES OF ASSISTANCE***



Putting the rules relevant to a particular type of assistance together in a single set of regulations will make the rules easier to understand.

## ***TYPES OF ASSISTANCE***

The benefits being devolved and which will be covered by the Bill are:-



- Disability Living Allowance and Personal Independence Payment
- Attendance Allowance
- Severe Disablement Allowance and
- Industrial Injuries Disablement Benefit

## ***TYPES OF ASSISTANCE***

The benefits being devolved and which will be covered by the Bill are:-



- Benefits for carers, currently Carer's Allowance and



- Benefits for maternity expenses, currently the Social Fund Sure Start Maternity Grants.

## ***TYPES OF ASSISTANCE***

The benefits being devolved and which will be covered by the Bill are:-



- Benefits for funeral expenses, currently provided as a Social Fund payment and



- Discretionary Housing Payments.

## ***TYPES OF ASSISTANCE***

The benefits being devolved and which will be covered by the Bill are:-



- Cold Weather Payments
- and annual Winter Fuel Payments



## ***SUPPLEMENTING ASSISTANCE***

The Bill enables the earliest possible delivery of our commitment to increase Carer's Allowance to the level of JSA.



This means that the supplement will be delivered from summer 2018, increasing payments to carers to the same level as Jobseeker's Allowance – **an investment of more than £30 million per year.**

## *WHAT HAPPENS NEXT?*



- Members of the Scottish Parliament and other organisations will look at the Bill and say what they think about it.
- The Bill is not expected to become law in Scotland until **May 2018**
- After the Bill has become law, payments of different benefits will begin at different times.

## ***THE NEW AGENCY***



- The Agency will have a central office as well as providing locally accessible face-to-face in places people already visit.
- This approach is intended to be more helpful service and to provide the same service everywhere in Scotland, regardless of where you live.

## ***THE NEW AGENCY***



- Early estimates are the agency will employ at least 1,500 staff with annual running costs of around £150 million. These will be refined as further policy and operational decisions made.
- Private companies will not be involved in assessment of people's health and eligibility for benefits.

## *ANY QUESTIONS?*

Contact:

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Find out more about Scotland's new social security powers:

[www.gov.scot/socalsecurity](http://www.gov.scot/socalsecurity)