From: **[redacted]**@gov.scot>
Sent: 09 January 2019 18:12
To: **[redacted]**@gov.scot>; **[redacted]**@gov.scot>
Cc: **[redacted]**@gov.scot>
Subject: RE: Consultation and EQIA

Thanks **[redacted]** I don't know how I didn't spot this e-mail yesterday.

What date do you think it'll need to go to Ann? Because if we don't get the data until the 21st and can only finish it off and get it out for comment after that, bearing in mind it needs to be circulated pretty widely, that could be awfully tight.

From: **[redacted]**@gov.scot>
Sent: 08 January 2019 13:49
To: **[redacted]**@gov.scot>; **[redacted]**@gov.scot>
Cc: **[redacted]**@gov.scot>
Subject: Consultation and EQIA

In light of the statement being moved to 22nd February, **[redacted]** view was that we should stick with our Feb consultation launch date. I think the work you've both done getting the consultation document and the IAs completed means we're in a pretty good place to meet this deadline. Intention was to get this to Cab Sec for 4th Feb, is this still feasible? We'll also need to build in time for clearance by Ann/Lisa and Stephen.

[redacted] regarding modelling see email from **[redacted]** - confirmation that we'll have data for EQIA, CRWIA and BRIA by 21st (latest). We will need to get completed drafts of those ready so that we can 'slot in' the stats to match our assumptions.

[redacted] – do you have any capacity to continue looking at the EQIA?

I'm happy to try to complete the BRIA and CRWIA once modelling comes back

[redacted]– EIA checklist/screening – you're still ok to do this?

Anything else we've forgotten?

Regards,

[redacted]Social Security Policy I Scottish Government 2-D (South) Victoria Quay Edinburgh EH6 6QQ
[redacted]
[redacted]@gov.scot

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W: beta.gov.scot/policies/social-security/
T: @ScotGovSocSec

[redacted]

From: **[redacted]**@gov.scot> **On Behalf Of** Cabinet Secretary for Social Security and Older People
Sent: 08 February 2019 14:59
To: **[redacted]**@gov.scot>; Cabinet Secretary for Social Security and Older People <CabSecSSOP@gov.scot>
Cc: **[redacted]**@gov.scot>; McVie A (Ann) <Ann.McVie@gov.scot>; **[redacted]**@gov.scot>
Subject: RE: Disability Assistance Consultation Timeline

Hi **[redacted]**

Thank you for your email.

Ms Somerville has noted this.

Thanks,
[redacted]

[redacted]
Assistant Private Secretary to Minister for Older People and Equalities
[redacted]
The Scottish Government | St Andrew's House, Regent Road, EDINBURGH EH1 3DG

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From: **[redacted]**@gov.scot>
Sent: 05 February 2019 13:40
To: Cabinet Secretary for Social Security and Older People <CabSecSSOP@gov.scot>
Cc: **[redacted]**@gov.scot>; McVie A (Ann) <Ann.McVie@gov.scot>; **[redacted]**@gov.scot>
Subject: Disability Assistance Consultation Timeline

[redacted]

In relation to the upcoming Disability Assistance Consultation, please see below the timescales requested APS, the contractor who provide the publishing services for SG, in order to have time to prepare drafts for publication on 1st March:

- They'll need a completed draft on 18th February – we may be able to push back on this a bit to the end of w/c 18th
- They need final amendments by the morning of 27th February
- For an Easy-Read version, they suggest allowing 20 working days for longer, more complex documents. Given past experience of commissioning Easy-Read, a number of iterations are required after officials review so we anticipate that this will not be ready until after the consultation launches.
- We're awaiting timescales on a Braille and Audio version of the consultation

Happy to discuss how this timeline aligns with the submission of the consultation document to the Cabinet Secretary.

Kind regards,

[redacted] Social Security Policy I Scottish Government 2-D (South) Victoria Quay Edinburgh EH6 6QQ
[redacted]
[redacted]@gov.scot

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W: beta.gov.scot/policies/social-security/
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[redacted]

From: **[redacted]**@gov.scot>
Sent: 27 February 2019 13:11
To: **[redacted]**@gov.scot>; **[redacted]**@gov.scot>
Subject: RE: Official: Sensitive, Disability Assistance Consultation

For 'non Tuesday' tasks:

- Continue with CAD in commissioning analysis
- Easy-Read summary consultation doc through clearance (inc. Cab Sec)
- Easy-Read doc to APS for contractor allocation
- Clear final Easy-Read draft and update consultation on Citizen Space

[redacted] is currently working on ensuring that Citizen Space are aware of our date change – a minor detail!!!

[redacted] Social Security Policy I Scottish Government 2-D (South) Victoria Quay Edinburgh EH6 6QQ
[redacted]
[redacted]@gov.scot

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W: beta.gov.scot/policies/social-security/
T: @ScotGovSocSec

[redacted]

From: **[redacted]**@gov.scot>
Sent: 27 February 2019 12:53
To: **[redacted]**@gov.scot>; **[redacted]**@gov.scot>
Subject: Official: Sensitive, Disability Assistance Consultation

Hi Both

Here is my list to get us to the consultation on Tuesday. What is missing – it seems way too short!

- Cab Sec confirms consultation launch date Thursday 28th
- Any last changes to comms plan and agree with comms any timings around press release etc Friday 1st
- Confirm date to CAD and pick up discussions on Experience Panels and survey for events Friday 1st
- Final read proof read of consultation doc against language in statement and position papers. Confirm any changes to APS. Friday 1st
- FMQ prepared Friday 1st *May be required noon on Monday*
- Preparation of mail-out with consultation link to stakeholders Monday 4th
- Core brief up to date! Monday 4th
- Contact **[redacted]** about learning disability events and other specific groups e.g. Deafblind, equality groups etc w/c Monday 4th
- Write template presentation that can be used at stakeholder events w/c Monday 4th

- Take stock on events and what requires more active planning w/c Monday 11th
- Ask APS to create easy-read presentation for stakeholder events w/c Monday 11th

Kind regards

[redacted]
Head of Disability and Carer Benefits Policy
Scottish Government

1st Floor, 4 Atlantic Quay
York Street
Glasgow
G2 8AE

[redacted]

Keep up to date with the development of our new social security powers:
W: beta.gov.scot/policies/social-security/
T: @ScotGovSocSec

[redacted]

[redacted]

From: **[redacted]**@gov.scot>
Sent: 28 February 2019 13:26
To: **[redacted]**@gov.scot>; **[redacted]**@gov.scot>; **[redacted]**@gov.scot>; **[redacted]**@gov.scot>; **[redacted]**@gov.scot>; **[redacted]**@gov.scot>; **[redacted]**@gov.scot
Subject: Official: Sensitive: Disability Assistance Consultation

Hi All

There is an e-mail today suggesting that the consultation *may* slip to Wednesday now, but we will need to prepare for Tuesday just in case. I have allocated leads for what we think are the key tasks – some of which may be a lovely surprise!

- Cab Sec confirms consultation launch date Thursday 28th/ March 1st
- Final proof read of consultation doc against language in statement and position papers. Confirm any changes to APS. Noon Friday 1st **[redacted]** *leading*
- Confirm date to CAD and pick up discussions on Experience Panels and survey for events, beginning Friday 1st **[redacted]** *leading*
- Completion of Easy Read consultation summary Friday 1st (is this doable or nonsense?) **[redacted]** *leading*
- FMQ prepared Friday 1st (*May be required noon on Monday)* **[redacted]** *leading*
- Any last changes to comms plan and agree with comms any timings around press release etc Monday 4th **[redacted]** *leading*
- Preparation of mail-out with consultation link to stakeholders Monday 4th **[redacted]** *leading*
- Core brief up to date! Monday 4th **[redacted]***and* **[redacted]***leading*
- Contact **[redacted]** about learning disability events and other specific groups e.g. Deafblind, equality groups etc w/c Monday 4th **[redacted]** *to prepare separate list on this*
- Write template presentation that can be used at stakeholder events w/c Monday 4th **[redacted]** *leading*
- Take stock on events and what requires more active planning w/c Monday 11th **[redacted]** *leading*
- Ask APS to create easy-read presentation for stakeholder events w/c Monday 11th **[redacted]** *leading*
- Continue with CAD in commissioning analysis **[redacted]**
- Easy-Read summary consultation doc through clearance (inc. Cab Sec) **[redacted]**
- Easy-Read doc to APS for contractor allocation **[redacted]**
- Clear final Easy-Read draft and update consultation on Citizen Space **[redacted]**
- Agree closing event arrangements with Cab Sec *TBC – on* **[redacted]** *task list*

Please let me know if any issues/ key tasks are missing in this fun list!

Kind regards

[redacted]
Head of Disability and Carer Benefits Policy
Scottish Government

1st Floor, 4 Atlantic Quay
York Street
Glasgow
G2 8AE

[redacted]

Keep up to date with the development of our new social security powers:
W: beta.gov.scot/policies/social-security/
T: @ScotGovSocSec

[redacted]

[redacted]

Communications and Engagement Planning Template

Product/Project name	Disability Assistance policy consultation
Disability Assistance consultation	This is a working document that is subject to change. It will be used by Social Security Policy to help direct communication activity up to the consultation launch on 1 March 2019 to 24 May 2019.
Department contact and details	**[redacted]** Consultation lead **[redacted]** Team Leaders: Disability benefits, **[redacted]** Service design – **[redacted]**, **[redacted]**, **[redacted]**, **[redacted]**, **[redacted]**
Communications and Engagement Team contact and details	**[redacted]**, **[redacted]**, **[redacted]**
Project approval details	Ann McVie to clear drafts of the Comms Plan for the Cabinet Secretary for Social Security and Older People to note.

Background

The Scottish Parliament unanimously voted to pass the Social Security (Scotland) Bill on 25 April 2018, establishing the legislative framework for the delivery of devolved benefits and allowing the Scottish Government to create a new system of social security. The resulting Act, the Social Security Act (Scotland) 2018, received Royal Assent on 1 June 2018. This consultation will take views on our approach to the delivery of Disability Assistance in Scotland, covering assistance for children, people of working age and older people.

Communications and engagement objectives

Primary

- Build a Disability Assistance system that is co-design with people who receive benefits and meets their needs.
- Raise awareness of Disability Assistance consultation with stakeholders and clients.
- Increase response rates to the consultation.
- Assist those with written communication barriers to engage with the consultation.
- Promote the improvements the Scottish Government have already made or are committed to.
- Create awareness of entitlement to Disability Assistance with clients.
- Communicate our approach to case transfer.
- Proactively provide information directly to stakeholders and clients to minimise the volume of enquires directed to Social Security Scotland and Scottish Government
- Demonstrate a transparent approach to policy development by seeking input from key stakeholders and clients.
- Flush out any issues where there is likely to be a significant push for change, allowing these to be considered in advance of developing the regulations.
- Ensure that stakeholders and individuals feel involved in the way in which policy is delivered and deliver communications to gain their support before we draft regulations.
- Seek stakeholder buy-in to support consultation events and help build capacity with individuals to respond.

Secondary

- Promote uptake of Disability Assistance.
- Manage expectations of those who feel that they should be entitled to Disability Assistance but may not be.
- Ensure that we capitalise on stakeholder channels to secure maximum reach and engagement about professional stakeholders.
- Highlight the contribution of Disability Assistance to the Healthier, Wealthier and Fairer Strategic Objectives, and its contribution to the

following National Outcomes:

- We respect, protect and fulfil human rights and live free from discrimination;
- We tackle poverty by sharing opportunities, wealth, and power more equally;
- We live in communities that are inclusive, empowered, resilient and safe;
- We grow up loved, safe and respected so that we realise our full potential.

Audiences

- Disabled people
- Carers and family members
- Local disabled peoples' services
- National DPOs and condition specific organisations
- Members of the public
- Broad spectrum of stakeholders, advice organisations, campaign groups, membership bodies representing those in receipt of benefits
- Organisation representing people with protected characteristics
- Island Communities
- Organisations representing young people
- Organisations representing older people
- Local authorities and COSLA
- Health and social care stakeholders
- Staff in Social Security Scotland
- Scottish Government
- DWP, HMRC, MOD
- Disability and Carer Benefits Expert Advisory Group
- Ill Health and Disability Benefits Stakeholder Reference Group.

Key Stakeholders – Annex A

Sensitivities

Wave 2

Disability Assistance in Scotland is the first consultation following the Wave 2 statement. **[redacted]**

Key lines for this form part of the Wave 2 Communications plan

Age

Due to the very broad age demographic of the target audience they will engage with different channels. We know that previous online engagement has resulted in very little input from older people. **This is addressed in the**

actions below.

Trans and BME

[redacted] It is important that our communication and consultation specifically targets these groups. **This is addressed in the actions below.**

Accessibility

Disabled people have a higher level of accessibility barrier proportionate to the general population. **[redacted]**

Wider public

We would hope that the consultation will be positively received. **[redacted]**

Terminal Illness

[redacted]

Disability Assistance Names

To remain consistent with the terminology used within the Social Security (Scotland) Act 2018 we have proposed that all three types of assistance are described as Disability Assistance for the relevant associated client group. We have asked for respondents views on the proposed names and expect a high volume of responses, particularly on Disability Assistance for Older People, who we know from our user research do not consider themselves to be either "disabled" or "older" in many cases.

Commencement

We have stated that legal responsibility for all forms of Disability Assistance will be assumed by the Scottish Government from April 2020. **[redacted]**

[redacted]we will not commence delivering PIP until early 2021.

Fraud

[redacted]

As a result of the Wave 2 Statement and the intention to publish the consultation immediately afterwards, we will be providing a range of stakeholder events during the consultation period.

General lines

- This consultation is an opportunity for disabled people and those who represent them to provide feedback on the detail of Disability Assistance and how we intend to deliver it in Scotland.
- The actions that the Scottish Government has already undertaken or committed to will help to ensure that people who are entitled to Disability Assistance get financial support. [More detail at Annex A]
- We want to ensure that there is real trust placed in our social security system in Scotland. Upholding our values of treating people with dignity, fairness and respect is key to gaining that trust.
- We hope that the actions that we have already undertaken or committed to will gain the trust of disabled people and show that we do intend to uphold our values within the Scottish system.
- We are delivering three forms of Disability Assistance which are based around the criterion of age entitlement for people with longer term disabilities or conditions which have an impact on their day-to-day life.
- We will protect Disability Assistance ensuring that it continues to be non-means tested. Reflecting the results of our previous consultation and engagement with stakeholders, we have already identified a number of areas that can be redesigned so that they better meet the needs of individuals. We will co-design these, and the end to end process from application to award, with people with experience of the current system.
- Making significant changes to the benefit rules and structures will mean longer delivery timescales. We want to avoid delays because people have told us that they would like the Scottish Government to take responsibility for these benefits as soon as possible.
- We have bold aspirations for the medium and longer term. For example, we want to ensure that Disability Assistance works as effectively as possible with other devolved services such as health, social care and housing, and to continue to explore the potential for a Disability Assistance that is responsive to people's needs at different stages of their lives.
- We know that the level of fraud in the current system is small and expect that to continue. We must not create barriers to people receiving assistance they are entitled to, for fear of a small minority of people carrying out fraudulent activity. Instead we will create an accessible and inclusive system which deals appropriately with fraudulent activity if and when it does occur.
- The rules on Terminal Illness are laid out in the Social Security (Scotland) Act 2018 - that is why we are not consulting specifically on this area. Guidance produced by the Chief Medical Officer will be published on the Scottish Government and Social Security Scotland websites ahead of the launch of Disability Assistance and will be accompanied by a Plain English summary, aimed at practitioners and clients.

Strategy

Cabinet Secretary and media

[redacted]

News release 15/18th March to time with Wave 2 activity reducing.

In advance

- DWP engagement to discuss content of consultation the week before the launch at official level.

On the day

Email drop to

- key stakeholders
- experience panels
- ScoSS
- Committee
- Cross party group on disability

Accessibility

[redacted]

APS will provide a summary easy read, braille and audio versions of the consultation document.

We will hold specific events with those with learning disabilities later in the consultation period to allow individuals to secure advocacy support if needed.

We will hold specific events with those who are deaf, blind and deafblind later in the consultation period to allow BSL and touch interpreter support.

Consultation with protected groups

EQIA – we will hold specific events with organisations who represent those groups we know are not adequately represented by the Experience panels such as trans and BME people. In addition, we will offer to attend events at organisations representing protected characteristics to provide official level input.

CRWIA – We have agreed to meet with the Scottish Youth Parliament to discuss the content of the consultation and the potential impact on children and young people. In addition, we will offer to attend events at any organisations representing young people to provide official level input.

Island events – We will ensure people within rural communities have had an opportunity to comment on the consultation, how they engage with the system and establish the impacts our policy proposals will have on them.

Engagement from Social Security Scotland Local Delivery leads are key to this and we have established contact with delivery leads. We will work with them to meaningfully engage with people in remote communities.

Throughout the consultation period
Smaller consultation events to cover Dumfries, Aberdeen, Highland and Dundee to ensure that consultation events cover the breadth of Scotland.

Social medial alerts on facebook and twitter.

Survey to assess the consultation events effectiveness and accessibility.

Specific consultation work with the experience panels – work has commenced to scope this with CAD.

Internal
Saltire
Disability Network

Key stakeholders (See Annex A)

[redacted]

ANNEX B

Some of the changes we have committed to already are outlined in the table below:

You said:	**We listened:**
Assessments	
The private sector should not be paid to undertake assessments to assess entitlement to Disability benefits.	The private sector will not undertake assessments. Social Security Scotland will deliver assessments to determine eligibility for Disability Assistance, fully supported by public sector health and social care professionals.
People are given little choice about how and when their assessment takes place. They have had to travel for hours to get to assessments, those who are too ill to leave the house have been refused home assessments	We want to ensure that people with disabilities can access a flexible, person centred assessment service across the length and breadth of the country. People will be offered a choice of an appointment date and time that suits them, home visits will be available when they are required.
There are too many unnecessary assessments - even when it is clear that a condition or disability will not improve.	We are committed to significantly reducing face-to-face assessments. This will only happen when it is the only practicable way to gather additional information to make a decision about entitlement.
There is no clear guidance on the role of companions.	People will have the right to be accompanied to an assessment, and to have that person participate in the assessment. This right is included in the Social Security (Scotland) Act.
People are expected to gather their own supporting evidence, often at a cost to them. It is not clear what evidence people should provide to support their claim.	The Agency will be pro-active in collecting evidence and provide clear guidance on what evidence will support a claim, being open and transparent about what information is necessary.

Assessors are not given enough time to consider evidence before an assessment begins.	By reducing the number of face-to-face assessments being undertaken, we will reduce time constraints on assessors, allowing them more time to fully consider the evidence provided.
Assessment reports are often inaccurate and do not reflect what happens at assessment.	As part of our commitment to trust and transparency, audio recording of assessments will be provided as standard.
Recordings should be available for audit purposes	The appeal tribunal will be given the recording and they may choose to use it to inform their determination.
After an assessment	
A copy of the assessor's report is not sent alongside the initial decision.	Social Security Scotland will send a copy of the assessment report alongside the decision letter.
People are not informed about whether/how each piece of evidence has been used	The decision letter will explain how the decision has been reached, and what evidence has been used in doing so.
Application	
The application process is not accessible.	We will ensure that the application process for Disability Assistance is inclusive, accessible, provided in a range of formats, can be completed in a range of routes (online, phone, post) and is simple, transparent and works for those making claims to Social Security Scotland.
Guidance on filling in application forms and preparing for assessments is not available in accessible formats	A review is on-going of current content and communication products, and we will ensure that all information is accessible.
It is not made clear that information from previous assessments will not be re-used	We are exploring the range of health and social care evidence which could be used to support decision making. We will use information held by the Agency when undertaking a review.
Employment should not disadvantage a person's entitlement.	Disability Assistance will not be means-tested and in line with this a person's

	employment status will have no influence in relation to their entitlement.
Young People 16-18 Young people are expected to transfer to PIP when they are approaching 16. This is at an age where young people may undergo a number of transitions into adult services, which can cause anxiety.	We will automatically extend awards of Disability Living Allowance and Disability Assistance for Children and Young People to age 18, to ensure that they don't have to apply for a new working age benefit at a time when they are transitioning between children and adult services in other areas of their lives.
Terminal Illness The current definition for accessing disability benefits is too restrictive, resulting in some people not getting access to the right support, when they need it most.	We will provide a new definition of terminal illness so that medical practitioners can use their clinical judgement to decide when an individual is regarded as terminally ill and eligible for Disability Assistance under special rules. Under special rules, an individual's application will be fast-tracked, and they will be entitled to the highest level of the award component(s) to which they are entitled.
Advocacy Services Concern that Advocacy support is not sufficient to assist people with disabilities to engage sufficiently when applying or being assessed for disability benefit eligibility.	People will have a right to independent advocacy, if owing to a disability they require the help of an advocate to engage effectively with the Scottish social security system. We are developing 'advocacy service standards'. We are working closely with advocacy organisations to ensure that those organisations delivering advocacy services are delivering their services in line with these standards.

Accessible Communication The current system is inaccessible for some people with a disability.	Inclusive communication will be considered in all that we do. To ensure that this happens, the requirement in the Act has also been reflected in the Social Security Charter. We are developing communication channels which will allow for a more inclusive, personalised and efficient process that meets the expectations of applicants.