

Processing a change in responsibility

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The following guidance is for the Managing Assistance team when processing a change of responsibility for Child Disability Payment.

Check communications indicator

Check that the client adviser who took the call has updated the child's person record. If not, create a communications indicator to let others know that this case is with the Managing Assistance team:

1. Open the child's person record.
2. Create a 'Communications Need' indicator.
3. Choose 'Other Client Needs'.
4. Enter the text "CDP application received from another person. Refer case to Managing Assistance team".
5. Check the client record for the task. Assign it to yourself.

Contact the person who has responsibility

You must make sure that the person who has responsibility for Child Disability Payment is willing and able to continue until you're able to make any necessary change.

1. Find the child's person record.
2. Check the communication preferences of the person responsible.

If telephone is a preference, try calling 3 times:

- during the day
- at different times of the day
- recording details of each attempt with a brief description

If you cannot reach them or they prefer to be written to:

Send them a manual letter using the template CDP_Child_Responsibility_Contact us parent A_v1. This gives them 28 days to get in touch with us.

If you cannot confirm the person responsible:

If after 28 days, you cannot confirm that the person responsible is willing and able to continue while we process the change, you may need to suspend the case:

1. Discuss this with your line manager
2. Follow guidance to suspend a case payment.

If the person responsible disputes the change:

If the person responsible is not aware, or does not believe, that responsibility for Child Disability Payment should change, refer the case to a case manager.

Make sure that case notes and communication records are up to date with details of the conversations you've had so far.

Case managers follow the decision-making guide to resolve disputes about who should act on behalf of a child.

Gather evidence of the new responsibility

Get the details of the person who is going to take on responsibility from the Change of Circumstances task or managing assistance spreadsheet.

1. Search for their person record on [REDACTED], creating a new record if needed.
2. Call and ask them for:
 - o permission to record their information
 - o evidence to confirm they're the main person looking after the child
 - o anything else we should be aware of, like a change of address
3. Tell them they may be eligible for other benefits from Social Security Scotland, such as Scottish Child Payment.

If you cannot gather evidence:

Try phoning 3 times during the day, at different times. Record details of each attempt with a brief description and the evidence that's needed.

If you are not able to reach them, or they do not send the evidence needed, you cannot change responsibility.

Send a manual letter to both parties, explaining that we've made the decision not to change responsibility for Child Disability Payment.

- to the person who has responsibility for Child Disability Payment, use the manual letter template CDP_COC_ChangeOfChildResponsibility_NoChange_ParentA
- to the person you could not gather evidence from, use the manual letter template CDP_COC_ChangeOfChildResponsibility_NoChange_ParentB

If the person responsible is no longer willing and able to take responsibility, speak to your line manager to discuss suspending the case.

Check the person's identity

You must make sure that the person who is going to take on responsibility has passed the relevant identity checks. This could be [REDACTED]

- [REDACTED]
- [REDACTED]

[REDACTED]

When to refer for identity checks

You should make a manual referral to local delivery if:

- you cannot find the relevant identity checks on the person record
- [REDACTED]

If identity checks fail

If identity checks fail, you cannot change responsibility. Child Disability Payment remains with the person who had responsibility. If they're no longer willing and able, speak to your line manager to discuss suspending the case. Send a manual letter to both parties, explaining that we've made the decision not to change responsibility for Child Disability Payment.

- to the person who has responsibility for Child Disability Payment, use the manual letter template CDP_COC_ChangeOfChildResponsibility_NoChange_ParentA
- to the person whose identity checks failed, use the manual letter template CDP_COC_ChangeOfChildResponsibility_NoChange_ParentB

Decide not to change responsibility

Client advisers (and case managers in disputed cases) can decide not to change responsibility. When that's the case, send a manual letter to both parties:

- to the person who has responsibility for Child Disability Payment, use the manual letter template CDP_COC_ChangeOfChildResponsibility_NoChange_ParentA
- to the person who asked to be responsible, use the manual letter template CDP_COC_ChangeOfChildResponsibility_NoChange_ParentB

Confirm a change of responsibility

Client advisers (and case managers in disputed cases) need to confirm, in writing and by phone, with the person who is going to take on responsibility.

Send a copy of the determination notice

Once evidence and identity checks are complete, send a copy of the determination notice to the person who is going to take on responsibility.

1. Amend the original determination notice by removing the name and address.
2. Send it to them along with a manual letter.
3. Use the letter template CDP_COC_ChangeOfChildResponsibility_ResponsibilityStarting_DeterminationNotice.
4. Create a manual task for yourself to call them in 7 days from when you created the letter.

Call to confirm change in responsibility

1. Call the person who is going to take on responsibility for the child:
 - read the verbal declaration below
 - ask them to confirm they agree to the declaration
 - ask them for details of the bank account the applicant wants the payment sent to
2. Send the person who is going to take on responsibility a manual letter using the template CDP_COC_ChangeOfChildResponsibility_ResponsibilityStarting.
3. Send the client who stopped being responsible for the child a manual letter using template CDP_COC_ChangeOfChildResponsibility_ResponsibilityEnding.

Verbal declaration

I am now acting on behalf of the entitled individual [insert name]. As far as I know and believe, I declare that the needs described in the most recent Child Disability Payment determination notice [insert date], a copy of which I confirm has been provided to me, are an accurate reflection of that individual's current needs and circumstances.

I understand that I may be prosecuted if, from the commencement and duration of my acting on behalf of the entitled individual, I provide information that is not correct or complete.

I agree to pay Social Security Scotland the value of any assistance given in error, unless the error is neither my fault nor the kind of error that a person acting on an individual's behalf could reasonably be expected to notice.

I understand that if I or the person I am acting on behalf of are paid too much, money may be taken back from me or the person I am acting on behalf of, stopped or reduced in the future. I agree to update Social Security Scotland straight away if there are any changes to my circumstances, or any change in circumstances of the individual I act on behalf of.

If you cannot confirm the declaration

If you cannot read the declaration, or the client does not confirm that they agree, you cannot change responsibility. This remains with the person who had responsibility. If they're no longer willing and able, or they've not responded to our contact us letter, speak to your line manager to discuss suspending the case.

Send a manual letter to both parties, explaining that we've made the decision not to change responsibility for Child Disability Payment.

- to the person who has responsibility for Child Disability Payment, use the manual letter template CDP_COC_ChangeOfChildResponsibility_NoChange_ParentA
- to the person you could not confirm the declaration with, use the manual letter template CDP_COC_ChangeOfChildResponsibility_NoChange_ParentB

Record communications

1. Download the decision template and record all communications you've had with the client(s) involved during the change in responsibility.
2. Upload it to the child's person record.
3. Remove the 'Communications Need' indicator from the child's person record.

Update [REDACTED]

Client advisers update [REDACTED] for all cases (including disputed cases) where responsibility has changed.

Change the relationship evidence

1. End the relationship evidence.
2. Create a new relationship evidence.
3. Follow the steps under 'Update the Integrated Case to end the responsibility benefit' section to end child responsibility.
4. End the relationship in the integrated case.

Check for low income benefits

If the person who no longer has responsibility for Child Disability Payment is getting Scottish Child Payment, raise a task for the low income benefit case owner. Give them details of the change in responsibility telling them that this could affect low income benefit eligibility for the client.