

Independent Review of Adult Disability Payment Consultation

June 2024

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Foreword



This consultation is being hosted on behalf of Edel Harris OBE in her role as Chair of the Independent Review of Adult Disability Payment. The consultation is mainly meant for people with lived and living experience of accessing – or trying to access – Adult Disability Payment, although anyone can respond. A separate call for evidence that is mainly meant for organisations to respond to is also available.

I am pleased to have been asked by the Scottish Government to Chair the Independent Review of Adult Disability Payment. The Scottish Government has asked me to consider how to ensure that Adult Disability Payment meets the needs of disabled people, terminally ill people, and people living with long term mental and physical health conditions, both now and in the future.

I want to hear directly from disabled people, terminally ill people, and people living with long term mental and physical health conditions as part of the Independent Review, about their experiences of Adult Disability Payment. I also want to hear from people and organisations who support people who currently or are likely to access Adult Disability Payment.

You may not identify as a disabled person. You might have a long-term health condition that affects your day-to-day life, but your experience is just as important to me. Gathering all your views will help me to make my recommendations to the Scottish Government.

I have already met with many people since I started working on the Independent Review and some of the questions in this consultation have come from those discussions.

I want to assure you that once the consultation is over, there will still be opportunities for you to take part. I want to make it as easy as possible for you to take part, whether that is through the consultation or attending an event. Events are planned both online and in-person.

I look forward to receiving your submissions and want to thank you for taking the time to respond to the consultation.

Edel Harris OBE
Chair of the Independent Review of Adult Disability Payment

About the Independent Review

Adult Disability Payment launched nationally in July 2022 to replace Personal Independence Payment (PIP). Whilst the Department for Work and Pensions (DWP) delivers PIP, Social Security Scotland delivers Adult Disability Payment.

The safe and secure transfer of people's payments from DWP to Social Security Scotland is important for disabled people and the Scottish Government. To have this safe and secure transfer, the rules for PIP and Adult Disability Payment are currently mostly the same.

Throughout this consultation paper, we often reference how the UK Government delivers PIP. We recognise that not everyone will have direct experience of Adult Disability Payment yet. The purpose is to provide contrast between how the two benefits are delivered.

However, the Scottish Government has made changes to how people can apply for Adult Disability Payment. It has also made changes to how Social Security Scotland decides who gets Adult Disability Payment. The Scottish Government is committed to adhering to the policies of Dignity, Fairness and Respect, as outlined in the [Social Security Charter](#).

In this consultation paper, we use the term disabled people throughout. We recognise that not everyone will see themselves as a disabled person. We also want to hear from people with a long-term physical or mental health condition, as well as from terminally ill people as part of this consultation.

Why is there a need for an independent review?

The Scottish Government said¹ that it would start an independent review of Adult Disability Payment in 2023-24. The Scottish Government has also said it recognises people's interest in the rules for the mobility part (called a 'component') of Adult Disability Payment.

The aim of the Review is to ensure that Adult Disability Payment meets the needs of disabled people, both now and in the future.

Who will be involved in the independent review?

The Cabinet Secretary for Social Justice, Shirley-Anne Somerville has asked Edel Harris OBE to Chair the review and to report back in July 2025.

The Chair has set up an Advisory Group to help and provide guidance to her. The Advisory Group includes disabled people and people with experience of disability, and people who work for organisations that support disabled people.

What will the review be doing?

The Scottish Government has asked the Chair to look at the following things about Adult Disability Payment:

- considering initial priorities capable of early action that do not require changes to the application, decision-making or service delivery, where those changes offer value, are deliverable and useful regardless of any longer-term changes
- people's experiences of applying for, receiving or challenging a decision about Adult Disability Payment or undergoing a review (including unsuccessful applicants)
- the consultations process and Adult Disability Payment-specific guidance for practitioners and decision-making guidance to ensure a rights-based model of social security is being applied
- the activities and descriptors that determine entitlement to Adult Disability Payment, including how these apply to disabled people with fluctuating conditions.

The independent review will look at the analysis of the Consultation on the Eligibility Criteria for the Mobility Component of Adult Disability Payment². It will also look at the work with Social Security Experience Panel Members³ on the eligibility criteria for the mobility part.

The Scottish Government has asked the Chair to think about how realistic her recommendations are and the potential costs of making changes to Adult Disability Payment.

It is estimated that Adult Disability Payment will support 612,000 people by 2028-29, providing financial support of almost £4.5 billion⁴. This is before the cost of making any potential changes, either in the short or long-term to how Adult Disability Payment works.

Other opportunities to contribute to the Independent Review

The Chair is committed to conducting the Independent Review in partnership and collaboration with disabled people and stakeholders. She is also carrying out a broad programme of engagement throughout the course of the review.

In addition to this consultation, a [call for evidence](#) is also seeking detailed evidence about Adult Disability Payment.

The Chair will carry out a wide programme of more in-depth engagement, including consultation events throughout Scotland and online. More information will be made available on the [Independent Review's website](#).

What this consultation is about

We are undertaking this consultation to help the Chair of the Independent Review make recommendations about Adult Disability Payment.

The consultation asks for information about people's experiences about Adult Disability Payment. It is mainly meant for people with lived and living experience of accessing – or trying to access – Adult Disability Payment, although anyone can respond.

A separate [call for evidence](#) that is mainly meant for organisations to respond to is also available.

The consultation has 12 sections:

1. Take-up of Adult Disability Payment
2. Eligibility check
3. Pre-application support for Adult Disability Payment applications
4. Rules about who can get Adult Disability Payment
5. The fluctuating conditions section of the Adult Disability Payment application
6. Asking about a person's daily living activities
7. Decision-making
8. Re-determinations
9. Review periods and indefinite awards
10. Processing times
11. Changes in people's circumstances
12. Other considerations

We are interested in your comments and ideas so there is space left at the end for you to provide your views if they are not covered by the consultation questions.

You can complete as many of the questions as you like in each of the twelve sections, or you can skip any questions you do not wish to answer.

What this consultation is not about

We will make use of the responses to the Consultation on the Mobility Component which was published in January 2023⁵. This is why there are no questions specifically asking about the mobility component of Adult Disability Payment within this consultation.

We recognise that gathering supporting information to support an application for Adult Disability Payment is a key issue for many people. An evaluation of supporting information was undertaken by the Scottish Government as part of its disability benefits evaluation strategy⁶. The supporting information evaluation gathered the views of people and was published by the Scottish Government in September 2023. The Independent Review will make use of these findings, which is why no specific questions on supporting information have been included in this consultation.

References to Personal Independence Payment (PIP)

This consultation talks about PIP in some places because many people will be familiar with PIP and may be less familiar with Adult Disability Payment. Where we do talk about PIP, this is to highlight what we understand are the differences between PIP and Adult Disability Payment. We are particularly interested to hear from people with experience of both benefits.

Section 1 – Take-up of Adult Disability Payment

Take-up is a measure of how many people who are eligible for a benefit actually get the benefit.

There is a lack of evidence on disability benefits take-up in Scotland.

Estimating take-up rates of Adult Disability Payment is challenging. Whilst some national statistics and surveys ask whether a person has a long-term health condition or disability, that does not necessarily mean that person would or would not be entitled to Adult Disability Payment.

Current strategies for improving take-up across all Scottish benefits focus on raising awareness of benefits and supporting people to access them. There is currently no benefit-specific take-up strategy for Adult Disability Payment, but this is something that the Scottish Government may consider in the future. The Scottish Government plans to increase engagement with seldom-heard communities in future strategies. Existing strategies for improving take-up across all Scottish Government benefits include:

- a range of marketing and engagement activities to increase awareness and support people to apply
- the use of research to identify who the Scottish Government wants to reach and ensure that it uses the right methods to reach those people
- continued funding of the Independent Advocacy Service
- use of Social Security Scotland's Local Delivery service
- the opening of Social Security Scotland's Dundee office to the public.

Take-up of Personal Independence Payment

For context, the UK Government does not publish take-up rates for the disability benefits it delivers. The UK Government also does not have a take-up strategy for the disability benefits it delivers.

The following question will ask about methods to increase take-up and awareness of Adult Disability Payment.

Question 1

The [Social Security Scotland Charter](#) specifically states that the Scottish Government will ensure as many people as possible get the benefits they are entitled to. This includes making a particular effort to reach people who are most likely to be excluded. For example:

- people experiencing homelessness
- people whose first language is not English

- people experiencing domestic violence
- people living in rural or island communities
- people with learning difficulties
- carers
- lone parents
- refugees and asylum seekers
- LGBTI people
- ethnic minority groups.

(a) How effective do you think the following methods could be at helping people to find out about Adult Disability Payment?

Advertisements for Adult Disability Payment (television, social media/online, newspapers etc).

- Very effective
- Effective
- Somewhat effective
- Not very effective
- Not effective at all

Working with organisations like charities to inform those who use their services about Adult Disability Payment.

- Very effective
- Effective
- Somewhat effective
- Not very effective
- Not effective at all

Running events within communities to inform people about Adult Disability Payment.

- Very effective
- Effective
- Somewhat effective
- Not very effective
- Not effective at all

(b) Do you think there is anyone who might be left out by these methods? Please give reasons for your answer.

(c) Are there any other methods that might help people find out about Adult Disability Payment? Please give reasons for your answer.

(d) What do you think the Scottish Government could do to help people who know Adult Disability Payment exists but are unsure if they should apply or might be unwilling to apply?

(e) What reasons do you think might mean someone may be unwilling to apply for Adult Disability Payment?

Question 2

Do you think there is anything else that could be done to encourage people to apply for Adult Disability Payment?

Section 2 – Eligibility check

Social Security Scotland currently has an online [suitability checker](#) which allows people thinking of applying to check if they meet the basic requirements needed to receive Adult Disability Payment.

The suitability checker does not tell someone if they are likely to get Adult Disability Payment because of their disability or health condition.

This question asks for your views about a more detailed checker which could ask questions about a person’s daily living and mobility needs. This could help a person know if they are likely to be eligible for Adult Disability Payment.

Question 3

In your view, would it be helpful to have a more detailed eligibility check before filling in the application form?

- Yes
- No
- Don't Know

Please explain your reasons.

(a) If you said “yes”, what questions do you think the eligibility checker should ask?

(b) If you said “yes”, please consider what the potential advantages/disadvantages would be on people thinking about making an application for Adult Disability Payment.

(c) Would you need help to complete an eligibility check?

- Yes
- No
- Don't Know

(d) If you said “yes”, who would you ask to help you?

Section 3 – Pre-application support for Adult Disability Payment applications

The Scottish Government says it is committed to delivering a social security system that is based on fairness, dignity and respect. In order to achieve its goal, the Scottish Government has established two services to help people access the social security system in Scotland: the Local Delivery Service and the Independent Advocacy Service.

Local Delivery Service

The Scottish Government has set up the Local Delivery service in every local authority across Scotland to help support people applying for social security benefits. A Local Delivery appointment allows people to get private and confidential support with an application from a trained client support adviser, or just ask questions about the application process. A client support adviser can answer questions about applying for Scottish Government benefits, assist with filling in and submitting applications and forms, and let people know what type of supporting information they will need to provide.

Supporting information is information that:

- confirms someone's conditions, disability, or needs
- describes the impact someone's conditions or disability have on their life.

Supporting information could include documents or letters but can include other types of information.

The Chair of the Independent Review has heard that gathering supporting information for an application for Adult Disability Payment is a key issue for many people. The Scottish Government undertook an evaluation of supporting information as part of its disability benefits evaluation strategy. The supporting information evaluation gathered the views of people and was published by the Scottish Government in September 2023. The Independent Review will use these findings, which is why there are no specific questions on supporting information in this consultation.

People can arrange to speak with a client support adviser at a location and time that suits them, for example:

- at a venue in their local community
- in a person's home
- in a hospital or prison
- via video call
- via telephone appointment.

Independent Advocacy Service

The Scottish Government has set up an Independent Advocacy Service. It has appointed a charity called VoiceAbility to deliver this service and the Scottish Government funds this service.

The agreement between the Scottish Government and VoiceAbility means it must ensure support is available to disabled people to help them engage effectively with Social Security Scotland. The service provides independent advocates who can help people to:

- make sure they are understood
- say what they think, want or need
- understand and ask questions about benefits
- understand how to apply for benefits
- understand letters, application forms, phone calls and meetings with Social Security Scotland
- make sure they have information they need to help make decisions
- understand what to do if they are not happy.

An advocate will not:

- provide advice about benefits
- offer legal advice
- make decisions for the person
- share their own views or opinion.

People can ask for an advocate's help at any time, not just when they are applying for Adult Disability Payment.

The independent review has heard that people applying for Adult Disability Payment don't always know what support is available.

How the UK Government offers pre-application support for PIP

The UK Government does not have an equivalent advocacy service for PIP.

The UK Government provides a home visiting service through the Department for Work and Pensions (DWP), who decide who is eligible for this and applicants cannot book a visit themselves. DWP may offer a home visit if someone is disabled, has complex needs, has no one else to support them or cannot apply for benefits in any other way.

The following questions ask about the pre-application support provided by Social Security Scotland, which includes the Local Delivery service and the Independent Advocacy Service.

Question 4

Have you ever used the Local Delivery service provided by Social Security Scotland to help you with something to do with Adult Disability Payment?

- Yes
 No

Don't Know

(a) If you said "no", are you aware of this service and the support it offers?

Yes

No

Don't Know

(b) If you said "yes", did you feel that you were treated with dignity, fairness and respect?

Yes

No

Don't Know

(c) If you said "yes", how easy was it to access the Local Delivery Service?

Very easy

Somewhat easy

Neither easy nor difficult

Somewhat difficult

Very difficult

Please provide reasons for your answer. You might want to think about:

How did you find out about the Local Delivery service?

What did the service help you with? You might want to think about how that helped you.

What about this service do you think worked well?

What would you change about this service?

(d) What do you think would help make people more aware of this service and the help it provides?

Question 5

Have you ever used the Independent Advocacy Service provided by VoiceAbility to help you with something to do with Adult Disability Payment?

Yes

No

Don't Know

(a) If you said “no”, are you aware of this service and the support it offers?

- Yes
- No
- Don't Know

(b) If you said “yes”, did you feel that you were treated with dignity, fairness and respect?

- Yes
- No
- Don't Know

(c) If you said “yes”, how easy was it to access the Independent Advocacy Service?

- Very easy
- Somewhat easy
- Neither easy nor difficult
- Somewhat difficult
- Very difficult

Please provide reasons for your answer. You might want to think about:

How did you find out about the Independent Advocacy Service?

What did the service help you with? You might want to think about how that helped you.

What about this service do you think worked well?

What would you change about this service?

(d) What do you think would help make people more aware of this service and the help it provides?

Section 4 – Rules about who can get Adult Disability Payment

The rules which decide whether someone is entitled to Adult Disability Payment are called the eligibility criteria.

Adult Disability Payment is made up of two parts, called components: a daily living component and a mobility component.

This consultation does not ask any questions about the mobility part. The Scottish Government previously conducted a consultation on the mobility part and the Independent Review will consider those findings.

For the daily living part, a Social Security Scotland case manager looks at a person's ability to complete ten different activities.

Each activity has a series of [statements](#) (called descriptors), with a score between zero and 12. A case manager in Social Security Scotland decides which statement applies to the person.

The “50 percent rule”

Which statement the case manager selects depends on several factors but the case manager must choose only one statement. This applies to people with both fluctuating and stable conditions and is sometimes known as the ‘50% rule.’

If only one statement applies more than 50% of the time, then the case manager will choose that statement.

If two or more statements apply more than 50% of the time a person carries out an activity, then the case manager will choose the statement that scores the highest number of points.

If no statement applies on more than 50% of the time, but two of the statements added together would amount to more than 50%, the case manager will choose either:

- the statement that applies for the higher or highest amount of time
- if both statements apply for the same amount of time, the statement that scores the highest number of points.

Carrying out activities reliably

Case managers must consider whether a person can reliably complete an activity.

Reliably means whether a person can carry out an activity:

- safely
- to an acceptable standard
- repeatedly

- within a reasonable time period.

Case managers also consider a person's ability to carry out an activity using an aid or appliance that they:

- normally use
- could reasonably be expected to use.

The following questions ask about the rules for the daily living part of Adult Disability Payment, including the reliability criteria.

Question 6

Do you agree or disagree that the [rules](#) for the daily living part of Adult Disability Payment are easy to understand?

- Agree
- Disagree
- Don't Know

Please give reasons for your answer, outlining which parts you think are easy or difficult to understand and why.

(a) How could the rules around the daily living part be made easier to understand?

Question 7

If there was an opportunity to change the rules for the daily living part of Adult Disability Payment, what changes would you make (if any)?

Please provide detail about:

- Why you think changes are necessary
- What specific changes to the rules you would suggest
- The financial and personal implications these changes would have

If you suggested changes:

(a) Who do you think might be better off?

(b) Who do you think might be worse off?

By 'better off' and 'worse off' we mean either from a financial, wellbeing or any other perspective you think is relevant.

Question 8

Do the current daily living activities adequately allow the impact of fluctuating conditions to be accounted for?

- Yes
- No
- Don't Know

Please give reasons for your answer.

(a) Do you think that people with certain conditions might find it difficult to receive points for any one or more of the daily living activities?

- Yes
- No
- Don't Know

Please give reasons for your answer.

Question 9

Are the rules around an activity needing to be completed safely, to an acceptable standard and within a reasonable time period easy to understand?

- Yes
- No
- Don't Know

(a) If you said "no", what would you change to make them easier to understand?

Section 5 – Fluctuating Conditions

This section asks about how the application form for Adult Disability Payment asks about fluctuating conditions, rather than the rules. If you would like to comment on the rules for fluctuating conditions, you can see information about these in section 4 of the consultation paper.

What is meant by a fluctuating condition?

By this, we mean the way a disability or condition affects a person can change frequently. This may affect whether or not a person is entitled to receive Adult Disability Payment.

Fluctuating conditions might include:

- asthma
- epilepsy
- Chronic Obstructive Pulmonary Disease (COPD)
- bipolar disorder
- post-traumatic stress disorder (PTSD).

We appreciate that these conditions may not fluctuate for everyone.

How the application form asks about fluctuating conditions

The application form includes guidance on how the rules for Adult Disability Payment are applied for people with a fluctuating condition. This helps to support people in providing relevant information about how they feel after completing an activity and how long the impact lasts for.

You can see a copy of the Adult Disability Payment application form [here](#) (please note this file opens in PDF format). Page 43 provides an example of how the impact of a fluctuating condition affects a person's ability to prepare food.

The following questions will ask about the fluctuating conditions section of the application form.

Question 10

How effective do you think the fluctuating conditions sections of the application form are at helping people to describe their daily living needs?

Please only answer in relation to the fluctuating conditions sections of the application form that are outlined on Page 19 in the consultation paper.

- Very effective
- Effective
- Somewhat effective
- Not very effective
- Not effective at all

Please give reasons for your answer.

Question 11

If there was an opportunity to change any specific parts of the rules around fluctuating conditions as part of the daily living activities, what changes would you make (if any)?

Please provide detail about:

- Why you think changes are necessary
- What changes you would suggest
- If there could be any unintended consequences

(a) If you proposed changes, what positive impacts could these have, and for who?

(b) If you proposed changes, what negative impacts could these have, and for who?

Section 6 – Asking about a person’s daily living activities

The daily living section of the Adult Disability Payment application looks at a person’s ability to carry out everyday activities. There are 10 activities for the daily living component:

- Preparing food
- Taking nutrition
- Managing therapy and monitoring a health condition
- Washing and bathing
- Managing toilet needs or incontinence
- Dressing and undressing
- Communicating verbally
- Reading and understanding signs, symbols and words
- Engaging socially with other people face to face
- Making budgeting decisions.

The following questions ask about the daily living part of the Adult Disability Payment application form rather than the rules about the daily living part. If you would like to comment on the rules for the daily living part, please see section 4 of the consultation document.

You can read a copy of the application form [here](#) (please note this opens in PDF format). The questions about the daily living activities begin on page 37.

Question 12

How effective do you think the daily living part of the Adult Disability Payment application is at helping Social Security Scotland understand a person’s daily living needs?

- Very effective
- Effective
- Somewhat effective
- Not very effective
- Not effective at all

Please give reasons for your answer.

Question 13

Are there any other issues with the daily living part of the Adult Disability Payment application that have not been captured above?

- Yes
- No
- Don’t Know

- (a) If you said “yes”, what other issues with the daily living activities do you think need to be considered?
- (b) Are there any other things you would like to tell us about the daily living part of Adult Disability Payment?

Section 7 – Decision-making

The Scottish Government has provided guidance for both people applying for and receiving Adult Disability Payment about how decisions are made.

Social Security Scotland also has guidance for case managers about how they should consider the rules for the daily living activities. This includes more fairly and consistently considering environmental, cultural, and social factors.

Supporting information

Social Security Scotland usually seeks to collect one piece of supporting information from a formal source, such as from a GP or a support worker. This information only needs to determine if it is more likely than not that the person's disability or condition lines up with the needs detailed on their application. A piece of supporting information can be something like a social care assessment, medical report, or prescription list. Equal consideration should be placed on all sources of information, including information from a person's family, carers and friends.

Consultations

A consultation is an appointment with a Social Security Scotland practitioner where they will ask a person questions to help make a decision on their Adult Disability Payment application. Following the consultation, the practitioner will write a report which will be sent to the case manager who decides about whether the person will get Adult Disability Payment. Reasonable adjustments are made to accommodate people's needs and preferences. Consultations may take place:

- by phone
- by video call
- at a local public venue
- in the person's home.

The consultation is not a diagnosis or medical examination of a person's condition. It will only cover the areas of the application that Social Security Scotland needs more information about.

A person is only invited to take part in a consultation when there is no other practical way to understand their needs. Practitioners fully discuss the impact of completing the activity, starting from a position of trust that what people tell them is accurate. They have also removed functional assessments, including physical examinations, as part of the application and decision-making process.

Social Security Scotland practitioners only make informal observations whilst a consultation is taking place. The person, and any person accompanying them, must be given the opportunity to respond to the observations.

How the equivalent to consultations work for PIP

For context, the PIP equivalent of a consultation is called an assessment⁷.

With PIP assessments an assessor can make informal observations about a person's ability to carry out daily living and mobility activities⁸.

The assessor does not have to tell the person about their informal observations.

The following questions ask about the consultations and decision-making process for Adult Disability Payment.

Question 14

How effective do you think Social Security Scotland's decision-making process is with regards to understanding a person's daily living needs?

- Very effective
- Effective
- Somewhat effective
- Not very effective
- Not effective at all

Please give reasons for your answer.

Question 15

Have you received a decision on an application for Adult Disability Payment?

- Yes
- No
- Don't Know

If you said "yes":

(a) Were you invited to take part in a consultation as part of applying for Adult Disability Payment?

- Yes
- No
- Don't Know

(b) How did the consultation take place?

- In person
- By telephone
- Video call

Other

(c) Did the consultation take place at a convenient date and time for you?

Yes

No

(d) What worked well about the consultation process?

(e) What worked less well about the consultation process?

(f) Did you understand the decision?

Yes

No

Don't Know

(g) Did you need support to understand the decision?

Yes

No

Don't Know

Please explain your answer.

(h) What could have been changed about telling you what the decision was?

(i) What do you think the impact of that change might be?

Section 8 – Re-determinations

People who get a decision about Adult Disability Payment have the right to ask Social Security Scotland to look again at the decision if they disagree with it.

This is called a re-determination and the decision will be looked at again by a different team in Social Security Scotland.

People have 42 calendar days to ask for a re-determination, as some people may need longer to get advice and support with the process. Social Security Scotland can accept a late re-determination request, up to a maximum of one year late, if there is a good reason for it.

The re-determination process involves completing and submitting an online or paper form and returning it to Social Security Scotland.

Social Security Scotland has 56 calendar days to make a new decision once it has received a re-determination request.

In Scotland, a person has the right to appeal directly to the First-Tier Tribunal for Scotland's Social Security Chamber if Social Security Scotland does not complete the re-determination process within 56 calendar days. If Social Security Scotland does not change the original decision, the person can appeal this decision at a tribunal.

During the re-determination process or appeal, short-term assistance is available where a person's existing entitlement has been reduced or stopped.

Short-term assistance is a temporary payment which tops up the amount a person is paid to ensure they continue to receive the same amount of money they were getting (even if their entitlement to Adult Disability Payment has ended). This does not need to be paid back.

Disagreeing with a decision about PIP

People who disagree with a decision about PIP can ask the UK Government to reconsider the decision⁹. This is called a mandatory reconsideration and involves sending a hard copy letter stating the reasons for the disagreement within one month of the decision letter.

However, people can still ask for a mandatory reconsideration within 13 months of the decision letter if it was not possible for them to ask for this by the one-month deadline. DWP does not have a time limit to respond and does not have an equivalent to short-term assistance payments whilst the decision is being made.

An appeal cannot take place until the mandatory reconsideration process is complete.

The following question asks about re-determinations for Adult Disability Payment.

Question 16

Have you ever asked for a decision on an Adult Disability Payment application to be looked at again through the re-determination process?

- Yes
- No
- Don't Know

If you said "yes":

(a) Do you feel that you were treated with dignity, fairness and respect?

- Yes
- No
- Don't Know

(b) Did you receive regular updates about what was happening?

- Yes
- No
- Don't Know

(c) What do you think worked well about the re-determination process?

(d) What would you change about this process?

Section 9 – Review periods and indefinite awards

The Scottish Government states it is building a more compassionate system, based on principles of dignity, fairness, and respect.

When a person gets Adult Disability Payment, Social Security Scotland will review whether they should still get it. Most reviews are between two and 10 years apart.

Social Security Scotland reviews take place at a time when a person's needs are likely to have changed, to ensure that their payment continues to be at the right level.

A person's payments will continue whilst a review is happening. People also do not need to re-apply during a review.

For some people whose needs are highly unlikely to change and who receive the enhanced rate of the daily living and mobility components, they will not be asked to take part in a review. This is sometimes called an indefinite award. The Scottish Government says that this meets the principles of dignity, fairness and respect.

How review periods work with PIP

PIP awards can vary in length. The shortest award is nine months. The longest is an ongoing award with a 'light touch' review at 10 years in a limited number of circumstances¹⁰.

Most people will have their award regularly reviewed, regardless of the length of the award. This also usually means completing another questionnaire and taking part in another assessment, or the person's entitlement will end.

Some people will have a limited term award for a fixed period of up to two years. The person must re-apply before the end of the two-year period, or their entitlement will end. Limited awards for a fixed period like this will be used if a case manager thinks the person's health condition is expected to improve.

The following questions ask about review periods and indefinite awards for Adult Disability Payment.

Question 17

Have you ever received an indefinite award for Adult Disability Payment?

- Yes
- No
- Don't Know

If you said "yes":

- (a) How did that make you feel?

(b) What impact did this have on your quality of life?

(c) Was the reason for this decision communicated clearly?

- Yes
- No
- Don't Know

(d) How could your experience of receiving an indefinite award be improved?

Question 18

Thinking about review periods for entitlement to Adult Disability Payment, have you ever received an Adult Disability Payment award that is subject to a review period?

- Yes
- No
- Don't Know

(a) If you said "yes", what is the impact of having a longer review period on the quality of life of a disabled person?

(b) Do you feel the reasons for this decision were communicated clearly?

- Yes
- No
- Don't Know

Please give reasons for your answer.

(c) Have you ever experienced a review of your Adult Disability Payment award?

- Yes
- No
- Don't Know

If you said "yes":

(d) What do you think worked well about this process?

(e) What would you change about this process?

Section 10 – Processing times

The time it takes Social Security Scotland to make a decision about an application for Adult Disability Payment is called the processing time. The processing time can be affected by several factors, including:

- dealing with many applications
- gathering supporting information
- the type of application (for example, those made under the Special Rules for Terminal Illness)
- applications which may require a consultation.

Some disabled people and stakeholders have expressed concerns about how long it takes to decide whether someone can get Adult Disability Payment.

Social Security Scotland says it is making ongoing improvements towards reducing processing times for applications. The current average processing time for Adult Disability Payment has dropped by almost 40% to 59 working days.

Whilst processing times are coming down, there is little information available on whether they are having a different impact on some groups such as vulnerable and seldom-heard groups and not others.

The term 'seldom-heard groups' refers to under-represented people who face barriers in engaging with others. Examples of people who may be considered as having seldom-heard voices include:

- people experiencing homelessness
- people whose first language is not English
- people experiencing domestic violence
- people living in rural or island communities
- people with learning difficulties
- carers
- lone parents
- refugees and asylum seekers
- LGBTI people
- ethnic minority groups.

The following question asks about application processing times for Adult Disability Payment.

Question 19

If you have ever received a decision on an Adult Disability Payment application, how long after you submitted your application did it take for you to receive this?

- Less than 1 month
- 1 – 2 months
- 2 – 3 months
- 3 – 4 months
- 4 – 5 months
- 5 – 6 months
- More than 6 months

(a) How satisfied were you with this?

- Very satisfied
- Satisfied
- Somewhat satisfied
- Not very satisfied
- Not satisfied at all

(b) What in your view could have been done to improve your experience of waiting for a decision?

Section 11 – Changes in people’s circumstances

People (or people who act on their behalf, called representatives) must inform Social Security Scotland about changes, such as:

- their banking or contact details
- their condition
- the level of help and care needs
- the support they need with their mobility.

People (or their representatives) must tell Social Security Scotland about changes within four weeks.

How reporting a change of circumstances works with PIP

For context, for people in Scotland and elsewhere in the UK still receiving PIP, a change of circumstances must be reported over the telephone¹¹.

The following question asks about reporting a change of circumstances for Adult Disability Payment.

For this question, we are specifically interested in changes that affect a person’s daily living needs. This might mean that the amount of Adult Disability Payment they get might change.

Question 20

Have you previously reported a change of circumstances for Adult Disability Payment?

- Yes
- No
- Don’t Know

If you said “yes”:

(a) Do you feel that you were treated with dignity, fairness and respect?

- Yes
- No
- Don’t Know

(b) Did you receive regular updates about what was happening?

- Yes
- No
- Don’t Know

(c) In your view, what worked well?

(d) In your view, worked less well?

Section 12 – Other considerations

Question 21

Are there any other changes you think the Scottish Government could make to Adult Disability Payment?

Please provide detail about:

- Why you think changes are necessary
- What changes you would suggest
- Could there be any unintended consequences.

Please consider what specific changes other than changes to the rules you think would be required. Please refer to Section 4 and 7 of the consultation paper, which outlines the changes the Scottish Government has already made to the application and decision-making processes.

(a) If you proposed changes, what positive impacts could these have, and for who?

(b) If you proposed changes, how would you prioritise these?

Please consider:

- The importance of individual changes to you
- Which changes you think could be implemented more easily.

Responding to this Consultation

We are inviting responses to this consultation by 23 August 2024.

Please respond to this consultation using the Scottish Government's consultation hub, Citizen Space (<http://consult.gov.scot>). Access and respond to this consultation online at: <https://consult.gov.scot/social-security/adult-disability-payment-review-consultation>.

You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of 23 August 2024.

To request a version of the consultation in Braille or large print, please e-mail adpreview@gov.scot or phone 0131 244 6212.

If you are unable to respond using our consultation hub, please complete and send the Respondent Information Form (Annex A) to:

Independent Review of Adult Disability Payment
c/o Scottish Government
Area 1B (South)
Victoria Quay
Edinburgh
EH6 6QQ

Handling your response

If you respond using the consultation hub, you will be directed to the "About You" page before submitting your response. Please indicate how you wish your response to be handled and, in particular, whether you are content for your response to be published. 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 Independent Review 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.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form included in this document. To find out how we handle your personal data, please see our privacy policy: <https://www.gov.scot/privacy/>.

Next steps in the process

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.gov.scot>. If you use the consultation hub to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so. An analysis report will also be made available.

Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to the contact address above or email: adpreview@gov.scot.

¹ [Programme for Government in 2023-24](#)

² [Consultation on the Eligibility Criteria for the Mobility Component of Adult Disability Payment](#)

³ [Social Security Experience Panels - Adult Disability Payment: mobility component eligibility criteria](#)

⁴ [Scottish Fiscal Commission: Scotland's Economic and Fiscal Forecasts – December 2023](#)

⁵ [Adult Disability Payment: Review of the Mobility Component](#)

⁶ [Disability Benefits Evaluation: Supporting information](#)

⁷ [PIP Handbook](#), Department for Work and Pensions, May 2024

⁸ [PIP Assessment Provider Handbook \(Part 1, pp. 26-28\)](#), Department for Work and Pensions, April 2023

⁹ [PIP Handbook](#), Department for Work and Pensions, May 2024

¹⁰ [PIP Handbook](#), Department for Work and Pensions, May 2024

¹¹ [PIP Handbook](#), Department for Work and Pensions, May 2024



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This publication is available at www.gov.scot

Any enquiries regarding this publication should be sent to us at

The Scottish Government
St Andrew's House
Edinburgh
EH1 3DG

ISBN: 978-1-83601-335-8 (web only)

Published by The Scottish Government, June 2024

Produced for The Scottish Government by APS Group Scotland, 21 Tennant Street, Edinburgh EH6 5NA
PPDAS1464218 (06/24)

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