

Independent Review of Adult Disability Payment: Call for Evidence

June 2024

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Foreword



This call for evidence is being hosted on behalf of Edel Harris OBE in her role as Chair of the Independent Review of Adult Disability Payment.

This call for evidence is primarily intended for organisations, although anyone can respond. A separate consultation that is primarily intended for people with lived and living experience of accessing – or trying to access – Adult Disability Payment is also available. If you are an individual with lived experience of disability or Adult Disability Payment, you may wish to [respond to the consultation](#) instead.

I am delighted and privileged 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 am committed to the Independent Review being driven by evidence and with the input of disabled people. That includes thinking not only about what works well but also about where there is scope for improvement.

The review is a broad collaborative process and there will be many opportunities for feeding in your views during its course. This particular call for evidence is designed to gather that evidence on several key topic areas.

Since taking up my appointment, I have focused on building a thorough understanding of Adult Disability Payment. I continue to meet with people and organisations with experience of how Adult Disability Payment works and some of the questions in this call for evidence have come from those discussions.

I also want to assure you that once the call for evidence is complete, there will still be opportunities for you to take part in the Independent Review.

The Independent Review will report back to the Scottish Government by July 2025.

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

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

Context

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.

Through this call for evidence, 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 is entitled to 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 call for evidence 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 call for evidence.

Why is there a need for an independent review?

The Scottish Government said in its Programme for Government in 2023-24¹ that it would start an independent review of Adult Disability Payment. The Scottish Government has 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, people with experience of disability, and people who work for organisations that work for and with 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 call for evidence, [a consultation](#) is also seeking people's lived and living experiences of accessing or trying to access 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 call for evidence is about

The purpose of this call for evidence is to gather evidence from all interested parties to inform recommendations in relation to the Independent Review of Adult Disability Payment. This call for evidence is primarily intended for organisations, although anyone can respond.

A [separate consultation](#) mostly for people with lived and living experience of accessing – or trying to access – Adult Disability Payment is also available. However, we also welcome views from people who work with or on behalf of disabled people as part of the consultation.

The call for evidence asks wider questions relating to Adult Disability Payment which will help to inform the Chair's recommendations. It will also provide an opportunity for specific feedback in relation to the areas identified in the Terms of Reference as being specific focus for the review.

This call for evidence is divided into the following sections:

1. Factors affecting take-up of Adult Disability Payment
2. Pre-application support for Adult Disability Payment applications
3. Processing times for Adult Disability Payment applications
4. Decisions, re-determinations and appeals
5. Informing about a change of circumstances
6. Review periods
7. Other considerations

We are interested in your comments and ideas so there is space left at the end for you to provide these. If you use the box at the end of the questionnaire, indicate to which of the sections your comments refer.

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

What this call for evidence does not consider

We recognise that gathering supporting information for 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 strategy.⁵ The supporting information evaluation gathered the views of stakeholders and was published by the Scottish Government in September 2023. The Independent Review will use these findings, which is why no specific questions on supporting information have been included in this call for evidence.

The call for evidence does not ask questions related to the eligibility criteria or fluctuating conditions for Adult Disability Payment. We ask questions about the eligibility criteria in the consultation. You may choose to respond to that in addition to the call for evidence, as you do not need to respond to every question. The findings from both will be considered as part of the independent review.

What do we mean by evidence?

Evidence can take many forms and your submission is not limited to evidence published academically. This could include but is not necessarily limited to qualitative or quantitative research generated from work with people who have experience of Adult Disability Payment, as well as findings from statistical analyses and policy impact evaluations. Submissions of evidence from within or outside Scotland originating from the public, private, or third sectors are all welcome. However, we would particularly value responses that:

- provide complete references to the underlying evidence supporting the responses to the questions that follow
- prioritise evidence that is relevant to the questions being asked
- describe evidence gaps, or what doesn't work, in addition to documenting what we know
- consider whether potential responses to the issue in question differ by location or context (e.g. urban/rural contrasts)
- consider whether the issue has different impacts on seldom-heard voices, such as mobile communities
- include evidence from systematic reviews, or otherwise synthesised results from a body of literature in addition to isolated single studies
- include scenario and forecasting studies
- consider and comment on the quality of the evidence being cited, including the sample sizes used and the presence of any control group or follow-up study.

References to Personal Independence Payment (PIP)

This call for evidence 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 see evidence about people with experience of both benefits.

Section 1 – Factors affecting 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 rates within 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 Government 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.

Estimating take-up rates for PIP

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 questions ask about factors affecting take-up and peoples' decision to apply for 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. Thinking about take-up of Adult Disability Payment for seldom-heard groups, what evidence exists about:

(a) Levels of awareness and barriers to awareness of Adult Disability Payment amongst seldom-heard groups?

(b) The particular barriers to application facing people in specific seldom-heard groups?

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.

Question 2

In relation to Adult Disability Payment, can you provide evidence about any initiatives or activities that have measurably increased:

- (a) awareness
- (b) take-up?

You may wish to consider both in the context of seldom-heard groups or more widely.

Question 3

Can you provide specific examples of the factors that affect whether someone chooses to apply for Adult Disability Payment or chooses not to apply?

Section 2 – 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.

As noted in the context to this call for evidence, we recognise that gathering supporting information for 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 strategy. The supporting information evaluation gathered the views of stakeholders and was published by the Scottish Government in September 2023. The Independent Review will use these findings, which is why no specific questions on supporting information have been included in this call for evidence.

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 from early engagement that some people applying for Adult Disability Payment might not know what support is available.

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.

How the UK Government offers pre-application support for PIP

For context, the UK Government does not offer a dedicated equivalent to the Local Delivery Service for PIP. It offers 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 UK Government does not offer an equivalent to the Independent Advocacy Service.

Question 4

Thinking about the pre-application services provided by Social Security Scotland, can you provide specific examples of:

- (a) Parts of those services that are working well?

- (b) Parts of those services that don't work, are confusing or could be further improved?

Question 5

What evidence exists about the impact of the following pre-application services in supporting people making an application for Adult Disability Payment:

- (a) Social Security Scotland's Local Delivery Service
- (b) the Independent Advocacy Service.

Question 6

What evidence exists about what factors influence people approaching third sector or other public sector services for support with Adult Disability Payment?

Section 3 – Processing times for Adult Disability Payment applications

The time it takes Social Security Scotland to decide 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 on behalf of clients
- 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 the processing times for applications for Adult Disability Payment.

Social Security Scotland says it is making 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 evidence on whether they are having a different impact on some groups (e.g. 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 the effect of application processing times for Adult Disability Payment.

Question 7

Thinking about the time it takes to decide about whether someone gets Adult Disability Payment, do you have evidence whether this may have a different impact on some people than others, such as those from seldom-heard groups?

- (a) Do you have evidence relating to what could be done to enhance peoples experience of waiting for a decision (if anything)?

Section 4 – Decisions, re-determinations and appeals

People who receive 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.

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, 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 the 56 calendar days.

During the re-determination process, 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

For context, people who disagree with a decision about PIP can ask the UK Government to reconsider the decision⁶. This is called a mandatory reconsideration and involves submitting 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 do not have an equivalent to short-term assistance payments.

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

The following questions ask about how people understand the re-determination and appeals process and their experiences when going through that process with Adult Disability Payment.

Question 8

Thinking about when a decision on an Adult Disability Payment application is made, do you have any evidence about how clearly the reasons for the decision are explained to the person?

Question 9

Do you have any evidence about how well-informed people feel during the re-determination process?

Question 10

Can you provide specific examples of factors that influence whether a person will request a re-determination of a decision made on an Adult Disability Payment application?

Question 11

Can you provide specific examples of factors that may influence whether a person will appeal an Adult Disability Payment decision?

Section 5 – Informing Social Security Scotland about a change of circumstances

People (or someone who acts on their behalf, called representatives) must inform Social Security Scotland if something 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.

People can do this by either calling Social Security Scotland or by completing an online form.

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 telephone⁷.

The following question asks about the experiences people may have had when notifying Social Security Scotland about a change of circumstance in relation to Adult Disability Payment.

Question 12

What evidence exists about people's experiences of notifying Social Security Scotland about a change of circumstances? Can you provide specific examples of:

(a) What worked well (if anything)?

(b) What could be improved (if anything)?

Section 6 – Review periods

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

For context, 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 circumstances⁸.

Most people receiving PIP 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 may be set if a case manager thinks the person's health condition is expected to improve.

The following question asks about people's understanding of reviews and review periods for Adult Disability Payment.

Question 13

People may receive an Adult Disability Payment award without a review period (also known as an "indefinite award") if their needs are highly unlikely to change in the future.

In relation to Adult Disability Payment, do you have any evidence about:

- (a) How clearly the decision to make an indefinite award was explained?
- (b) Whether or not people understand why they have or have not been given an indefinite award?

(c) What were people's experience of having an indefinite award? This could include the impact that having an indefinite award has on people's quality of life compared to people who have had a review period set.

Section 7 – Other considerations

Question 14

Is there any other evidence you would like to share with us on the delivery of Adult Disability Payment to date?

Responding to this Call for Evidence

We are inviting responses to this call for evidence by 23 August 2024.

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

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

To request a version of the call for evidence 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 call for evidence 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 [Disability Benefits Evaluation: Supporting information](#)

⁶ [PIP Handbook](#), Department for Work and Pensions, May 2024

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

⁸ [PIP Handbook](#), Department for Work and Pensions, May 2024



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