Social security devolution and the new Scottish Social Security Agency

A quick guide for bureaux teams

May 2017 - Service Communications Team

Summary

> Powers over certain social security benefits are being devolved to the Scottish Parliament. This will mean the Scottish Government could redesign them, if they wish.

> The delivery plan is not yet fully defined, however we do know that a new Scottish Social Security Agency will be established to administer all of the devolved benefits with the exception of Discretionary Housing Payments. It will consist of a central agency with enhanced phone and online support, which incorporates face-to-face claims and support services locally in existing public sector locations.

> A Scottish Social Security Bill is expected to be introduced to the Scottish Parliament in June. It is expected to be ‘framing’ legislation to enshrine the principles of the new system, and set out common mechanisms for the new system, such as the method for recovering overpayments, conducting reviews and appeals, and setting residency requirements. Much of the detail of eligibility for the new benefits is expected to be set out in regulations and is yet to be announced.
The changes will affect: disability benefits (currently PIP, DLA, Attendance Allowance, Industrial Injuries Disablement Benefit, SDA); carers benefits (Carers Allowance); funeral payments; Sure Start Maternity Grant; Winter Fuel Payments and Cold Weather Payments; Discretionary Housing Payments; and some administrative flexibilities over Universal Credit (frequency of payments, who housing payments are made to, single household payments, whether to apply the Bedroom Tax).

The timeframe for devolution is not yet defined, but each benefit will transfer over once the Scottish system is ready, one benefit at a time.

In 2015/16, Citizens Advice Bureaux advised clients on over 74,000 new issues related to benefits that will be affected by this change.

That’s almost one third of benefits issues addressed by bureaux advisers.
What is Citizens Advice Scotland doing about it?

Citizens Advice Scotland (as the umbrella body for the Citizens Advice service in Scotland) is monitoring the development of the new agency and the devolution of these powers with interest; these changes have the potential to have significant impact for citizens and for our member bureaux.

Because of this potential for change, we are working hard to ensure the views of bureaux and citizens are heard and that they influence how the new system is designed and delivered. Across 2015 and 2016 we involved advisers and clients in an extensive consultation on this issue. This engaged over 200 advisers and almost 1,000 clients through a range of events, surveys, and bureau-facilitated client workshops, in addition to analysis of social policy feedback and statistics submitted by bureaux on related cases.

The Citizens Advice Scotland (CAS) policy and campaigning team submitted all the evidence gathered through this process as a substantial response to the Scottish Government’s consultation on how the new system should operate. Since doing this, a number of announcements have been made in response to bureaux evidence about how the new system should work.

We continue to work constructively with Scottish Government officials and MSPs to provide evidence and highlight the priorities that advisers and clients have raised regarding the new system. Key points we focus on include calls for:

> A substantial reduction in the number of unnecessary medical assessments for disability benefits;
> Ensuring the new system delivers dignity and respect in practice;
> Changes to the complex reviews and appeals process and eligibility for carers benefits; and
> Ensuring that citizens have access to independent advice and support.

CAS and bureaux are also represented on a number of advisory groups to provide expert advice on how aspects of the new system should operate, including the Expert Advisory Group on Disability and Carers Benefits.

Following the Security Minister’s announcement of details of the new agency, CAS Acting CEO Anne Lavery met with David Wallace, Executive Director (Social Security Agency Implementation), and Miriam Craven Head of Customer Services. The aim was to understand more about the Scottish Government’s plans for the new Social Security Agency, the role the Citizens Advice service can play in the development and design of the central body and local agencies, and how we can ensure citizens continue to have access to high quality advice.

The priority for CAS is to ensure that bureaux are engaged and involved in the decisions around the coming changes, and that the needs of the clients and citizens they support are reflected in the new system. Both David and Miriam were keen to continue working with the service as a whole to learn from the experience we all have, and to ensure good working relationships between bureaux and the localised elements of the agency are developed from the outset.

Anne Lavery and Rory Mair, Chair of the CAS board, also discussed these issues with Jeanne Freeman, Scottish Government Minister for Social Security, when she visited CAS in May, and stressed the importance of the role of bureaux.

CAS will continue to work with the social security directorate to ensure that the needs of citizens are met, and that bureaux are involved and heard.
How does this fit with other social security work?

- **Core benefits advice** – No change in the short term. Once devolved benefits are live, there will be changes to advice and signposting information which will be communicated clearly to you with plenty notice.

- **Welfare reform Mitigation Project** – Funding of £1.4 million has been confirmed for 2017-18. A key focus for this year is the development of bureaux partnership work to support vulnerable individuals as Universal Credit is rolled out. We are working with the Scottish Government to support local bureaux partnership development over the year.

- **Benefits take-up** – Encouraging people to access the benefits they are entitled to will continue to be a focus for the Scottish Government, with future campaigns focussing on different areas of benefits provision. The two week CAS/CAB campaign delivered in March resulted in more than 400 callers to the helpline, and more than 2,000 additional visits to relevant website pages - focussed on disability and retirement benefits; revealing a real need for more benefits information for people throughout Scotland. The next Scottish Government benefits focus will be on young carers (during Carers Week from 12-18 June and also around the Young Carers Festival in August), and will be delivered by Young Scot in partnership with the Scottish Government.