

Response ID ANON-CU3W-6WSR-M

Submitted to A Consultation on Improving Disability Assistance in Scotland

Submitted on 2019-05-22 15:42:40

Section 1 - Disability Assistance in Scotland

1 Do you agree or disagree with the proposal to name Disability Assistance for clients aged 0-18 years old Disability Assistance for Children and Young People (DACYP)?

Not Answered

2 If you disagreed, please could you explain why.

If you disagreed, please could you explain why.:

3 Do you agree or disagree with the proposal to name Disability Assistance for clients aged 16 years old to state pension age Disability Assistance for Working-Age People (DAWAP)?

Not Answered

4 If you disagreed, please could you explain why.

If you disagreed, please could you explain why.:

5 Do you agree or disagree with the proposal to name Disability Assistance for clients who are state pension age or older Disability Assistance for Older People (DAOP)?

Not Answered

6 If you disagreed, please could you explain why.

If you disagreed, please could you explain why.:

7 Do you agree or disagree with the proposal to enable multiple application channels for Disability Assistance?

Not Answered

8 If you disagreed, please could you explain why.

If you disagreed, please could you explain why. :

9 Do you agree or disagree with the proposal to broadly replicate the current temporary absence rules?

Not Answered

10 If you disagreed, please could you explain why?

If you disagreed, please could you explain why?:

11 Do you agree or disagree with the proposal to implement a person-centred approach to making decisions about entitlement for Disability Assistance?

Not Answered

12 If you disagreed, please could you explain why?

If you disagreed, please could you explain why?:

13 Do you agree or disagree with our proposed approach to the involvement of Specialist Advisors in Decision Making?

Not Answered

14 If you disagreed, please could you explain why.

If you disagreed, please could you explain why. :

15 What factors should Case Managers take into account in deciding when a Specialist Advisor should be involved?

What factors should Case Managers take into account in deciding when a Specialist Advisor should be involved? :

16 Do you agree or disagree that the decision making process for Disability Assistance for Children and Young People, and for Older People should use existing supporting information and not through face-to-face assessments?

Not Answered

17 If you disagreed, please could you explain why.

If you disagreed, please could you explain why.:

18 What types of supporting information would be relevant in assessing an application for Disability Assistance eg. social work report, medical report?

What types of supporting information would be relevant in assessing an application for Disability Assistance eg. social work report, medical report?:

19 Do you agree or disagree with the proposal to have no set award durations but to set an award review date when a decision on a Disability Assistance application is made?

Not Answered

20 If you disagreed, please could you explain why.

Comments::

21 Do you agree or disagree with the proposal to set an award review date 5-10 years in the future for a person with a condition unlikely to change?

Not Answered

22 If you disagreed, please could you explain why.

Comments::

23 Do you agree or disagree with the proposal that a change of circumstances should be defined as a change which has an impact on the level of assistance a person receives?

Disagree

24 If you disagreed, please could you explain why.

Comments::

The Mobility and Access Committee for Scotland (MACS) is pleased to contribute to the consultation and welcomes the proposal to have an equivalent Scottish scheme in place in advance of the delivery of Disability Assistance.

MACS believes in a Scotland without the barriers that isolate and exclude disabled people from making their choice of successful door to door journeys. MACS overarching strategic remits include providing advice to Scottish Ministers on the transport and travel needs of disabled people and in doing so, engaging with disabled people and/or their representatives to gather insights from their experiences to give advice.

MACS would encourage the new devolved Scottish Social security arrangements to support the continuation of Motability and in reference to 4.14- Access to Accessible Vehicles Leases and Equipment within the consultation, there are social security benefits that act as administrative eligibility criteria for other travel schemes. Social security benefits such as Attendance Allowance, Disability Living Allowance and Personal Independent Payments provide a gateway for 'companion' concessionary travel permit. MACS would strongly recommend that the social security benefits be carefully researched and understood in relation to diverse groups such as older people groups dependant on travel schemes.

MACS would also suggest the VAT exemption regulations be considered. For example, it is the VAT status of benefits, rather than wider considerations that decide which benefits confer entitlement to Motability. Recently, Disability Equality Scotland conducted a weekly poll with their members on the topic of Motability and in summary the poll opinion raised a number of concerns including the concern that Motability staff are not in touch with the needs (and challenges) of disabled people, particularly in Scotland and that now benefits have been devolved, there is perhaps a stronger argument for Social Security Scotland to be involved. The poll emphasised there is a strong view that the Scottish Government should work in partnership in ensuring the new devolved social security arrangements consider the transport and travel needs of disabled people.

MACS strongly advocates that social security policy should recognise that social security entitlements often act as a gateway to mobility/transport i.e. encourage the consideration of the passported benefits which social security entitlements provide. For example, the concessionary travel scheme enables independence, accessibility and social inclusivity for disabled people.

25 Do you agree or disagree with the proposal that clients have 31 days to request a redetermination?

Not Answered

26 If you disagreed, please could you explain why.

Comments::

27 We have proposed that Social Security Scotland have a period of between 40 and 60 days to consider a redetermination of Disability Assistance. Do you agree or disagree with this proposal?

Not Answered

28 If you disagreed, please explain why.

Comments::

29 Do you agree or disagree that STA should not be paid to people who are not living or present in Scotland?

Not Answered

30 If you disagreed, please could you explain why.

Comments::

31 Do you agree or disagree that STA should not be recoverable except where it is later established that the principal assistance type was claimed fraudulently when STA was awarded?

Not Answered

32 If you disagreed, please could you explain why.

Comments::

33 Do you agree or disagree that STA should not be available where an investigation by Social Security Scotland has determined that the original payment was claimed fraudulently?

Not Answered

34 If you disagreed, please could you explain why.

Comments::

35 Do you agree or disagree that any deductions being made from an on-going assistance type to service an overpayment liability should also be applied to STA?

Not Answered

36 If you disagreed, please could you explain why.

Comments::

37 Do you agree or disagree that for successful process decision appeals where the tribunal has overturned Social Security Scotland's decision, STA should become available at the point the decision is overturned rather than the date of the original request?

Not Answered

38 If you disagreed, please could you explain why.

Comments::

39 Do you agree or disagree with the proposed approach that, generally, where there is a break in a client's eligibility to receive the benefit, eg. due to being in residential care, they will cease to receive the benefit?

Not Answered

40 If you disagreed, please could you explain why.

Comments::

41 Please outline any comments or experience you would like to share with us about overpayment recovery and the current DWP approach to deductions?

Comments::

About you

What is your name?

Name:

Mobility and Access Committee for Scotland (MACS)

What is your email address?

Email:

macs@gov.scot

Are you responding as an individual or an organisation?

Organisation

What is your organisation?

Organisation:

Mobility and Access Committee for Scotland (MACS)

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes