

Minister for Social Security and Local Government submission of 22 November 2022

PE1854/N: Review the adult disability payment eligibility criteria for people with mobility needs

Thank you for your letter of 1 November 2022 in which the Committee requested further information on several points in relation to the above petition.

Detailed information on the timescales and expected completion date for each stage of the review/Understand how the Scottish Government intends to report on stage 1 of the review.

I am pleased to confirm that stage 1 of the review is currently underway. We are undertaking engagement with disabled people through our Experience Panels in addition to academic and stakeholder organisations. This work will be used to develop a broad evidence base to inform a public consultation on the eligibility criteria for the mobility component in late January 2023 and conclude in late April 2023.

An independent analysis of the consultation findings will be published in mid-2023, in advance of stage 2 commencing. We will also publish individual responses, where participants have given their consent. The findings will be made available to the independent review for its consideration. Stage 2 will begin in line with our commitment to hold an independent review one year after the national launch of Adult Disability Payment.

I intend to set out further detail on the timing, scope and membership of the independent review in due course. The Scottish Government has consulted recently on the arrangements for policy advice and scrutiny as part of the [Enhanced Administration and Compensation Recovery consultation](#). As we begin to analyse the findings from the consultation, this will help to inform decisions on the membership of the independent review.

Understand how the Scottish Government intends to engage with the Scottish Parliament throughout the period of review and on the proposals and recommendations for action.

I am committed to keeping Parliament up to date and will undertake to keeping this Committee informed, in addition to the lead Committee, as we achieve key milestones.

I enclose a copy of my recent letter to Social Justice and Social Security Committee (**Annex A**).

I hope this information is helpful to the Committee in its further consideration of the petition.

Annex A: Letter from Ben Macpherson

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28 October 2022

Dear Elena,

I am writing to provide an update on the review of Adult Disability Payment and forthcoming activity as part of the review.

Following the successful national launch of Adult Disability Payment on 29 August 2022, our immediate priority continues to be the safe and secure transition of people's payments from DWP to Social Security Scotland. I am confident that people will experience the many positive improvements we have made to the application and decision-making process compared to Personal Independence Payment (PIP).

Whilst Adult Disability Payment delivers a transformed and more positive client experience, it has been necessary at this stage for this new benefit to largely replicate the PIP eligibility rules while case transfer is undertaken, to avoid creating a two-tier system for disabled people.

We know from our extensive engagement with stakeholders that the eligibility criteria for the mobility component is a priority area for future consideration. As we begin to think beyond a safe and secure transition, it is therefore important that we develop a robust evidence base on the operation of the mobility component criteria and potential future options.

This will include drawing upon experiences of the early operation of Adult Disability Payment more generally, as well as more detailed engagement.

Work will shortly commence with people with lived experience and stakeholders to explore our understanding of their views about the mobility component. We want to ensure that we develop a clear understanding of views on the mobility component and identify any gaps in the evidence. As part of that, we intend to work with disabled people and stakeholders to identify their priorities for change. It is also right that we reflect on what works well with the existing eligibility criteria and potential areas for future improvement.

This work will help to inform a formal public consultation on the mobility component eligibility criteria in late January 2023. An external analysis of the consultation findings will be published in the interests of transparency, with the findings and analysis to be considered as part of the independent review later in 2023.

Whilst I appreciate that there is considerable interest in the review, I believe it is fundamentally important that we take appropriate time to ensure that we make the right decisions. The independent review will consider affordability and deliverability in making its recommendations. We will also need to carefully consider the impact of any recommendations on entitlement to passported benefits, and engage with UK

Government counterparts on these matters. I intend to set out further detail on the scope, timing and membership of the independent review in due course.

As you know, Adult Disability Payment is the most complex form of social security assistance we have delivered so far, with links to many other areas and detailed decision-making processes. I believe that giving people time to experience these improvements remains the right thing to do, whilst we focus on building up the capacity and experience within Social Security Scotland.

I hope the Committee find this letter useful. I remain grateful to Members for the way in which they engage constructively with the Scottish Government on this matter.

