

Citizen Participation and Public Petitions Committee

3rd Meeting, 2023 (Session 6), Wednesday
22 February 2023

PE1913: Fast-track future Adult Disability Payment applications for people undergoing cancer treatment

Petitioner Wendy Swain

**Petition
summary** Calling on the Scottish Parliament to urge the Scottish Government to create a separate department within Social Security Scotland that will fast track future Adult Disability Payment (ADP) applications for people with a cancer diagnosis whilst they are undergoing treatment.

Webpage <https://petitions.parliament.scot/petitions/PE1913>

Introduction

1. The Committee last considered this petition at its meeting on [18 May 2022](#). At that meeting, the Committee agreed to write to the Scottish Social Security Agency.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new responses from Social Security Scotland and the petitioner which are set out in **Annexe C**.
4. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).
5. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
6. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).

Action

7. The Committee is invited to consider what action it wishes to take.

Clerk to the Committee

Annexe A

PE1913: Fast-track future Adult Disability Payment applications for people undergoing cancer treatment

Petitioner

Wendy Swain

Date lodged

30/11/2021

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to create a separate department within Social Security Scotland that will fast track future Adult Disability Payment (ADP) applications for people with a cancer diagnosis whilst they are undergoing treatment.

Previous action

Calling on the Scottish Parliament to urge the Scottish Government to create a separate department within Social Security Scotland that will fast track future Adult Disability Payment (ADP) applications for people with a cancer diagnosis whilst they are undergoing treatment.

Background information

One in two people in the UK will be diagnosed with cancer in their lifetime - around 33 million individuals. The most difficult and challenging time for a family is when you undergo treatment and are unable to work. From 2022 PIP will be devolved. There have been many examples under the current system when people undergoing treatment do not receive their PIP at a time they need it the most. This is forcing people into hardship or back to work while undergoing treatment. I believe that the devolution of PIP and change to Adult Disability Payment offers an opportunity to change the system to make it fairer for people undergoing cancer treatment.

I want to ensure that the principles of being treated with dignity, fairness and respect are applied to people and that they are able to access ADP during their treatment when they most need support.

Annexe B

Extract from Official Report of last consideration of PE1913 on 18th May 2022

The Convener: Our next petition is PE1913, which was lodged by Wendy Swain. The petition calls on the Scottish Parliament to urge the Scottish Government to create a separate department within Social Security Scotland that would fast-track future adult disability payment applications for people with a cancer diagnosis while they are undergoing treatment.

At our last consideration of the petition on 2 February, we agreed to seek views from Macmillan Cancer Support and Cancer Research UK. Macmillan Cancer Support's response requested that the committee urge the Scottish Government to ensure that the new system of adult disability payment in Scotland follows a number of key principles, which are set out in its submission and relate to the processing times for applications, fast-tracking applications and making greater use of paper-based assessments and evidence from medical professionals.

Do members have any comments or suggestions?

David Torrance: We should keep the petition open, but in doing so, I would like us to write to Social Security Scotland to highlight the concerns of the petitioner and the recommendations for improving its system that are set out in Macmillan Cancer Support's submission. It recommends regularly publishing processing times for benefit applications broken down by condition, ensuring that processing times for special rules cases are kept to the minimum period of around a few days, reducing the processing times for applications for non-terminal patients to 11 weeks or less and considering maximising the use of paper-based assessments and making greater use of evidence from medical professionals to limit the need for unnecessary face-to-face assessments.

The Convener: Are we content to progress the proposals as identified by Mr Torrance?

Members *indicated agreement.*

The Convener: We will keep the petition open and progress accordingly.

Annexe C

Social Security Scotland Chief Executive submission of 23 June 2022

PE1913/E: Fast-track future Adult Disability Payment applications for people undergoing cancer treatment

Thank you for your letter of 26 May, drawing attention to the concerns raised in the above petition and expressed through the petitioner's personal experience.

Before addressing each of these matters in turn, I would like to offer my sympathy to the petitioner and their family member during what is clearly a distressing time.

You asked that we confirm we plan to:

Regularly publish processing times for benefits applications, broken down by condition, to ensure that any delays/issues are monitored and addressed.

The first Adult Disability Payment statistics were released on 14 June 2022 ([Social Security Scotland - Adult Disability Payment: high level statistics to 30 April 2022](#)) and we will be publishing these routinely on a quarterly basis from now on. We will be expanding the range of information that we include in our Adult Disability Payment statistics releases, as we continue to collect more data that will allow for more detailed breakdowns. This will include information regarding processing times. We will also consider including information on applications and their outcomes by disability condition, as the data allows. Currently, we do not expect to routinely publish breakdowns of processing times by disability condition, but we will keep this under review.

Ensure that processing times for special rules cases (those with a Terminal Illness) are kept to a minimum period of around a few days.

We are committed to giving people timely decisions and our priority is making the right decisions first time. It is important to note that there are differences in the approach to how we administer Adult Disability

Payment in Scotland compared to Personal Independence Payments (PIP). One of the differences is the onus on Social Security Scotland to gather supporting evidence on behalf of a client to support their application. Processing times may not therefore be comparable with each other but Special Rules for Terminal Illness under Adult Disability Payment are likely to be longer than a few days. However, to reiterate, we are committed to giving people decisions as quickly as we can, while also making the right decision first time.

Reduce the processing times for applications for normal rules (non-terminal patients) to 11 weeks or fewer.

As with Special Rules for Terminal Illness cases, there are significant changes to how we support clients with applications, including face-to-face where required through our local delivery network across Scotland; the application process itself, with the form available digitally and built with people with experience of the system; and how we gather evidence. Again, processing times may not be directly comparable but we expect these changes - and working closely with clients or their representatives –to reduce the need for people to go through a redetermination or through a formal Appeal and a greater proportion of clients to receive the right award first time. We will continue to look for ways in which to improve the service we provide to our clients – including providing timely decisions.

Putting people at the heart of the system has been key in how the Scottish Government developed the processes and systems used by Social Security Scotland. The feedback of clients will continue to be gathered and used to improve processes including through our Annual Client Survey, creating and working with client panels, insights and the Charter Measurement ([Social Security Scotland - Social Research](#)).

Consider the scope to maximise the use of paper-based assessments and make greater use of evidence from medical professionals, to limit the need for unnecessary face-to-face assessments.

The Scottish Government has significantly changed the assessment process for Adult Disability Payment from the system in place for Personal Independence Payment. Currently over 80% of Personal Independence Payment applicants are required to attend an assessment centre to undergo a uniform assessment carried out by a contractor. Social Security Scotland has directly employed health and social care professionals as an integral part of the Adult Disability Payment process.

These health and social care professionals will support Case Managers to make decisions and only undertake a consultation with clients where necessary or where requested by the client. A consultation will only be required when the information that has been received is either incomplete or inconsistent and doesn't allow a decision to be made. Consultations will be very focused and the Practitioner carrying out the consultation will have an appropriate background for the condition(s) under consideration. In the small number of completed consultations so far the majority have been carried out by telephone. A consultation can also be carried out at a time and place of the client's choosing; either face to face or by video conference, if that is the preference of the client.

Petitioner submission of 14 July 2022

PE1913/F: Fast-track future Adult Disability Payment applications for people undergoing cancer treatment

The recent submission provided by Social Security Scotland does not solve the issue that thousands of people are being refused disability payments under PIP. This is because the questions in the forms do not relate to cancer and people like my husband, who had the highest dose of radio therapy, were told it doesn't effect their lives enough. This is untrue and I will be doing more to get the changes made. This is a barbaric way to treat these people and it must stop.