

Citizen Participation and Public Petitions Committee

16th Meeting, 2023 (Session 6), Wednesday
8 November 2023

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

Lodged on 24 March 2021

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 [22 February 2023](#). At that meeting, the Committee agreed to write to Social Security Scotland.
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 which is 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](#).
7. Every petition collects signatures while it remains under consideration. At the time of writing, 317 signatures have been received on this petition.

Action

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 22nd February 2023

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

At our previous consideration of the petition, we agreed to write to Social Security Scotland highlighting the concerns of the petitioner and the recommendations for system improvements that are set out in Macmillan Cancer Support's submission.

In response, Social Security Scotland has confirmed that it will publish quarterly statistics and that the information that is available will be expanded as it continues to collect more data. That will include information on processing times. The response outlines its work to address the issues that are raised by Macmillan Cancer Support's recommendations.

The petitioner's recent submission highlights her on-going concern about rejected applications for disability payments through the personal independence payment.

Do members have any comments or suggestions for action?

Alexander Stewart: We have asked questions about the petition in the past and we have received some assurances. However, there are a number of issues that we might still want to ask about. It might be advantageous to write to Social Security Scotland to ask whether it intends to set targets for application processing times for special and normal rules cases. That is vitally important for an application process. If we have targets, we will get an answer as to where we are, and there are other options that we can look at thereafter.

The Deputy Convener: Thank you. Does everybody agree to take that approach?

Members *indicated agreement.*

Annexe C

Social Security Scotland submission of 29

March 2023

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

Separate Fast Tracking for People with Cancer

As the committee is aware from The Scottish Government's previous submission of 1 December 2022, the Scottish Government's approach is to provide a person-centred service and not prioritise any single condition or type of disability above any other. This is the fairest way to provide our social security service and ensure that individual access to benefits is managed equitably. The enhanced procedures the Scottish Government is putting in place will significantly broaden fast tracked payments to people with cancer. Therefore the Scottish Government does not support an additional fast track procedure specifically for people with cancer. Everyone deserves the best possible service that can be provided and that is what we intend to provide, no matter what their illness or condition.

I would like to reassure you that Social Security Scotland does have a dedicated and very knowledgeable team working exclusively on Special Rules for Terminal Illness cases.

Social Security Scotland fast-tracks applications from clients with a terminal illness and seeks to make payments within 7 days.

Processing Times

In terms of applications made under normal rules, Social Security Scotland is committed to processing our clients' applications in a timely manner, whilst allowing sufficient time to ensure we have all the information we need to get decisions right first time. There are no plans

at present to introduce targets as no two applications for disability benefits are the same, and some can be more complex than others. At the moment, the majority of people will receive a decision within four months, although processing times vary from a few weeks to six months in a small proportion of very complex cases. When decisions are taking a long time, this is largely because people have asked us to gather supporting information on their behalf. It takes time to collect the information, but allows robust decision-making. If someone is eligible, we will always calculate the payment from the date that the person first applied.

Our Charter

Our Charter” and the Charter Measurement Framework were co-designed by people with lived experience of the benefits system. The Charter Measurement Framework is a crucial way of holding Social Security Scotland accountable for delivering the promises in “Our Charter” – including demonstrating dignity, fairness and respect in all our actions. The Framework measures some of the most important indicators of Social Security Scotland’s performance, notably how our clients experience our services, which is fundamental to our human rights-based approach.