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26 January 2024

Dear Convener

Appointment of a Chair for the Independent Review of Adult Disability Payment

Following my letter of 30 October, I am pleased to inform you that Edel Harris OBE has been appointed as Chair of the Independent Review of Adult Disability Payment. Edel was selected by way of open competition, and I am confident that she will be instrumental to successfully delivering the Independent Review.

The Independent Review will examine current rules and experience of delivery in the first year of Adult Disability Payment, and make recommendations for improvement to ensure the benefit continues to meet the needs of disabled people, in accordance with the principles set out in the Social Security (Scotland) Act 2018 and whilst recognising that the system is still being embedded. The remit and terms of reference for the Independent Review are annexed to this letter.

The Chair will receive secretariat support from the Scottish Government and the Independent Review will be completed by August 2025. Edel in her position as Chair will in due course consider the most appropriate ways of securing the input of a wide variety of audiences, including disabled people and stakeholders, with opportunities for participation throughout the review.

Yours sincerely

SHIRLEY-ANNE SOMERVILLE

REMIT AND TERMS OF REFERENCE

Purpose

To review current rules and experience of delivery in the first year of Adult Disability Payment, and make recommendations for improvement to ensure the benefit continues to meet the needs of disabled people, in accordance with the principles set out in the Social Security (Scotland) Act 2018 and whilst recognising that the system is still being embedded.

Scope

The following matters are within the scope of the review:

- the activities and descriptors that determine entitlement to Adult Disability Payment, including how these apply to disabled people with fluctuating conditions
- people's experiences of applying for, receiving or challenging a decision about Adult Disability Payment or undergoing a review (including unsuccessful applicants)
- consultations process and Adult Disability Payment-specific guidance for practitioners and decision-making guidance to ensure a rights-based model of social security is being applied
- considering initial priorities capable of early action that do not require changes to the application, decision-making or service delivery, where those changes offer value, are deliverable and useful regardless of any longer-term changes.

The following matters are not within the scope of the review:

- the purposes of ADP or the adequacy of payments;
- wider aspects of disability assistance which have implications for other forms of disability assistance, such as supporting information, special rules for terminal illness, duration of awards and reviews; and
- alternative forms of mobility support, such as grants, reductions in the cost of mobility equipment and vehicles and associated costs.
- alternative bodies to Social Security Scotland for delivering Adult Disability Payment.

Evidential Requirements

The review must draw upon a range of analytical approaches to generate evidence from policy, practice and research and, from that, draw evidence-based conclusions. Recommendations must be consistent with a rights-based approach to social security, in accordance with domestic and international human rights law.

The review will consider previous and ongoing work in this field, including:

- outputs of a consultation undertaken by the Scottish Government on the eligibility criteria for the mobility component of Adult Disability Payment;
- previous consultation findings and research activity undertaken by the Scottish Government, including Experience Panel and Social Security Scotland Client Panel findings;
- the '[Devolution of disability benefits: evaluation strategy](#)', published by the Scottish Government in October 2021;
- work undertaken by the [Disability and Carer Benefits Expert Advisory Group](#) in relation to Adult Disability Payment;
- work undertaken by wider partners, including the third sector, to understand people's experience of Adult Disability Payment;

- scrutiny by the [Scottish Commission on Social Security](#) of legislation and Scottish Social Security Charter measurement; and
- scrutiny by the [Social Justice and Social Security Committee](#) of the Scottish Parliament on the delivery of Adult Disability Payment to-date.

Accountability, Governance and Support

The review will be conducted independently of the Scottish Government and all other institutions. You will be responsible for the conduct of the review and delivery of a report in accordance with the remit. As provided in paragraph 12 of Annex A you will be expected to observe the principles of public life including objectivity, openness, honesty and integrity.

A memorandum will be agreed between you and the Scottish Government setting out how the review will be conducted. The memorandum will include provision for the following matters:

- a requirement to work at all times in an open, transparent participative and inclusive way, engaging widely with disabled people and stakeholders. Members of the former Disability and Carer Benefits Expert Advisory Group must be consulted on emerging findings.
- the provision of resources, including Secretariat staffing to be provided from the Civil Service and arrangements for access to relevant Scottish Government experts and Social Security Scotland staff.

Review Outcomes

A final review report will be provided to the Scottish Government by July 2025 and will be published by the Government upon receipt. The report will include such recommendations as you consider appropriate within the scope identified above.

Recommendations should consider and comment upon:

- the costs of any proposed changes associated with implementation and/or benefit expenditure;
- the practicability, including technical development requirements, of implementation and priorities for delivery;
- legislative changes that may be required; and
- the impact of any proposed changes on access to other forms of social security assistance controlled by the UK Government.

An interim report identifying any initial priorities, which do not involve substantive changes to service design and are capable of early action, should be provided within 9 months of the commencement of the review.