



AUGUST 2017

Response by Poverty Truth Commission (PTC) to SG Consultation on the Social Security Bill:

- We support the “short-term assistance” measures and in particular the stipulation that where a redetermination or Appeal is in process “...that during that period the person suffers no loss of income...”
- However, we are strongly of the view that the Regulations should make clear that no loss of income is matched by a commitment that there will be no loss of a **Motability Vehicle** or other non-financial benefit, while a Redetermination or Appeal is in process.
- In addition, we are strongly of the view that “disability assistance” must be further defined within Regulations so that it is clear that people who do not have a physical disability, but do, for example, have other types of impairment or condition such as a neurological condition, anxiety condition e.g. Agoraphobia or developmental disabilities such as Autism, are covered too.
- As regards “Assistance” we want Regulations to make clear that Cold heating assistance will be paid to all eligible families that are in receipt of child benefit (irrespective of whether the child / children are under or over 5 years of age).
- As regards Winter heating assistance that should be paid as per need assessed, under set eligibility criteria, rather than being

determined solely by age i.e. **not** as is currently the case, for all adults above a certain age only.

- As regards Carers Allowance we strongly agree that it should be paid at the same level as the JSA rate.
- Having said that, it is essential that Regulations stipulate that Carers Allowance being paid at JSA rate must have no material effect on other benefits such as ESA.
- Majority view of PTC Commissioners involved in consultation that power to top up child benefit (by a minimum of £5 per child per week) should be exercised but it should be awarded on the basis of clearly defined eligibility criteria (in Regulations), rather than be awarded universally to all in receipt of existing child benefit.
- As regards cash assistance or benefits in kind we broadly accept that benefits in kind may sometimes be necessary if the well-being of dependent children or vulnerable adults is to be maintained.
- We are concerned that the current Bill notes obligations regarding people using the system but insufficient weight appears to be given to the State's obligations to claimants and the consequences if the State's representatives / staff do not comply with their obligations.
- Such obligations, for the state and for claimants, should be spelled out clearly in the Scottish Social Security Charter, the creation of which we support. The Charter needs to be widely available, off as well as on-line.
- The right to advice and information **before** eligibility assessments and the right to independent advocacy and support **during** eligibility assessments should be enshrined in the Charter.

- Regulations should stipulate that any person carrying out an assessment to determine someone's eligibility to receive a health / disability related benefit is appropriately trained and has the appropriate **expertise** and is in receipt of all the relevant information, to be provided by professionals who are **registered** with their respective professional bodies.
- We are strongly of the view that all benefits should be **unfrozen** and updated annually in line with the Consumer Prices Index (CPI).
- There was a majority for the view that the housing benefit component of UC should be paid direct to landlords.
- We are strongly of the view that flexibilities as regards UC must also **include** the right to be paid fortnightly.

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