OFFICIAL REPORT
AITHISG OIFIGEIL

Social Security Committee

Thursday 22 September 2016

Session 5

The Scottish Parliament
Pàrlamaid na h-Alba

Thursday 22 September 2016

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SOCIAL SECURITY COMMITTEE
4th Meeting 2016, Session 5

CONVENER

*Sandra White (Glasgow Kelvin) (SNP)

DEPUTY CONVENER

*Pauline McNeill (Glasgow) (Lab)

COMMITTEE MEMBERS

*George Adam (Paisley) (SNP)
*Mark Griffin (Central Scotland) (Lab)
*Alison Johnstone (Lothian) (Green)
*Gordon Lindhurst (Lothian) (Con)
*Ben Macpherson (Edinburgh Northern and Leith) (SNP)
*Ruth Maguire (Cunninghame South) (SNP)
*Adam Tomkins (Glasgow) (Con)

*attended

THE FOLLOWING ALSO PARTICIPATED:

James Adams (Royal National Institute of Blind People Scotland)
Marion Davis (One Parent Families Scotland)
Peter Kelly (The Poverty Alliance)
John McAllion (Scottish Pensioners Forum)
Isla McIntosh (Glasgow Disability Alliance)
Bill Scott (Inclusion Scotland)
Layla Theiner (Disability Agenda Scotland)
Craig Wilson (Scottish Council for Voluntary Organisations)

CLERK TO THE COMMITTEE

Simon Watkins

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Social Security Committee

Thursday 22 September 2016

[The Convener opened the meeting at 09:30]

Decision on Taking Business in Private

The Convener (Sandra White): Good morning, everyone—we have lift off. Welcome to the fourth meeting of the Social Security Committee. I remind everyone to turn their mobile phones off or to silent mode, as they interfere with the sound system. I also ask those who speak into the microphones to stay about a foot away from them. At our previous meeting, the sound was much better in that respect.

No apologies have been received.

Agenda item 1 is a decision on taking items 3 and 4 in private. Item 3 will allow us to reflect on the evidence that was taken at last week's meeting and today's meeting, and item 4 will enable us to discuss our work programme and our priorities. We should also agree to review in private evidence taken at future round-table sessions. Does the committee agree to that?

Members *indicated agreement.*

Work Programme Priorities

09:31

The Convener: Agenda item 2 is our work programme priorities. It is an evidence-taking session in round-table format. Our aim is to gather as much evidence as possible to inform the committee and focus our priorities for the medium and longer term. The round-table format should allow us to keep the discussion flowing freely. If anyone wishes to speak, they should catch my eye or the clerk's eye. That will ensure that everyone gets an opportunity to contribute. If we can keep the discussion moving fairly fluidly, that will be much better for everyone and we will be able to get as much information as possible.

I welcome our witnesses and ask them to say who they are.

Isla McIntosh (Glasgow Disability Alliance): I am from Glasgow Disability Alliance.

James Adams (Royal National Institute of Blind People Scotland): I am from RNIB Scotland.

Craig Wilson (Scottish Council for Voluntary Organisations): I am from the Scottish Council for Voluntary Organisations.

Layla Theiner (Disability Agenda Scotland): I am from Disability Agenda Scotland, which is a coalition of leading disability charities in Scotland.

Bill Scott (Inclusion Scotland): I am from Inclusion Scotland.

Peter Kelly (The Poverty Alliance): I am from the Poverty Alliance.

John McAllion (Scottish Pensioners Forum): I am from the Scottish Pensioners Forum.

The Convener: I thank you all very much for coming here today and look forward to your contributions. I also thank you for the written submissions that you have supplied.

I will start the discussion with a general question. People can come in afterwards to raise any issues that they want to raise or make any comments that they want to make.

The Scottish Government plans to introduce a social security bill and a child poverty bill, which the committee will be very interested in. In the light of that, what do you see as the committee's priorities?

Isla McIntosh: As you will see from the written evidence that we have submitted, which reflects the views of our more than 3,000 members, it was hard to identify a narrow list of priorities. However, the message that came from our membership at our recent conference was that the values and principles that have been expressed so far with regard to the social security system are warmly welcomed by disabled people, as is the on-going engagement of disabled people in designing a fairer system and in helping to implement those values in that system, so that they fit with other components that disabled people, in particular, rely on, such as social care, housing, employment and lifelong learning. Social security is part of a wider framework that could help to achieve that vision.

John McAllion: There are a number of key priorities, the first of which is the transition from a situation in which the benefits come from the Department for Work and Pensions to one in which they come from the Scottish social security agency. No benefit claimant should suffer any deterioration in their situation, and getting the transition right must be one of the big priorities for everybody concerned.

The second priority for the committee should be funeral poverty, which affects thousands of people across Scotland and forces poor people into debt.

The third priority is that the one universal benefit that has been transferred from the DWP, the winter fuel allowance, should remain a universal benefit. That is an important priority for the pensioners movement.

Peter Kelly: You highlighted the important connection between the child poverty bill and the social security bill. That issue is referred to towards the end of the short paper that we submitted.

A key challenge for the committee is to think about how to use our new and existing powers to address poverty. Social security cannot tackle or end poverty on its own but it can make a significant contribution. It is important to consider not only your scrutiny of the social security legislation but your reflections on and scrutiny of the child poverty bill in that context.

I echo some of the things that John McAllion said, particularly about funeral poverty, and what Isla McIntosh said about engaging with direct users of all of the services—it is critically important that the committee continue to do that. We had a session with our members yesterday and the issue of funeral poverty came through clearly. We will produce a report on it in due course.

Bill Scott: I echo some of what has already been said. We said in our submission that we should be exploring the opportunities that are presented by these new powers to try to align policies and services. We could think of the child poverty bill and the social security bill coming together because, according to the New Policy Institute, 48 per cent of all those living in poverty are either disabled people or people living with disabled people. Further, 40 per cent of disabled children live in poverty and 44 per cent of the children of disabled adults live in poverty, which means that, if we fail to address the problems that are faced either by the children of disabled parents or disabled children themselves, we will not solve child poverty—we will not halve it. We need to think in terms of all of the policies being aligned so that we achieve the aims and ends that we are working towards for 2030.

James Adams: I will quickly touch on a few areas. One is a general principle that John McAllion mentioned, which is that it is important that the devolution of power to the Scottish Parliament is not detrimental to groups and individuals. For instance, we have to ensure that all the current groups that receive a certain level of benefit or access to employment from the current system do not end up having a worse deal. That also goes for individuals. Some individuals have already migrated from disability living allowance to personal independent payments, and we have to ensure that they are not financially disadvantaged by any alterations or changes.

There are a couple of specific areas for the blind and partially sighted. One is accessibility. There is a natural move to more online government. Some benefits—such as universal credits, I think—are applied for online; others are by phone and others are by paper. It would be good to have some sort of consolidation of that. However, for blind and partially sighted folk, online applications are a barrier. We urge the committee to look at the issue of accessible applications for different groups.

There is also the issue of assessments. There are some conditions that, medically, will not improve, be cured or be reversed. Why, then, does someone have to go through repeat assessments when they have been told that they are blind and that that will not change? It just puts them through undue stress and creates work for the departments that have to consider the assessments. It would be good if we could find a way of removing that element from the process.

Technology is a wonderful opportunity for people in disadvantaged groups to get on to a level playing field. However, given the speed at which technology develops, there is a risk of people falling behind quite quickly. Moreover, the cost of technology for people with sight loss is extraordinary. A Braille reader or note taker can be many thousands of pounds, so you would hope that any new welfare service would look at the cost of technology for disadvantaged groups to allow them to access employment opportunities and perhaps apply for benefits and live normal lives.

Finally, I want to mention the role of advice. The population is wide, diverse and varied, and it is important that we get specialist advice on top of the general advice services that, say, local authorities might offer. As we know, there have been large cuts in local authorities' budgets—11 per cent over the past five years—and it could be argued that advice services are one of the areas that are underfunded. We need to find some way in which central Government might work with the third sector, SCVO or whatever to try to resource advice services that people can access to maximise their incomes and opportunities in the benefits system.

Craig Wilson: SCVO represents many third sector organisations so, instead of looking at specific policy details, we are trying to look at the broader principles that might inform a system that would work well and achieve the outcomes that people want. We have split that into four key areas on which we think the committee should focus attention. The first is the need to continue to engage with third sector organisations with the expertise and the networks that will be valuable to the committee in looking at certain more specific areas and as conduits to those who use the services in a more informal manner. That is crucial.

Secondly, it is important to link employment with social security. Many who receive benefits and are involved with the social security system also work, and we must be mindful of how they engage with the system and of how we can aid the transition from social security to work and back and ensure that it is as swift and as easy as possible for people.

Thirdly, we need to learn from the past. The DWP is a well-established department that is full of people who have great ideas and have experienced the system for a long time, and it is important that we continue to engage with them. However—and this is the fourth area—we feel that adopting a human rights-based approach is very important. Rights already exist for people, and if such rights are kept in mind and pursued at all times, we can realise the sort of system that I think that everyone wants.

Layla Theiner: Some of what I am going to say will probably echo what people have already said, but I want to pull out a few key themes.

The introduction of the social security bill gives us an opportunity to address some of the concerns that have been expressed about existing benefits. However, as John McAllion and James Adams have suggested, we need to take time to get some of this right. When we talk to disabled people on benefits and welfare rights advisers who work in the system, they make it clear that they do not want any detriment to anyone with existing benefits, but the fact is that the system is complicated and is unlikely to become much more simplified. Ideally, if we are going to make changes, we need to think them through and give people time to work with them.

As Bill Scott has said, there are undeniably high levels of poverty among disabled people, some of which is to do with the additional costs of being disabled. Some really good research has highlighted that disabled people have on average additional costs of £550 a month, and that is worth considering when we think about the role of social security in helping those people either get out of poverty or live an independent life.

As for the system itself and what James Adams has said about assessments, we believe that longer awards or even greater automaticity for certain conditions could be considered. We would really need to think through how that might work, but it could save some of the resources that are used on the assessments and avoid some of the turmoil and stress that people experience as they go through the current assessments.

Finally, the employment rate for disabled people is 44 per cent in Scotland, which is much lower than the 73 per cent rate for the general population. Of course, some of those people cannot work, but the fact is that there are barriers for people who want to be in work. We must ensure that those who are able to get a job can move in and out of social security without being impeded.

The Convener: Thank you very much, Layla. I welcome Marion Davis from One Parent Families Scotland. What do you feel that this committee should prioritise as we go through the social security bill and the child poverty bill?

09:45

Marion Davis (One Parent Families Scotland): We are very pleased to be invited today because we think that the social security system is badly in need of reform. The fact that some of the powers are coming to Scotland gives us an opportunity to treat people with dignity and respect and to support everyone to achieve their potential.

It is particularly important to look at the new social security agency, the model of delivery and how that would roll out. We need to ensure that it is administered at a national level with national standards for that delivery model.

In particular, we feel that single parents have been very negatively affected by welfare reform in general. It is predicted that single parents and their children will become ever poorer as we approach 2020, so it is important for the committee to look at the impact on family wellbeing of any new powers that we have. We need to consider children's rights and take a human rights approach to the benefits system. It is about protecting the income of children and families and using the new powers to top up, to tackle that link with child poverty.

We also think that social security in the wider sense has to fit into the jigsaw of other policies, in particular around employability. We are very concerned about Government plans to require parents of three or four-year-old children to move into work. That is of relevance to employability programmes, some of which are coming to Scotland. There is also the link with sanctions that I mentioned in our submission and the infrastructure of childcare in Scotland. There are a lot of interconnected policies and the committee could make sure that there is a link with those.

The Convener: Thank you very much, Marion.

Adam Tomkins (Glasgow) (Con): Thank you very much, everyone. I have three questions that are unrelated to each other. I will start with just one and come back to the others later.

Something that struck me very forcefully in Peter Kelly's helpful written evidence was the statement:

> "There are limits on the extent to which the social security system can address poverty".

That struck me as being in accord with, rather than in discord with, some of the remarks that were made in the recently published, very comprehensive strategy from the Joseph Rowntree Foundation on how to solve poverty in the UK, which I am sure that everybody in the room has been reading and studying.

I think that the foundation says that the strategy that we have used for so many years of increasing social security payments as a principal means of addressing poverty has failed. I cannot find the exact quotation but it is something to that effect.

My first question to Peter Kelly is—can you give us your sense of what the Joseph Rowntree Foundation is saying in its really quite striking report? Secondly, can you expand a little bit on what you said in your written evidence about there being

> "limits on the extent to which the social security system can address poverty"?

Peter Kelly: I have to confess that—probably like many other people—I am working my way through the full Joseph Rowntree Foundation report, which is a pretty weighty tome. We contributed to some of the evidence that the foundation gathered when producing that strategy and it is a very helpful report.

On our statement about the limits to the social security system, I think that John Dickie from the Child Poverty Action Group has often talked about the social security system having to do too much of the heavy lifting in tackling poverty.

We understand that there are other reasons why people are in poverty. It can be about their inability to be in work or it can be about the fact that when they are in work, it is low paid. There are limits on the extent to which our social security system can solve the problem of poverty.

However, there are real questions about the fact that our social security system has almost retreated from recognising that it has a clear role to play in tackling poverty. Over many years, we have developed a UK-wide social security system whose main reason for being has been to encourage people to move into the labour market. In many of the programmes in our social security system, and particularly in core benefits such as employment and support allowance and jobseekers allowance, the emphasis has been on moving people into work. That is not something that has happened in the past five, 10 or even 20 years; it has been a long-term trend. That is fine—the social security system has that role, too, but we have paid less attention to the role that it can play in alleviating poverty and helping to lift people out of poverty.

We are getting a limited range of powers in Scotland—I say "limited", but I do not mean to diminish their importance. We are getting some really important powers, particularly on disability benefits. As we develop our system, one of the things that we must think about is how we use it—within those limits—to address poverty. One of the things that many of our members identified at their meeting as being absent from the consultation paper is the issue of the adequacy of the benefits that will be delivered to Scotland. There is some discussion about uprating, which is useful, but we need to think about how we move towards a system in which we can say that the benefits that are being delivered in Scotland are contributing to an adequate income.

I am sorry—that was a very long answer.

Adam Tomkins: It was very helpful—thank you.

Gordon Lindhurst (Lothian) (Con): I want to follow up on the remarks that have been made by Craig Wilson and others about a rights-based approach. From a language point of view, does "responsibility" not come into that? After all, no one can have rights unless they have a responsibility in respect of those rights. From a language point of view, a right in respect of the voluntary sector might be less of a legal right or entitlement than a right in respect of benefits from a Government department.

Do you agree that it is important that we talk about responsibilities, which go beyond simple legal responsibilities? As individuals in a society, we have a responsibility for one another. That brings in people in the voluntary sector and others, who do things not necessarily because they are legally required to, but because they have a sense of responsibility towards others. In respect of the social security system, if the concept of responsibility is brought into the language, that can help to improve the attitude towards those who seek to rely on the system when they need to.

Craig Wilson: In any contract, it is fair that both parties have rights and responsibilities, but we should approach the issue from the angle that the state has certain responsibilities under international conventions that it has signed up to, which set out basic standards of living for people. Those rights are inherent and, if the system cannot deliver them, that is obviously a challenge.

The human rights-based approach is more of a guiding principle to be used in creating a system that works well and fulfils people's requirements as regards dignity and respect. It is more of a framework, which I can point members to. The United Nations research institute for social development has done a lot of work on trying to break down what is quite a lofty concept, but the principles behind it are good and it can lead to a system that provides the best results for people.

There has to be an element of responsibility but the vast majority of people enter the social security system because they have to. They go into it with the best intentions and do not necessarily wish to be there. If the system that is in place works for them, they should not have to be in it as long as they otherwise would.

The Convener: Even if a question is to a specific person, others who have an interest can come in.

Bill Scott: Human rights are absolute. The state has responsibility and most of the disability and carers benefits that we are talking about place no conditions on the individual to seek work or anything like that. The benefits that do that are employment support allowance and jobseekers allowance, which are entirely other benefits that the UK Government has retained.

The UK Government is a signatory to the UN Convention on the Rights of Persons with Disabilities, which says that every disabled person has the right to an adequate income to meet the basic needs that arise. We do not deny human rights to serial killers or child murderers who are incarcerated in our prisons. We do not tell them that they will not eat or get heat, light or a roof over their head, but we are denying those basic rights to some of our most vulnerable citizens who are dying as a consequence of cuts to their benefits. It is not me saying that; it is the Mental Welfare Commission for Scotland, which has found that people are committing suicide because they have lost benefits through the work capability assessment. As a civilised society and a signatory to the human rights conventions, we have a responsibility towards those people and we should not be denying that by placing responsibilities on them.

I will briefly address Adam Tomkins's point. We need to address the employability gap between disabled people and non-disabled people. It is even larger if we consider non-disabled people's employment rates rather than those of the general population, because the employment rate for non-disabled people in Scotland is more than 80 per cent and it is 44 per cent for disabled people. We need to consider how we use the new powers to maximise the chance that people who want to work will be able to secure employment. That means not denying them basic benefits that help them to do that.

The problem is that, as things are going, 47 or 48 per cent of people who are on higher-rate mobility are losing that entitlement as they move across from disability living allowance to the personal independence payment. One in three of those people uses their higher-rate mobility to lease a Motability vehicle and one in three of those people uses that Motability vehicle to get to and from work. Without that Motability vehicle, they lose the means to get into their job and we place their employment in jeopardy. A social security system should be designed to support people to achieve their full potential rather than punish them for being born with an impairment or acquiring one later in life.

That is why we ask that, when the committee scrutinises the bills that come before it, it thinks about how it can maximise the potential of the Scottish population and that it sees social security as an investment in the people to whom we make payments so that they can live full and active lives, which is what they want to do.

Marion Davis: I read the JRF report on the train on the way here. It says that there are 13.5 million people in poverty in the UK and that 35 per cent of children are in poverty. Not only that, but we are moving towards a trend that means that, by 2020, those numbers will increase.

The issue is not just the benefits system; the report points out that it is also low wages, insecure jobs, unemployment and lack of skills. However, it also says that one of the key issues is an ineffective benefits system that causes errors and delays. That comes across a lot in the advice that we give to people. The system is confusing, is hard to engage with and does not treat people with respect. Moreover, as Peter Kelly said, the level of benefits is unacceptable. That applies especially to in-work benefits—a high percentage of children in poverty live with a parent who is in work—as well as to those for people who are seeking work and, as Bill Scott pointed out, people who cannot work because of their health and disability.

10:00

When we look at what is going to be devolved, we want to steer clear of the mistakes that are made in the Westminster system. Here is an opportunity to use a rights-based approach where the state has the responsibility to ensure that there is not an explosion of food banks, of which there are about 50 or 60 in Glasgow. When you ask people why that is, one of the main reasons that they give is the benefits system.

Aside from the parts of the system that are coming to Scotland, it would be useful if the committee could keep an eye on the parts remaining with Westminster that will impact on children in Scotland. There will be a massive increase in the level of child poverty, no matter what we can do. We also need to put pressure on Westminster to reverse some of the cuts to universal credit and some of the changes that are about to be implemented—I know that those came up at the previous meeting of the committee—such as benefits for two children, the benefits cap and so on. We still need to feed back to Westminster our local experiences of the hardship that all those things are causing.

John McAllion: I think that everyone would agree that there has to be a balance between rights and responsibilities. The role of the voluntary sector is critical in providing social security in this country, but we have to be careful about the balance between using volunteers and providing paid work for people to look after others. The integration joint boards that are just starting up across Scotland to provide health and social care for older people and others are telling us that they face unprecedented levels of cuts in their spending.

The temptation is for local authorities and other public sector bodies to cut down on the number of paid workers to care for those people and to use unpaid volunteers to take their place, but that would be a major error on the part of any social security system. Volunteers are wonderful and they do a wonderful job, but they must not take the place of properly qualified and properly paid healthcare assistants, social workers and so on. There is a danger that we are eroding the public sector and pushing unpaid volunteerism into its place. That would take us back, not forward.

Alison Johnstone (Lothian) (Green): This committee has already discussed the need to have a social security system that is based on the principles of dignity and respect—and that is not all about money. Reducing repeat assessments would be a big step towards that—perhaps James Adams can tell us how often someone who is blind recovers their sight—plus those assessments are costly and time consuming.

Peter Kelly made the point that we cannot have dignity and respect without adequate cash. The Poverty Alliance raised the issue of top-up powers and new benefits in its submission and Peter felt that that has not been discussed much yet. Bill Scott also made the point that people in Scotland are already suffering from the transfer from DLA to PIP. What new top-up powers and benefits would you like us to look at?

The Convener: You have thrown that one in, Alison, but others still want to come in on other issues. We have a list of people waiting so, if you do not mind, we will come back to that question as it is on a new area.

Pauline McNeill (Glasgow) (Lab): I am very interested in the answer to that, but there is so much to consider here.

My first question is for Disability Agenda Scotland, which is suggesting that there should be greater automaticity in the social security system and that some people should have their benefits for life. We need a bit more information about the percentage of people to which that would apply, as it would not apply to everyone.

We will have to think about the design of the system pretty soon and boil down all the information. There are policy questions, such as those that Alison Johnstone asked about and which I am interested to know the answer to, but there are also questions about how we design a system that has fewer assessments and more automatic entitlement and that reduces errors and delay. I throw this open for discussion, but it seems to me that that can be achieved only if there is some level of prescription in the forthcoming social security bill, which we have not yet seen. Has anyone considered how the legislation can reflect what we are trying to achieve, whether that is a rights-based approach or having more automatic entitlement? Does there have to be a high level of prescription in the bill to achieve that?

The Convener: That is a good point that rounds up a lot of the issues. I will bring in two more speakers and then we can direct some of the questions.

Isla McIntosh: I want to underline the responses that Bill Scott and Peter Kelly gave to the earlier question about how the social security system is limited in tackling poverty. That is definitely underlined by experiences that our members have shared with us. Bill Scott mentioned the high levels of poverty that disabled people face and the high percentage of people in poverty who are either disabled or in a household with a disabled person. Many of the other barriers that disabled people face contribute to that situation, which is a key reason why we urge the committee to ensure that the social security bill complements and works well with existing powers and other new powers, particularly the employability support powers that are also coming to Scotland, albeit with a very reduced budget.

Currently, employment support services for disabled people through the jobcentre are not always specialised. There has been a move away from the requirement for disability employment advisers to have any specialist insight or qualification in that area. Further, the people who are eligible for and targeted by those services are the ones who are closest to the labour market already. Glasgow Disability Alliance's employability services, which are not statutory, support people who have a wide variety of other skills and contributions to make.

That links well with Gordon Lindhurst's question about the language of responsibility. As Bill Scott said, there has been a move to limit such support to paid employment, but disabled people are much less likely to leave school with qualifications, and attitudinal and access barriers prevent qualified disabled people from getting the jobs that they are very capable of doing. The social security system currently puts barriers in the way of people being able to gain experience through volunteering without that having an impact on their benefits.

We strongly support the proposed language of supporting people to fulfil their potential and to participate in society, rather than the language of responsibility, which, when couched in terms of social security and the individual, has led to stigmatisation and, following a lot of Westminster reforms, the attitudes in the media that suggest that people who claim benefits are irresponsible. A system that supports people to participate and make a range of contributions, whether that is in their families or communities, by volunteering or through paid employment, can build a much stronger community across Scotland and make best use of the resources that disabled people and others have to contribute.

Ruth Maguire (Cunninghame South) (SNP): The Inclusion Scotland submission talks about the impact of the loss of Motability vehicles. In my surgeries, I have seen at first hand the utter distress—there is no other word for it—that the loss of those vehicles has caused. I would like to hear a little bit more from other folk around the table about how taking away such support interferes with people's ability to take part in society, to volunteer or to move into employment, if that is something that would suit them.

James Adams: I would like to pick up on Gordon Lindhurst's comment about rights and responsibilities. About three in four blind or partially sighted people of working age are not in work. That is a consistent figure. Whether the economy is good or bad, there is always a high level of unemployment among blind and partially sighted people.

Some of the social security benefits are there to enhance those people's opportunity to be included in society, to be part of their community and to be able to get out and about. The benefits are to do with much more than just employment opportunities. What is the cost of someone having a reasonable opportunity to be included in society? It is extremely hard to put a figure on that because, obviously, people with different conditions have different needs. That is something that should be thought through by the committee.

Pauline McNeill talked about automaticity. It is difficult to be prescriptive about which conditions will be permanent. With advancements in medical technology, things can change rapidly, with some people's condition perhaps improving. The committee could take evidence from someone from the medical side to hear more about that, because there will be people who can work out which conditions ain't going to be changing any time soon, and perhaps those could form a prescriptive list, if you want to go down that route. You might not want to put such a list in the legislation; it might be better to leave it to a body that could regularly—perhaps biannually—consider what was on the list. That might allow the situation to be monitored. It would not be reasonable to give somebody automatic entitlement to benefits when they are able to participate because a treatment has been developed that has improved their condition. Undoubtedly, however, there is a need for some level of automatic entitlement.

Layla Theiner: I support what James Adams has just said in response to Pauline McNeill's comment. In our written submission, we say that automaticity would not cover everything but that it could be a way of dealing with the issue—I stress the word "could", because it needs further consideration. A list that covered certain conditions would not cover everyone who was on disability benefits, but it would prevent the need for some assessments. Further, it would mean that people who met certain conditions would move through the system a bit more quickly. As has been said already, certain types of sight loss and various other conditions are unlikely to change, short of medical and technological breakthroughs. An onus could be placed on the individual to report back if their condition changed, either positively or negatively.

Our thinking on automaticity is that it would apply to a tranche of people who applied for disability benefits and that there would be a catch-all process of assessments for other people. We can share more of our thinking on that as we consider it in more detail. As James Adams said, other people could be consulted in order to work out how the system might work in practice.

George Adam (Paisley) (SNP): Since we heard that we are getting these new powers, people have been saying, "We'll use them and find a way to make life better for individuals." I have been really quite impressed by the fact that some of the groups who have given evidence to us, this week and at our previous meeting, have been saying that we need to get this right and that we should therefore not go rushing in. Personally, I think that that is probably the right way to go. We only need to look at the devastation that is caused by Westminster to say that we need to get this right. We have only 15 per cent of the social security powers, and we are working with a vulnerable group of people. We have to make sure that we get this right and protect them.

10:15

I was interested to read in Disability Agenda Scotland's written evidence the statement that

> "Improvements need to be made but in a well managed way, taking the time to get things right."

Glasgow Disability Alliance held a round-table session with 38 groups. Some of the evidence that came back from that session is interesting. For example, disabled people believe the Scottish Government needs to

> "end the degrading DWP approach to assessment",

and they welcome

> "the ongoing involvement and investment in disabled people and DPOs to work in coproduction".

Is that the way in which we should go forward? Should we be working with those groups to ask what they need and how we can make things better, rather than just saying, "That's the rules—you just deal with it," as has been the case previously?

My question is on quite a broad scale; perhaps someone can give me some ideas.

Bill Scott: We say in our submission that we need to go further on engagement. Engagement is good, but it generally involves asking people about general principles around what we should do.

The people who use the system know it intimately because they are subjected to it regularly, and we should involve them in the planning and decision making for the new system. That means having disabled people at the table, with civil servants and so on, in the new disability benefits commission that is being established. Disabled people should have a say in how those benefits are structured and delivered.

We can only test the delivery of the system once the system is in place. I totally agree that we have to get the system right, but even with the best will in the world we will not get it 100 per cent right and will need to tweak it as we go along. A disability benefits commission could be really useful in that respect.

Ruth Maguire asked about the loss of Motability. This is not well understood outside the community of health professionals who look at health inequalities, but it is clear that social isolation kills people quicker than cancer or heart disease. Depriving someone of the means not only to get to work but to have contact with friends and family, the local community and so on is just devastating. It isolates people in their homes and makes them prisoners.

We need to think through the costs of that. We look at benefits as a cost, but we do not look at the cost to the health and social care system that arises from people becoming mentally ill. We also know that chronic physical conditions can become worse if people are not active. We need to move towards giving longer awards to people with lifelong conditions.

The health impact delivery group, which was established by NHS Scotland and the Scottish Government, consulted general practitioners, occupational therapists, physiotherapists, psychiatrists, addiction workers, public health practitioners and so on, and was told that Atos, Maxima or Capita are not asking those people for medical evidence. They are making decisions without seeking the medical evidence from the people who know how conditions affect the disabled people whom they are treating.

As the GDA has argued, we should move towards having a single benefit across the course of a lifetime, because that would make the system much less complicated. We currently have DLA for children under 16, the personal independence payment for those aged between 16 and 65 and attendance allowance for the over-65s. There are three benefits to administer, with totally different entitlement criteria. How complex could we make it? If we are starting from scratch, we should have one benefit with much fewer assessments.

For the old DLA, 70 per cent of assessments were carried out on paper, not face to face. For the personal independence payment, 95 per cent of assessments are face to face, which costs three and a half times as much as the old assessment system. We are paying for assessments with money that could go towards supporting disabled people. There are things that we can do within the existing budget to improve existing benefits.

To answer the question before it is asked, less than 1 per cent of disability benefit claims—DLA and PIP—are found to be fraudulent or to be overpayments arising from error. That is the lowest fraud rate in the social security system. We are treating 99 per cent of people, who have done nothing wrong and who are making legitimate claims, as fraudsters, and that robs them of their dignity and respect. We can address that in any new system.

We need to begin asking the right people the right questions. It is not always the general practitioner who can tell you about someone. Sometimes, the occupational therapist who carried out the care assessment, or a psychiatrist or physiotherapist who works more closely with a person, can tell you exactly how their condition affects them.

Certainly, we should have more lifetime awards or awards that are much longer. One GP said that they had been called by a PIP assessor and asked about manual dexterity, and he had to point out that, as the person was a quadruple amputee, they were not going to regain the use of their hands. Nobody should seek medical advice to support a claim in those circumstances. The assessor should have taken the claimant’s word.

The Convener: Thank you. Does Peter Kelly want to add to that?

Peter Kelly: I will go back to points raised by Alison Johnstone and Pauline McNeill about how to achieve dignity and respect in the system and which elements need to be put in place to achieve that. This may also answer some of the other points that have been made.

On the use of top-up powers, I think that Alison Johnstone asked about how to achieve adequacy. The issue of topping up child benefit was raised at the committee’s previous meeting and I imagine it will be raised many times in the future. We would certainly support the topping up of child benefit, although it would certainly be expensive. However, it goes back to Adam Tomkins’s question about the role of the system and how the new powers can be used to address poverty and to secure dignity and respect. One way in which we can have a significant impact on poverty reduction in Scotland is by making use of those new powers in respect of child benefit.

We need to look creatively at how we use powers in other areas. We are just at the start of doing this work. The Joseph Rowntree Foundation’s materials point to some areas where we might have to focus our thoughts. Bill Scott discussed in some detail the fact that disabled people are at significant risk of poverty. A lot of our attention is, quite rightly, focused on families, but we also need to think about single adults, who are a growing part of the population.

We need to think about the type of housing tenure that people live in. People who live in the private rented sector are more likely now to be in poverty than might have been the case in the past. Those are all things that we need to be mindful of as we develop our policies and our social security powers.

I have two quick points about how to begin to achieve dignity and respect, and how to make those principles real. We have talked about automatic entitlements. That is one way to make those principles real.

The DWP has done some work on automatic entitlements. Paul Spicker made some references to the issue in his draft response to the social security bill, saying that it is not straightforward but that there is certainly potential to look at how we can introduce more automatic entitlements.

The other aspect is the question of how to use data better in our system to ensure that people get entitlements. This is a small point in comparison with what we are discussing, but Glasgow City Council is making better use of data to ensure that people who are entitled to school clothing grants get them without needing to apply for them. We need to think about how to use data more creatively in the operation of our new system to better deliver benefits to people automatically.

Finally, picking up on the points around co-production and Bill Scott’s forceful points about genuine involvement, we achieve dignity and respect by involving people who have first-hand knowledge of the problems in the system. That does not necessarily mean slowing everything down. We need to take our time and get things right, but we also need to have a sense of urgency about the situation. Again, Bill Scott made that point very forcefully.

Craig Wilson: I want to pick up on a point made by both Alison Johnstone and George Adam that feeds into the idea of dignity and respect. Obviously, speaking to service users directly is hugely important, and the role of third-sector organisations as facilitators of that should not be overlooked. Bringing service users directly into a situation such as this meeting or to speak to people in the civil service or in the Government can often be quite intimidating for them. Allowing them a space in which to speak openly and without fear is important in order to get the best evidence, and using the third sector as a channel for that is also important. That ties in with the idea of co-production, which is where the dignity and respect should come from. We should speak to service users directly to find out what their experience of the existing systems has been and what they would like to see changed.

Moving away from just the policy of social security, there is also the issue of the delivery of the system on the ground, which is about ensuring that the staff who will ultimately deliver it are made well aware of people's needs and treat them with empathy instead of with suspicion—that is very important. It is also important to recognise that, despite people's best efforts to ensure that the system is perfect, no system is completely flawless. There are always errors and there will continue to be errors. For people who come up against those, there should be adequate provision of advocacy, which should be encouraged. It should be accepted that there will be faults somewhere along the line, and there should be openness about that and people should be made aware of it.

Finally, if it is important for everyone that there is dignity and respect in the system, there should perhaps be some way of measuring whether that has been achieved. You might want to look at how that could be measured and where it should be benchmarked from.

The Convener: Thank you. You have given us another task.

Isla McIntosh: I thank George Adam for picking up on the point about the power that genuine co-production could have in influencing a system that delivers dignity and respect for people, and I thank everyone who has underlined that point.

It is perhaps worth sharing with the committee some of the comments that were made by the 400 GDA members who gathered to speak with Jeane Freeman. The warmth and proactive feeling that was in that room has been commented on by many of our members, who also said that the engagement process to this point has seemed a lot more genuine than people have often experienced. People are very keen to participate in it.

To answer Pauline McNeill's question, to see the values of co-production embedded in the social security bill would be a really good start for taking the policy through. In terms of implementing dignity and respect, people who responded at our conference spoke about being made to feel like they were begging and said that the process was dehumanising. Many people spoke about being treated as if they are at it and said that that is the default position in the current system. People feel that the forms are set up to try to trick them and trip them up. People said that they have been described as lazy and feel that they are treated as if they are not normal when they are claiming their entitlements.

Another factor is that people found it quite rare to be given straightforward and clear information about what they were entitled to. They felt that it is almost like a mystery that they have to try to puzzle out and unlock for themselves, especially if they lack access to support to help them get through the process. Involving disabled people and people who are entitled to social security in the process, including in the design, oversight and scrutiny, is a way of monitoring whether that is changing.

10:30

Another key thing that came up at almost every one of the tables in the conference was that the system needs to be made more accessible. Forms need to be streamlined and made much more accessible and straightforward. As Bill Scott said, it seems that the forms have become a lot more complicated than the old DLA forms and that is a real barrier to people getting what they are entitled to.

On dignity and respect and looking at possible ways to use the topping-up powers, and other factors such as the charges that people can face for social care, people could be receiving everything that they are entitled to and then having everything beyond housing costs removed from them if they choose to have the social care that they need. Many GDA members cannot afford to pay for the care that they need, so they cannot live their lives, do anything, go anywhere or contribute in any of the ways in which they could contribute. The rate that they are taxed at for their social care needs can be up to 100 per cent of their disposable income. When you are living on or under the poverty line, that is a problem in the system for tackling poverty.

I know that the bill is going to look at abolishing the community care charges. We strongly support that, because they are a massive hurdle.

The Convener: We have to wrap this session up by 11 o'clock at the latest, because we have other business to get through and then members will have to be in the chamber because some of them will have questions.

Layla Theiner: I will try to be brief, but I want to respond to a few things, including George Adam's point about getting it right. In including it in our written submission, I thought that it was really interesting and reassuring that people who are on disability benefits and working with the welfare rights system have a sense of urgency and want to change. The point about getting it right and understanding what is possible under the powers that have been devolved and what has been reserved, and managing expectations within that, is something that a few people have talked about. It is important to acknowledge that people have been quite pragmatic. It is a complicated system, but we want to be part of that and co-production is really important.

I would add that, on co-production and involvement with disabled people, it would be interesting to get input from people who work on welfare rights and advice services. They have a similar perspective but they work within the system and sometimes know how they have managed to make things possible.

Related to that is the point that I raised when I wanted to mention something that has come up time and again anecdotally in focus groups, which is lack of transparency in the system. People are having to ask certain questions or to know what questions to ask, or they have to be feisty to get support, and that means that the most vulnerable drop through the system because it is not clear what is available. The expectation that you have to fight for it is not necessarily fair for vulnerable people.

Finally, I have a couple of quick points that I do not think have come up yet. Bill Scott talked about the potential of having one benefit, and we have also looked at that. There could be potential in the simplicity of having one benefit. Even if there was not one benefit through life instead of the three that there are now, it would be worth considering changing the ages, particularly for young adults who might be moving out of education when they are moving benefits and going through changes at home, school or college that can impact and make it difficult for them. That is what we are hearing.

Whatever system is brought in, not everyone is going to get on a certain benefit. Certain people have said to us that that is okay if it is transparent, if they understand why, and if there is an appeal process that they can go through to see why they did not qualify. For those people, signposting and improved advice or linking in with other services such as the welfare fund, the independent living fund or other support, where possible, would really help.

Ben Macpherson (Edinburgh Northern and Leith) (SNP): My question is on the thematic point about the need to create a system based on dignity and respect. I thought that Craig Wilson from SCVO put it very well. Our collective ambition should be to create a system in which we treat others with empathy, not with suspicion. In general terms, my question is about the processes that we could improve—someone has already commented on the issue of sanctions and assessments—whether in disability benefits, around universal credit or in ESA and JSA, which are remaining reserved. In that context, could any of you elaborate on how we can create a system in which we treat others with empathy, not suspicion, in the front-line delivery of services where they are accessed and in processes that we can improve?

The Convener: Would you like to reply to that Layla? You can have two quick seconds.

Layla Theiner: I will be really brief. Some of it is about front-line staff having the right amount of training for different groups. It may not be Atos, but people must have the right training in understanding different groups if they are going to assess people or, if they are working with people, to advise them on benefits. Maybe there could be streamlining—for instance, are they aware of the right support for people with a disability? That would be part of it.

Mark Griffin (Central Scotland) (Lab): I have a question on sanctions, which seem to hit people particularly hard. When I have visited food banks, I find that people have two big reasons for using them: they have had their benefits cut or removed, or they have been sanctioned and have had no means of heating their homes or putting food on the table for their families. The Government has made some comments in the press recently about engaging in non-compliance with the DWP and not telling the DWP whether a particular claimant has not attended a work programme or something like that. What do people around the table think about the sanctions system as it is? Could a non-compliance approach by the Scottish Government alleviate the difficulties, or is there a different—perhaps cleaner—way of working to ensure that people are not sanctioned and do not lose the ability to feed their kids?

Marion Davis: I echo the comments about stigma and judgmental attitudes. When we surveyed single parents, we were quite shocked to find that over 80 per cent had felt stigma and felt they had been judged. Some of that will have been to do with the myths around being a single parent, such as that single parents are all young when, in fact, the average age is 36. More shocking is that 60-odd per cent felt that there was a judgmental attitude towards them when they were dealing with Jobcentre Plus. Some of the backdrop to that is around the work-first approach to social security. Parents might not get recognition for bringing up their children, and volunteers might not get recognition for their contribution to the community. I think that some of that is about attitudes in relation to what social security is all about.

Single parents have been very negatively affected by conditionality on various fronts; not only do they lose benefit, but there is an impact on behaviour. A study that we have just done on parents moving into work that is not appropriate examines the negative impact on family wellbeing, mental health and the sustainability of employment. We therefore very much welcome the fact that, when powers over what was the work programme come here, conditionality will not be part of that. It has not been found to be successful, and it should be no part of any system in which we are involved that parents with children have to go to food banks because they have been sanctioned.

We very much support funding for child benefit, which is a universal benefit with high take-up. It is available at times of crisis when other benefits have not come through. When there is no money that people expected to come in, child benefit is always there. We very much support CPAG's research on that.

We have not touched on universal credit and split payments. That came up at the previous committee meeting, so I will not go into a lot of detail about it, but we very much support the committee's looking at that.

When we held an insight workshop for the Scottish Government on single parents, they talked about what had happened before they split up with their partner and the impact that there would be on their family life if the money was in their partner's control. There would be a pretty drastic effect on the wellbeing of their children. We were very taken with that, and the situation was very worrying for the majority of parents; in fact, they said that it would put them off going into another relationship. Single parents who have had a bad experience discover that, if they meet someone and find themselves in another controlling situation, it is a bit off-putting. There is the housing benefit and the whole lot to think about.

We have to learn the lessons with our new system and about how the welfare fund has worked. There have been issues to do with how it has been delivered, and training for staff who work in the new agency will be crucial. The Poverty Alliance has done training for staff on poverty awareness. It is really important that we have a system that does not have a blame culture and that there is more positive involvement by people who receive benefits. Indeed, as Bill Scott has said, this is not just about engagement; it is important that there is an entitlement in the structure.

John McAllion: The elephant in the room is the question of how we pay for all the improvements that people want in the benefits that are being devolved. The social fund funeral payment, for example, is causing a crisis among people on low incomes and forcing them into debt and poverty. Only £4 million has been transferred from the Westminster budget to the Scottish Parliament's budget. How can that £4 million make a vast improvement? It cannot.

There must be a public debate, and people have to be honest and open about the fact that having improved benefits and a better system costs money. If it is going to cost money, where will the Scottish Government get that from? We need to have a debate about the low-tax culture that has haunted politics in this country for generations. The bottom line is that, if people do not want to pay tax, they cannot expect to get a wonderful welfare system. It is time that politicians addressed that publicly so that people are not told, "Yes, we'll give you this, that and the other, but we're no putting your tax up." It does not work that way. We have to change that culture if we want real improvements in the system.

George Adam: I am glad that John McAllion came in at that point, as I was going to ask a question that regularly comes up. I was on the Local Government and Regeneration Committee when towards the end of the previous session it looked at funeral payments and funeral poverty as part of consideration of a bill. Regardless of our background or finances, we can all agree that life is going in one direction and that we will all have the same end. When we took evidence from local authorities, we found that the difference in funeral payments was dramatic; indeed, between my constituency of Paisley and across the water in Dunbartonshire, it was phenomenal. Just across a bridge—not quite a stone's throw away, but certainly between close communities—funeral payments became phenomenal.

That was not really addressed in that bill. How should we look at that matter? As I have said, we are all heading in one direction, and it affects everyone. Because of poverty in general, older people are not ensuring that their funeral costs are covered, as they previously did. Those costs are very different in different areas. Do you have any ideas about how we go forward with that or what we can do? Have there been any discussions about that in the pensioners forums?

10:45

John McAllion: The Scottish Government established a Scottish working group on funeral poverty, which has taken an in-depth look at the issue and come up with some ideas, including the suggestion of a licensing system for funeral directors. That would enable the Scottish Government to impose a code of conduct on them as a condition of the licensing system, partly as a way of dealing with the issue of cost transparency and bringing down those costs.

Dundee has one crematorium, which is owned by Dignity Caring Funeral Services plc. It happens to be one of the most expensive crematoria in Scotland. That is because it has no competition; Dignity plc can do and charge whatever it likes in Dundee. That situation must be addressed, and that must be done through licensing and a code of conduct that everybody involved in the funeral industry needs to abide by.

Of course, you could have a basic state funeral, which would be funded through welfare payments for those who could not afford it. That would cut out all the extras that are pushed on to people at a time when they cannot make decisions because they are in crisis, are depressed and so on.

The working group goes a long way to addressing the issue, but its long-term solution of a funeral bond would take a long time to put in place. In the interim, people will continue to be in crisis and be forced into debt in order to bury their beloved family. Short-term cover has to be found for them.

The Convener: I call Pauline McNeill, who has been very patient.

Pauline McNeill: I am glad that George Adam and John McAllion have raised what has recently become a topical issue, and I agree about a sense of urgency in getting a solution. Perhaps we can discuss that at a later date.

To follow on from what John McAllion said about all of the asks, I want to be clear in my head on a number of points. I have asked what level of prescription is required in the forthcoming bill; my initial thoughts are that it needs to be fairly high, and I agree that the only way that we can work our way through this is to work very closely with the third sector. I think that, if we are to achieve the principles of dignity—an important aspect of which is access to free phone lines—a better appeals system than the one that we have, advocacy, ways of measuring whether we have achieved all that and some level of automaticity in the system, all of that has to be addressed in the bill to some degree. It is either that or we would need to know the relationship between the bill and the design of the system. A lot of work needs to be done, and I would certainly like to discuss the matter in some detail.

I also want to be clear in my mind about all the asks to which John McAllion referred. We have the power to top-up benefits, which is good, but I would like to audit that a little bit and have it all added up exactly, so that we can have a discussion about what that looks like. After all, there are obviously limitations to what we can achieve.

Bill Scott—and, I think, Layla Theiner—mentioned opportunities to merge benefits. It would be helpful for the committee to have information on that. If cost savings are to be achieved in that way, it is important that we offset that against the power to top-up benefits. I would certainly like to see the evidence in that respect. It makes sense to reduce administration costs by merging benefits, but we need to see whether there is a cost saving or an additional cost, and I am interested in carrying out follow-up work on that aspect.

The Convener: Thank you very much. I am sorry, but I do not have time for any more questions. We can ask Mark Griffin’s question about sanctions in later sessions or during our discussion on the work programme.

We are looking to get the consultation results back at the end of this year. I have attended a number of the consultation sessions and although a number of the issues that have been raised here might not be answered as such, we will still have evidence from those on the ground who are receiving social security benefits. We will get that feedback and work from there. We will need to collate all the information, and the issue of sanctions will be a huge element of that.

We have also not touched on in-work poverty. We need to look at that area, too, including how it affects disabled people and those in low-paid work and their meetings with social security and other agencies. There is lot to look at in that respect.

We have had a very interesting discussion. I do not know whether we have learned a lot, but we certainly have even more questions to ask. I thank everyone very much for their contributions and now move the meeting into private session.

10:49

Meeting continued in private until 11:30.

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