

# MSP Briefing for Social Security Cttee Meeting on 16<sup>th</sup> December 2021

## Key Points

### Addressing the issue of cancer nurse specialists supporting people at end of life with Social Security claim for the new Adult Disability Payment

- **Nurse Amendment** – Macmillan Cancer Support sat on the Scottish Government working group on the issue of who can sign the new Social Security form in Scotland for end of life benefits. We were very pleased when the Scottish Government signalled that an amendment would be made to add **clinical nurse specialists** to the list to enable fast-tracking of benefits.
- **Ensuring Devolved and Reserved benefits are supported in the same way** – That bill brought the devolved position closer to the current reserved position that both doctors and registered nurses with relevant training can enable fast-tracking of a disability benefit claim. This will ensure that Macmillan nurse specialists will be able to fast-track benefits on both devolved and reserved forms.
- **Revealing information about someone's health if doing so would be harmful to that person** – Macmillan Cancer Support understands fully how difficult an issue this is. Our Macmillan benefits advisers deal with this incredibly difficult situation on a regular basis.

Macmillan Cancer Support wants everyone approaching the end of life to have conversations with health professionals and with their own families on their needs and wishes. We want everyone with a terminal diagnosis to have an Anticipatory Care Plan in place, to ensure a wide range of needs are covered and supported.

However, we also understand that there may be very limited occasions, where there is an unavoidable reason for someone's end of life benefits to be fast-tracked before they are fully aware of the prognosis on their illness.

The key element Macmillan would want to retain from a welfare perspective is that people who don't want to know specifics about their prognosis should not be disadvantaged when accessing benefits because of this, and there should be no possibility that someone could find out about their prognosis from the Scottish Social Security Agency or DWP as a result of a benefit application. (Macmillan found some cases early on in Universal Credit rollout of people finding out they may have had less than 6 months to live through their UC journal, although this has now been resolved -we would not want to see this repeated). On the 3<sup>rd</sup> of December 2021 the Scottish Government published the "*Social Security Experience Panels - Seldom Heard Programme Of Research: End Of Life*" report highlighted this concern about terminal diagnosis, which was very helpful to see.

- **Late Diagnosis remains far too common amongst cancer patients** – the key to any new benefit is that the application form is dealt with in a timely manner. Far too many cancer patients are diagnosed at Stage 4, many with just a few weeks to live, so we need the new benefits system to be regularly reviewed to see it is working – and the government to publish quarterly how often they hit the target of people getting their special rules and normal claims for benefits processed on time.

Regulations Part 7

“For the purposes of these regulations an individual is to be regarded as having a terminal illness for the purpose of determining entitlement to Adult Disability Payment if it is the clinical judgement of an appropriate healthcare professional that the individual has a progressive disease that can reasonably be expected to cause the individual’s death”...(10) In this regulation, “an appropriate healthcare professional” means— (a) a registered medical practitioner or a registered nurse who is— (i) involved in the diagnosis or care of the individual, and (ii) acting in their professional capacity