

Joint Ministerial Working Group on Welfare, 13th Meeting

St Andrew's House, Edinburgh

Thursday 27 June 2019

Chair: Secretary of State for Scotland (SoSS)

Attending: Secretary of State for Work and Pensions (SoS DWP)
Cabinet Secretary for Social Security and Older People (CSSSOP)
Minister for Business, Fair Work and Skills (MfBFWS)
Officials from the Department for Work and Pensions (DWP), Office of the Secretary of State for Scotland (OSSS) and Scottish Government (SG)

Items 1&2: Welcome and Introductions, and Minutes and Actions from the previous meeting

1. SoSS welcomed all attendees and thanked DWP and SG officials for their work to date.
2. All present noted the minutes of the previous meeting had been agreed and published, and that all actions from that meeting were either complete or included in the agenda of this meeting.

Item 3 a): Social Security: Current delivery activity

3. SoS DWP expressed that it was her pleasure to be there and thanked SG for hosting the meeting.
4. SoS DWP expressed that she was pleased to see that the final phase of the Best Start Grant, the School Age Payment, had been fully delivered and summarised the status of the remaining Wave 1 benefits. SoS DWP acknowledged that certain devolved aspects of Universal Credit (UC) were taking longer to implement than had been hoped due to UK-wide changes impacting on timescales. She was grateful to CSSSOP for accepting the need for prioritisation of this within the UC Programme, whilst acknowledging her disappointment that progress on the Scottish changes were not being made more swiftly. SoS DWP is keen to continue working with the SG to ensure that a smooth operation is maintained for people receiving support from UC.
5. CSSSOP expressed thanks for the continued positive joint working between officials at every level, in particular, the recent Joint Executive Team meeting which was an example of the commitment to joint working at a senior level. Joint working had been particularly effective in the run up to go-live dates, and the recent benefit launches were a testament to that. She noted that changes in workplans by either Government could have an impact on the other and welcomed the good working relationship which allowed these conversations to take place early.
6. SoSS expressed his thanks to officials for working to the set timetables required to meet benefit launch dates. SoSS noted that the UK Government have a difficult situation going forward due to uncertain circumstances in Westminster, so a clear timetable is important to ensure efficiency. CSSSOP advised that the Scottish and UK Governments need to communicate and give as much notice as possible of changes to timetables to mitigate against this, if any difficulties arise which would need to be

factored into timetables. SoSS agreed to this approach and noted that although the parliamentary timetable is uncertain at this moment in time, he wishes to commit to the current timetable as much as possible.

Item 3b): Social Security: Future design, planning and legislation and Item 4: Income Supplement

7. The Ministers discussed and then agreed to cover items 3b and 4 in parallel as the introduction of the new Income Supplement (now named the Scottish Child Payment) will affect future design.

Item 4: Income Supplement

8. As part of the update to the Scottish Parliament regarding the progress of the Tackling Child Poverty Delivery Plan, on 26 June 2019 the Cabinet Secretary for Communities and Local Government (SG) announced that the SG will introduce a new Scottish Child Payment by the end of this Parliamentary term. Eligibility for the Scottish Child Payment (SCP) would be based upon receipt of a qualifying benefit and it would be an application-based process. The first payments of this benefit would be made before the end of this parliamentary term to children under the age of 6 and it would be fully rolled out to all children under 16 by 2022.
9. SoS DWP explained her key concern was delivery of the Scottish replacement for Personal Independence Payment (PIP) in early 2021. She stressed that beyond that date there would be no assessment capacity for PIP in Scotland so DWP could not provide the contingency of keeping that benefit open. SoS DWP sought reassurance from the SG around provision of assessment capacity from that date to avoid a cliff edge leading to a break in service to people in Scotland. Another concerns was the impact of delivering the SCP on Social Security Scotland's capacity to implement the replacements for DLA Child and for PIP. CSSSOP acknowledged the importance of this and advised that officials had done a significant amount of work, ensuring plans were feasible and robust, prior to the announcement. She was confident that the SG were on schedule to deliver Disability Assistance for Working Age People (DAWAP) from early 2021 using their own assessment capacity. All parties agreed that an agency agreement should be put in place from April 2020 to early 2021 for the DWP to continue to administer new claims for PIP, prior to the delivery of DAWAP.
10. Officials briefed the Ministers on contingencies and planning for Wave 2, including the impact of the introduction of the SCP. CSSSOP noted that contingency plans would need to be worked on and agreed jointly between both Governments and that this would be achievable if DWP and SG work openly with a shared understanding, in particular regarding the timescales for delivering DAWAP. DWP SoS agreed that there would be joint work but noted that the provision of the assessments from early 2021 would be a matter for the Scottish Government.
11. CSSSOP noted that the Cabinet Secretary for Communities and Local Government had been open when addressing the Scottish Parliament about the wider implications for the Social Security Programme being caused by the Scottish Government's political choice to prioritise the SCP in order to help reduce child poverty. There was also an understanding among stakeholders of the wider implications, namely that the replacement for Attendance Allowance will be pushed back to 2021 and for Carer's

Allowance to 2022, to accommodate the SCP. CSSSOP explained that they would be going through further impact assessments over the summer period and conversations would be held with DWP officials during that time. She would provide an update on this work at the next meeting.

Action Point 01: CSSSOP to update at the next meeting on the progress of the impact assessments on the Scottish Child Payment.

Item 3 b) Social Security: Future design, planning and legislation

12. CSSSOP introduced this item and expressed the importance of looking to future implementation and Wave 2.
13. DWP and SG officials gave a presentation on the milestones and delivery dates planned for the Wave 2 rollout. This included the safe transfer of Disability Living Allowance (DLA) Child cases to the new Scottish benefit, Disability Assistance for Children and Young People (DACYP). There would be a natural and managed migration during the implementation period that would need careful management, given the vulnerable nature of the individuals involved. The SG/DWP would work on developing an approach over the summer to ensure that benefit claimants received a seamless service.
14. CSSSOP explained that in regard to Section 93 (s93) Orders and agency agreements, there was a great deal of complex work for both governments to work through due to the number of benefits being devolved in a short space of time. She stated that it would be useful for the second s93 Order to have a broad scope and include provisions around compensation recovery. SoS DWP advised that the s93 order can be revisited if needed but she is cautious and does not want to commit to something that DWP cannot deliver.
15. CSSSOP also noted that she has been in communication with SoS DWP regarding the suspension of the managed migration from DLA to PIP for people in Scotland, until they can be transferred to the new devolved benefit DAWAP. SoS DWP confirmed she was content with the approach but stressed the need for it to be time-limited, reinforcing the importance of PIP's replacement by DAWAP in early 2021. She agreed with CSSSOP on the need to avoid running up to a cliff edge in provision for assessments beyond early 2021.
16. SG and DWP officials then moved on to the cold weather benefits in Wave 2. A joint feasibility study had been conducted between SG and DWP officials into what should happen in the period between the UK Government's planned closure of the Social Fund in Scotland and the delivery of the devolved cold weather benefits. This feasibility work had led both Governments to conclude that the only viable option, to avoid a break in payments, was to delay the closure of the Social Fund until March 2022. CSSSOP noted that she was pleased to see that a joint understanding had been reached between both governments which met both their needs and wanted to take this approach forward with other pieces of work. SoS DWP agreed that she was impressed by the joint working and noted that it was important that both governments refrain from politicising issues in order to allow officials this opportunity to work well together. CSSSOP agreed.

Item 5: Employment Programmes

17. MfBFWS advised that at JMWGW 12 he had presented the figures from the first three quarters of the Fair Start Scotland service, and he now had access to the figures from the full year. These figures showed that over 10,000 people have engaged with the programme in its first year, which is a great achievement. It is a three year service and there is still work to do to ensure SG meet their longer term uptake commitments. He noted that there have been an increased number of referrals through a range of third party organisations, which is a positive sign, and shows that the sector is working well with the SG. There has been a decline in DWP referrals but he advised that SG and DWP were working together to establish the reasons and improve the numbers. Going forward, he explained that it will be important to understand people's experiences of the programme, as a key measure of success.
18. MfBFWS advised that he had written to the Minister of State for Employment advising that as Fair Start Scotland is a tailored support service it should be treated in the same manner as other forms of DWP contracted support in terms of referrals. SoS DWP noted that working well together was important and that the unemployment rate in Scotland continues to fall, which is good to see. She agreed to facilitate a meeting between MfBFWS and the Minister of State for Employment to cover the issue of referrals from DWP to SG funded employability provision.

Action Point 02: SoS DWP to facilitate a meeting between MfBFWS and the Minister of State for Employment to discuss referrals to the Fair Start Scotland programme, and how this compares to other forms of DWP contracted employment provision, both voluntary and mandatory.

Item 6: AOB

19. MfBFWS raised the issue of devolution of Specialised Employment Support (SES), noting that he wrote to SoS DWP on 20th June 2019 about his concerns on the funding arrangements after March of next year, and he would like to see the issue resolved as swiftly as possible. DWP officials advised that indicative figures could be shared, and that funding transfer for the first year had been confirmed. They outlined the funding situation on the replacement for this programme in England and Wales, which relied on the UK Government's Spending Review, led by HM Treasury. SoS DWP and SoSS reiterated that current uncertainties have a bearing on the Spending Review. MfBFWS advised that even indicative figures could be helpful and SoS DWP undertook to provide them.

Action Point 03: SoS DWP to provide MfBFWS with indicative SES figures.

20. CSSSOP stated that she wished to put on record that uncertainty in Westminster and the turnover of UK Ministers had been challenging, but the SG welcomed the continuity of attendance of the SoSS at these meetings. She thanked both of them for their work and hoped to continue working with them in the future. SoS DWP also said that she hoped to be working with both Ministers again in the future. SoSS thanked the CSSSOP for her comments and noted that it was often suggested in the media that the Scottish Government and UK Government cannot work together, but the work done by in this forum demonstrated the contrary.

SoSS closed the meeting

ENDS

Action Point Summary:

Action Point 01:	CSSSOP to update at the next meeting on the progress of the impact assessments on the Scottish Child Payment.
Action Point 02	SoS DWP to facilitate a meeting between MfBFWS and the Minister of State for Employment to discuss referrals to the Fair Start Scotland programme, and how this compares to other forms of DWP contracted employment provision, both voluntary and mandatory.
Action Point 03:	SoS DWP to provide MfBFWS with indicative SES figures.