

Joint Ministerial Working Group on Welfare, 15th Meeting

Meeting held over Video Conference

Wednesday 24 June 2020

Attendees

- Chair: Cabinet Secretary for Social Security and Older People (CSSSOP)
- Parliamentary Under Secretary of State for Scotland (PuSoSS)
- Minister for Disabled People (MfDP)
- Officials from the Department for Work and Pensions (DWP), Office of the Secretary of State for Scotland (OSSS) and Scottish Government (SG)

Apologies

- Secretary of State for Scotland (SoSS)
- Minister for Business, Fair Work and Skills (MfBFWS)

Items 1 and 2: Welcome and introductions, and Minutes and actions from 14th meeting

CSSSOP welcomed all attendees to the meeting and PuSoSS and MfDP to their first JMWWG.

CSSSOP noted the significant developments since the last meeting, including the transfer of executive competence in April 2020 and the impact of Covid-19 for both governments. She also expressed her gratitude for the continued work of DWP officials in responding to the challenges of Covid-19.

CSSSOP highlighted that it would be a timely opportunity to review the Terms of Reference as the SG move forward to Wave 2 of the delivery of devolved benefits. She also asked that officials consider the timing and frequency of meetings in the review.

MfDP thanked CSSSOP for the welcome and recognised the constructive joint working between the SG and UKG.

PuSoSS echoed these points and asked to be added as a permanent member of the group, given that the SoSS has requested that he take forward responsibility for welfare. He confirmed that SoSS will continue to co-chair these meetings and be heavily involved in the devolution of welfare.

All present noted the minutes of the previous meeting had been agreed and published.

Item 3 a): Social Security Delivery of Benefits: Current delivery activity

CSSSOP acknowledged the effective joint working between SG and UKG to deliver the Wave 1 benefits. She noted that the priority Scottish benefits for delivery in 2020 are Scottish Child Payment (SCP), Job Start Payment (JSP) and Child Winter Heating Assistance (CWHHA).

CSSSOP recognised that SG are reliant on DWP undertaking certain actions to enable SG to start delivering SCP and CWHHA. She acknowledged that DWP resources are rightly focused on responding to the Covid-19 crisis, but hoped that work could continue at official level to plan activity for 2020 and beyond.

SG officials provided an update on the delivery schedule for 2020, focused on the key milestones, dependencies, risks and mitigations.

PuSoSS recognised the excellent joint working between SG and UKG in re-prioritising the legislative programme to focus on the priority areas for delivery in 2020. He highlighted the legislative progress made since the last meeting; the S63 Order required for the introduction of JSP came into force in March and the S104 Order required for the introduction of SCP was laid in May. He also noted that officials continue to work collaboratively in finalising the two S104 Orders required for the introduction of Winter Heating Assistance, Short Term Assistance, Young Carer Grant and Disability Assistance.

PuSoSS also expressed that he was keen that more UK Government Ministers visit Scotland, when circumstances allow. MfDP said that he would be very keen to visit, and CSSSOP welcomed this.

CSSSOP thanked officials for progressing the S104 Order required for the introduction of SCP within expedited timescales and exceptionally challenging circumstances. She also recognised the extensive ongoing work between UKG and SG to progress the two further S104 Orders under demanding circumstances and noted the importance of this work continuing to be progressed.

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

CSSSOP introduced the item and emphasised the need for continued joint working between SG and UKG to ensure that the re-plan of the programme is completed effectively, taking into account the current constraints in DWP capacity.

CSSSOP noted that the re-plan provides an opportunity to further consider the position of young people reaching their 16th birthday whilst in receipt of Disability Living Allowance, and the overall approach to case transfer and piloting. She asked for support from the MfDP for the continuation of discussions on this issue. MfDP responded that SG and UKG officials were working collaboratively to ensure a safe and secure transition.

PuSoSS emphasised the need for plans for legislation to be shared with OSSS as early as possible due to the pressures on parliamentary time.

CSSSOP thanked MfDP for agreeing to continue to administer PIP in Scotland for an extended period. She also highlighted that the extension provided an opportunity for SG to

de-risk the delivery of its replacement for PIP, and to ensure a safe and secure transfer to the new benefit, which is an objective of both governments.

CSSSOP asked MfDP to provide an update on face-to-face assessments for disability benefits. She referenced the previous SG commitment that no Scottish client would have to undergo a face to face assessment and asked for support from the MfDP for further discussions between officials to fully explore what would be possible in this regard. MfDP responded that face-to-face assessments were currently paused and had been replaced by paper-based or telephone reviews due to Covid-19. He noted that existing claims had been automatically extended. However, claimants could still ask for a re-assessment in the event that they wished to report a new condition or a change in their existing condition(s), the effects of which may affect the amount of benefit they are entitled to.

MfDP recognised the positive lessons learnt and noted that DWP would consult with stakeholders on the use of other assessment methods in its forthcoming Green Paper on health and disability support. MfDP emphasised that DWP would revert to face-to-face assessments when it was safe to do so for cases where it was deemed appropriate, and outlined the policy reasons for doing this. This would be the case in Scotland as well as England and Wales for as long as the relevant Agency Agreements applied. Assessment policy for the new Scottish benefits would, of course, be a matter for the SG.

MfDP noted the opportunities for SG and UKG to learn from each other. CSSSOP agreed and emphasised the need for officials to continue working closely.

Item 4: Employment Programmes / Fair Start Scotland.

CSSSOP introduced the item and noted that Fair Start Scotland is now an on-going business-as-usual programme. All attendees agreed that the item be removed from the fixed agenda, and for membership of the group to be revised accordingly.

CSSSOP emphasised the importance of maintaining dialogue at Ministerial and official level on Fair Start Scotland through alternative forums.

Item 5: Any Other Business

MfDP asked for an update from SG on its plans relating to the treatment of terminal illness in the Scottish benefit system. CSSSOP offered to share the SG's plans with MfDP.

CSSSOP closed the meeting.

ENDS