



EDINBURGH TENANTS  
FEDERATION

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Edinburgh's Federation of Tenants' and Residents' Associations

## Scottish Social Security Consultation:

### ETF Response

#### 1.0 Background

Edinburgh Tenants Federation (ETF) is the umbrella organisation for tenants and residents groups in Edinburgh and a Registered Tenant Organisation (RTO). ETF held a focus group for members to find out their views on the social security for Scotland consultation on 3<sup>rd</sup> October 2016 to which 18 tenants attended. This response represents the ETF Members' views on the questions most relevant to attendees at the event.

#### 2.0 Part One: A Principled Approach

##### 2.1 How should the principles be embedded in the legislation?

There should be no need in a civilised society for principles of dignity and respect to be spelled out to public authorities – these should be assumed as part of a society that values its citizens and treats them with humanity.

However, because of the lack of humanity in the principles currently governing the UK Government's approach to welfare, **we believe these principles should be enshrined in Scottish legislation.**

To secure the principles in law, will make sure they are adhered to and easier to enforce.

These principles should also be linked to the international human rights standards which Scotland must report on. Having these principles as rights embedded in law will also enable individuals to claim their human rights from the state and contribute towards securing an adequate standard of living, and a life lived with dignity and respect.

Having the principles enshrined in legislation may also help to shift the balance of thinking and challenge the current negative and dehumanising stigma attached to those claiming benefits by the UK Government's approach. It will send a clear message that the Scottish social security system will be different to the UK Government's; one with the humanity of individuals and compassion for society at its heart.

##### 2.2 Is the name 'claimant charter' the right one? If not, what are your suggestions?

Yes. We support this.

##### 2.3 If you think that having rights in law is the best way, who should be responsible?

The Scottish Government.

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## 2.4 Are these outcomes the right ones? Why?

Yes. The outcomes are clear and concise.

We especially support the outcomes that enable claimants to be treated with dignity and respect. This is a significant shift in thinking on public policy relating to social security and is fully welcomed by ETF.

## 2.5 How can the Scottish social security system ensure all social security communications are designed with dignity and respect at their core?

Communication should be easy to understand, in plain language and with no jargon. The language in written communication should be non-judgemental. Tenants at our focus group said that the system needs to “treat people like human beings not second class citizens.” This should be evident in every communication with every individual.

For vulnerable individuals, communication must be tailored to their needs and face to face communication should be available as an option.

We would suggest the Scottish government tests written communications out with *real people* in civic organisations, especially those that support those with communication difficulties. This will help to gauge how written communication is understood by individuals.

The tone of communication and the *culture of the organisation* behind the communication, is reflected in the use of language. This language has an impact on individuals. It is important the Scottish social security system gets its language right.

At our focus group we heard stories of how written and verbal communication from the DWP can negatively affect an individual’s mental health and ability to cope with stress, during what can already often be a difficult time manoeuvring the complex benefits system. Confusing and negative communication can compound anxiety and fear. We heard about people “putting brown envelopes in the back of the drawer for fear of opening them.” One person said, “You know you’re in trouble with money but getting through a letter you can’t understand just makes you feel worse. It’s easy to hide it away and put it at the back of your mind, but actually you feel sick just thinking about it.”

The Scottish social security system must do everything it can to avoid the negative impact demonstrated by current DWP communications.

The culture of the social security system in Scotland, especially if that culture is enriched by principles of dignity and respect at its core, must also be reflected in its communication with claimants.

Scottish social security staff should be trained in compassion and dignity as part of their ability to carry out face to face and verbal communication.

It should also be incumbent on the officers involved to tell the claimant where they may be entitled to more benefits. Experience of tenants in our focus group was that often DWP staff did not make clear that other benefits may assist.

## **2.6 What can improve people's experience of the social security system?**

People must know where and who to go to for advice.

An opportunity should be made for face to face contact. Advisors who can speak in plain language and can show empathy and understanding will make a positive difference. Trained staff - people who know what they are talking about who can tell all claimants what they are entitled to, accurately will help improve confidence in the system.

Ensuring that transitional benefits maintain in place for 2 – 3 months and that the new system is explained clearly will be helpful.

A system that gets things right first time, is fast and accurate will be welcomed. Where mistakes are made, an apology should be offered, mistakes rectified first time, and quickly. This improved efficiency will ease the burden of individuals manoeuvring the social security system and increase public confidence in the system.

## **2.7 Should benefits be provided in cash or choice of goods and cash?**

Our focus group strongly reflected that either goods or cash should be offered, depending on the circumstances and choice of the individual. Key to this is that citizens have dignity, and as long as the goods are not offered in a way that would stigmatise the individual, they would be welcomed.

Examples of goods that could be offered:

- Furniture
- Floor coverings
- White goods
- Food / shopping vouchers (perhaps with additional discounts)
- Access to cheaper fuel.

## **2.8 How can digital services be used for social security in Scotland?**

For those who can use digital services - an efficient, simple to use system that will enable all social security services to be completed digitally is strongly supported.

Whilst there is recognition that digital services can improve choices for some individuals, people should not be forced to engage with the social security system in this way.

In our focus group, we heard about the DWP system forcing applications online which had been difficult for individuals who did not have the devices, internet connection or skills to be able to access digital services.

Regarding access to the internet, some had to take two buses to go to a local library (which cost money and time), where they could only access the computers for an hour. And without skills or support to complete the online DWP applications, individuals could not complete in the timescale allotted, resulting in delays to claims (not to mention causing frustration to the individual and costing money).

Forcing all claimants to use technology, where there is no ability or means to use technology is demeaning to the individual.

The opportunity for human contact, either face to face or over the telephone should be offered.

## **2.9 Should social security in Scotland be able to face to face contact?**

As outlined above, yes. This is critical to enabling an approach that puts dignity and respect at its heart.

## **2.10 Should there be an independent body set up to scrutinise Scottish social security arrangements?**

Yes. An independent regulator to hold the Scottish government to account on behalf of its citizens was preferred.

This is important in sending the message that the social security system is permanent, transparent and accountable to the people of Scotland.

## **2.11 Who should provide independent advice about social security in Scotland?**

Third sector, independent advice agencies were the preferred option in our focus group, particularly CABx, but not excluding specialist Local Authority and housing association benefits advice staff.

## **3.0 Part Two: The Devolved Benefits**

In this section, our focus group highlighted that appropriate checks and balances are important for the social security system to ensure there are no fraudulent claims. However, these checks should be made in the spirit of the principles of the social security system – still ensuring dignity and respect to all individuals.

### **3.1 What is right and wrong with current disability benefits?**

#### **3.1.1 Disability Living Allowance (DLA)?**

The main issue with DLA is in the complex and stressful medical assessment process, particularly for people who have debilitating illnesses where prognosis will not improve over time.

Application form is complex and difficult to complete.

Assessments could be made every two years for certain conditions, where physical improvements may be slow – such as with significant back problems.

Incentives could be provided to people who try to help themselves or with support manage their life better.

#### **3.1.2 Personal Independence Payments (PIP)?**

Again, the medical assessment process came under most criticism. Assessments are carried out with no doctors involved, and are not carried out with dignity. The system is confusing and changes in medical conditions are not appropriately dealt with.

Speed of processing claims is slow, even where there is a critical illness.

### **3.1.3 Attendance Allowance (AA)?**

Again the assessment process came under fire. AA should not impact on entitlement to other benefits. The Motability scheme should be continued and available to those on AA.

### **3.2 What evidence, if any should be required to support an application for Scottish benefit?**

There should be a link to eligibility for other benefits provided by the UK Government.

A residency test should be applied – so that only people resident in Scotland are able to claim benefits.

For medical assessments, evidence should be provided from an appropriate / relevant medical practitioner, including a specialist where this information is required.

### **3.3 Should there be ‘automatic entitlement’ for some disability related awards?**

Yes. This would remove the humiliation and stress of continuing to reapply, when medical circumstances will not improve.

### **3.4 Could the current assessment for disability benefits be improved? If, So, how?**

Medical assessments to be carried out by a doctor in face to face consultation, basing recommendations also on evidence from health professions *who know the patient*.

Our focus group felt there could be a role for the patient’s GP – although this would require investment to the frontline GP services.

Home visits could be offered for those who are unable to attend a medical assessment centre.

Above all – treat every individual with dignity and respect.

### **3.5 Should benefits be given to help other support, such as reduced energy costs or adaptations to homes?**

Yes, where this is required.

As an aside, the Scottish government should tackle fuel poverty so that legislation is passed that those on card / key meters (who are often those with least money) do not have to pay more for fuel than those on ordinary meters.

### **3.6 Should the Motability scheme continue to be supported?**

Yes, where the need is supported by medical evidence.

### **3.7 Do you agree with the proposals for a Scottish carer’s benefit?**

Yes, but do not restrict this by age. This should be means tested.

**3.8 Do you have any comments about the proposals for Winter Fuel and Cold Weather Payments?**

This should be made available to all benefit claimants, not just pensioners and those on disability benefits.

**3.9 Which of these should be paid for by the Funeral Payment?**

	YES	NO
Professional funeral director fees – advice and administration	✓	
Removal or collection of the deceased	✓	
Care and storage of the deceased before the funeral	✓	
Coffin	✓	
Hearse or transport of the deceased	✓	
Limousines or other car(s) for the family	✓	
Flowers	✓	
Death notice in a paper/local advertising to announce details of funeral (time and location)	✓	
Fees associated with the ceremony e.g. for the minister or other celebrant	✓	
Order of service sheets		✓
Catering for wake/funeral reception		✓
Venue hire for a wake/funeral reception		✓
Memorial headstone or plaque		✓
Travel expenses to arrange or attend the funeral	No consensus reached	

**3.10 Should you be able to claim funeral benefit if you get pension credit?**

Yes.

This should also be made available to parents on benefits whose children die.

**3.11 Do you agree with the proposals for the Best Start Grant?**

Yes. However questions were raised about how this policy may be impacted by the UK Government benefits income cap.

**3.12 Could the way Discretionary housing payments are used be improved?**

Yes.

DHP could be made available to those on zero hour contracts and minimum wage who may not qualify for full benefits. Agree that this should be means tested.

More information is required and the publicity of DHP increased as some are still unaware of DHP, and are not applying.

**3.13 What should the Scottish Government consider in developing a Job Grant?**

Structured job creation schemes will assist bringing new workers into employment. But people need to be supported in sustaining a job – so perhaps a payment for attendance to supplement wage (particularly if wages are paid in arrears and there is a time difference between benefits stopping and wages starting) at the beginning of employment.

Assistance for buying shoes or appropriate clothing for work would benefit some, therefore there was support for the Job Grant for 16-24 year olds. However this could also be made available for long-term unemployed.

Assistance with transport costs for new workers would be welcomed, since our focus group heard of individuals not being able to pay for transport costs to a job, because wages were paid in arrears. Strong support for a free bus pass for three months.

**3.14 Should private tenants be able to get their Universal Credit housing payments paid direct to their private landlord?**

Yes.

A strong view was held in the focus group that the housing element of UC should be paid direct to landlords for *all tenants*. This will enable security of tenure for the tenants and support RSL and Local Authority landlords to reduce rent arrears that are anticipated with the introduction of UC.

**3.15 Should Universal Credit be split between members of a household?**

Yes. This was strongly supported in our focus group, particularly to assist victims of domestic abuse.

**3.16 Do you have any comments on the Scottish Governments proposals to “scrap the bedroom tax”?**

This is welcomed by the focus group. “The sooner the better” was a prevalent comment by tenants.

**4.0 Part Three: Operational Policy**

**4.1 Do you have any comments about how advice should be given and who should provide it?**

See comments above in section 2.11.

Advice should be given free at the point of contact by skilled and professional advisers, preferably from independent third sector organisations like CABx. For social housing tenants, many landlords also provide excellent welfare rights advice services. This should also be continued.

**4.2 Should complaints principles be those already set out by the Ombudsman?**

Yes.

**4.3 Should a tribunal be used to resolve disputes in the social security system?**

Yes. This should be an independent process, perhaps by a social security regulator.

**4.4 Do you agree with the values of the appeals process?**

Yes.

A suggestion was made for a time limit of 6 weeks for the appeals process.

**4.5 Could the current system for overpayments be improved in the Scottish social security system? If so, how?**

Yes.

The accuracy of information is paramount. We welcome that the Scottish social security system will aim to reduce errors. If errors are made which are not the individuals' fault, these should not be repaid.

Where an error has been made by the individual, an agreed *and affordable* repayment plan should be set up with the individual – either by direct payment by the individual or being taken from benefit.

**4.6 Should financial advice be offered to people who have to pay back overpayments?**

Yes, if an error has been made.

Where a deliberately fraudulent claim has been made, this should not be available.

**4.7 How should Fraud be handled by the Scottish social security system?**

Fraud should be handled by due process of law, and the focus group supported use of the current Scottish government counter-fraud strategy.

**4.8 How should the social security system keep pace with the cost of living?**

The focus group agreed with the principle of uprating based on the Consumer Price Index. Deflation (if this was ever the case), should not be applied to benefits – i.e. the amount of benefits should not be reduced – even if deflation on CPI has occurred.