

# CAS Adult Disability Payment Briefing July 2021

## Summary

Between December 2020 and March 2021, the Scottish Government consulted on the first draft of new regulations for Adult Disability Payment (ADP).<sup>1</sup> In June 2021, the Scottish Government published their response to this consultation.<sup>2</sup> Citizens Advice Scotland welcomed encouraging signs in the latest government proposals, but CAS is calling for further change to get Adult Disability Payment right for disabled people in Scotland.

Currently, 1 in 10 disabled people in Scotland receive an additional costs' social security payment, worth over £2.5 billion per year.<sup>i</sup> The devolution of social security powers, especially those related to disability payments, is the biggest transfer of powers to the Scottish Parliament since its establishment in 1999.

ADP will replace Personal Independence Payment (PIP), becoming the main social security payment for adults with a disability or ill-health in Scotland. An ADP pilot will commence in Spring 2022 with full rollout later that year.

The Citizens Advice network in Scotland provides well over 100,000 pieces of advice on current disability benefits every year, with disability benefits consistently one of the top three biggest advice areas for CAB. Our evidence and experience emphasise why further changes are required for ADP to work for disabled people in Scotland.

**Citizens Advice Scotland recommends** three key changes to the current proposals for Adult Disability Payment:

- 1. The 20m rule for the enhanced mobility rate of ADP is scrapped** and increased to 50m.
- 2. The past presence test is completely removed** to enable everyone with a disability who is resident in Scotland to access their right to social security.
- 3. Provision is made for indefinite awards**, ending enforced reassessment for people with a progressive condition and disabilities that will not improve.

## Key Points

- 1 in 5 people in Scotland identify as having a disability, yet only around 1 in 10 disabled people receive a disability social security payment.
- At present, a person who can walk between 20 and 50 metres does not qualify for the Enhanced Mobility Component. It is only available to those who can walk less than 20 metres.<sup>ii</sup> The former group will receive £38.85 less in mobility support a week and cannot the Accessible Vehicles and Equipment Scheme to lease an adapted car, scooter or wheelchair.

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<sup>1</sup> Scottish Government (Dec 20) <https://consult.gov.scot/social-security/adult-disability-payment-regulations/>

<sup>2</sup> Scottish Government (June 2021) [Adult Disability Payment consultation response](#)

- Under PIP people with a disability must undergo reassessment, even when this is a progressive condition or one that will not improve. In a 2021 CAB adviser survey, an overwhelming majority (9 in 10) supported introducing indefinite lifetime ADP awards for people with lifelong conditions. Where someone receives the highest rates with a lifelong condition, there should be no reassessment. If someone with a lifelong condition does not receive the highest rates, there should be no reassessment unless requested by the recipient due to their condition worsening.
- The original draft regulations for ADP included the 'Past Presence Test', which required a person to have been in Scotland for two out of the past three years before they can access social security payments for their disability. In June, the Scottish Government stated their intention to reduce this to 26 of the previous 52 weeks. CAS welcomes this change but believes this residency requirement still unnecessarily restricts access to a crucial form of support.
- In August 2020, the Scottish Campaign on Rights to Social Security (SCoRSS) published *Beyond a Safe and Secure Transition – A Long Term Vision for Disability in Scotland*, which sets out how disability support should be transformed in Scotland to create a system built on human rights, a better understanding of disability in society (through the social model) and adequacy.
- Scope research estimates the additional monthly cost of having a disability at £632, this is 20% more than the amount a person who qualifies for the enhanced rates of both the Daily Living and Mobility Components of PIP.

### **Citizens Advice Scotland recommends:**

- The 20m rule for the enhanced mobility component of Adult Disability Payment is scrapped (increased to 50m).
- Indefinite awards are introduced, ending reassessment for people with a progressive condition or disability that will not improve.
- The past presence test is removed in its entirety to enable everyone with a disability who is resident in Scotland to access their right to social security.

In the longer-term:

- A fundamental independent review of all disability payments in Scotland leading to a world-leading system of disability support in line with the six principles in the SCoRSS "Beyond a Safe and Secure Transition" report.
- Key to this must be increasing the payment rates of social security for disability.

### **Contact Details**

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<sup>i</sup> Stat Xplore

<sup>ii</sup> Scottish Government (Dec 2020) <https://www.gov.scot/publications/consultation-adult-disability-payment/>