

# Island Communities Impact Assessment (ICIA): Disability Assistance for Children and Young People Amendment (Scotland) Regulations 2021

## Introduction

1. The importance of island-proofing was recognised in the "Empowering Scotland's Island Communities prospectus" published in June 2014. The principle of island-proofing is one of building a broad-based islands awareness into the decision making process of all parts of the public sector.

2. The Islands (Scotland) Act 2018<sup>1</sup> places a duty on the Scottish Ministers and other relevant authorities, including a number of public authorities, to have regard to island communities in exercising their functions, and for the Scottish Ministers this will also include the development of legislation. This duty is often referred to as 'island-proofing'.

3. The Scottish Government recognises the importance of island-proofing and committed to island-proofing the Social Security (Scotland) Act 2018 (the 2018 Act) in advance of the Islands Act making this a formal requirement. The Scottish Government is also committed to island-proofing the legislation required in support of the devolution of social security powers to Scotland.

4. If the Scottish Ministers are of the opinion that any piece of proposed legislation is likely to have an effect on an island community which is significantly different from its effect on other communities, then the duty to island-proof legislation requires the Scottish Ministers to:

- describe the likely significantly different effect of the legislation;
- assess the extent to which the Scottish Ministers consider that the legislation can be developed in such a manner as to improve or mitigate, for island communities, the outcomes resulting from the legislation; and
- set out the financial implications of steps taken under this subsection to mitigate, for island communities, the outcomes resulting from the legislation.

## Executive Summary

5. This ICIA has considered the potential effects of the Disability Assistance for Children and Young People Amendment (Scotland) Regulations 2021 and how they impact on people living in island communities, presented below in the **Key findings** section. The findings here are based on desk research, engagement with and feedback from disabled people with lived experience of the current social security system<sup>2</sup>, and the Consultation on Disability Assistance.<sup>3</sup> This ran between 5 March and 28 May 2019 and received 263 replies, of which 74 were from stakeholder organisations and 189 were from individuals.

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<sup>1</sup> <http://www.legislation.gov.uk/asp/2018/12/enacted>

<sup>2</sup> <https://www.gov.scot/collections/social-security-experience-panels-publications/>

<sup>3</sup> <http://consult.gov.scot/social-security/improving-disability-assistance/>

6. This in turn led to targeted consultation with stakeholders representing people with protected characteristics which was undertaken during the consultation period in 2019, including disabled people from island and remote communities.

7. We are extending the ICIA by considering rurality and remoteness in the same spirit of the Act to gauge evidence as to whether the policy and regulations will impact rural/remote communities differently to other communities.

8. We have concluded that there will not be any new unique impacts on remote and islands communities as a result of the provisions in these Amendment Regulations, nor will there be a specific financial impact for island communities in isolation resulting from the provisions. Positive impacts on disabled children and young people identified are expected to have a similar impact on remote and island communities as the rest of Scotland.

## **Policy Background**

9. The Social Security (Scotland) Act 2018 (“the 2018 Act”) sets out the broad framework for the delivery of devolved social security in Scotland. On 1 April 2020, the Scottish Ministers took executive and legal competence for disability benefits, including Disability Living Allowance for Children (DLAC), Attendance Allowance (AA) and Personal Independence Payment (PIP).

10. These benefits will continue to be delivered during a transition period by the Department for Work and Pensions (DWP) under the terms of an Agency Agreement agreed with the Scottish Government, to ensure the safe and secure devolution of disability benefits.

11. The Scottish Government is replacing DLAC, PIP and AA with new forms of assistance under the 2018 Act. These new benefits will be delivered by Social Security Scotland on behalf of the Scottish Ministers with most determinations carrying a right of appeal to the First-Tier Tribunal for Scotland’s Social Security Chamber.

12. The first form of disability assistance the Scottish Government is delivering is Child Disability Payment (CDP). This was formerly known as Disability Assistance for Children and Young People. It replaces DLAC for children and young people in Scotland between three months and 18 years of age.

13. These regulations make a number of amendments to the principal regulations. The amendments being introduced are being made with the purpose of aligning existing rules on CDP entitlement with the policy intention which is to help improve outcomes for disabled children and young people by providing financial assistance to help meet the additional costs associated with care and mobility needs, as a result of being disabled.

15. The regulations amend the definition of legal detention, and make changes to eligibility criteria resulting in further improvements to the CDP application process for young people between the age of 16 to 18, and for serving civil servants and members of the armed forces.

16. They also make minor technical amendments to the rules of entitlement for both the care and mobility component of CDP, and bring clarity to the duration of eligibility for individuals who have reported a change of circumstances, and those who move between Scotland and the rest of the United Kingdom. There are changes to clarify the effect of admission to a care home or legal detention on ongoing entitlement to care component and for individuals whose entitlement to care component begins while in alternative accommodation. These regulations also make amendments to clarify when an increase and decrease in level of entitlement takes effect, allowing the Scottish Ministers to make more robust and reliable decisions about entitlement to CDP.

17. There are also changes to the re-determination and appeals process which clarify the policy intention by making clear the period of time Social Security Scotland has to complete a re-determination, and extend the scenarios where short-term assistance is payable and confirms which determination terminates short-term assistance in particular scenarios.

18. In addition to setting out how CDP will be delivered, the Disability Assistance for Children and Young People (Scotland) Regulations 2021 makes provision for the transfer of responsibility for delivering disability benefits for children and young people under the age of 18 who receive DLAC in Scotland from the Department for Work and Pensions (DWP) on behalf of the Scottish Ministers to Social Security Scotland. These children and young people will transfer from DLAC to CDP. The cases and supporting information for these clients will transfer to Social Security Scotland once new applications functionality for the respective devolved benefit is in place. Over 700,000 existing clients will require to be transferred from the Department for Work and Pensions to Social Security Scotland as devolved benefits 'go live'.

19. Based on estimates provided by the Scottish Government's Communities Analysis Division, there are 57,000 children and young people who will transfer to CDP from DLAC.

20. The Scottish Ministers have set out a number of case transfer principles which we have used to guide the development of our approach to case transfer.<sup>4</sup> Our commitment to equalities will run through all of these principles and also guides our overall approach. The principles are:

- **Correct payment at the correct time** – ensuring that the case transfer process is designed so that clients will receive the same amount for the Scottish benefit as they received for the corresponding UK benefit to include checks at the point of transfer
- **No re-applications** - we will not require clients to re-apply for their benefit as part of the case transfer. We will work with DWP to move clients automatically to Social Security Scotland and the corresponding new Scottish benefit.

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<sup>4</sup> <https://www.gov.scot/publications/social-security-case-transfer-policy-position-paper/>

- **No face to face DWP re-assessments** - we will ensure that no-one will be subject to a face to face re-assessment by DWP when new applications for Adult Disability Payment open. DWP do not conduct face to face assessments for DLA Child renewals, so this is not a consideration for DLA Child case transfer.
- **Complete as soon as possible** – whilst the previously set out timetable will no longer be possible due to the impacts of Covid-19, the Scottish Ministers have been clear that they want to complete the transfer of cases as soon as is possible in a way that will not create unacceptable risks for clients.
- **Clear communication with clients** – we will inform our clients the date their case will be transferred and will keep them informed at the various stages of the case transfer process.

21. These regulations make some technical amendments to the provisions that effect the transfer of responsibility for delivering disability benefits for children and young people under the age of 18 who receive DLAC in Scotland from DWP on behalf of Scottish Ministers to Social Security Scotland. They also introduce the ability to backdate CDP entitlement where the award of CDP is higher than the DLAC award at the point of case transfer due to cited differences in DLAC and CDP eligibility rules.

22. This policy is closely aligned with the Healthier, Wealthier and Fairer Strategic Objectives, and contributes to the following National Outcomes:

- We respect, protect and fulfil human rights and live free from discrimination;
- We tackle poverty by sharing opportunities, wealth, and power more equally;
- We live in communities that are inclusive, empowered, resilient and safe; and
- We grow up loved, safe and respected so that we realise our full potential.

23. In July 2016 the Scottish Government launched a public consultation to support the development of a framework that would become the Social Security (Scotland) Bill. This received more than 200 responses to questions relating to disability benefits with an even split between organisational and individual responses. In particular comments were invited on a partial Equality Impact Assessment which represented the Scottish Government's work on the impact of social security policy on people with protected characteristics prior to the consultation.

24. There were 521 formal written responses submitted, of which 241 were from organisations and 280 from individual respondents. Of the 241 organisational responses, 81 were received from stakeholder groups relating to children/young people, equalities and human rights, disability and long term conditions, and carers. The independent analysis of the responses along with the Scottish Government response were published on 22 February 2017<sup>5</sup>.

25. The Scottish Government has set up Social Security Experience Panels with over 2,400 people across Scotland registered as panel members when the Panels

<sup>5</sup> <https://www.gov.scot/publications/analysis-written-responses-consultation-social-security-scotland/>

opened in 2017. The Panels involve people with lived experience of the benefits that are coming to Scotland. In July 2019 recruitment to the Experience Panels was reopened. We have been working with relevant stakeholders to specifically target disabled people from seldom heard groups as part of our engagement.

26. The Consultation on Disability Assistance built on the work of previous consultation and the Experience Panels and was published on 5 March 2019. In line with the principles of dignity, fairness and respect, the Scottish Government sought the views of the people of Scotland on the three proposed disability assistance benefits, namely Disability Assistance for Children and Young People (now known as CDP), and replacement benefits for PIP and AA<sup>6</sup>. The consultation closed on 28 May 2019, having received 263 replies, of which 74 were from stakeholder organisations and 189 were from individuals.

27. Two surveys regarding the case transfer process was sent out to Experience Panel members in January and February 2019. 404 and 559 responses were received respectively. A series of individual and group interviews were also conducted. Results from both surveys and the interviews were published in 2019.<sup>7</sup> These surveys confirmed that of most importance to panel members was that they continue to receive the correct payment at the correct time.

28. We have been working with relevant stakeholders to specifically target disabled people from seldom heard groups as part of our engagement. For example, we have reached out to the Inclusive Communications Stakeholder Reference group to seek users who come from seldom heard groups. This is a continuous exercise and more information from this work is imminently forthcoming.

29. Regarding disability assistance, an initial framing exercise for the partial Equalities Impact Assessment relating to disability assistance was carried out in 2017 involving a range of internal Scottish Government stakeholders. In addition to highlighting a number of positive impacts and potential barriers, the exercise enabled significant data gaps to be identified. This in turn led to the targeted consultation with stakeholders representing people with protected characteristics which was undertaken during the Consultation on Disability Assistance between 5 March and 28 May 2019.

30. The Scottish Government has also undertaken ongoing consultation with stakeholders through our independent Disability and Carers Benefits Expert Advisory Group (DACBEAG) as well as the Ill Health and Disability Benefits Stakeholder Reference Group. DACBEAG is chaired by Dr Jim McCormick and comprises individuals with significant practical experience of the UK social security system, from a range of professional backgrounds. It is independent of the Scottish Government. The Group's role is to advise the Scottish Ministers on specific policy options for disability assistance and carers benefits due to be delivered in Scotland.

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<sup>6</sup> <https://www.gov.scot/publications/social-security-consultation-disability-assistance-scotland/>

<sup>7</sup> See <https://www.gov.scot/publications/social-security-experience-panels-case-transfer-survey-findings/> and <https://www.gov.scot/publications/social-security-experience-panels-designing-case-transfer-process-main-report/>

31. The Ill Health and Disability Benefits Stakeholder Reference Group was set up in March 2016 to inform and influence the development of policy options relating to devolved Disability Assistance. This group has advised on the potential impact of policy decisions as well as user and stakeholder engagement.

32. Despite the continuing impact of coronavirus, work with Experience Panels has continued with user testing on digital material that will be available on the Social Security Scotland website. Specifically with regards to case transfer, framing exercises have been taking place in 2020 and will continue to take place with a range of internal Scottish Government stakeholders. This will give information to people who are considering making a CDP application. We focused on making sure that information was easy to find, understand and navigate.

### **Scope of the ICIA**

33. The scope of this ICIA is the impact of:

- The changes we are making to the Disability Assistance for Children and Young People (Scotland) Regulations 2021 on disabled children and young people (between the ages of 3 months and 18 years) and their families and carers in Scotland who live in remote and island communities.

### **Key Findings**

34. This section provides an overview of issues for Scottish rural/remote and island communities that are relevant for these regulations.

35. Island stakeholders have emphasised the importance of understanding the island experience. Each island has its own specific considerations and constraints.

36. Rural Scotland accounts for 98% of the land mass of Scotland and 17% of the population are resident there.<sup>8</sup>

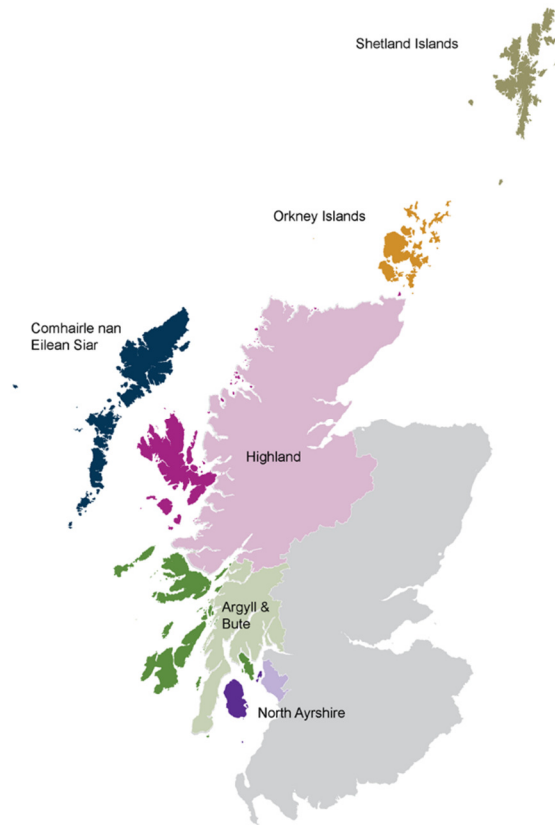
37. At the time of the 2011 Census, Scotland had 93 inhabited islands with a total population of 103,700 (which was 2% of Scotland's population).<sup>9</sup> Of these islands, only five are connected to the Scottish mainland by bridge or causeway.

38. The Islands Act identifies six local authorities representing island communities in Part 4 of the Act (Section 20 (2), which are Argyll and Bute Council; Comhairle nan Eilean Siar/Western Isles; Highland Council; North Ayrshire Council; Orkney Islands Council; and Shetland Islands Council. Amongst them, Orkney, Shetland and Western Isles are entirely island authorities, while Highland, Argyll and Bute and North Ayrshire local authorities cover island regions as well as mainland regions.

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<sup>8</sup> Scottish Government (2018) [Rural Scotland: key facts 2018](#)

<sup>9</sup> NRS (2015) [Scotland's Census 2011: Inhabited islands report](#)



**Figure 1:** Map highlighting all 6 local authorities representing Island Communities (islands in darker shades where islands are part of mainland Local Authorities)<sup>10</sup>

## Demography and Health

39. According to the 2011 Census, 83% of island residents reported their health as being ‘Very good’ or ‘Good’ compared with 82% for Scotland as a whole.<sup>11</sup> The proportion of island residents with a long-term (lasting 12 months or more) health problem or disability that limited their day-to-day activities was just under 20%, including 9% who reported their daily activities were limited a lot.<sup>12</sup> The corresponding proportions for Scotland as a whole were very similar.

40. 17% of island residents are under age 16, which is the same proportion as per Scotland as a whole.<sup>13</sup>

41. UK wide, disabled people have higher poverty rates than the general population. Disabled people make up 28% of people in poverty. A further 20% of people who are in poverty live in a household with a disabled child. Data related to disability specific to island communities is not available.

<sup>10</sup> <https://digitalpublications.parliament.scot/ResearchBriefings/Report/2017/9/4/Islands--Scotland--Bill-1>

<sup>11</sup> NRS (2015) [Scotland's Census 2011: Inhabited islands report](#)

<sup>12</sup> NRS (2015) [Scotland's Census 2011: Inhabited islands report](#)

<sup>13</sup> [https://www.scotlandscensus.gov.uk/documents/analytical\\_reports/Inhabited\\_islands\\_report.pdf](https://www.scotlandscensus.gov.uk/documents/analytical_reports/Inhabited_islands_report.pdf)



42. In Scotland 410,000 households in poverty (42%) include a disabled person. Disabled young adults in the UK aged 16-24 years have a particularly high poverty rate of 44%<sup>14</sup>.

43. Across Scotland, 1 in 4 children live in poverty. The longer a child experiences poverty, the greater the damage to their health, wellbeing and life chances.

44. Scotland-wide, there are higher levels of child material deprivation in households containing a disabled person, at 20% compared to households without a disabled person (at 8%). There are higher rates of food insecurity among disabled people (18%) compared to non-disabled people (5%). There is a higher likelihood of living in relative poverty after housing costs with a disabled person in the household (24% of families with a disabled person compared to 17% of families with no disabled members).<sup>15</sup>

45. Just over 9% of all children in Scotland in receipt of DLAC live in remote and island communities. In 2015-18, the poverty rate after housing costs for people in families with a disabled person was 24% (440,000 people each year). This compares with 17% (600,000 people) in a family without a disabled person.<sup>16</sup> If disability benefits are not counted towards household income, this rises to 30%. 'Family' in these circumstances refers to the core family in a household, comprising one or two adults and children, if any.

46. As of August 2020, there were 3,714 DLAC cases for children under age 16 across the six local authorities listed compared to 41,811 in Scotland as a whole.<sup>17</sup>

47. Research undertaken by the Scottish Government<sup>18</sup> and by stakeholders in 2020 have found that a lack of connectivity in rural or remote communities has been compounded by the impacts of the Covid-19 pandemic. An absence of good quality internet connection can significantly impact on an individual's ability to socialise and partake in cultural activities, particularly where people already have mobility restrictions as a result of a disability or health condition.

48. The CDP amendment regulations will help improve outcomes for disabled children and young people living in island communities by clarifying the rules and aligning them with the policy intention of providing financial assistance to help meet the additional costs associated with care and mobility needs, as a result of being disabled.

## **Cost of Living**

49. The cost of many amenities and activities are higher for people living in island communities than those living on the mainland. A lack of choice and accessibility means that shopping, mobile phone services and broadband can be more expensive for young people living in island communities compared to those on the mainland.

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<sup>14</sup> <https://www.jrf.org.uk/income-and-benefits>

<sup>15</sup> Scottish Government (2019). Poverty and income inequality in Scotland 2015-2018

<sup>16</sup> Ibid.

<sup>17</sup> DWP stat Xplore, [Stat Xplore](#),

<sup>18</sup> [Covid+and+Inequalities+Final+Report+For+Publication+-+PDF.pdf \(www.gov.scot\)](#)



The greater distances and remoteness means that day to day travel, postage, fuel, day-trips and holidays are also more expensive for young people in remote communities.

50. Citizens Advice Scotland<sup>19</sup> have identified issues of grid, utilities, digital and travel as key barriers for people in accessible rural, remote rural and remote small towns. Furthermore, a typical food basket can cost as much as 50% more on island communities in Scotland, while transport can be up to £40 a week more expensive due to longer distances for commuting and a higher price for petrol.<sup>20</sup>

51. According to Highlands and Islands Enterprise (HIE), household budgets in remote rural Scotland are typically 10-40% higher than elsewhere in the UK.<sup>21</sup> For households in the most remote parts of Scotland, additional costs can be greater than 40%. HIE attribute these extra costs to three principal sources:

- the higher prices that households must pay for food, clothes and household goods;
- much higher household fuel bills, influenced by climate and fuel sources;
- the longer distances that people have to routinely travel, particularly to work.

52. According to the Joseph Rowntree Foundation, levels of poverty among disabled people are generally underestimated.<sup>22</sup> Because disabled people's needs are often greater than for those without a disability, the cost of living for disabled people is frequently higher as they include the cost of specialist equipment, therapies and home adaptations to manage a condition. These costs are higher in island and remote communities due to an environment that is less accessible, with higher costs for reasonable adjustments to technology, housing and transport.

53. The Scottish Government recognises that both being disabled and living in a remote rural area make it more expensive to meet material need and participate in society. A range of work is being undertaken by the Scottish Government to address the challenges that people in island and rural communities face. For example the Islands Strategic Group was established in August 2016. The group considers strategic issues affecting the island communities of Scotland, and to ensure greater involvement of the relevant councils in helping to identify and design solutions to the unique needs and challenges these communities face.

54. While CDP is not intended to be an income-replacement benefit, it is intended to provide support with helping to meet the extra costs associated with being disabled, such as paying for care and mobility needs. For some disabled people, it will bring additional entitlement to other benefits. These amendments ensure that more people living in island communities will be able to access the support they need.

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<sup>19</sup> Sutherland, F (2015) Remotely excluded: barriers facing Scotland's rural consumers CAS, Edinburgh, 36 pp

<sup>20</sup> A Minimum Income Standard: For Remote rural Scotland; Loughborough University, UHI & Highlands and Islands Enterprise; 2013

<sup>21</sup> [A Minimum Income Standard for Remote Rural Scotland, 2013](#)

<sup>22</sup> [https://www.npi.org.uk/files/7814/0490/1005/Disability\\_long\\_term\\_conditions\\_and\\_poverty.pdf](https://www.npi.org.uk/files/7814/0490/1005/Disability_long_term_conditions_and_poverty.pdf)

## Connectivity and accessibility

55. Citizens Advice Scotland have identified issues of grid, utilities, digital and travel as key barriers for people in accessible rural, remote rural and remote small towns<sup>23</sup>.

56. According to the research briefings<sup>24</sup> from 2017 about the Islands (Scotland) Bill, residents of islands rely on ferry crossings and air travel to reach the mainland and larger islands, and key services such as secondary and higher education, care, and medical services.

57. In 2011, the proportion of island households with at least one car or van available was 79%, compared with just over two-thirds (69%) nationally.

58. In rural remote areas and island communities, young disabled people face a lack of access to opportunities that are more readily and frequently available to those on the mainland or in urban areas. Furthermore, a lack of accessibility to employment, education and leisure opportunities can be made more difficult for someone with mobility issues, especially when transport options are limited.

59. Bus services in remote and island communities can be unreliable and are often community run. Even where buses are available, they often run rarely and timetables do not meet the needs of young people living in the community. Furthermore, if there is already someone with a wheelchair or pram on the bus it is not always possible for a wheelchair user to board.

60. Not all islands are served by buses and there are not always taxis available. We heard how disabled young people on islands rely heavily on neighbours, friends and families driving them as a primary means of transport.

61. The needs of wheelchair users can be different in island and rural communities than the needs of wheelchair users in an urban environment due to more challenging terrain.

62. We are addressing these issues by providing an option for Social Security Scotland local delivery officers to share locations with other services so that they are based where clients currently go to ensure that clients can access advice and support in existing island locations. Social Security Scotland will also offer a multi-channel approach, including telephone, paper-based and face-to-face applications to ensure that people are not isolated through a lack of access to technology. No children or young people will be expected to attend a face-to-face assessment.

63. We will also support individuals to gather supporting information. This includes, if authorised by the client, gathering information on the individual's behalf. For individuals living in rural or island communities, this will be beneficial as it may

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<sup>23</sup> Sutherland, F (2015) Remotely excluded: barriers facing Scotland's rural consumers CAS, Edinburgh, 36pp

<sup>24</sup> <https://digitalpublications.parliament.scot/ResearchBriefings/Report/2017/9/4/Islands--Scotland--Bill-1>

be difficult for them to contact relevant sources given the remoteness and lack of connectivity.

## **Culture**

64. Stakeholders have identified potential cultural barriers to applying for CDP. This is because of the close-knit nature of island communities. Although there is plenty of research that evidences the positive impact of the support provided by close-knit communities, certain barriers may also be present.

65. It is possible that stigma attached to identifying as disabled could act as a barrier to young people applying to CDP. The need for privacy and dignity is emphasised by disabled children and young people in remote and island communities.

66. We were told that there is concern that the introduction of a new benefit may result in the disclosure of someone's disability or caring status. It was pointed out to us that 'everyone knows each other' and disabled people may not want their communities to know about or discuss the details of their condition or disability. Dignity, fairness and respect underpins how Social Security Scotland will deliver CDP including protecting the privacy of clients.

67. Our priority is to ensure that the cases of children currently in receipt of DLAC are transferred to Scotland safely and securely. Individuals will not be required to reapply when their case transfers. Their current award will be honoured with no break in payment so that there is no disruption caused by the introduction of CDP.

68. The communication and implementation of CDP and the commencement of case transfer will take into account the specific pressures of individuals living in remote and island communities and the sensitive nature of disclosing receipt of disability benefits and associated caring responsibilities for families and carers.

## **Choice and representation**

69. We heard how there are limited options for young people living in island and remote communities with regard to leisure activities, support services and support groups with the importance of choice being a key theme in both consultations. However such choices are often diminished or non-existent in rural areas.

70. The importance of representation was also raised. We will ensure that young people, carers, parents and guardians can navigate the process of applying for and maintaining CDP by phone, online, by post or in-person. Social Security Scotland local delivery officers will also share locations with other services so that they are based where clients currently go to ensure that clients can access advice and support in existing island locations. This will help to ensure that individuals can interact with Social Security Scotland in a way that best meets their needs.

71. It will be clear to individuals what they are required to provide. Person-centred support will be available to those who need it to support individuals to navigate the process of applying for CDP.

72. Children and young people will not be required to undergo a face-to-face consultations.

73. Determinations will be made based on existing supporting information. Practitioners will be able to provide case managers with information and advice based on their professional experience of working in health or social care on a number of issues, including: the side effects of a particular medication; how a specific condition generally impacts children; or the way in which two different conditions may interact.

## **Implementation**

74. A communications strategy and comprehensive guidance are being developed in advance of the launch of CDP and case transfer. This will ensure that that young people who are eligible and their families, the third sector, local authorities, the education sector and advice providers are aware of CDP, know how to apply and understand the eligibility criteria. The communications strategy will be linked in with wider Scottish Government initiatives for improving outcomes for disabled people and for remote and island communities. This will ensure that CDP and case transfer is part of wider efforts to meet the needs of people living in island communities.

75. We recognise that awareness and understanding of DLAC is often limited and this is especially relevant in rural communities. We intend to provide clear information about eligibility and the new application process for CDP which will be more personalised and efficient than the current process. We will also provide timely communication in relation to the transfer of DLAC to CDP. Social Security Scotland's Local Delivery function will provide support to applicants in rural areas. This will be an improvement on the current level of support offered through the current DWP system.

76. Clients of DLAC from rural communities have described a lack of information regarding the processing of their application and in the way the decision is communicated to them. We intend to provide much more transparent information about the progress of their case transferring or regarding new applications for CDP through each stage of the process. We will also provide more detail about why and how we reached a decision.

77. Recipients will not be required to reapply when their case transfers to CDP from DLAC. Their current award will be honoured with no break in payment to minimise disruption and ensure that people are paid the right amount at the right time. These amendments also ensure that individuals whose awards are selected for transfer later are not disadvantaged when compared to those whose awards are selected for transfer earlier.

## **Monitoring and Review**

78. Monitoring the impact of CDP in island and remote rural communities will be a continuous process and where any unintended consequences are identified, steps will be taken to improve the service. The Scottish Government will put in place a monitoring and evaluation plan for the CDP prior to implementation which takes account of the issues identified within this impact assessment. The Scottish Government also plans to publish its Disability Benefits Evaluation Strategy in Summer 2021 which will explore the effectiveness of specific policy changes for clients.

79. On-going stakeholder engagement with key organisations will also provide the Scottish Government with an opportunity to monitor the impact of the policy.

80. The Social Security (Scotland) Act 2018 places a duty on the Scottish Ministers to report annually to the Scottish Parliament on the performance of the Scottish social security system during the previous financial year. The report is to describe what the Scottish Ministers have done in that year to meet the expectations on them set out in the charter and will include information on the impact of island-proofing.

81. The Scottish Ministers have also committed to engaging with, and reporting regular progress to, the Islands Strategic Group to ensure that those representing the interests of island communities and others with experience of the current system, are fairly represented in the development and delivery of the Scottish social security system.

## **Conclusion**

82. The Scottish Ministers are aware of the duty to consult island communities before making a material change to any policy, strategy or service which, in the Scottish Ministers' opinion, is likely to have an effect on an island community which is significantly different from its effect on other communities.

83. This impact assessment has highlighted that living in island and remote communities present unique challenges for disabled children and young people.

84. We have not identified any evidence that the changes we are making to the Disability Assistance for Children and Young People (Scotland) Regulations 2021 will directly or indirectly discriminate against remote and island communities.

85. CDP and case transfer are expected to have a positive impact on disabled children and young people across Scotland, regardless of location, with a secondary positive impact on their families and carers. The changes we are making in this instrument seeks to build on this positive impact.

86. The changes we are making in these regulations will help to address a number of issues raised in this ICIA such as the higher cost of living in remote and island communities and challenges faced in relation to connectivity and accessibility.

87. This ICIA has identified the need to ensure that CDP and case transfer is promoted appropriately and sensitively in remote rural areas. We have heard how people have often been left uncertain about what DWP want from them. We will provide clarity and transparent information about the application and renewal process. In response to this ICIA and other consultation carried out, we intend to redesign the renewal and transition processes to make them more streamlined and make more use of information that is already held.

88. The Scottish Government is committed to designing the devolved social security system with people in Scotland, and on-going engagement with disabled people, external stakeholders and advisory groups will ensure that the impact of the regulations remain under continuous review.

89. The Scottish Government has concluded that no further changes to the Disability Assistance for Children and Young People (Scotland) Amendment Regulations are necessary as a result of the ICIA.

### Authorisation

<p><b>Name and job title of Policy Lead:</b>  Jennifer Sinclair  Policy Manager  Social Security Policy Division</p> <p>David Hilber  Case Transfer Policy Lead  Social Security Policy Division</p> <p><b>Name and job title of a Deputy Director or equivalent:</b>  Ian Davidson  Deputy Director  Social Security Policy Division</p>	<p><b>Date this version authorised:</b>  12 November 2021</p>
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