

# Social Security Committee Inquiry

## The role of Scottish Social Security in Covid-19 recovery

### Scottish Commission for People with Learning Disabilities (SCLD) Submission October 2020

#### Introduction

SCLD is an independent charitable organisation and partner to the Scottish Government in the delivery of Scotland's learning disability strategy, *The keys to life* (2013)<sup>1</sup> and *The keys to life* Implementation Framework (2019-2021)<sup>2</sup>. The implementation framework defines a learning disability as follows:

"A learning disability is significant and lifelong. It starts before adulthood and affects a person's development. This means that a person with a learning disability will be likely to need help to understand information, learn skills and live a fulfilling life. Some people with learning disabilities will also have healthcare needs and require support to communicate." (*The keys to life*, 2019-2021, p.9)

SCLD is committed to creating an environment in Scotland in which systems and culture are changed to ensure people with learning/intellectual disabilities have opportunities and are empowered to live the life they want in line with existing human rights conventions. SCLD believes that the discrimination and barriers faced by people with learning/intellectual disabilities and other disabled people are not inevitable. These barriers stop people with learning/intellectual disabilities and other disabled people being included in society and participating on an equal basis.

SCLD is focused on sharing innovation and good practice so that those providing services and interventions can learn from each other. SCLD is a knowledge hub - building an evidence base,

sharing how policy is being implemented and developing a shared understanding of what really works.

We welcome the opportunity to respond to the Social Security Committee COVID-19 inquiry.

**1) What will the economic downturn look like for different people in Scotland and how should Scottish social security support them through it? In the context of UK social security and of other ways of providing support, what is the role of Scottish social security in an economic recession?**

We believe that Social Security Scotland has a central role to play in supporting the Scottish Government's commitment in the Framework for Decision Making to "make progress towards our long-term outcomes of lower poverty levels, greater equality, inclusive communities and respected and enhanced realisation of human rights."

The recent report by the Fraser of Allander Institute has highlighted that working age adults in Scotland with learning/intellectual disabilities continue to face a range of difficulties and that barriers often prevent them reaching a good or adequate standard of living. The report indicates that these barriers have been exacerbated by the pandemic. It says "COVID-19 has meant that much of the service infrastructure that was relied on has been taken away, and there are grave (and valid) concerns that their human rights are being curtailed."

The economic downturn resulting from the Covid-19 epidemic is likely to have a disproportionate impact on those groups who already face significant inequality and disadvantage. Rather than being the 'great equalizer' the Covid-19 crisis has served to highlight the damaging effects of structural inequality on marginalised groups. Over the long-term, those likely to be hit hardest by the crisis will include people with learning/intellectual disabilities and other disabilities; black and minority ethnic (BAME) communities, women, families living in poverty, carers, those with poor mental and physical health, and older people.

In providing effective evidence-based policy interventions to mitigate the economic impact of COVID-19, we believe it is imperative that the Social Security Committee consider the particular

social and economic barriers faced by people with learning/intellectual disabilities as well as the cross-sectional and multi-dimensional aspects of this inequality.

This necessitates the collection of robust data on people with learning/intellectual disabilities, and the way disadvantage intersects with other protected characteristics. The Fraser of Allander report has cited lack of robust and disaggregated data for people with learning/intellectual disabilities and in the context of the economic challenges resulting from COVID-19 states that “there is little up-to-date information on how people with learning disabilities are being impacted by the virus or the economic downturn.”

SCLD have repeatedly highlighted to Government and other agencies that the collection of robust and appropriately disaggregated data is a requirement of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

Article 31 of the UNCRPD is clear that gathering data and statistics, analysing, and applying that knowledge to the design and delivery of public services is key to the realisation of rights, equally. It stipulates that governments “collect appropriate information, including statistical and research data, to enable them to formulate and implement policies to give effect to the present Convention”, including appropriate disaggregation. In this process, Article 33 of the UNCRPD also requires the co-ordinated monitoring of compliance including the involvement of civil society, and in particular persons with disabilities and their representative organisations.

We strongly urge the Committee to review all recording and monitoring of data and to ensure disaggregation of statistics for people with learning/intellectual disabilities. This is critical to designing appropriate social security solutions which can help to build a more sustainable, fairer and inclusive society in Scotland.

**2) Can, and should, Social Security Scotland do more than meet the expected increased demand for benefits and deliver on existing policy commitments? What should its ambitions be? Within the social security and borrowing powers available to Scottish Ministers what could be achieved and delivered?**

People with learning/intellectual disabilities experience disadvantage and exclusion both as active citizens and rights holders and face barriers to education and employment. Indeed, people

with learning/intellectual disabilities face significant barriers and challenges in the labour market. Learning Disability Statistics Scotland 2019 indicates that only 4.1% of people with learning/intellectual disabilities and autism known to local authorities are in employment.<sup>8</sup> This compares to an overall employment rate in Scotland of around 74% and a pan-disability employment rate of nearly 46%.

These barriers contribute to people with learning/intellectual disabilities typically being more economically disadvantaged than the wider population. This is demonstrated by figures from Learning Disability Statistics Scotland (LDSS) 2019, which indicate that people with learning/intellectual disabilities are more likely to live in SIMD quintile 1 (most deprived) than the general population in Scotland as a whole, and in every local authority area.

In this context, SCLD welcomes the Scottish Government's package of support targeted at people living on low incomes, including the increase in the budget of the Scottish Welfare Fund and the prioritisation of the Scottish Child Payment.

We believe, however, that given the scale of the current crisis and the financial and economic disadvantages faced by people with learning/intellectual disabilities that more can be done to use the powers, mechanisms and structures available to the Scottish Government to boost the incomes of those most in need of support.

SCLD urges to Committee to consider a package of measures that could include:

- Monitoring uptake of the Scottish Welfare Fund and increasing investment in response to an increase in identified need.
- Ensuring the Scottish Welfare Fund is able to respond more flexibly to individual need, including increasing the permitted level of awards provided to enable someone to live independently or to continue living independently.
- Facilitating a benefit 'passport' to accessing the Connecting Scotland Fund for people with learning/intellectual disabilities who do not have local authority input. This could make a significant positive impact on the lives of many people with learning/intellectual disabilities who are experiencing digital exclusion at this time.

- Building on the one-off increase to Carer's Allowance Supplement, by committing to a similar increase in December 2020 and with a view to increasing the value of the payment on a permanent basis. This could provide financial respite and reassurance to many carers who are currently facing additional financial pressures and caring responsibilities.

**3) Should the main focus be on discretionary funds or on entitlements? In terms of recovery from Covid-19, is it more effective to provide support through discretionary funds allocated to local authorities or through demand led benefits delivered through Social Security Scotland?**

SCLD believes that in the short-term the Scottish Government should focus on those in the most critical need and take a 'cash-first' approach to supporting people, in doing so mitigating the need for vouchers or the use of food banks. However, Covid-19 must not mean we lose sight of the fundamental importance of delivering social security assistance which is designed to support people to have the same freedom, choice, dignity and control as other citizens at home, at work and in the community.

Therefore, despite the roll out the new Scottish Disability Assistance payment being delayed by the pandemic, it is critical that the Scottish Government continues to prioritise this in the medium term. This is critical for people with learning/intellectual disabilities in terms of helping them realise their right to participate equally in society and independent living and compensating for the extra costs of living with a learning/intellectual disability. It is also crucial in acting as a 'passport' to additional social security payments, statutory provisions and non-statutory assistance.

We urge to the Committee to consider the eligibility and assessment criteria of the new payment moving forward so that this reflects the social and human rights models of disability. In this way, social security in Scotland can play a huge role in supporting the long-term recovery from Covid-19 and enabling the right to equal participation in society and independent living for all.

In effectively monitoring success in achieving these economic, social, and cultural rights, we believe social security and right to an adequate standard of living should be measured against the AAAQ standard:

- Available
- Accessible
- Acceptable and adaptable
- Quality

In this process Equalities and Human Rights Impact Assessments are critical to ensuring that the reality of implementation at both a national and local level matches the commitments to a human rights-based approach and the principles enshrined in the Social Security Act.

In working to achieve the Scottish Government's vision of fair and inclusive Scotland which supports human rights, equality, and the wellbeing of all, it is critical that people with learning/intellectual disabilities and organisations that work for and with them are listened to and genuinely involved. Ensuring such co-production is vital to enabling the effective design and delivery of social security payments and working to improve the operation of the Social Security Scotland as we try to mitigate the impact of COVID-19.

SCLD thanks the Social Security Committee for the opportunity to submit to this inquiry.



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