



Child Disability Payment

Questions and Answers

Child Disability Payment Pilot

Q. Is there a reason why the 3 Pilot areas were chosen over other local authority areas?

A. The Scottish Government selected three local authority areas that offer a mixture of urban, rural and island communities to ensure that our services work well for disabled children and their families more widely across Scotland

Q. When can we start to apply?

A. Applications will open for clients in the 3 Pilot areas on 26 July, with applications open to the rest of Scotland from Autumn 2021.

Applications

Q. What confirmation do you require to show that the parent has given consent to a third party making the application?

A. If a third party is submitting an application on behalf of a parent they will be asked to confirm that they have the parent's consent to do so - this could be through the digital portal or on the paper application form.

Q. If someone opts to call and ask for a paper form will there be date stamping of form as currently happens with Disability Living Allowance applications or will the date of application simply be recorded on Social Security information system?

A. To apply by paper form, clients will need to call to request this. When they do we will capture basic information and the date they make this call will be the date of application. The letter that accompanies their paper form will confirm the date they asked for it.

Q. How long will it take to receive award from first application?

A. This may vary depending on the application and the need for additional information to assess the application. We aim to make a decision based on a completed application in 40 days, however applications may be sooner if we have enough supporting information provided.

Q. Will the new Child Disability Payment Case Managers have the training and understanding in order to make a fair decision on each application? Such as awareness of rare conditions or illnesses?

A. Case Managers will have access to specialist medical and social care advice and support to understand a full range of conditions and impacts.

Q. Will you help families with the forms where English is not their first language?

A. If a client does not want to apply in English, they can call us to apply over the phone in over 100 languages. Alternatively, they can also ask for a paper form to be sent to them in over 100 languages.

We will provide this support and the client will retain the initial contact as their date of application, even if it takes a few days to provide that support.

A client can also request the support of an advocate at any time when contacting Social Security Scotland – from the initial application stage to re-determination and appeal. More information on this can be found here [Independent-Advocacy-Service](#)

Q. If an application is denied is there a period where they are not allowed to reapply?

A. No – an individual can submit a further new application without restriction of time, for example, if their circumstances have changed since making their last application.

If a client disagrees with a decision to deny their application, they can request a re-determination within 42 calendar days. If the client remains dissatisfied with the outcome of a re-determination, they can appeal to the First-Tier Tribunal for Scotland.

Q. What type of support will be put in place for applicants with communications requirements?

A. People can apply by phone, post, online or face to face

We are mindful and have designed the process to ensure that we do have that additional support built into the system for the applications for British Sign Language users and for families from seldom heard groups that do require that additional assistance whether that means assistance with the translation services in many different forms so all of that has been built in.

The contact options include our web chat function and post for anyone who is unable to use the standard telephony channel for contact. British Sign Language users can also use the contactSCOTLAND app to contact us by video relay.

A client can also request the support of an advocate at any time when contacting Social Security Scotland – from the initial application stage to re-determination and appeal. More information on this can be found here [Independent-Advocacy-Service](#)

More information on how to contact us can be found here [contact options](#).

Special Rules for Terminal Illness

Q. Can clinical staff instigate a Child Disability Payment application by issuing a Benefits Assessment Under Special Rules in Scotland (BASRiS) form before the applicant actually makes an application?

A. Yes, if we receive a Benefits Assessment Under Special Rules in Scotland form before an application from we will reach out to the parent / legal representative named on the Benefits Assessment Under Special Rules in Scotland form to request application information. If the parent wishes to do so we will take this information over the phone there and then.

Q. Will the special rules allow automatic entitlement to the higher rate of the mobility component (if aged 3 or above) and not just the highest rate of the care component?

A. Yes, special rules will allow automatic entitlement to the higher rate of the mobility component (for 3 years and older).

Change of Circumstances

Q. If anyone changes address or bank details will it be clear that the Child Disability Payment Social Security Scotland should be contacted in any changes such as these (existing cases that are transferred)?

A. Yes, we will clearly communicate to clients which agency should be contacted at different parts of the case transfer process. Until a client has been advised that their payment has transferred to Social Security Scotland, they should contact the Department of Work and Pensions at 0800 121 4600.

Clients will be advised of this when we write to them to tell them.

Once a client has transferred to Social Security Scotland, we will write to them again to let them know this is complete. From this point they should contact Social Security Scotland and they can do this online or by phone. This will be detailed in correspondence with the .

Rising 16's

Q. If a child is already 16, would they apply for Personal Independence Payment? Is it only young people already in receipt that will continue to get it to age 18?

A. For young people who are already entitled to Child Disability Payment in advance of reaching age 16, Social Security Scotland will automatically extend the award to age 18, rather than to require the young person apply for Personal Independence Payment. However, those who are over 16 in pilot areas will need to apply to Department of Work and Pensions for Personal Independence Payment, if they are not receiving either Child Disability Payment or Disability Living Allowance already.

Case Transfers

Q. If a 17 year old is transferred to Child Disability Payment at end of this year (or beginning of 2022) is there a danger they will then need to apply for Personal Independence Payment when 18 if Adult Disability Payment is not in place by their 18th birthday?

A. The Scottish Government will ensure that clients whose Disability Living Allowance for children award is transferred to Child Disability Payment (CDP) when they are 17 do not experience a break in entitlement due to their age. Legislation currently being scrutinised by the Scottish Commission on Social Security will enable Child Disability Payment clients, whose awards have transferred, to remain in receipt of Child Disability Payment up until their 19th birthday, should that be required. This will provide sufficient time for a decision to be made regarding the Adult Disability Payment entitlement of such clients, so as not to cause them undue stress and anxiety.

Q. If the client is transferred from Child Disability Living Allowance to Child Disability Payment, will this effect transitional payments on Universal Credit if they have them? Is it treated as a change of circumstances?

A. The transfer from Disability Living Allowance for Children to Child Disability Payment should not affect any transitional amount included in an individual's Universal Credit award. Any changes in a Universal Credit recipients income should be reported through their online journal to determine whether it will affect their overall benefit entitlement. Doing this in a timely manner reduces the risk of over or underpayments among other issues.

Motability Policy

Q. Why has the Scottish Government decided to keep the eligibility criteria for the mobility component the same as Department for Work and Pensions for children under 3? Is there any special consideration/exceptional circumstances given for these cases?

A. Social security policy is decided by the Scottish Government. Social Security Scotland administers benefits in line with this policy.

The Scottish Government appreciate that there is an interest in extending the higher rate of the mobility component to younger children. There are no special considerations or exceptional circumstances that would allow for the mobility component to be paid to children under the age of three. The Scottish Government is mindful that making changes to the age criteria could have an impact on access to passported benefits and entitlements, particularly since we have committed to a safe and secure transition.

Supporting Information

Q. What is the process if there is lack of engagement in providing supporting information?

A. We have designed a client disengagement process, which ensures we reach out to the client multiple times across a period of time to provide supporting information. Where we haven't received the supporting information and it impacts the client's level of award, Social Security Scotland will come to a decision. In the Decision Report, a case manager will clearly explain their justification for the decision and including how the missing information led to a lower level of award.

Q. How will you deal with refusals to provide supporting information from the public sector and how will this affect the application?

A. We are engaging with local authorities, Health Boards and GPs to ensure that they are aware of this new process for gathering supporting information. We are also putting in place data sharing agreements with each of these organisations to ensure that the professionals can confidently provide personal/ sensitive information to Social Security Scotland through the mechanisms we are putting in place. There may still be instances where we do not get a response and in these instances we would look to gather information from the next best source as often there will be a number of professionals involved in a child's care. Ultimately this will not prevent the case manager from making a decision as they will have discretion to make a decision without supporting information.

Q. How will Social Security Scotland gather information where the clients carers etc. just don't seek support or advice from medical or social care provision?

A. Even if a child or young person does not receive on-going clinical or social care, the family or carer will be able to provide us with useful information to help make a decision.

Q. Where information is sought from a medical practitioner or nursing professional which includes reports from records are you giving the client the option to comment on this? Ergo Access to Medical Records?

A. Copies of the supporting information received from professionals are not shared as part of the decision making process but the types of information received and used will be referenced within the decision report.

Q. Experience shows that Teachers or School support staff have little understanding of benefit criteria at present and often do not witness or underestimate a child's difficulties when completing their section of the Disability Living Allowance form.

A. The information provided by schools can help build a picture of additional support a child or young person requires and often has been agreed and documented. The type of information will be around the additional needs or support in place. We should add in to that where the case manager is unable to gather supporting information, they have the ability to make a decision to award Child Disability Payment on the basis of the information we do hold. A link to the guidance available for Local Authorities providing Supporting Information is included below.

[Social Security Scotland - Local Authorities guidance for supporting information requests](#)

Renewals and Reviews

Q. Are clients on Disability Living Allowance for children being transferred to Child Disability Payment being reviewed first?

A. If an individual believes they may be eligible for a higher amount when their Disability Living Allowance award transfers over to Child Disability Payment they can contact Social Security Scotland and they will review this at the point of transfer. Details of these differences will be made clear in the information provided to the individual when they are informed of the transfer of their case.

Q. Initially the new benefit is only going to apply to new applicants and not to children and young people receiving Disability Living Allowance. How are you going to deal with someone who has a Disability Living Allowance renewal?

A. If that individual has a renewal they will go through that renewal process with Department for Work and Pensions first, then once that's complete their case will be transferred over to Child Disability Payment. They shouldn't have to make their own new application.

Short Term Assistance

Q. Would Carers Allowance continue in the case of Short Term Assistance?

A. Short term assistance won't allow a carer to remain entitled to Carers Allowance, as Department of Work and Pensions does not recognise it as a qualifying benefit.

Q. Will the Short Term Assistance be available to clients throughout the duration of the period of a re-determination and the appeal? Or is it only for the duration of the time that the determination takes?

A. Short-term assistance is payable, during a re-determination, from the date a re-determination is requested until the date Social Security Scotland make a decision on the re-determination. If a re-determination request is refused by Social Security Scotland, but later accepted by the First-tier Tribunal (if the client appeals the earlier decision not to accept the re-determination), short-term assistance is payable from the date the First-tier Tribunal allow the re-determination. During an appeal against an entitlement determination, short-term assistance is payable from the date an appeal is requested until the date the First-tier Tribunal decide the appeal.

Q. What happens if a client receives the Short Term Assistance but withdraws their appeal prior to the appeal date? Do they need to pay the amount back?

A. No, Short-term Assistance is not repayable except in the situation where it is established that the application for the original form of assistance was made fraudulently.

Appeals and Re-determinations

Q. With Department for Work and Pensions benefit appeals, you can only appeal to the Upper Tribunal on a point of law, not because the client disagrees with the outcome. So is this different for Scottish system?

A. This will be the same as in the Department for Work and Pensions system. It will be for the First-tier Tribunal to decide on permission to appeal to the Upper Tribunal, so whilst requests may be made for a variety of reasons these won't always be accepted. An appeal to the Upper Tribunal can only be made on a point of law.

Adult Disability Payment

Q. What happens to 17 year olds now on Personal Independence Payment, do they transfer back or stay as they are?

A. Individuals who have already made the transition to Personal Independence Payment will remain on Personal Independence Payment until we begin the Adult Disability Payment case transfer process.

Debt and Overpayments

Q. Will you be looking for evidence of client's expenditure such as bank statements or just take the information the client gives you?

A. Generally we would accept verbally the information given. Exceptions may be if the expenditure seems disproportionately large and if fully taken into account would mean no repayment was possible. Where the overpayment is as a result of suspected/proven fraud more robust evidence gathering would likely happen such as asking for evidence.

Local Delivery

Q. How do you get an appointment with Local Delivery?

A. An appointment can be made by calling us on 0800 182 2222.

Q. Where will my appointment take place?

A. A Client Support Adviser can meet with a client and provide help at a venue within their local community or at their home. In addition a client can request a video call or telephone appointment.

Q. Will local delivery help the client appeal a decision or will they be signposting the client to other organisations that will complete the appeal on their behalf?

A. Local Delivery staff can support a client by talking through the appeal and redetermination process. If the client requires further support or prefers independent advice we will signpost the client to external support.

Benefit Uptake

Q. Is there a process in place to raise awareness among the public to ensure that every eligible person/child applies for the Disability Payment? For example localised campaigns?

A. Our Communications Team have a plan to raise awareness of Child Disability Payment and they and Local Delivery will work with stakeholders locally to ensure awareness. The National Engagement Team will also be supporting this at a national level.

We would be grateful for help from intermediaries to share the messages on Child Disability Payment and to enable this we have created a number of resources. The new marketing materials for Child Disability Payment include social media images and leaflets that can be found [here](#).

If stakeholders need any materials in alternative formats or have feedback on what would work well, then please let us know at Communications@socialsecurity.gov.scot