

Gathering Supporting Information

This chapter describes the approach to gathering supporting information to support Adult Disability Payment:

- applications
- scheduled and unscheduled reviews

It also sets out the general principles case managers must follow when gathering supporting information.

This chapter should be in conjunction with the Understanding and Interpreting Supporting Information Decision-Making Guidance. The guidance set out in that chapter relates to, and has implications on, the guidance set out here. You should ensure you have a good understanding of the guidance set out in both chapters.

This guidance is for case managers working for Social Security Scotland. In this chapter, the case manager will be referred to as “you”. Social Security Scotland will be referred to as “us” or “we”.

This guidance uses the updated terms for the two types of supporting information. These are:

- confirmation from a professional (previously known as the one piece of supporting information from a professional)
- additional supporting information (previously known as supporting information from the client’s wider support network and additional supporting information from a professional)

For an overview of these terms, see the Decision-Making Aid.

These terms are explored in more detail in this chapter. When this guidance uses the term ‘supporting information’, it is referring to both the confirmation from a professional and additional supporting information. Where you see the term ‘supporting information’ you should assume the guidance is referring to both types of supporting information unless otherwise stated.

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Our approach to gathering supporting information

The approach you take when gathering supporting information must align with the principles set out in our Social Security Charter. Principally, the principles of dignity, fairness and respect.

You should refer to the Charter for more information regarding these principles.

You must approach supporting information with understanding and consideration of the following concepts.

Trust-based approach

You must approach what the individual has told us from a position of trust.

As a starting assumption, you should treat the individual's account and any supporting information accompanying it as an accurate reflection of their circumstances.

Additional supporting information should serve as an additional tool to gain a better understanding of the impact a condition or disability has on the individual's life and establish their entitlement. This should support you in making a determination.

Supporting information does not need to confirm all aspects of the daily living and mobility needs reported by the individual.

Missing information or inconsistencies, where relevant, should be explored, rather than seen as proof that the individual's account is inaccurate.

You should not use supporting information as a resource to prove, disprove, or 'evidence' what the individual has told us.

Balance of probabilities

All the decisions you make must be on the balance of probabilities.

This means that if something an individual or their source tells us is more likely than not to have occurred, it's considered a fact for decision-making. We're not asking individuals to prove their conditions or disabilities 'beyond reasonable doubt'.

However, it does not mean that you must always make decisions on the basis of what the individual tells you if the necessary supporting information needed to make a decision is not available.

If there's contradictory information, you should not automatically disregard that information, or immediately assume one piece of information is more important than other without further consideration. You should consider whether there is a reasonable explanation for the inconsistency. If there is no reasonable explanation,

follow the guidance in the Understanding and interpreting supporting information chapter.

Related reading

- Our charter
- the role of supporting information in the decision-making process
- supporting information operational guidance
- Equal consideration

What is supporting information?

Supporting information is information from:

- professionals
- the individual's wider support network

It's added to the information provided by the individual in their application or review form.

There are two types of supporting information:

- confirmation from a professional
- additional supporting information

A confirmation from a professional can only come from a professional. The key role of this type of supporting information is to broadly confirm the individual's conditions, disabilities or needs.

Additional supporting information can come from the client's wider support network or a professional. Its purpose is to help you establish the individual's level of need and entitlement. It adds detail to the application or review form by describing the individual's needs on a day-to-day basis.

This type of supporting information is just one decision-making tool available to you to help understand a case and make a determination. If you do need more information to make a decision, you should consider which tool would best provide this information. Additional supporting information will not always be the best tool to establish an individual's entitlement.

For example, a follow-up call to the individual may be the easiest way to get specific details rather than asking another professional or their wider support network.

Supporting information may provide details on:

- a diagnosis
- a treatment being received, such as medication or physiotherapy
- how an individual's condition or disability impacts their life
- steps taken to find out about the individual's condition and make a diagnosis
- aids and equipment that an individual uses to manage daily life
- support that the individual needs at work or in a club they attend although this information is more likely to be found in additional supporting information

The role of supporting information in the decision-making process

Supporting information should be used to support an individual's application or review. It should not be used to "evidence" or "prove" every detail of what the individual has described.

The application or review form should always be the main source of information that you use to determine entitlement to disability assistance.

However, where an individual provides supporting information with their application, it should always be considered in your decision-making process.

You must consider all relevant information in your decision making process in line with the right first time principles. This applies to both the supporting information used as the confirmation from a professional or additional supporting information.

If supporting information has been provided, you will have to consider it. This is also the case if you already have enough detail to establish the individual's needs, for example from their application form.

You may need more information in order to make a decision. Some applications and their supporting information may contain inconsistencies.

If there are gaps and inconsistencies in the information provided, you should take these steps before requesting additional supporting information:

- consider whether there is a reasonable explanation for the inconsistency or if it needs further exploration
- consider which decision-making tool would be best to resolve the specific gaps and inconsistencies
- contact the individual to ask follow-up questions provided it is appropriate to do so and where it is more likely than not that they would be able to provide the information needed
- Refer to the guidance on gaps and inconsistencies

These steps ensure we are not using additional supporting information as the default decision-making tool in every scenario. Only using additional supporting information when it is the tool most likely to provide the information needed will likely reduce processing times.

An individual may not provide a confirmation from a professional with their application. You should follow the steps set out in operational guidance and this chapter to do any of the following that would result in the collection of a confirmation from a professional:

- support the individual in identifying suitable documents they might have at home
- advise the individual on how to request confirmation from a professional and who to request it from
- gather it on behalf of the individual, where you have the permission to do so

You should only request further additional supporting information if:

- you cannot make a determination based on the balance of probabilities

- it is the best decision making tool for that individual's case

Gathering further supporting information should not be your default decision-making tool. Supporting information is one of a suite of decision-making tools you can use to help you make your decision.

If, after requesting more supporting information, you do not have all the information needed to establish facts, you should:

- make use of other decision-making tools, such as consultations where appropriate
- continue to make decisions based on the balance of probabilities
- continue to follow a trust-based approach when making your decision

Possible formats

Supporting information can be:

- documentary
- written
- verbal
- photographic or video

Documentary

Documentary supporting information is from professional sources. It consists of official documents that were not necessarily produced to support the individual's application or review.

For example, a:

- report from a specialist doctor based on their interaction with the individual and medical records
- prescription list of the individual's medications

Written

Written supporting information is not a pre-existing official document.

For example, a statement from a relative of the individual about the impact of their disability on their day-to-day life.

We can provide supporting information request forms to professionals and members of the individual's wider support network. These have questions to help them give us necessary information.

Verbal

Verbal supporting information is taken directly from relevant sources.

For example, information provided over the phone by the individual's wider support network about the impact of the individual's condition.

Photographic or video

Pictures that have been taken by a medical professional as part of treatment or diagnosis, such as X-ray pictures, can be accepted as supporting information.

Individuals might also submit photographs or videos of their conditions. For example, a photograph of themselves in a wheelchair.

You must never ask the individual to submit personal photographs or videos.

Individuals are discouraged from submitting photographs or videos in support of an application or review.

This is because:

- not all conditions or needs can be photographed
- not all individuals will be able to take photographs or submit them
- requiring images of conditions is not treating individuals with dignity, fairness and respect

If a personal photograph or video is submitted, you should not discount it. The individual clearly felt it was important to share.

Related reading

- Confirmation from a professional
- Additional supporting information
- How to select the correct decision-making tool
- supporting information requests
- how to contact the individual's wider support network by phone

Confirmation from a professional

Every individual who applies for Adult Disability Payment is asked to provide confirmation from a professional where possible.

The confirmation from a professional should broadly confirm the individual's conditions, disabilities or needs. It can only come from professionals.

For example, the confirmation may provide details on:

- a diagnosis, where an individual has been diagnosed
- a treatment being received, such as medication or physiotherapy
- steps taken to find out about the individual's condition and make a diagnosis
- aids and equipment that an individual uses to manage daily life
- an individual's needs where they do not have a diagnosis

The individual can provide a confirmation from a professional or you can gather it from a professional on their behalf.

Individuals who are in receipt of Child Disability Payment at the time of applying for Adult Disability Payment might have provided confirmation from a professional for their Child Disability Payment award. In cases where both:

- the individual has not provided suitable confirmation from a professional with their application, and
- the confirmation provided for their Child Disability Payment award is relevant to more than a minor portion of the needs stated on their Adult Disability Payment application

you should accept this as confirmation from a professional for their Adult Disability Payment application and move on to establishing their entitlement.

Where an individual has attended a consultation, a consultation report constitutes the confirmation from a professional.

The role of a confirmation from a professional

The confirmation from a professional only needs to broadly confirm the individual's conditions, disabilities or needs.

It is not necessary for this piece of supporting information to confirm:

- every detail the individual has outlined in their form
- every condition or disability they might have
- the severity of the disability or condition, the level of needs or how it impacts them

- conditions that account for both ADP components, if the individual's needs cover both components
- the individual's formal diagnosis

An individual may apply with multiple conditions. It is not a requirement to have a confirmation for each stated condition. However, the confirmed condition must account for more than a minor portion the needs relevant to the ADP eligibility criteria.

Where you have a confirmation for one or some of the conditions but not all, you should not assume that the individual has been dishonest about the unconfirmed conditions.

You should:

- continue to take a trust-based approach in what the individual has told us about their conditions on their application form
- refer to the guidance on this page regarding when an additional confirmation may be needed

The confirmation might also provide additional details on the impact the condition or disability has on the individual's day-to-day life. You should not expect this. This level of detail would be expected from additional supporting information.

If the confirmation from a professional that is available contains additional details, you must not disregard these but should consider them separately when establishing the individual's entitlement and needs.

In some circumstances, an application may be progressed without a confirmation from a professional. You need to have established good cause in order to negate the need for a confirmation from a professional.

You should refer to the guidance in this chapter for information on what to do where an application lacks the confirmation from a professional, including instances where you cannot establish good cause.

Good cause is the term for a reasonable explanation as to why confirmation from a professional is not available or is delayed on an application.

Confirmation from a professional and gaps and inconsistencies

In their confirmation, professionals may provide information that is (partially) inconsistent with what the individual has told us on their application form. These inconsistencies can relate to:

- the broad confirmation of the conditions, disability or needs

- the severity of the needs the individual has told us about.

Inconsistencies relating to the confirmation of conditions, disability or needs

The confirmation from a professional might, for example:

- not mention one or multiple conditions the individual has told us about.
- Explicitly state that the individual does not have the condition they have told us about

The confirmation does not mention all conditions, disabilities or needs

Confirmation from a professional:

- does not have to confirm all conditions, disabilities and needs the individual has told us about. However, sometimes this can be an inconsistency that is relevant and needs exploring
- should confirm a condition that is related to the individual's needs in more than a minor way in order to be acceptable. These needs must be relevant to the Adult Disability Payment eligibility criteria

You will have to consider these two points whenever an individual applies with multiple conditions and their confirmation from a professional provided or gathered to support the application does not confirm every condition or all of their needs.

Establishing whether an inconsistency is relevant

You should use your judgment and knowledge about the case at hand when establishing whether an inconsistency is relevant and needs exploring. If you are unsure, you should request a case discussion.

You should not automatically assume that the individual is dishonest and does not have that stated condition or need – it might be reasonable to assume that the professional was unaware of all of the individual's conditions.

For example, relevant considerations might be as follows:

- You should consider whether the confirmation from a professional is a pre-existing document, such as a referral letter. Here, it would be reasonable to expect that it will not mention all of the client's conditions. In order to find out whether an additional confirmation from a professional might still be required, read the next section
- An HR professional providing confirmation might only be aware of the individual's conditions that impact on their ability to work and on them requiring some reasonable adjustments at work. It would be reasonable to

assume that they would not be aware of conditions that impact on other areas of the individual's life. In order to find out whether an additional confirmation from a professional might still be required, read the next section

- In some cases, however, it would be reasonable to expect that the confirmation from a professional mentions all conditions the individual has detailed in their application form. For example, if one of the individual's conditions is a known comorbidity of the other condition the individual has told us about and the professional treating the individual only confirms one of the conditions, this would be a relevant inconsistency. This inconsistency would need to be explored, irrespective of whether the document confirms significant portion of the needs mentioned in the application form

This list is not exhaustive.

If you decide that an inconsistency is relevant and needs to be explored, you should follow the existing guidance on gaps and inconsistencies.

Independent of whether or not the inconsistency is relevant and needs to be explored, you also need to consider if an additional confirmation from a professional may be required.

When an additional confirmation from a professional may be required

Confirmation from a professional does not always have to cover the individual's main condition. For example, where an individual has two conditions and provides confirmation on the condition that causes a significant number, but not most, of their needs, you should accept this.

However, where both

- the confirmed condition only is a very minor contributor to the individual's overall needs, and
- those needs are caused by a much more significant condition,

it would be reasonable for you to expect the individual to provide confirmation of that major condition. If the individual's confirmation from a professional does not cover the major condition, you should request an additional confirmation from a professional.

There is no established 'threshold' or 'percentage' of needs the confirmed condition should account for.

Establishing when

- an existing confirmation from a professional is not relevant and
- another confirmation from a professional is needed

will differ from application to application. You should use your judgment to make this decision. If you struggle to understand whether an existing confirmation from a professional is acceptable, request a case discussion.

If you can establish that the confirmed condition is more likely than not to cause a significant portion of the individual's needs relevant to ADP, you would not need an additional confirmation from a professional.

When considering whether an additional confirmation from a professional is needed, it does not matter whether the existing confirmation covers needs for one or both components, if the individual has both daily living and mobility needs. It is about the significance of the condition in relation to the individual's needs that are relevant to the ADP eligibility criteria in total, rather than about having one confirmation per ADP component.

To establish whether you'll need additional confirmation from a professional, you should:

- consider whether what condition/s or need/s have been confirmed can reasonably be expected to cause any needs relevant to the application
- not apply a fixed 'threshold' for the level of needs a confirmed condition should relate to
- use the balance of probabilities in your thinking to consider whether it is more likely than not that the confirmed condition would result in needs relevant to the ADP eligibility criteria
- consider involving a health and social care practitioner to understand the needs associated with a given disability or condition

You should ensure that any decision you make takes into account all conditions more likely than not to cause needs relevant to the application. You should not make decisions that only consider the needs of the confirmed condition.

If you conclude that the confirmed condition/s or need/s are either

- not relevant to the ADP eligibility criteria,
- contributing to the individual's relevant needs in only a minor way,

you should request another confirmation from a professional which does relate to the individual's relevant needs in this instance. When requesting this additional confirmation from a professional you should take all the steps outlined in this chapter to support the individual in providing confirmation.

If the additional confirmation from a professional is not available, you should consider whether good cause can be established.

If no additional confirmation from a professional is available and you're unable to establish good cause for this confirmation from a professional, you should invite the individual to attend a consultation.

Example: A confirmation confirms only one of multiple conditions but no additional confirmation is needed

Nikita is 27 and applies for ADP. In her application form she states that she has severe eczema and lupus. She also details the ways the conditions impact her daily life. Nikita explains that the eczema:

- is something she has had since she was a child
- stopped responding to treatment within the past year
- is causing topical steroid withdrawal as it is not responding to the steroids she was previously prescribed
- is causing extreme symptoms including severe dry and itchy skin that is prone to cracking and occasionally bleeding
- has severely impacted her mental health as she does not like to leave the house due to the appearance of her skin and how uncomfortable activity makes her
- is causing symptoms that have means she needs more support from her family. Due to the cracking of her skin, it can be painful to carry out activities such as washing and dressing herself.

Nikita also details how her lupus impacts her life. She explains that her lupus:

- is stable but she still experiences moderate symptoms
- causes symptoms including tiredness and fatigue which leave her feeling very exhausted after carrying out daily tasks such as preparing a meal and mild cleaning
- causes joint pain in her hands and feet in the morning which can impact her ability to get ready. If it is particularly bad she can require help from her family to get washed and dressed

Alongside her application, Nikita provides an outpatient summary from a recent visit to a dermatologist as her confirmation from a professional.

The summary:

- is dated from a few months prior to Nikita's application
- shows that Nikita is receiving clinical input for her eczema
- details that her doctors are considering treatment options but are concerned that her eczema has not yet responded to other treatment
- reports that Nikita's eczema at the appointment was severely inflamed and her skin was very dry and cracked. Her doctor also noted that Nikita's mobility

was impacted by her eczema as she moved at a much more considered and slower pace due to the pain and itchiness.

The case manager is satisfied that the outpatients summary broadly confirms what Nikita has told Social Security Scotland about her eczema.

However, Nikita has not provided a confirmation from a professional for her lupus, which her application also explains impacts her daily life.

The case manager considers whether they need an additional confirmation for Nikita's lupus. They know that just because they do not have a confirmation for her lupus, they should not assume that Nikita is being dishonest about the lupus.

They know that:

- Nikita has severe eczema that does impact her life and create needs relevant to the application i.e. needs relating to washing and dressing
- Nikita's condition has been confirmed by a professional
- Nikita's confirmation provides additional detail about her condition, including that she is receiving treatment for the eczema but her clinicians are uncertain if this will improve her condition

Using the information:

- Nikita provided in her application form
- Contained in the outpatients summary from her Dermatologist

the case manager concludes that it is more likely than not that Nikita's eczema does cause a significant proportion of her needs that are relevant to the ADP eligibility criteria.

Therefore, they decide that they do not need to gather an additional confirmation from a professional to confirm Nikita's lupus. This is because they take a trust-based approach and they already have a confirmation broadly confirming a number of Nikita's needs that are relevant to the ADP eligibility criteria.

The case manager can now continue in their decision-making process to establish entitlement and needs.

Any decision they make in regards to Nikita's entitlement should take into account the needs relating to both her eczema and her lupus. The case manager should not only score Nikita on the needs relating to the confirmed condition, but should also establish and score Nikita on her needs relating to any other conditions on her application form.

The confirmation explicitly denies what the individual has told us about their conditions, disability or needs

In some instances, the professional you reached out to for confirmation of the individual's conditions, disability or needs might directly deny that the individual has a certain condition, disability or need. This is different from instances where the confirmation from a professional simply does not mention one or multiple conditions or needs the individual told us about.

Taking a trust-based approach, you should establish whether this inconsistency needs to be explored or whether there is a reasonable explanation for it. For example, the professional might wrongly assume that the individual does not have a condition, because they have not seen the individual since that new condition developed.

If you are unable to resolve the inconsistency, you should invite the individual to a consultation.

Inconsistencies relating to the severity of needs

The confirmation from a professional might:

- state that the individual's needs are higher or lower than
- of a different nature from

needs described elsewhere in the individual's application.

For example, the professional may state that the individual has good mobility. However, the individual has told us they struggle to move around.

The role of confirmation from a professional is not to confirm severity of needs or all details about how the condition impacts the individual.

Therefore, if the inconsistency does not relate to the broad confirmation of the individual's conditions, disability or needs, you should move on to establish:

- the individual's needs
- whether they meet the eligibility criteria in relation to the daily living and mobility components

Any information on severity of needs provided in the confirmation from a professional should be used in this step of the decision making process. As with any inconsistency in additional supporting information, you should first establish whether the inconsistency is relevant and needs exploring. You should establish whether there is a reasonable explanation for this inconsistency. For example, if the professional has not seen the individual for some time, they might not be aware of a recent increase in the severity of their needs.

If you establish that the inconsistency needs exploring, you should proceed to do so as you would with any other piece of supporting information.

For example, an individual applies for ADP with a diagnosis of Parkinson's. On their application, they describe having severe tremors and extreme muscular stiffness. They ask us to gather confirmation from their GP on their behalf. In the GP's response they confirm that the individual has Parkinson's. However, they explain that the condition was well-controlled at their last appointment 5 months ago and the individual was having only minor tremors. Although there is an inconsistency between the GP and the application in regards to the severity of the individual's symptoms, the GP did confirm the individual's condition. Therefore, the requirement of the confirmation from a professional has been met. You do need to explore the inconsistency but only in relation to the severity of the individual's needs rather than their diagnosis of Parkinson's.

When a confirmation from a professional is also additional supporting information

It is possible that one piece of information from a professional can act as both

- confirmation from a professional
- additional supporting information at once.

You may use a piece of supporting information from a professional to confirm an individual's conditions, disability or needs. This piece of supporting information may also contain additional information regarding the impact of the individual's condition and their needs.

You should not disregard this information just because

- you have used the same document as the confirmation from a professional
- the application form provides enough detail for you to establish the individual's entitlement

You should ensure that you are using any additional detail as additional supporting information.

However, you should be mindful that any additional detail provided in a confirmation from a professional is not used as 'evidence' or 'proof' of what the individual has told us in their application form. It should be used to inform your understanding of their needs.

For example, an individual may submit an outpatient's summary written by a consultant alongside their application. In this summary, the consultant broadly confirms the condition of the individual. This is the confirmation from a professional. The summary continues to detail the symptoms of the individual and what the next steps in treatment are. This information is additional supporting information as it can be used to understand the individual's level of needs and to establish their entitlement.

Requirements of the professional

The following information applies to both:

- professionals providing the confirmation from a professional and
- professionals who provide additional supporting information

To provide supporting information, the professional or organisation should fall into one of the following categories:

- have been involved in the individual's care, treatment, or everyday life for a period that would allow them to be familiar with their needs
- have carried out an assessment of the individual's condition, disability or needs
- have the professional knowledge and access to records to provide an informed opinion on the individual's condition, disability or needs

Professionals from the same organisation can provide supporting information, even if they have not been directly involved in that individual's treatment or care.

They must have both:

- access to records on the individual
- the professional knowledge needed to understand these records

You do not need to obtain additional permission from the individual where the named contact at an organisation is not who will respond to the supporting information request.

For example, the GP who normally sees the individual and has been named on their application or review form might not be available. In this case it's acceptable for a different GP from the same surgery to fill in the supporting information request form. This is because they have access to the individual's medical record. It would not be acceptable for a member of staff who does not have medical training, such as a receptionist, to fill in the form.

Examples of who could provide this

This could include:

- social workers
- psychologists
- health professionals, such as nurses, GPs or consultants
- allied health professionals, such as physiotherapists or speech and language therapists
- education professionals, such as teachers or support teachers

- local authority staff who have access to Child's Plan (under Getting it Right for Every Child, GIRFEC), an Additional Needs Assessment, or an individual's care plan (such as homecare staff)
- health boards, such as Fife Health Board or NHS Health Scotland
- paid support workers who can confirm the level of care an individual receives
- third sector, private and other organisations or individuals who provide support to the individual

This list is applicable to professionals who work in both the public and private sector for example, private physio or a health care professional working for NHS. As long as they are familiar with the individual and their condition, disability or needs in a professional capacity, a professional from the private sector can provide supporting information.

Examples of supporting information from a professional

This could include:

- occupational health report
- treatment plans
- diagnosis
- appointment or referral letter
- social work report
- a list of medications prescribed to the individual
- care assessments or a care plan
- additional support needs plan
- medical specialist report
- information documenting the physical supports put in place by a local authority, such as a stair lift, ramp or accessible shower
- Social Security Scotland consultation report

Example: an organisation named as the professional contact is not an appropriate source of confirmation from a professional

Clara is 21 years old and is being assessed for ADHD and Autism Spectrum Disorder (ASD). Through an online support group for parents, Clara's parents have been encouraged to support Clara to apply for ADP, and are named as her appointee on the application.

However, they feel overwhelmed by the ADP application form and decide to seek help with completing it. They approach a welfare rights charity who support people applying for benefits.

Clara's parents attend the appointment at the local charity with Clara as she is not able to attend the appointment herself. During the appointment they explain Clara's needs to the member of staff in detail.

The adviser has some basic knowledge on ADHD and ASD. As Clara's parents only have the referral letter for the ADHD and ASD assessment, and are unsure whether

this counts as confirmation from a professional, they decide to name the adviser who helped them fill in the application form as a professional contact on the form.

The case manager processing Clara's application form is unfamiliar with the name of the organisation who helped Clara's parents fill in the application form. They decide to research the organisation and determine that this organisation is an advocacy service rather than a professional who treats or supports Clara in regards to her ADHD and ASD. They think it is more likely than not that the professional has most likely only met Clara's parents once and, in all likelihood, does not know Clara and her needs well.

Therefore, they conclude that the professional is not familiar enough with Clara and her circumstances. As they do not have the necessary training to provide a qualified view on Clara's needs, they would not be considered to be an appropriate source for the confirmation from a professional. The case manager reaches out to Clara's parents to explain and ask whether:

- they have supporting information at home that might be suitable, or
- they could name an alternative contact, such as Clara's place of work

Clara's parents say that Clara has just started at her new job and does not feel comfortable asking her company to fill out any forms.

They mention Clara's referral letter which briefly summarises Clara's needs. The case manager agrees that this would be an appropriate source of confirmation from a professional. Clara's parents upload a photo of the letter. The case manager can proceed to making a determination on Clara's entitlement to ADP.

Example: a professional who has only seen the individual once is an appropriate source of the confirmation from a professional

Simon is 25 and over the past four months he has developed respiratory symptoms that make it likely that he potentially has a respiratory condition like asthma. He was referred to the Respiratory Team by his GP for further assessment.

During his first and only appointment, a Respiratory Nurse carried out spirometry tests to establish a diagnosis. While Simon is waiting for his diagnosis to be confirmed, he applies for ADP.

He provides the contact details for his Respiratory Nurse as source of confirmation from a professional, as they are more familiar with Simon's symptoms and potential condition than the GP.

The case manager accepts the specialist as an appropriate source of confirmation from a professional as, even though they have only seen Simon once, they:

- have carried out an assessment of Simon's condition
- have the professional knowledge to provide an informed opinion on his likely diagnosis and prognosis

During the time between when Simon applied for ADP and the case manager contacting the Nurse for confirmation, the Respiratory Nurse interpreted Simon's test results and report and concluded that Simon has severe asthma. They were able to provide the case manager with this diagnosis as confirmation from a professional.

Deciding whether a source is from a professional

The following guidance in this section is only applicable to the confirmation from a professional.

Deciding whether a source is a professional is important when deciding whether a document can be counted as a confirmation from a professional.

To help make a decision on this, you should use the information presented in this section as well as the pages on:

- Confirmation from a professional
- Additional supporting information

If the definitions already provided are not enough to make a decision, you should consider if the provider of the source:

- is being paid to provide a service to the individual
- is qualified or trained to provide their role to the individual
- has a personal relationship with the individual beyond their organisational role
- is acting within a formal capacity
- has specific skills or training to be able to provide support the individual
- has provided clear professional documentation, for example is it on letter-headed paper
- can be found by their details or credentials on official registers or systems, such as the Scottish Social Services Council, the General Medical Council, the Nursing and Midwifery Council or another professional regulatory body
- is still working in their field, for example they're currently practising, not retired

This list is not exhaustive.

You should consider the answer to these questions and make a decision on a case-by-case basis. You should also consider the examples below.

If you conclude that it is more likely than not that a piece of supporting information is not from a professional, you should consider both:

- if you need to collect an alternative source as the confirmation from a professional, including how you work with the individual to source this information
- if the information can be used as additional supporting information

You may conclude that a source is not a professional but does contain information regarding the individual's disability, condition or needs relevant to the application.

You should still consider this information as part of your decision-making.

Although it would not be a confirmation from a professional, it would count as additional supporting information. It would still count as this type of supporting

information regardless of whether it was from a professional or the client's wider support network.

If you want advice on how to classify a source of the confirmation from a professional, you can:

- speak to your line manager
- request a case discussion

Example: a volunteer who regularly supports the individual but is not considered a professional

A volunteer who runs a social club in the local church on Sunday afternoons and regularly supports an individual belongs to the individual's wider support network. Information they provide would be considered additional supporting information.

Example: a volunteer who regularly supports the individual and is a retired professional, but is not considered a professional for the confirmation from a professional purposes

A volunteer runs a social club in their local community centre and is a retired social worker. They recognise the individual's difficulties in most social interactions and have practised strategies with them that help the individual to avoid becoming overwhelmed easily.

However, this volunteer would not be considered a professional.

This is because the capacity in which they would be considered a professional would be through their status as a retired social worker. However, as they are retired, they no longer have the credentials to act in this capacity and are not active in their field.

Their testimony is still an important source of additional supporting information from the individual's wider support network, but case managers should seek an alternative document as confirmation from a professional if the individual has not supplied one.

Related reading:

- Additional supporting information
- Consultations
- Lack of confirmation from a professional
- Understanding and interpreting supporting information
- Principles of decision-making
- how to use supporting information from a professional which contains harmful information

Additional supporting information

To supplement the confirmation from a professional, and their application or review form, an individual can provide additional supporting information. This supporting information helps you to establish the individual's level of and mobility needs and their entitlement. This can come from either a professional or from their wider support network. Additional supporting information from the client's wider support network should never be used as the confirmation from a professional.

The individual's wider support network might include:

- family members
- partners
- friends or neighbours
- unpaid carers
- volunteers leading groups or activities the individual attends

It can help to inform you of the impact the individual's condition, disability or needs has on their everyday life.

Individuals may provide this information with their application or review form. If this is the case, you should always consider this information in your decision-making process. This also applies if the individual themselves has provided enough detail on their needs for you to establish their entitlement.

If you need more information on the individual's everyday needs and they have not provided any additional supporting information, you should consider all of the following:

- what decision-making tool would be most appropriate to gather the information you need
- if contacting the individual themselves or the person acting on their behalf would provide the information you need, you should always consider this first before requesting additional supporting information.
- if requesting additional supporting information is the best tool, who would be the best source of additional supporting information, if you have established that additional supporting information is the most appropriate decision-making tool

Additional supporting information is just one decision-making tool that can be used to resolve gaps and inconsistencies. It should not be used as the default tool where you need more information on the individual's needs.

The role of additional supporting information

Additional supporting information is just one of many decision-making tools you can use to determine an individual's entitlement. You should refer to the Principles of decision-making chapter to determine which tool is the most appropriate on a case-by-case basis.

It can come from either a professional or the client's wider support network but it is not a requirement in order for you to make a determination.

Its purpose is to add detail to the application or review form by describing the individual's needs on a day-to-day basis. It should give insight into the impact the condition or disability has on the individual's daily life it should not be used as an alternative way of providing 'evidence' or 'proof' of what the individual told us in their application or review form. It may be provided with the application form. Where you have this information, you should always take it into account.

It should only be requested if both:

- the individual hasn't provided the level of detail needed in the application
- you think that gathering additional supporting information is the best decision-making tool to resolve questions, gaps or inconsistencies

You may need more information before you can make a determination. If you establish that additional supporting information is the appropriate tool to gather this information, you need to consider who would be the best source for this information.

For example, health and social care professionals are less likely to be able to observe the individual's daily routine or mobility. Some allied health professionals like physiotherapists and occupational therapists can offer observations on this, but not every individual will have contact with this type of professional.

Therefore, people closely connected with a with an individual can be useful sources of information about the impact a disability or condition has on an individual. This is why information from the individual's wider support network is particularly valuable.

If the source of this additional supporting information is a professional, it is possible that it can also act as a confirmation from a professional. Where the information can act as both types of supporting information, you should be careful not to use the additional detail as a tool to 'evidence' or confirm every need.

Once you have established the confirmation, this additional detail should only be used to inform your understanding of their needs.

Related reading

- contacting the individual with follow up questions
- Gathering supporting information see: determining the best source
- requesting information through the client-led route
- requesting information from the wider support network

Lack of confirmation from a professional

Individuals are asked to provide confirmation from a professional where possible when they apply.

There are many reasons an individual may not be able to provide confirmation from a professional.

Good cause

Good cause is the term for a reasonable explanation as to why a confirmation from a professional is not available or is delayed on an application. Where you do not have a confirmation from a professional, you should consider if there is good cause for this.

Establishing good cause allows you to continue with the decision-making process without a confirmation from a professional and make an award where the individual meets the eligibility criteria for ADP.

Where an individual has good cause

The individual might have a reasonable explanation for:

- a delay in providing information
- not providing information
- disengaging from the supporting information gathering process - when determining what is a 'reasonable' explanation, we continue to follow the trust-based approach

Reasonable explanations might relate to:

- lack of access to or contact with professionals
- their health or disabilities
- a hospital stay
- being placed in local authority care or legal detention
- lack of support needed from an advocate or support worker
- dealing with an unexpected life event, like a death in the family
- have difficult lives due to their disabilities or conditions
- lack of access to documentation in relation to their condition

This list is not exhaustive.

Where an individual has not provided a confirmation from a professional with their application form, you should take the following steps before considering if the individual has good cause:

- support the individual in identifying suitable documents they might have at home
- advise the individual on how to request confirmation from a professional and who to request it from
- gather it on behalf of the individual, where the individual has given us permission to do so

You should only move on to establishing if there is good cause for a lack of confirmation from a professional if either:

- the above steps have not provided a confirmation from a professional for the application
- you identified early in the decision-making process that it is more likely than not that you would be unable to source a confirmation from a professional for this application. For example, the individual has told you that the information does not exist and based on the balance of probabilities you determine that it is more likely than not that none of the steps outlined above will be successful

Good cause due to unsuccessful supporting information requests

Good cause does not just apply to the individual's personal circumstances. It also applies where the response from a professional to your, or the individual's supporting information request does not deliver the outcome you were hoping for.

You can establish good cause, where a professional:

- is unresponsive to a supporting information request
- responds declining to answer your questions
- provides a response that is of low quality
- does not provide information relevant to the individual or the application (e.g. sending a leaflet on a condition, rather than confirming that the individual has the condition or how they are impacted by the condition)

After you have established good cause

If you have established good cause, you should move on to establishing the individual's level of need and their entitlement. You should use the information you have available to you to do so, such as the information provided by the individual in the application form.

If you are able to use the information available to establish the individual's level of need and entitlement, you should continue to make a decision.

Lack of confirmation from a professional and no good cause

If there is no good cause for a missing confirmation from a professional, a consultation should be used to broadly confirm an individual's conditions, disability, or needs.

This is because consultation reports count as confirmation from a professional.

To understand more about consultations, refer to the relevant guidance.

Provided a consultation takes place and determines that individual is entitled to an award, you should continue to make a decision on the individual's application.

If a consultation does not take place, you should refer to the guidance on when it may be appropriate to deny an application. That guidance can be found on the Requesting more additional supporting information page.

Lack of supporting information where the individual is unlikely to meet the ADP eligibility criteria

The information an individual provides on their application or review form can suggest they're unlikely to meet the eligibility criteria, for example, because it is unlikely that:

- their needs would meet the threshold for an award
- their needs meet the forwards test and backwards test

If the individual has asked you to gather supporting information on their behalf, you should take the steps necessary to do so.

If the individual has both:

- not provided supporting information
- not asked Social Security Scotland to gather it on their behalf

you must request a case discussion to understand whether it is more likely than not that supporting information would change the outcome of the application from a likely deny to a likely award. As case managers are not health and social care professionals, they are not able to determine whether supporting information could potentially provide crucial details that might lead to an award.

This is because individuals with certain conditions are likely to under-report their needs. Preventing them from accessing support they are entitled to is part of making fair and balanced decisions.

Related reading

- Case discussions
- client-led route
- agency-led route
- follow-up calls with the client

- Good cause
- Consultations
- Local delivery

Gathering supporting information

To gather supporting information, you can:

- use sources provided by the individual
- contact the individual to ask for additional or alternative sources

Collaborative information gathering

The individual is responsible for providing both the confirmation from a professional and additional supporting information where this helps you to make a determination.

However, individuals may require help to:

- gather supporting information
- identify if they have any relevant supporting information already – this could be a confirmation or documents that provide additional detail on their needs
- identify who an appropriate source of information would be

You must:

- make every effort to help an individual gather supporting information, including offering the service where they are unable to provide the necessary supporting information
- ensure that the supporting information gathering process treats everyone with dignity, fairness and respect
- give people every opportunity to provide supporting information if it is not supplied with their application or review form (if needed)
- consider each individual's ability to provide supporting information and the challenges they may face
- decide when a supporting information request is appropriate
- take the necessary steps to assist in gathering this information, if asked
- consider whether you're able to make a determination based on the balance of probabilities with the information available, taking into account good cause and our trust-based approach

This may involve local delivery teams, particularly where an individual is considered to be vulnerable.

How we help gather information

You can:

- offer advice on how to contact specific roles or professionals
- consider if there are other ways to get the information, like a follow-up call
- advise on other formats for supporting information
- decide if good cause exists for lack of a confirmation from a professional

- consider a consultation (if no other option is available)
- involve local delivery teams (especially if the individual is considered vulnerable)

If an individual is unclear about what information may be available, and you are unsure who would be an appropriate source of supporting information, a case discussion might be useful to identify a source you would expect to be able to provide relevant information.

Agency-led route

Individuals:

- can ask us to gather both the confirmation from the professional and additional supporting information
- must give their permission

We can gather supporting information directly from both:

- professionals
- the client's wider support network

You may need supporting information but the individual has not asked you to gather it on their behalf. There are processes in place to gather information on behalf of an individual if they are both:

- unreachable
- identified as vulnerable

To gather information directly, we have agreements with:

- NHS Scotland
- GPs
- local authorities
- third sector organisations

The following individuals and organisations are required to give us information directly:

- health boards
- registered medical professionals, such as GPs and specialists
- local authorities

Other agencies and organisations may also be suitable sources of information, and may or may not be covered by similar information-sharing agreements.

No response may be received when you request supporting information on the individual's behalf during a review. You should not automatically suspend assistance. Every effort must be made to help the individual to gather supporting information or establish good cause.

Determining the best source

You should consider who the best source to approach is where:

- the individual needs help to gather information
- you are using additional supporting information as a tool to gather additional detail needed to make a decision on their entitlement

To determine the best source, you should first establish:

- using the balance of probabilities, who is more likely than not going to know the answer
- what information is needed and/or required

You may also need to work with the individual to establish who is involved in their treatment or care. This could be professionals or their wider support network.

You should not use professionals as your default contact for additional supporting information. Whilst they may be a good source of information, they often do not see the individual as regularly as their wider support network.

For example, if you need to ask detailed questions to understand their daily routine and life at home, a GP is unlikely to know the answer.

Someone from that individual's wider support network is more likely to have information about the individual's needs if they:

- live with them
- visit them frequently

However, if you require a confirmation from a professional, a professional would be the correct source instead of the client's wider support network.

If you do decide a professional would be the best source for the additional supporting information you need to establish the individual's entitlement, you should consider which professional would be best placed to know this information. For example, GPs may not be best placed to provide information on an individual's daily routine. The individual's paid carer, who sees them twice a week, would be better placed to provide additional supporting information in this case.

You should also try to approach someone who is likely to respond to a supporting information request quickly. This point should be carefully balanced against the value

of information they're likely to provide. This could mean that you will have to wait longer for information deemed important to the decision-making process.

The role of case discussions

You should consider going to case discussion if you are unsure:

- what sources of information may exist
- what source or type of supporting information would be most helpful
- whether the needs described are consistent with what the individual has told us

This list is not exhaustive.

Client-led route

In certain situations, only the individual will be able to get information from a professional or someone in their wider support network involved in their treatment or care. This is called the client-led route. You should do your best to support the individual to get this information.

You can only gather supporting information from a professional on the individual's behalf if the individual has:

- asked us to gather supporting information from a third sector organisation or a professional working in the public sector

The individual must gather the supporting information themselves if they meet at least one of the following:

- they have not given us permission to gather information on their behalf
- their source works in the private sector

Although the individual is responsible for gathering supporting information through this route, you should still support the individual in understanding:

- which source might be best placed to provide supporting information
- what type of information would be helpful
- how to best approach their source

You should only ask for additional or alternative sources of supporting information if a source provided by the individual:

- is unlikely to be able to provide the information needed to make a determination
- has not been responsive to contact
- has provided information that is of low value

Related reading

- if no supporting information is available
- understanding the value of supporting information
- how to request supporting information
- consultations
- vulnerable individuals

Requesting more additional Supporting Information

In some cases, you may not have enough information to understand the individual's circumstances and entitlement based on:

- the application or review form
- available additional supporting information
- the balance of probabilities

This might be due to:

- gaps
- inconsistencies

in the information provided in the information you do have available.

Information provided by the individual or their source might not contain enough detail to make a determination if the information is:

- of low value (for example generic information about a condition, rather than about a person's needs)
- not up to date i.e. information from a time when their needs were significantly different
- not provide the level of detail needed to understand an individual's needs, particularly where the case is complex

You can ask for more information if:

- there's not enough information to make a determination on the balance of probabilities
- you've considered other decision-making tools

You can contact an individual only where necessary to:

- clarify information already provided
- update or confirm details on a form
- ask for another source of information
- get more information to support what the individual told us
- request a consultation

This means that you must not request more additional supporting information because you:

- would find it interesting to find out more about the case in question
- would find it helpful, but not strictly necessary, to learn more
- do not feel confident enough to make a determination as you are new to the role

- need more general information on the individual's condition when this information is also available in medical guidance or upon request through a case discussion with a practitioner
- need to have confirmation from a professional where an individual has good cause for not having this

Individuals can request help to gather supporting information at any time.

When requesting supporting information, you should limit the number of questions asked. You should also keep your questions general enough for the provider to give information on the individual's condition and needs.

Who to ask for more additional supporting information

Depending on the details you need to make a determination, you should decide whether you should request this supporting information from:

- a professional
- the individual's wider support network

Before asking for more information, you should consider whether information about a condition or disability can be gathered by using other decision-making tools, such as

- medical guidance
- a case discussion

You must also consider whether it can be established if the information you need is the confirmation from a professional.

As with all supporting information, anything additional should be:

- given equal consideration
- used to broadly support the information provided in an individual's application or review form

You must never ask an individual to 'prove' or 'disprove' anything they have told us about any aspect of their:

- conditions
- disabilities
- needs

If the confirmation from a professional is unavailable

If after all efforts have been made, there's still no confirmation from a professional, you can still make an award if:

- you can establish good cause for the missing information
- the individual has attended a consultation and it determines that they are entitled to an award

You should always try to establish good cause before you invite an individual for consultation.

You should:

- use the balance of probabilities, as always
- consider requesting a case discussion

A consultation may be able to provide enough information to make a determination, even where no good cause for missing information can be established.

Consultations should be able to establish:

- a clear picture of an individual's conditions, disability or needs
- if the individual is not entitled to disability benefits

If no additional supporting information is available

Other decision-making tools may be necessary to establish the facts of a case in cases where all of the following apply:

- an individual has a confirmation from a professional, including good cause for not having the confirmation from a professional
- the application form does not contain enough detail for you to conclude whether it is more likely than not what their needs are
- there is no additional supporting information from any other source

One of those tools includes requesting more additional supporting information. You should ensure that this is the best tool for gathering the missing details before using this tool.

Other tools may be more appropriate, or produce results quicker, than gathering more additional supporting information. These include a consultation or a follow-up call with the individual.

You should always attempt a follow-up call, if it is appropriate to do so, to gather any information you need before requesting more additional supporting information.

Where you have utilised the available decision-making tools and you have still been unable to gather all the information you need, you should:

- continue to make a determination based on the facts they have been able to establish
- continue to use the balance of probabilities, as always, throughout this decision-making to establish what needs they are more likely than not to have
- recognise that this might lead to a lower award than the individual might have expected, or to no award

When it is appropriate to deny an application due to lack of supporting information

We're required to make a determination on every application we receive. In instances where there is either

- no confirmation from a professional and no good cause
- not enough information to determine entitlement after using the relevant decision-making tools,

the determination might be that the individual is not entitled to assistance.

An individual's application can be denied due to lack of confirmation from a professional if all of the following are met:

- there is no confirmation from a professional
- there is no good cause
- the consultation the individual was invited to did not go ahead because the individual declined the invitation or rescheduled the consultation more than three times OR a consultation does not confirm the conditions, disability or needs the individual told us about in their application.

A lack of confirmation from a professional and a lack of good cause is not the only basis for denying an application on grounds of supporting information.

Alternatively, an individual's application can be denied if you are unable to determine the individual's entitlement based on the information available. To deny an application on this basis, all of the following must be met:

- they have a confirmation from a professional or you have established good cause
- the information provided in their application form does not provide enough detail for you to establish their entitlement
- you have used other decision-making tools to resolve these gaps or inconsistencies but you are still unable to establish entitlement
- you tried to gather more additional supporting information and did not receive the detail you needed
- you invited the individual to a consultation to gain the insights needed to establish entitlement but the consultation did not take place
- due to inconsistencies or lack of detail, you were unable to establish their entitlement based on the balance of probabilities

- you have made every effort to support the individual to provide more additional supporting information, including offering to gather it on their behalf

Related reading

- how to send a supporting information request
- Good cause
- balance of probabilities
- establish the value of a piece of supporting information
- helping the individual to gather supporting information
- Equal consideration
- gaps and inconsistencies

Disengagement

You must use discretion and judgment where an individual:

- is uncooperative about providing supporting information
- has not responded to us

If the individual has disengaged, you should use discretion to make a person-centred decision based on the individual's situation, and consider:

- good cause
- the balance of probabilities
- a case discussion
- a consultation

Every effort must be made to:

- contact the individual to explain that a lack of information may cause delays and impact their determination
- understand or explain gaps or inconsistencies using decision-making tools

The individual might fail to supply requested supporting information as part of their review. You must use judgement and discretion to consider whether their assistance should be suspended.

You should ensure you have consulted and follow the guidance in relation to suspensions before suspending assistance.

The role of local delivery teams

Local Delivery staff can offer support to individuals making an initial application who:

- need support to gather supporting information
- have no support networks

You should only refer an individual to Local Delivery:

- before part 2 of an application is started
- after part 2 of an application is received (but only if Local Delivery have already been involved in the case)

Before making a referral, you should consider if:

- an application is not detailed enough
- local delivery have not been involved
- other decisions-making tools have been used first

Deadlines

You should set a deadline for the individual to respond to a request for information only if:

- you've made every effort to contact the individual by other means

- more additional supporting information is strictly necessary to determine an individual's eligibility to ADP

Suspensions

You may need to consider suspending an individual's entitlement to Adult Disability Payment.

Suspensions can happen as part of any determination where:

- the individual has ongoing entitlement (the individual is a client and you are carrying out a review)
- a decision must be made without an application or review form (known as an 'unscheduled review')

the individual has failed to provide the information requested by the end of the period set and the information is required for you to make the determination. You should refer to the guidance on gaps and inconsistencies when considering whether the information you have requested is required to make a determination.

Before suspending an individual's award, you should always

- ensure that they're given the opportunity to attend a consultation
- consult and follow the guidance on suspensions carefully. Failure to follow the guidance may otherwise result in an individual's award ending when that is not the correct outcome

The information on suspensions in this guidance is not a substitute for the Adult Disability Payment suspensions guidance. That guidance should always be what you consult in the first instance when considering suspending payment.

In suspending payment of Adult Disability Payment, you should make a further request for the information. The request should note that, if the individual fails to supply the information by the new deadline, you may then determine that the individual is no longer entitled to Adult Disability Payment.

Where an individual has an existing entitlement to Adult Disability Payment, you may need to end the individual's award if the individual fails to supply the necessary supporting information. However you must carefully follow the guidance in the suspensions chapter (Ending entitlement after a further request for information section) if you are going to do that.

Related reading

- local delivery
- principles of decision-making
- suspension of assistance

Supporting information when carrying out a review

Supporting information, including confirmation from a professional, is only needed in some specific reviews scenarios. These are set out in the Relevant considerations when making a determination for an award review chapter.

The same principles apply to using supporting information for reviews as apply to the determination of new applications. These principles include:

- trust and person-centred approach
- balance of probabilities
- good cause

Related reading

- Scheduled reviews
- Unscheduled reviews

Supporting information and Special Rules for Terminal Illness

For individuals who are terminally ill, the only supporting information we need is a BASRiS form.

However, you can also accept the SR1 form or DS1500 form used by the Department for Work and Pensions (DWP) to confirm a terminal illness diagnosis

For more information, read the chapter on applications under the Special Rules for Terminal Illness.

Related reading

- Overview of Special Rules for Terminal Illness
- Special Rules for Terminal Illness operational guidance
- What is BASRiS information?