

## Review Periods

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### Introduction

1. This chapter covers the topic of setting review periods for existing Adult Disability Payment (ADP) awards.
2. Case managers should read this chapter together with the Principles of Decision-Making chapter. It sets out the principles and the legal context that underpin decision making in the Scottish social security system.
3. This chapter also relates to the Scheduled Reviews and Unscheduled Reviews and Determinations without Applications chapters.

### What are review periods?

4. The case manager must set a new review period when making a determination without application. This is part of a scheduled or unscheduled review.
5. The case manager should choose a shorter review period if it is either:
  - likely that the individual's disability might change soon
  - unclear whether their disability might change.
6. The case manager should choose a longer review period if either it is likely that the individual's disability:
  - will change very slowly
  - will not change.
7. Generally, review periods should be at least 24 months long. This is to avoid the individual having to undergo unnecessary reviews.

### **Choosing an appropriate review period**

8. A review period of 24 months should be chosen when it is highly likely that the individual's disability will change in the near future. This might be due to, for example:

- the individual becoming able to manage their condition more independently
- the individual's condition improving
- treatment being expected to reduce the impact of the individual's disability.

### **Example: an individual's award of ADP will be reviewed in 24 months**

John is 43 years old and 6 months ago was involved in a car accident. He sustained a spiral fracture of his left leg, which has affected his movement. Due to the severity of the injury he underwent surgery and had to have his leg supported in a surgical cage.

John has started physiotherapy and manages his pain with the use of strong pain medication. The case manager determines that due to the expected improvement with spiral fractures (18-24 months) and the likely improvements in his functional ability, a 24 month review would be appropriate.

9. Case managers can set review periods of less than 24 months when it is clear that the individual's disability will change sooner. Case managers should consider the information in the application form and the supporting information to:

- understand the individual's prognosis
- decide if a short review period is appropriate.

For example, this could include information on scheduled treatments.

10. Case managers may set a review period under 24 months when the individual's disability is likely to change significantly. For example, this could be due to:

- scheduled surgery planned beyond the longest possible time period for delaying a review
- scheduled, staged corrective surgery
- the individual recently starting new treatment likely to have a significant impact on their needs
- the individual soon completing treatment likely to have a significant impact on their needs
- it being difficult or impossible to anticipate how the individual's needs will develop between 26 weeks and 24 months from now. This could be due to a degenerative condition where the individual's needs are expected to increase but the pace of change is unclear.

- the individual soon beginning a new phase in their life likely to have a significant impact on their needs.

This list is not exhaustive.

**Example: An individual's award of ADP will be reviewed in 12-18 months**

David is 54 years old and 8 months ago he had a stroke. He was admitted to hospital for 10 days where he received clot-busting medication. David has been left with right side weakness to his arm and leg.

David has been attending physiotherapy and has been making progress with strengthening and moving his right arm and mobilising. After discharge from hospital, he continues to see the physiotherapist once weekly for strengthening exercises to the right arm and leg and there has been an improvement. The consultant has advised that with the progress David is making in physiotherapy, there should be significant improvement in the shorter term. The case manager determines that due to the expected improvement in functional ability a review in 18 months would be appropriate.

11. The case manager should select a review period between 24 months and five years if the individual is likely to experience change in their level of disability.

**Example: An individual's award of ADP will be reviewed in 4 years**

Sarah is 36 years old with a diagnosis of sciatica and functional limitations due to this. She has had surgery but it was not completely successful. Sarah attends the pain clinic every month and continues to be under review by the specialist consultant every 6 months.

Sarah has been advised of further surgery she will need to have and has been placed on the surgery waiting list. The consultant specialist is hoping she can have the surgery in 1-2 years as this is the current waiting time. After the surgery Sarah will need time to rehabilitate for 6-9 months. She will need to have intensive physiotherapy for a further 6-9 months where there should be improvement in functional ability.

The case manager determines that a review in 4 years would be appropriate after taking into account:

- the waiting time for surgery
- the recovery period
- the treatment post-surgery.

12. If an individual's disability is unlikely to change the case manager should select a review period of between five and ten years.

**Example: An individual's award of ADP will be reviewed in 8 years.**

Daniel is 19 years old and has a diagnosis of autism and anxiety. He attended a specialist school and had support in all lessons due to his sensory overload and anxiety symptoms. Daniel had difficulties and made slow progress in a classroom environment due to noise and other students around him.

Daniel has left school and now lives in a residential supported living establishment due to the difficulties he would have living alone. He has found this to be very difficult and finds it hard to engage with his support network and the other residents he lives with. Daniel is under the care of the Community Mental Health Team due to his anxiety. He has therapy sessions once every 3 months although he will sometimes not attend these appointments. Daniel is under the care of a consultant psychiatrist who has explained that due to the slow progress being made, he would need ongoing long-term support in order to live independently.

The case manager determines that given the nature of Daniel's condition and the slow progress being made, his condition is unlikely to change. As a result a review in 8 years would appropriate.

**End of chapter**