

## Case Discussions

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### Introduction

1. This chapter relates to how Social Security Scotland make decisions on entitlement for Adult Disability Payment (ADP).
2. The guidance in the following paragraphs sets out the general principles which case managers should follow when requesting a case discussion.
3. A case discussion is the process by which a case manager requests a formal piece of advice from a specialist advisor to help them make a determination. A specialist advisor could be:
  - a Social Security Scotland practitioner
  - someone from the Decision Support Team.
4. A case discussion may be required as part of processing an application, as part of a review or as part of the re-determination process.
5. A case discussion can be utilised at any point the case manager considers it necessary and not as a last resort.
6. If the case manager/ client experience officer is still unable to make a determination after a case discussion, they may invite the individual to participate in a consultation, where there is no other way of gathering the information required to make a determination. [Link to Consultations chapter]

### Requesting a case discussion

7. There are a number of circumstances in which a case manager may decide to make a formal request for a case discussion. Examples include:
  - an application that contains conflicting information or relates to the combined impact of two or more conditions or disabilities
  - an application which relates to a particularly complex or rare condition, or a fluctuating condition
  - where there is a lack of supporting information, or where there is conflicting supporting information [LINK TO GATHERING SUPPORTING INFORMATION CHAPTER].

- where a case manager requires guidance interpreting regulations. [LINK TO OPERATIONAL GUIDANCE].

This list is not exhaustive. Where the request is made concerning an application or re-determination it must be approved by a line manager.

8. When making a request for a case discussion, a case manager should:
  - define the specific questions they have
  - provide any supporting information that is relevant to the request
  - reference the relevant decision making guidance
  - note the preferred type of the case discussion where appropriate and provide reasoning for this decision
  - where appropriate, state whether it is the first request for a case discussion on a specific case or a follow up request.
9. There will be no hierarchy of supporting information. If a conflict arises between supporting information, case managers must provide clear reasoning for decisions based on one piece of information over another. If they cannot provide reasoning for preferring one piece of supporting information, they should consider requesting a case discussion.
10. A case manager should take a person-centred approach when deciding whether a case discussion is required in order to make a reasoned determination. For example, there may be circumstances in which formal supporting information is not available. This may be because it does not exist or because of extenuating personal circumstances. [LINK TO GATHERING SUPPORTING INFORMATION CHAPTER] For more information on person centred approach, please see [LINK TO PRINCIPLES OF DECISION MAKING CHAPTER].
11. Case discussion requests should highlight the specific gaps which prevents a determination being made. This will allow the case discussion to focus on how these gaps may be filled and reduce the need for further case discussions on the same application. A case discussion may not be necessary if a case manager receives sufficient supporting information to allow them to make a determination in advance of the case discussion.

### **Types of case discussion**

12. There are three types of case discussion. These are set out below. A case manager must consider the level and complexity of advice that is required to help them make a determination. They should then clearly set out the reasons for requesting the type of case discussion. [LINK TO OPERATIONAL GUIDANCE].
13. Email case discussions may be required where a case manager needs a specific piece of advice in order to make a determination. For an email case discussion:
  - The case manager will submit a question to the relevant specialist advisor on the case discussion referral template who will issue a response remotely. This will be a written response on the case discussion referral template.

- A note of this exchange is then recorded by the case manager in the individuals record, along with the request for advice, as a record of information that contributed towards a determination. [LINK TO OPERATIONAL GUIDANCE].
- A face-to-face discussion is not required for an email case discussion.

14. Discussion case discussions may be required where a written exchange is not sufficient and some kind of discussion is required:

- This may be because the case manager officer has multiple questions relating to a case or anticipates the need for follow up questions.
- This type of case discussion can be carried out in-person or remotely via telephone or videoconference.
- A discussion case discussion may involve a meeting between a case manager and a practitioner[LINK TO OPERATIONAL GUIDANCE].

15. Complex case discussions may be required where a case manager officer requires advice from more than one discipline:

- For example, in a complex case discussion, the case manager may seek input from a practitioner and the Decision Support Team at the same time.
- The Decision Support Team may also seek advice from the Scottish Government Legal Directorate and/ or Scottish Government Policy if necessary.
- A complex case discussion may be carried out in-person or remotely via telephone or videoconference for example.

16. There is no limit on the number of case discussions that can take place relating to an application.

### **During a case discussion**

17. During a case discussion, a practitioner may be able to provide additional information and facilitate further questions that a case manager may have about an application to help them make a determination.

18. Practitioners will be able to suggest sources of information that are likely to exist which may support an individual's application. A case manager will be able to ask additional clarifying questions throughout a case discussion. Operational Guidance sets out how this is done [LINK TO OPERATIONAL GUIDANCE].

### **After a case discussion**

19. Following a case discussion, the case manager can:

- Ask follow up questions to help them make a determination or take steps to gather further supporting information. This might be necessary in cases where new supporting information is provided.

- Additional advice should be captured in the same way as advice received through a case discussion [LINK TO OPERATIONAL GUIDANCE].
- They may continue to engage with the individual to establish whether any suggested information exists.
- Where necessary, they will assist the individual to gather that information or gather it on their behalf. [LINK TO GATHERING SUPPORTING INFORMATION]

21. The case manager may request a client consultation following a case discussion only if that is the only way to obtain the information needed to make a determination. [Link to Consultations chapter]

22. A practitioner may advise of the need for a client consultation following a case discussion in order to gain a better understanding of the impact of a health condition and/ or disability on the individual. [Link to Consultations chapter]

**End of this chapter**