

Social Justice and Social Security Committee
Thursday 6 June 2024
18th Meeting, 2024 (Session 6)

Document subject to parliamentary control

Note by the Clerk on the Proposed Revised Social Security Charter

1. At this meeting, the Committee will take evidence from the Cabinet Secretary for Social Justice on a document subject to parliamentary control - the Proposed Revised Social Security Charter.
2. On [16 May 2024](#), the Cabinet Secretary for Social Justice wrote to the Committee to inform Members that the proposed revised Charter had been laid before the Scottish Parliament by a member of the Scottish Government under Sections 18(4)(b)(iii) and 18(5) of the Social Security (Scotland) Act 2018. The charter is subject to approval by resolution of the Scottish Parliament.
3. Following this, a motion will be debated in the name of the Cabinet Secretary inviting the Committee to recommend approval of the document.
4. While the document is not a Scottish Statutory Instrument (SSI), it is subject to affirmative procedure and requires approval by resolution of the Parliament.

5. More information about the document is summarised below:

Title: Proposed Revised Social Security Charter (SG/2024/96)

Laid under: [The Social Security \(Scotland\) Act 2018](#)

Laid on: 16 May 2024

Procedure: Document subject to affirmative parliamentary control

Deadline for committee consideration: 24 June 2024

Procedure

6. The Charter is subject to affirmative procedure by virtue of Rule 10.10 of the Scottish Parliament's Standing Orders.
7. Under the affirmative procedure, an instrument must be laid in draft and cannot be made (or come into force) unless it is approved by resolution of the Parliament.

8. Once laid, the instrument is referred to:
 - the Delegated Powers and Law Reform (DPLR) Committee, for scrutiny on various technical grounds, and
 - a lead committee, whose remit includes the subject-matter of the instrument, for scrutiny on policy grounds.
9. The lead committee, taking account of any recommendations made by the DPLR Committee (or any other committee), must report within 40 days of the instrument being laid.
10. The normal practice is to have two agenda items when an affirmative instrument is considered by the lead committee:
 - an evidence session with the Minister and officials, followed by
 - a formal debate on a motion, lodged by the Minister, inviting the lead committee to recommend approval of the instrument.
11. Only MSPs may participate in the debate, which may not last for more than 90 minutes. If there is a division on the motion, only Committee Members may vote. If the motion is agreed to, it is for the Chamber to decide, at a later date, whether to approve the instrument

Delegated Powers and Law Reform Committee consideration

12. The DPLR Committee considered the document on [28 May 2024](#) and reported on it in its [39th Report, 2024](#). The Committee made no recommendations in relation to the document.

Purpose of the Charter

13. The Charter sets out what the social security principles mean in practice and lists around 50 commitments to be delivered by the Scottish Government and Social Security Scotland.
14. The Proposed Revised Social Security Charter is included in Annexe A.
15. The Policy report is available at Annexe B.
16. The Social Security (Scotland) Act 2018 requires the Charter to be reviewed every five years. A review took place during 2023 and was facilitated by researchers and officials from the Scottish Government and Social Security Scotland. [A report setting out the research undertaken to review the Charter](#), and the Charter Measurement Framework is available on the Scottish Government website.

Report

17. Following today's proceedings, a draft report will be prepared by the Clerks. The Committee is invited to decide whether to consider that draft report in private at its next meeting.

**Clerks to the Committee
June 2024**

ANNEXE A

The Proposed Revised Social Security Charter SG/2024/96

Section 1: A People's Service: We're here to help you get everything you're entitled to.

Our colleagues and culture

Social Security Scotland colleagues will:

1. Be patient, kind and consider how you might be feeling.
2. Listen to you, trust you and treat you as an individual.
3. Use a trauma-informed approach to support your wellbeing and make your contact with us as positive and stress-free as possible.
4. Treat everyone equally, fairly and without discrimination.
5. Be knowledgeable about Scottish social security and help you get answers if they do not know.

We'll achieve this by:

6. Working in ways that prevent further harm and making sure that people affected by trauma can access our services when they need them.
7. Including requirements in our recruitment processes to make sure we recruit people who care about delivering a service based on dignity, fairness and respect.
8. Building a workforce that reflects the diversity of people in Scotland.
9. Making sure colleagues are trained, supported and well-equipped to do their jobs in line with our values.
10. Providing learning to ensure colleagues understand the needs of different people and the barriers they face – so that no-one experiences discrimination because of who they are.
11. Involving people with diverse lived experiences of social security, and the organisations that represent them, in training our colleagues.

How we support you

Social Security Scotland and the Scottish Government will meet your individual needs by:

12. Providing information in different formats and languages and communicating with you in ways that meet your needs as much as we can. For example, by providing interpreters.
13. Delivering local services that are convenient, welcoming and accessible for you, and in-person if necessary. For example, home visits if appropriate.

Social Security Scotland will help you get support from outside organisations if you need it. We'll:

14. If you have a disability and need advocacy, refer you to a free and independent advocacy service. This service can help you to understand and be involved in decisions which affect you. You can also ask someone that you know to support you.
15. If you want someone, or an organisation, to support you with your application or contact with us, with your permission we will make this as straightforward as possible.
16. Direct you towards other organisations and services that may be able to give advice or guidance.
17. Tell you if we think you might be entitled to benefits, services or help not delivered by Social Security Scotland and how to find out if you are eligible.

You can help us by:

18. Treating our colleagues with dignity, fairness and respect.
19. Telling us how we can make it easier for you to use our service. For example, if you have communication or cultural needs – we'll do our best to meet them.

Section 2: Processes that work: We'll design services with the people who use them.

If you go through an application process, Social Security Scotland will support you along the way, keeping you updated and explaining what will happen and why. We'll do this by:

1. Supporting you to complete an application in a way that suits you for example, online, over the phone or in-person if appropriate.

2. Letting you know that we have received your application and what you can expect to happen next.
3. Working with you to gather any supporting information we need so that your application can be processed as accurately as possible. This includes being clear about the supporting information we need and gathering it for you if you ask us to do so.
4. Introducing ways to update you on the progress of your application and expected timelines, including if things might take a bit longer.
5. Contacting you to help clarify information in your application and making decisions based on your application and supporting information where required.
6. Having a team of decision makers who will review the information provided in your application and supporting information, and who will work closely with Social Security Scotland's qualified health and social care practitioner team as needed.
7. Only carrying out a consultation for disability benefits when we're not able to decide based on the information that is already available or if you request one.
8. Making sure that when consultations are needed, they are carried out by a qualified Social Security Scotland health and social care practitioner who understands your condition and the impact it's having on you.
9. Making sure consultations are carried out in a way that puts your wellbeing first, including offering a consultation over the phone or in person, at a place that suits you.
10. Providing information to help answer any questions you may have along the way and responding to enquiries as quickly as we can.

Throughout, Social Security Scotland will make sure you are treated with dignity, fairness and respect. We'll:

11. Make decisions in a way that is consistent and accurate – and aim to get them right first time.
12. Be honest, give clear reasons for decisions and explain what to do if you disagree.
13. Pay you the right amount, on time.

If you do not agree with a decision made, we'll:

14. Look at your application again. This is usually called a re-determination. When we do this someone different will look at it as if it was a completely new application.

15. Explain how you can appeal if you still do not think the right decision has been made after we have looked at it again.
16. If you are eligible, continue to pay you at the same level if you challenge a decision to reduce or stop certain benefits you receive. This is called “Short-term Assistance”.

You can help us by:

17. Giving us the information we need to help you. This includes working with us to gather any supporting information needed to help us come to the right decision on your application.
18. Telling us about any problems with getting this information that we might be able to help with.
19. Telling us if something changes that might affect your entitlement, so that we can make sure you’re getting the right payments.

Section 3: A learning system: We’ll encourage feedback and work to deliver the best service possible.

Social Security Scotland and the Scottish Government will improve our services by listening to the people who use them. We’ll:

1. Make communications, processes and systems as simple and clear as possible by testing them with the people who will use them.
2. Encourage you to provide feedback, explain how you can complain and do everything we can to make things right.
3. Listen, learn and improve by owning up to mistakes and valuing feedback, complaints and appeal decisions.
4. Carry out regular research with clients to hear about their experiences and work with them to make improvements to our services. This includes a survey that goes to all clients.
5. Involve people using the service in measuring how well it works – including the commitments in Our Charter.

Social Security Scotland and the Scottish Government will be held to account by:

6. Creating a culture of trust by being open and transparent.
7. Encouraging colleagues to speak up when they feel we could provide a better service.

8. Working with other organisations to make sure services and policy are joined up to provide the best possible help and support.
9. Encouraging other organisations working in social security to adopt the approach described in Our Charter.
10. Measuring each year how we are delivering the commitments in Our Charter and taking lessons learnt from this into future improvements to our services.
11. Communicating how we're performing on these commitments to clients and partner organisations.
12. Working with the Scottish Commission on Social Security who provide independent scrutiny of the Scottish social security system.

You can help us by:

13. Telling us how you feel about the service. We always want to get better, and your ideas can help us do that. Details of how to do this are at the start of Our Charter.

Section 4: A better future: We'll invest in the people of Scotland – making a positive difference to all our lives.

When making decisions that affect social security in Scotland, the Scottish Government will:

1. Embed the social security principles and Our Charter in the policymaking process.
2. Involve people with diverse lived experiences of social security in developing policy.
3. Develop policy that seeks to advance equality, non-discrimination and the human right to social security as defined in laws, treaties and guidance.

The Scottish Government will use social security powers to contribute towards tackling poverty by:

4. Looking for ways to make eligibility rules fairer and consider creating new benefits to meet people's changing needs.
5. Increasing the value of disability, employment-injury, carers, funeral expense benefits and the Scottish Child Payment every year in line with inflation.
6. Reviewing the payment levels of all other Scottish benefits every year.

7. Making sure as many people as possible get what they are entitled to by delivering on the principles set out in the Benefit Take-up Strategy.
8. Reaching people who are most likely to be excluded including by providing information about social security in community locations.
9. Working with other public services to support delivery of the Scottish Government's National Outcomes for a fairer, more prosperous Scotland.
10. Putting people first as we deliver an efficient service and deliver value for money for the people of Scotland.

The Scottish Government will use social security to advance equality and human rights by:

11. Using social security powers to help make sure people can play a full and active part in society.
12. Promoting a positive view of social security as a human right and a public service to be proud of.
13. Publicly challenging myths about social security and stereotypes about the people who use it, focussing on using more positive words to describe both.

ANNEXE B

Policy Report on the Review of the Scottish Social Security Charter 'Our Charter' SG/2024/94

Introduction

The Social Security Charter (the “Charter”), when first made in 2019, set out a clear set of commitments which were agreed upon, through co-design, with people who had experience of the UK benefits system. Many of the commitments were driven by a desire that their negative experiences under the reserved UK system should not be replicated under the new Scottish social security system. The Charter was, in effect, an aspirational ‘vision for the future’, setting out what should be expected of Social Security Scotland and the Scottish Government in the delivery of Scottish social security assistance.

In presenting the revised charter for approval, which has been reviewed in accordance with the requirements set out in section 18 of the Social Security (Scotland) Act 2018 (the 2018 Act), it is worth restating the original intended purpose and effect of the Charter.

The intended purpose and effect of the Charter were that it should:

- translate the social security principles in Section 1 of the 2018 Act from high level ambitions into more detailed commitments to deliver specific actions;
- provide a clear and accessible statement of what people are entitled to expect from a system based on the social security principles;
- be co-designed in partnership with people who have lived experience of social security; and
- be accompanied by robust arrangements for redress and accountability (now delivered through the 2018 Act).

The Charter therefore describes how a human rights based system operates in practice, acting as a bridge between the ethos expressed in the principles and the way that the system performs.

A review of the Charter is required every five years. This Report is prepared and laid in Parliament as a result of the first review. The review has been carried out against the backdrop of a social security system that is now operational. Devolved social security will continue to expand over the coming years, as Scotland implements remaining benefits which are part of a planned transfer from the UK benefit system. The Scottish Government has also introduced new forms of assistance, including the Scottish Child Payment, which are unique to Scotland.

Reviewing the Charter

Section 18 of the 2018 Act places a statutory obligation on Scottish Ministers to review the Charter within five years of it being made.

Section 18 sets out who requires to be consulted by ministers as part of the review process. Those specified are:

- individuals who have received assistance through the Scottish social security system;
- people who work with or represent individuals living in households whose income is adversely affected, or whose expenditure is increased, because a member of the household has one or more protected characteristics within the meaning of Section 4 of the Equality Act 2010;
- the Scottish Commission on Social Security; and
- any other persons they consider appropriate.

Scottish Government and Social Security Scotland designed an approach to the review which complies with these statutory requirements. A comprehensive research project was implemented by the Scottish Government, and adopted a co-design approach working with the key groups set out in section 18. Several iterations of proposed changes to the Charter were developed and discussed as research progressed. This mirrors the approach which had been successful in the original design of the Charter in 2019.

Although there is no statutory requirement to do so, it was agreed that the Charter Measurement Framework should also be reviewed to ensure compatibility with the proposed revised Charter.

Scottish Commission on Social Security

Scottish Government met with the Scottish Commission on Social Security (the Commission) in November 2022, to set out the planned structure of the Charter review process. The Commission was satisfied with the proposed process. Subsequent meetings were held with members of the Commission's secretariat to provide updates on the progress of the review. Members of the Commission also had input into the review process as it progressed, directly bringing their expertise and experience through membership of our Research Advisory Group.

Research Advisory Group

A Research Advisory Group was formed and first met in March 2023. The group comprised Scottish Government, Social Security Scotland staff and representatives of key partner stakeholders. All parties brought their collective experience and expertise in helping to assess and provide crucial input to the review process as it progressed. Key stakeholders within the group included:

- Dr Mark Simpson – Co-Chair of the Scottish Commission on Social Security
- Kirsty McKechnie – Project Manager, Child Poverty Action Group
- Tressa Burke – CEO of Glasgow Disability Alliance
- Richard Meade – Director of Carers Scotland

Review by Scottish Government and Social Security Scotland following co-design process

The proposed commitments drafted as part of the co-design and consultation process were subsequently reviewed by Scottish Government and Social Security Scotland. As a result, they have been subject to some minimal change at the request of Social Security Scotland. These changes reflect service delivery requirements, and do not alter the ethos of any of the original proposed commitments instructed by the co-design process.

Details of the additional minimal changes were circulated to the Research Advisory Group. No further responses were received from members of the group.

Overview of research approach

Research scoping identified four key principles for the research:

- as well as the groups listed in section 18 of the Act, Social Security Scotland staff should also be included more formally;
- given the strength of the original co-design approach used to design the Charter, the review should follow a similar approach;
- research should reflect existing positive feedback about the Charter; and
- as noted above, the Charter Measurement Framework should be updated to reflect proposed changes to the Charter.

The key groups identified as integral to an effective co-design approach were:

- clients of Social Security Scotland;
- Social Security Scotland staff;
- partner stakeholders; and
- the Scottish Commission on Social Security.

Scoping activity

Initial discussions were held with around 20 Scottish Government officials and Social Security Scotland staff.

A review of analysis of the charter included published reports from 2019 to 2022 from a range of external organisations including public bodies and the third sector.

Approach to research with staff

Research with Social Security Scotland staff was conducted by way of focus groups with volunteers from the Social Security Scotland People Panel. This involved five online

focus groups with a total of 26 staff members, with staff from various grades being involved in keeping with the views of the Research Advisory Group.

Approach to research with partner organisations

Researchers and Scottish Government took steps to promote the research and a total of seven partner organisations took part. Partner organisations were invited to take part in the research via survey, interview or attendance at an in-person event.

Approach to research with Social Security Scotland clients

Research with clients was conducted using the Social Security Scotland Client Panels. Three strands of research were carried out.

- All Client Panel members were invited to take part in a survey about their priorities and needs for the Charter. 864 members took part.
- A review of evidence relating to seldom heard groups and interviews with clients from groups who may experience barriers when engaging with public services. 18 interviews were carried out.
- A series of workshops with a “core group” of participants who discussed and agreed proposed revisions to the Charter.

A core group of Client Panel members took part in a series of five workshops giving detailed consideration to the content of the Charter and ultimately agree a set of proposed revisions.

Researchers provided advice and guidance to facilitate the group’s deliberations. This drew on the findings from the research carried out with staff, clients, input from the Working Group and Research Advisory Group.

The workshops ran from July until October 2023. An iterative approach was adopted with the findings from each workshop being analysed and used to draft changes to the Charter which were then discussed at the subsequent workshop. The final workshop in October provided the opportunity for the core group to analyse and confirm their final recommendations for changes.

The input from the core group was given considerable weight in the proposed commitments contained within the revised draft Charter in partnership with evidence gathered from those other parties who were consulted.

Feedback from clients who were consulted was positive about the co-design process which was adopted.

“It felt like my views were being taken seriously and would be used in the Charter review process itself.” Client core group participant

“Being prepared to listen and learn from mistakes and grow from that [is important].” Client participant from seldom heard groups.

Summary of overall perceptions gathered

The Charter, as evidenced by the recent review process, is held in high regard by all parties consulted. This can be evidenced by the limited number of proposed changes to the substance and ethos of the original Charter commitments.

Staff were positive about the Charter and said it set values and expectations which were integral to the day-to-day work of Social Security Scotland. Participants thought the Charter helped maintain a focus on values and how Social Security Scotland sets out to deliver and makes clear what people can expect from Social Security Scotland. Staff raised concerns about how the Charter commitments are delivered in practice, raising issues about processes and support for staff to do their jobs.

Overall, feedback was positive about the influence of the Charter and its role in setting a standard to hold the Scottish Government and Social Security Scotland to account. Many felt that additional effort should be made to raise awareness among clients of both the Charter and the measurement framework. This view is supported by the results of the client panel survey where 33% of the 864 clients who responded, indicated familiarity with the Charter.

Given the limited response from partner stakeholders, and the overall positive feedback from those organisations that did respond, it is reasonable to conclude that there is general satisfaction with the original Charter among this group. A higher response rate might have been anticipated had there been concerns around the Charter and its commitments being met.

Proposed revised Charter

Full details of the research methodology and findings, and the detailed background behind changes made, are set out in a report¹ prepared by researchers which accompanies this paper, published in March 2024.

Summary of changes to the Charter and rationale for change

The introduction section of the Charter was not subject of the co-design review process. When the Charter was published in 2019, the opening section reflected the wishes of those involved that they did not want to see the problems experienced under the UK system replicated under the new Scottish system. The Charter declared that the Scottish Government was determined to do things differently. At that stage, Social Security Scotland was commencing limited delivery of assistance. This was therefore a statement of how things should be in the future.

Our new introduction section reflects a social security system that has developed since 2019 and will continue to do so in the five year period up to the next review, reinforcing

¹ [Social Security Charter Review: research findings](#)

our view that social security is a human right, and continuing to uphold the eight Scottish social security principles set out in section 1 of the Act.

The Charter in its revised form, continues to uphold the eight Scottish social security principles set out in Section 1 of the Act, re-enforcing the Scottish Government's strongly held view that social security is a human right. Research findings showed that the Charter continued to reflect values which align with the priorities of clients, staff and partner organisations. Although subject to re-structure, all of the existing commitments in our Charter have been retained in some form. The **Annex** sets out in detail the changes made to each commitment, along with rationale for these changes where appropriate. Where only a minor change to wording, or no change was made to a commitment, this is noted.

The rationale for the new and revised commitments, and amended structure of the Charter, is set out in extensive detail in the attached research report which accompanies this paper.

The revised Charter is reflective of a social security system that is now operational. The restructure and redraft of commitments contained within the revised Charter now provide greater relevance to a working social security system. This differs significantly from the circumstances which existed when the Charter was made in 2019. It is vital that this distinction be recognised when comparing the Charter in both its original and revised form.

Whilst some additional commitments have been added, the revised Charter is very much a restructure, whilst providing greater clarity around existing commitments which reflect the current service delivered by Social Security Scotland. The tense of some existing commitments has been changed to reflect the contemporary nature of the Charter.

The revised commitments are reflective of the priorities identified by clients, staff and partner organisations whilst adopting a more inclusive use of language. This use of language was important to the client core group members. The updated use of language is also reflective of that currently used by Social Security Scotland.

One example is the use of the word 'consultation', which has now replaced the previously used 'assessment' in commitments 7,8 and 9 of section 2 'Processes that work'. This change reflects the language used by Social Security Scotland which was adopted in response to previous negative experiences with assessments under the UK system.

Areas such as accountability, application processes, redress and working with external organisations offering support to clients, were all explored by the client core group in detail, resulting in a clear set of revisions which better address each of these specific areas.

The Charter, when first made, was structured into four distinct sections, each made up of individual commitments by which Social Security Scotland and the Scottish Government would be held to account.

Those same four themes have been retained in the proposed revised Charter.

1. A people's service – 'We're here to help you get everything you're entitled to'.

This part of the Charter has been restructured into five distinct sections to allow the commitments to set out more clearly:

- How you should expect to be treated by staff.
- Building, recruiting and training a workforce that fully understands peoples' needs.
- How we will meet those needs.
- Assisting people who require support from external organisations to access that support.
- Setting out how best people and staff can work together.

Two new commitments, 6 and 15, have been introduced to this section, reflecting the findings of the review, to better articulate our intentions around meeting the needs of clients.

Otherwise, this section contains original commitments, some of which have been slightly revised by use of the present tense.

This restructuring, addition and revision of commitments, offers a greater clarity to this part of the Charter.

2. Processes that work – 'We'll design services with the people who use them'.

Part two is reflective of a social security system that is now operational. It is structured around four individual sections which relate to the key principles of the application and decision-making processes.

- How an application will be dealt with.
- How decisions will be made.
- How to challenge decisions.
- How to assist us in getting decisions right.

This revised part is shaped by actual experiences and advice of the core group along with others consulted. The revised and new commitments are reflective of an application and decision-making process that has evolved over a four-year period. The restructure into revised sections provides relevance to an operational social security system.

Commitments 1 to 6 are new and have been introduced to better articulate what clients can expect of our application processes, reflecting the findings of the

review. The remaining commitments in this section are original commitments, some of which have been subject to alteration of tense.

A learning system – ‘We’ll encourage feedback and work to deliver the best service possible’.

Part three has been restructured into three sections. This has been done to improve the way the Charter commits both the Scottish Government and Social Security Scotland to working towards continuous improvement in the delivery of social security in Scotland. The three sections set out how this will be achieved.

- Involving, working with and listening to people.
- Ensuring a culture of trust and transparency, encouraging individuals and organisations to speak up and ensuring that we are held to account by measuring our performance against the Charter commitments.
- Encouraging feedback about the service.

Three new commitments, 4, 11 and 12, have been added to this part of the Charter. It was appropriate to reflect the findings of the review by making these additions, to individually and collectively demonstrate a desire to transparently work with clients and inform clients of how we are performing, as well as to work closely with the Scottish Commission on Social Security.

3. **A better future** – ‘We’ll invest in the people of Scotland – making a positive difference to all our lives’.

Part four has been restructured into three sections in order to more clearly set out how the Scottish Government will develop policy that positively impacts on the delivery of social security in Scotland. The three sections set out how this will done.

- Embedding the social security principles in our policy making, advancing equality, non-discrimination and re-enforcing our belief that social security is a human right.
- Using social security powers to contribute towards tackling poverty.
- Using social security to advance equality and human rights.

One new commitment has been added, 8, which is intended to strengthen the Scottish Government’s aim of promoting take up, particularly among those people who find themselves excluded. This is the only addition to this part of the Charter.

Charter Measurement Framework

The Charter Measurement Framework was introduced in 2019, shortly after the Charter was approved by Parliament. The purpose of the measurement framework is to provide

transparent accountability as to how the commitments in the Charter are being met. The measurement framework, like the Charter, was developed using a co-design approach.

As detailed in the initial stages of this paper, reviewing the measurement framework is not a statutory requirement of the Act.

Should the proposed revised Charter receive parliamentary approval, potential changes to the framework will be considered by both Social Security Scotland and the Scottish Government. It is intended that the revised Framework will reflect the structure and terminology of the revised Charter, ensuring that the Framework accurately evidences how the commitments are being met.

Accessing the Charter

All parties consulted held strong views that the Charter should be accessible to all. There was general approval of the various current formats in which the Charter is communicated, although finding new ways of doing so is the subject of ongoing consideration.

Currently the Charter can be accessed in the following forms:

- easy read;
- audio;
- Braille;
- large print;
- BSL; and
- multiple languages.

A glossary/additional information section, based on core group recommendations, is being included as an addition to the proposed revised Charter.

Redress and Accountability

Similar to when the Charter was first made, it is important to restate the protections contained in the Act and to explain how Social Security Scotland offer and provide the process of individual redress in practice.

At individual level, people have the right to complain if their treatment falls short of the commitments set out in the Charter. In doing so, they will engage with a complaints process and wider organisational culture which have themselves been designed in line with the approach outlined in the principles and Charter. As the Charter makes clear, feedback is valued, mistakes acknowledged and staff empowered to resolve issues on the ground, and to speak up if they believe processes or behaviours should be adapted to avoid similar issues in future.

The commitments in the Charter should not therefore be seen as an 'add-on' to the system. They are intrinsic to it and are embedded in all aspects of policymaking and

service delivery. This is itself an important aspect of realising and protecting the rights of the individual.

As is standard in Scottish public services, where a person is not satisfied with the outcome of the complaints process, they can escalate their complaint to the Scottish Public Service Ombudsman (SPSO) for independent review.

When the Charter was first created in 2019, the Ombudsman advised that this was a key part of the Charter's value, in making sure people understand that they have rights and that their treatment should match the commitments in the Charter. In this way, the Charter should empower people to provide feedback and to seek redress when things do go wrong. The Ombudsman subsequently helped to refine the charter to ensure it was fit for that purpose. The revised Charter continues to reflect that approach.

Beyond immediate individual redress, the Act also provides robust arrangements for more systemic accountability and protection of rights:

- Ministers have a duty to report annually to Parliament on what they have done to meet the expectations of them set by the Charter.
- There is a duty to review the Charter every five years. The requirement to do so is clearly set out in section 18 of the 2018 Act. Those proposed changes made, as part of the current review, are now being submitted for approval by Parliament. The purpose of this paper and the associated research paper is to set out those proposed changes to the Charter and the rationale behind them.
- The Scottish Commission on Social Security (the Commission), has a legal duty to report independently to Parliament on the social security system's performance against the Charter.
- Organisations, especially those who support and advise clients, will be able to submit evidence to the Commission for investigation where they believe the system is frequently falling short of the expectations set by the charter.
- The Commission can then choose to report its findings to Parliament. This is effectively an independent whistle-blowing function.
- In executing all its functions, including those in relation to the Charter, the Commission has a legal duty to have regard to relevant human rights instruments.
- In practice, this means that the Scottish system will be independently held to account for meeting international human rights standards.

As was highlighted when the Charter was first submitted for Parliamentary approval in 2019, the Scottish Government believes that this system continues to offer a robust

system of redress and accountability that continues to protect the rights of the people of Scotland.

Human Rights

In evaluating the charter’s human rights credentials, the Parliament may find it helpful to note that there exists a useful Scottish Human Rights Commission endorsed assessment of a human rights-based approach named **PANEL**:

- **Participation:** People should be involved in decisions that affect their rights.
- **Accountability:** There should be monitoring of how people’s rights are being affected, as well as remedies when things go wrong.
- **Non-Discrimination:** All forms of discrimination must be prohibited, prevented, and eliminated. People who face the biggest barriers to realising their rights should be prioritised.
- **Empowerment:** Everyone should understand their rights, and be fully supported to take part in developing policy and practices which affect their lives
- **Legality:** Approaches should be grounded in domestic and international laws.

The Scottish Government has considered the revised Charter against these criteria and concluded that the Charter in its proposed revised form would perform strongly against any PANEL-style assessment. Our Charter has been carefully revised by clients, staff and stakeholders, to ensure that it continues to comply with this approach. It remains a powerful and ambitious statement of how the human right to social security has been and will continue to be realised in practice as part of our evolving Scottish social security system.

Next Steps

The proposed revised Charter has now been considered and approved by both Social Security Scotland and the Scottish Government.

Should Parliament approve the proposed revised Charter, work will progress to implement the commitments, thereby ensuring that delivery of social security assistance reflects the wishes of those who invested in the co-design process. As part of this process, the Measurement Framework will be updated to reflect our revised Charter.

The revised Charter ensures its relevance both currently and over the forthcoming five-year period. The Charter will be subject to further review at least by 2029, in accordance with section 18 of the Act.

Annex – Summary table of changes proposed to the social security Charter

Section 1:

Current commitment	Proposed commitment	Explanation of change
---------------------------	----------------------------	------------------------------

<p>A people’s service</p> <p>We are here to help you get everything you’re entitled to.</p>	<p>A people’s service:</p> <p>We’re here to help you get everything you’re entitled to.</p>	<p>Minor change in wording.</p>
<p>1. be patient, kind and consider how you might feel.</p>	<p>1. be patient, kind and consider how you might be feeling.</p>	<p>Change of tense to use more active words and represent current, rather than future, service delivery.</p>
<p>2. listen to you, trust you and treat you as an individual.</p>	<p>2. listen to you, trust you and treat you as an individual.</p>	<p>No change.</p>
<p>3. treat everyone equally, fairly and without discrimination.</p>	<p>4. treat everyone equally, fairly and without discrimination.</p>	<p>This is now commitment 4 in section 1.</p> <p>No change in wording.</p>
<p>4. support you through your application, keeping you updated and explaining what will happen and why.</p>	<p>N/A</p>	<p>Now included in a sub-heading in section 2 which incorporates multiple relevant commitments – 2, 4, 5 and 10.</p>
<p>5. ensure staff are knowledgeable about social security to help you get what you’re entitled to.</p>	<p>5. be knowledgeable about Scottish social security and help you get answers if they do not know.</p>	<p>Minor change in wording to use more inclusive language and make specific to the Scottish social security system.</p>

<p>6. refer you to independent advice and support if you want extra help with your application or appeal. You are also entitled to ask someone that you know to support you.</p>	<p>14. refer you to a free and independent advocacy service. If you have a disability, this service can help you to understand and be involved in decisions which affect you. You can also ask someone that you know to support you.</p>	<p>This is now commitment 14 in section 1 and it now specifies the requirement to have a disability to access the independent advocacy service. This is consistent with section 10 of the Social Security (Scotland) Act 2018.</p> <p>This also now incorporates what was previously commitment 5 in section 2. – ‘ensure that disabled people who need help with the application process can get independent advocacy.’</p>
<p>7. make decisions in a way that is consistent and accurate – and aim to get them right first time.</p>	<p>11. make decisions in a way that is consistent and accurate – and aim to get them right first time.</p>	<p>This is now commitment 11 in section 2.</p> <p>No change in wording.</p>
<p>8. be honest, provide clear reasons for decisions and explain what to do if you disagree.</p>	<p>12. be honest, give clear reasons for decisions and explain what to do if you disagree.</p>	<p>This is now commitment 12 in section 2.</p> <p>No change in wording.</p>
<p>9. pay you on time in the right amount.</p>	<p>13. pay you the right amount, on time.</p>	<p>This is now commitment 13 in section 2.</p> <p>Change to word order.</p>
<p>10. refer you to other organisations, services or forms of help where they could help improve your wellbeing or financial circumstances.</p>	<p>16. direct you towards other organisations and services that may be able to give advice or guidance.</p>	<p>This is now commitment 16 of section 1.</p> <p>Wording has been changed to better reflect what Social Security Scotland now delivers.</p>

<p>11. tell you if we think you might be entitled to benefits not delivered by Social Security Scotland.</p>	<p>17. tell you if we think you might be entitled to benefits, services or help not delivered by Social Security Scotland and how to find out if you are eligible.</p>	<p>This is now commitment 17 in section 1.</p> <p>This commitment has additional detail to specify Social Security Scotland's role. in signposting services and help not delivered by Social Security Scotland.</p>
<p>12. recruit people who care about delivering a service based on equality, respect, dignity and human rights.</p>	<p>7. including requirements in our recruitment criteria and questions to make sure we recruit people who care about delivering a service based on dignity, fairness and respect.</p>	<p>This is now commitment 7 in section 1.</p> <p>Wording has been changed to more accurately reflect how this is achieved.</p>
<p>13. involve people with diverse lived experiences of social security and the organisations that represent them in training staff.</p>	<p>11. involving people with diverse lived experiences of social security, and the organisations that represent them, in training our colleagues.</p>	<p>This is now commitment 11 in section 1.</p> <p>Minor change in wording.</p> <p>Use of word colleagues is inclusive and in keeping with current language used by Social Security Scotland. This applies here and in all instances where "staff" has been changed to "colleagues".</p>
<p>Please help us by:</p>	<p>You can help us by:</p>	<p>Minor change to sub-heading.</p>
<p>1. treating staff with dignity, fairness and respect.</p>	<p>18. treating our colleagues with dignity, fairness and respect.</p>	<p>This is now commitment 18 in section 1.</p> <p>Minor change in wording.</p>

<p>2. telling us if you have particular access or cultural needs – we’ll do our best to meet them.</p>	<p>19. telling us how we can make it easier for you to use our service. For example, if you have communication or cultural needs – we’ll do our best to meet them.</p>	<p>Now commitment 19 in section 1. This commitment has been broadened to include wider additional needs of clients.</p>
<p>3. giving us the information we need to help you and telling us if something changes that might affect your entitlement.</p>	<p>17. giving us the information we need to help you. This includes working with us to gather any supporting information needed to help us come to the right decision on your application.</p>	<p>Now commitment 17 at section 2. New wording deemed more relevant based on consultation.</p>
<p>4. telling us about any problems with getting this information that we might be able to help with.</p>	<p>18. telling us about any problems with getting this information that we might be able to help with.</p>	<p>Now commitment 18 in section 2. No change of wording.</p>
<p>5. telling us how you feel about the service. We always want to get better and your ideas can help us do that.</p>	<p>13. telling us how you feel about the service. We always want to get better, and your ideas can help us do that. Details of how to do this are at the start of Our Charter.</p>	<p>Now commitment 13 in section 3. Reference to opening section of Charter now added to original wording, for clarity.</p>

Section 2:

Current commitment	Proposed commitment	Explanation of change
<p>Processes that work We will design services with the people who use them.</p>	<p>Processes that work We’ll design services with the people who use them.</p>	<p>Minor change to wording.</p>

<p>1. make communications, processes and systems as simple and clear as possible by testing them with the people who will use them.</p>	<p>1. make communications, processes and systems as simple and clear as possible by testing them with the people who will use them.</p>	<p>Now commitment 1 in section 3. No change of wording.</p>
<p>2. recognise that your time is precious and handle your application and enquiries as quickly as we can.</p>	<p>2. letting you know that we have received your application and what you can expect to happen next.</p> <p>4. introducing ways to update you on the progress of your application and expected timelines, including if things might take a bit longer.</p> <p>5. contacting you to help clarify information in your application and making decisions based on your application and supporting information where required.</p> <p>10. providing information to help answer any questions you may have along the way and responding to enquiries as quickly as we can.</p>	<p>Separated into multiple commitments – commitments 2, 4, 5 and 10 in section 2.</p> <p>Changed to be more specific about current Social Security Scotland delivery and longer term aims.</p> <p>These new commitments incorporate what was previously commitment 4 in Part 1 – ‘support you through your application, keeping you updated and explaining what will happen and why,’ by more clearly setting out how an individual will be supported through their application.</p>
<p>3. adapt processes and ways of communicating as much as we reasonably can to meet your needs and preferences, for example by providing interpreters.</p>	<p>11. providing information in different formats and languages and communicating with you in ways that meet your needs as much as we can. For example, by providing interpreters.</p>	<p>Now commitment 11 in section 1. Changed to reflect processes which are now in place.</p>

<p>4. support your wellbeing and make your contact with us as positive and stress-free as possible.</p>	<p>3. use a trauma-informed approach to support your wellbeing and make your contact with us as positive and stress-free as possible.</p>	<p>Now commitment 3 in section 1.</p> <p>Changed after research concluded to reflect Social Security Scotland's current approach., which includes a trauma-informed approach</p>
<p>5. ensure that disabled people who need help with the application process can get independent advocacy.</p>	<p>N/A</p>	<p>This is now covered in commitment 14 in section 1.</p>
<p>6. deliver face-to-face services in local communities in places that are convenient and accessible. This includes home visits if appropriate.</p>	<p>13. delivering in-person, local services that are convenient, welcoming and accessible for you. For example, home visits if appropriate.</p>	<p>This is now commitment 13 in section 1.</p> <p>Slight adjustment in wording based on analysis of consultation process.</p>
<p>7. look at your application again if you disagree with a decision. This is called a re-determination. When we do this someone different will look at it as if it was a completely new application.</p>	<p>14. look at your application again. This is usually called a re-determination. When we do this someone different will look at it as if it was a completely new application.</p>	<p>Now commitment 14 in section 2.</p> <p>No significant change in wording of original commitment other than inclusion of word 'usually' because some benefits do not have determinations or re-determinations.</p>
<p>8. explain how you can appeal if you still don't think the right decision has been made after a re-determination.</p>	<p>15. explain how you can appeal if you still do not think the right decision has been made after we have looked at it again.</p>	<p>Now commitment 15 in section 2.</p> <p>More user-friendly use of language adopted based on consultation process.</p>

<p>9. continue to pay you at the same level if you challenge a decision to reduce or stop your benefit.</p>	<p>16. if you are eligible, continue to pay you at the same level if you challenge a decision to reduce or stop certain benefits you receive. This is called “Short-term Assistance”.</p>	<p>This is now commitment 16 in section 2.</p> <p>New commitment offers a clearer explanation of Short-term Assistance and when this might be available.</p>
<p>10. only carry out a face-to-face assessment for disability benefits when we are not able to make a decision with information that is already available</p>	<p>7. only carrying out a consultation for disability benefits when we’re not able to decide based on the information that is already available or if you request one.</p>	<p>Now commitment 7 in section 2.</p> <p>Change of tense and addition of ‘or if you request one’ to reflect service delivery.</p> <p>Assessments are now known as consultations in Social Security Scotland service delivery, and are not only carried out face-to-face. This applies here and in all instances where “assessments” has been changed to “consultations”.</p>
<p>11. ensure face-to-face assessments are carried out in a way that puts your wellbeing first.</p>	<p>8. making sure that when consultations are needed, they are carried out by a qualified Social Security Scotland health and social care practitioner who understands your condition and the impact it’s having on you.</p>	<p>Now commitment 8 in section 2.</p> <p>Change of tense and commitment revised to reflect findings from consultation process.</p>
<p>12. make sure that face-to-face assessments are carried out by qualified staff who understand your condition and the impact it is having on you.</p>	<p>9. making sure that when consultations are needed, they are carried out by a qualified Social Security Scotland health and social care practitioner who understands your condition and the impact it’s having on you.</p>	<p>Now commitment 9 in section 2.</p> <p>Change of tense and commitment revised to reflect findings from consultation process.</p>

Section 3:

Current commitment	Proposed commitment	Explanation of change
<p>A learning system</p> <p>We will encourage feedback and empower people to deliver the best service possible.</p>	<p>A learning system</p> <p>We'll encourage feedback and work to deliver the best service possible.</p>	<p>Small change in wording.</p>
<p>1. listen, learn and improve by owning up to mistakes and valuing feedback, complaints and appeal decisions.</p>	<p>3. listen, learn and improve by owning up to mistakes and valuing feedback, complaints and appeal decisions.</p>	<p>Now commitment 3 in section 3.</p> <p>No change in wording.</p>
<p>2. encourage you to provide feedback, explain how you can complain and do everything we can to make things right.</p>	<p>2. encourage you to provide feedback, explain how you can complain and do everything we can to make things right.</p>	<p>Now commitment 2 in section 3.</p> <p>No change in wording.</p>
<p>3. involve people using the service in measuring how well it works - including the commitments in Our Charter.</p>	<p>5. involve people using the service in measuring how well it works – including the commitments in Our Charter.</p>	<p>Now commitment 5 in section 3.</p> <p>No change in wording.</p>
<p>4. make sure staff are well trained, supported and well equipped to do their jobs.</p>	<p>9. making sure colleagues are trained, supported and well-equipped to do their jobs in line with our values.</p>	<p>Now commitment 9 in section 1.</p> <p>Wording similar other than inclusion of 'in line with our values', for clarity.</p>
<p>5. ensure staff understand the needs of different people and the barriers they face - so that no-one experiences discrimination because of who they are.</p>	<p>10. providing learning to ensure colleagues understand the needs of different people and the barriers they face – so that no-one experiences discrimination because of who they are.</p>	<p>Now commitment 10 in section 1.</p> <p>Wording is similar other than inclusion of 'providing training to ensure colleagues'.</p>

<p>6. encourage staff to speak up when they feel we could provide a better service.</p>	<p>7. encouraging colleagues to speak up when they feel we could provide a better service.</p>	<p>Now commitment 7 in section 3. Change of tense.</p>
<p>7. build a workforce that reflects the diversity of the people of Scotland.</p>	<p>8. building a workforce that reflects the diversity of people in Scotland.</p>	<p>Now commitment 8 in section 1. Change of tense to use more active words and represent current, rather than future, service delivery.</p>
<p>8. create a culture of trust by being open and transparent.</p>	<p>6. creating a culture of trust by being open and transparent.</p>	<p>Now commitment 6 in section 3. Change of tense to use more active words and represent current, rather than future, service delivery.</p>
<p>9. work with other organisations to ensure services and policy are joined up to provide the best possible help and support.</p>	<p>8. working with other organisations to make sure services and policy are joined up to provide the best possible help and support.</p>	<p>Now commitment 8 in section 3. Change of tense to use more active words and represent current, rather than future, service delivery.</p>
<p>10. encourage other organisations working in social security to adopt the approach described in Our Charter.</p>	<p>9. encouraging other organisations working in social security to adopt the approach described in Our Charter.</p>	<p>Now commitment 9 in section 3. Change of tense to use more active words and represent current, rather than future, service delivery.</p>

<p>11. base services in places that are accessible and welcoming for everyone.</p>	<p>13. delivering local services that are convenient, welcoming and accessible for you, and in-person if necessary. For example, home visits if appropriate.</p>	<p>Now included in commitment 13 in section 1.</p>
--	--	--

Section 4:

Current commitment	Proposed commitment	Explanation of change
<p>A better future</p> <p>We will invest in the people of Scotland – making a positive difference to all our lives.</p>	<p>A better future</p> <p>We'll invest in the people of Scotland – making a positive difference to all our lives.</p>	<p>Minor change to wording.</p>
<p>1. embed the social security principles and Our Charter in the policymaking process.</p>	<p>1. embed the social security principles and Our Charter in the policymaking process.</p>	<p>No change to commitment.</p>
<p>2. involve people with diverse lived experiences of social security in developing policy.</p>	<p>2. involve people with diverse lived experiences of social security in developing policy.</p>	<p>No change to commitment.</p>
<p>3. develop policy that seeks to advance equality, non-discrimination and the human right to social security as defined in laws, treaties and guidance.</p>	<p>3. develop policy that seeks to advance equality, non-discrimination and the human right to social security as defined in laws, treaties and guidance.</p>	<p>No change to commitment.</p>

<p>4. use social security powers to help ensure people can play a full and active part in society.</p>	<p>11. using social security powers to help make sure people can play a full and active part in society.</p>	<p>Now commitment 11 in section 4.</p> <p>Change of tense to use more active words and represent current, rather than future, service delivery.</p>
<p>5. promote a positive view of social security, explaining it is a public service to be proud of – a human right there for all of us who need it.</p>	<p>12. promoting a positive view of social security as a human right and a public service to be proud of.</p>	<p>Now commitment 12 in section 4.</p> <p>Change of tense to use more active words and represent current, rather than future, service delivery.</p> <p>Changed word order.</p>
<p>6. publicly challenge the myths and stereotypes about social security to help reduce stigma and negativity.</p>	<p>13. publicly challenging myths about social security and stereotypes about the people who use it, focussing on using more positive words to describe both.</p>	<p>Now commitment 13 in section 4.</p> <p>Change of tense and original commitments 4.6 and 4.7 have been incorporated into more user-friendly single commitment.</p>
<p>7. change the language on social security - introducing more positive words to describe the service and the people who use it.</p>	<p>As above.</p>	<p>As above.</p>
<p>8. look for ways to make eligibility rules fairer and consider creating new benefits to meet people’s changing needs.</p>	<p>4. looking for ways to make eligibility rules fairer and consider creating new benefits to meet people’s changing needs.</p>	<p>Now commitment 4 in section 4.</p> <p>Change of tense to use more active words and represent current, rather than future, service delivery.</p>

<p>9. review the payment levels of Scottish benefits every year.</p>	<p>6. reviewing the payment levels of all other Scottish benefits every year.</p>	<p>Now commitment 6 in section 4.</p> <p>Change of tense to use more active words and represent current, rather than future, service delivery.</p>
<p>10. increase the value of disability, employment-injury, carers and funeral expense benefits every year in line with inflation.</p>	<p>5. increasing the value of disability, employment-injury, carers, funeral expense benefits and the Scottish Child Payment every year in line with inflation.</p>	<p>Now commitment 5 in section 4.</p> <p>Change of tense to use more active words and represent current, rather than future, service delivery. and Scottish Child Payment now included.</p>
<p>11. improve take-up, ensuring as many people as possible get what they are entitled to, making a particular effort to reach people who are most likely to be excluded.</p>	<p>7. making sure as many people as possible get what they are entitled to by delivering on the principles set out in the Benefit Take-up Strategy.</p>	<p>Now commitment 7 in section 4.</p> <p>Wording adjusted to include reference to Benefit Take-up Strategy which now exists.</p>
<p>12. use social security powers to contribute towards tackling poverty.</p>	<p>N/A</p>	<p>Now included in a sub-heading in section 4 which incorporates multiple relevant commitments.</p>
<p>13. work with other public services to support delivery of the National Outcomes. These define the Scottish Government's vision for a fairer, more prosperous Scotland.</p>	<p>9. working with other public services to support delivery of the Scottish Government's National Outcomes for a fairer, more prosperous Scotland.</p>	<p>Now commitment 9 in section 4.</p> <p>Changed word order.</p>

<p>14. allocate resources fairly and efficiently, delivering value for money in a way that puts people first.</p>	<p>10. putting people first as we deliver an efficient service and deliver value for money for the people of Scotland.</p>	<p>Now commitment 10 in section 4. Slight change in wording to be more focused on service delivery and to be specific about to whom this commitment refers.</p>
<p>15. develop ways of measuring how we are doing against the commitments in Our Charter.</p>	<p>10. measuring each year how we are delivering the commitments in Our Charter and taking lessons learnt from this into future improvements to our services.</p>	<p>Now commitment 10 in section 3. Changed to refer to the Charter Measurement Framework which was created after the original Charter.</p>

New commitments:

The additional commitments set out below have been developed through the review process and are proposed for addition to the Charter. The rationale behind these commitments is summarised in the section of this paper “Summary of changes to the Charter”, and further detail around the rationale behind the changes can be found in the Research Report.

<p>Section 1:</p>
<p>6. Working in ways that prevent further harm and making sure that people affected by trauma can access our services when they need them.</p>
<p>15. If you want someone, or an organisation, to support you with your application or contact with us, with your permission we will make this as straightforward as possible.</p>
<p>Section 2:</p>
<p>1. Supporting you to complete an application in a way that suits you for example, online, over the phone or in-person if appropriate.</p>
<p>2. Letting you know that we have received your application and what you can expect to happen next.</p>

3. Working with you to gather any supporting information we need so that your application can be processed as quickly as possible. This includes being clear about the supporting information we need and gathering it for you if you ask us to do so.
4. Introducing ways to update you on the progress of your application and expected timelines, including if things might take a bit longer.
5. Contacting you to help clarify information in your application and making decisions based on your application and supporting information where required.
6. Having a team of decision makers who will review the information provided in your application and supporting information, and who will work closely with Social Security Scotland's qualified health and social care practitioner team as needed.
Section 3:
4. Carry out regular research with clients to hear about their experiences and work with them to make improvements to our services. This includes a survey that goes to all clients.
11. Communicating how we're performing on these commitments to clients and partner organisations.
12. Working with the Scottish Commission on Social Security who provide independent scrutiny of the Scottish social security system.
Section 4:
8. Reaching people who are most likely to be excluded including by providing information about social security in community locations.