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An t-Ionad Fiosrachaidh

Social Justice and Social Security Committee

**18th Meeting, 2024 (Session 6), Thursday,
06 June**

Social Security Charter

Introduction

The proposed revised Social Security Charter was laid in the Parliament on 16 May. It must be approved by resolution of the Parliament before it can take effect. A research report and policy report were also laid, setting out the background. At the time of writing only the [research report](#) was available online.

The Committee will hear from:

- Shirley Anne-Somerville, Cabinet Secretary for Social Justice
- David Wallace, Chief Executive, Social Security Scotland
- Kyle Murray, Procedural and International Policy Team Leader

Background

What is the charter?

The Social Security (Scotland) Act 2018 requires a Charter to be created and then reviewed every five years. The Charter must reflect the statutory Scottish social security principles and is to set out what should be expected from:

- Scottish Ministers when developing policy
- Scottish Ministers exercising their functions under Parts 1 to 3 of the 2018 Act) - i.e Social Security Scotland

- Individuals receiving benefits through the Scottish social security system

The current [Charter](#) includes around 50 commitments organised under four headings:

- A people's service: "We are here to help you get everything you are entitled to."
- Processes that work: "We will design services with the people who use them."
- A learning system: "We will encourage feedback and empower people to deliver the best service possible."
- A better future: "We will invest in the people of Scotland making a positive difference to all our lives."

Implementation is measured by the [Charter Measurement Framework](#) which is reported on annually, normally in November. The [latest report is for 2022-23](#).

The Scottish Commission on Social Security have a statutory role to report on the Social Security Charter to the Scottish Government and the Scottish Parliament on whether the expectations in the Social Security Charter are being met. They have not yet done so but were closely involved in the review process.

If individuals think the Charter commitments are not being met they can complain to Social Security Scotland and then to the Scottish Public Services Ombudsman.

The Review Process

Statutory requirement

The [Social Security \(Scotland\) Act 2018](#) requires that the Charter is reviewed every five years. The review must include consultation with:

- Scottish Commission on Social Security.
- Individuals who have received Social Security Scotland benefits.
- People who work with or represent those who face higher costs due to a 'protected characteristic' under the Equality Act 2010.

Scottish Ministers must lay a report in Parliament setting out:

- The consultation undertaken.
- The reasons for making changes, or not making changes.
- A draft of the revised charter.

Before changes can be made to the Charter, the draft must be approved by resolution of the Scottish Parliament.

The information in this paper is taken from the research report, policy report and draft revised charter which were laid in the Parliament on 16 May.

Work undertaken

The Scottish Government discussed the approach with SCoSS and a Research Advisory Group was set up comprising Scottish Government, Social Security Scotland, SCoSS, Child Poverty Action Group, Glasgow Disability Alliance and Carers Scotland.

Scoping and consultation provided the basis for a co-design process with a ‘core client’ group. The research included:

- Five online focus groups with a total of 26 Social Security Scotland staff of various grades.
- Five ‘partner organisations’ completed a survey and two were interviewed.
- 864 client panel members completed a survey on their priorities and needs for the Charter.
- 18 interviews were held with clients from groups who may experience barriers when engaging with public services.
- Five workshops with a core group of 16 client panel members who discussed and agreed the proposed changes to the Charter.

The [Charter Review Research Findings](#) and [full report](#) were published in March 2024.

Charter implementation

In the staff focus groups,

“many felt the Charter was let down by poor processes, a lack of training and support for staff and by not utilising learning [...] there was a concern that the pace of design and initial delivery had led to later problems and delays. Participants said that this had limited the ability to meet aspirations.” (Research report p.41).

In the client survey:

“some said they felt their experience did not align with the commitments set out in the Charter. Timescales and the importance of updates were recurring themes in the comments.” (Research report p.55).

The [Charter measurement framework](#) is a list of measures for assessing whether the Charter commitments are being met. It includes a very large number of measures and the annual update draws on data from administrative data, the clients survey, staff survey and charter research.

The measurement framework was reviewed alongside the Charter by Social Security Scotland and Scottish Government and areas for potential improvement identified. This includes removing duplication and some of less specific measures. Feedback from clients and partner organisations was also considered.

Updates to the measurement framework will be finalised once the revised Charter has been agreed by Parliament.

What has changed

The four main headings in the Charter are retained, but many commitments have been re-ordered, duplication has been removed and language changed to be more specific. Twelve new commitments have been added. The research report explains:

“changes to the wording of commitments, and the introduction of new commitments, reflects the priorities described by clients, staff and partner organisations. Changes were agreed by the core client group at the final workshop.”

The research report describes how:

“all original commitments have been retained in some form”

[...]

“Where commitments have been reworded, the core meaning has been retained from the original statement.”

The Policy Report sets out all the changes in detail. The tables below highlight some of the changes, with new commitments highlighted in bold.

- Six new commitments have been added relating to processing applications, but there is no longer a specific commitment to handle applications quickly.
- The commitment to ‘referring’ to advice organisations has changed to ‘directing’ people to advice organisations to more accurately reflect what happens in practice.
- The commitment on adapting processes and accessible communication now refers only to ways of communicating.
- The commitment to deliver ‘face to face services in local communities’ is now a commitment to delivery local services, ‘in person if necessary.’

Advice, information and advocacy

The commitment to refer to independent advocacy remains, but the commitment to refer to independent advice has been changed to a commitment to ‘direct towards other services’.

For those already supported by others, there is a new commitment to make it as straightforward as possible for third party representatives to contact Social Security Scotland on a client's behalf.

Table 1: Support from other organisations

Current Commitment	Proposed Commitment
2.5 Ensure that disabled people who need help with the application process can get independent advocacy.	1.14. If you have a disability and need advocacy refer you to 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 you know to support you.
1.6. 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.	1.16. Direct you towards other organisations and services that may be able to give advice or guidance
1.10. Refer you to other organisations, services or forms of help where they could help improve your wellbeing or financial circumstances	
	1.15 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.

Processing applications

There is now far more detail on how applications will be handled. It doesn't appear to include a commitment to process applications quickly. Instead, the focus is more on keeping people informed, answering enquiries quickly and collecting supporting information.

Table 2: Processing applications

Current Commitment	Proposed Commitment
1.4 Support you through your application, keeping you updated and explaining what will happen and why.	2.1 Supporting you to complete an application in a way that suits you for example, online, over the phone or in person if appropriate
2.2 Recognise that your time is precious and handle your application and enquiries as quickly as we can.	2.2. Letting you know that we have received your application and what you can expect to happen next
	2.3 Working with you to gather any supporting information we need so that your application can be

	<p>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.</p> <p>2.4. Introducing ways to update you on the progress of you application and expected timelines, including if things might take a bit longer.</p> <p>2.5. Contacting you to help clarify information in your application and making decisions based on your application and supporting information where required.</p> <p>2.6 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.</p> <p>2.10. Providing information to help answer any questions you may have along the way and responding to enquiries as quickly as we can.</p>
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Stress and trauma

The Charter now refers specifically to using a ‘trauma informed’ approach.

Table 3: Stress and trauma

Current commitment	Proposed commitment
2.4 Support your wellbeing and make your contact with us as positive and stress free as possible.	1.3 Use a trauma informed approach to support your wellbeing and make your contact with use as positive and stress free as possible
	1.6 Working in ways that prevent further harm and making sure that people affected by trauma can access our services when they need them.

Accessibility

This commitment no longer refers to adapting processes. Instead, the commitment is focuses solely on communicating.

Table 4: Accessibility

Current commitment	Proposed commitment
2.3. Adapt processes and ways of communicating as much as we reasonably can to meet your needs and preferences, for example by providing interpreters.	1.12. 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.

Local delivery

The commitment to deliver ‘face to face services in local communities’ is now a commitment to deliver local services, ‘in person if necessary’.

Table 5: Local delivery

Current commitment	Proposed commitment
3.11. Base services in places that are accessible and welcoming for everyone.	1.13 Delivering local services that are convenient, welcoming and accessible for you, and in person if necessary. For example home visits if appropriate
2.6 Deliver face to face services in local communities and in places that are convenient and accessible. This includes home visits if appropriate.	

New commitments

There are 12 new commitments, eight of which are included in the tables above (highlighted in bold). The remaining four are:

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.

3.11 Communicating how we are performing on these commitments to clients and partner organisations.

3.12 Working with the Scottish Commission on Social Security who provide independent scrutiny of the Scottish social security system

4.8 Reaching people who are most likely to be excluded including by providing information about social security in community locations.

Themes for discussion

The following suggest five themes for discussion.

Theme 1: Purpose of the Charter

The purpose of the Charter set out in the Social Security (Scotland) Act 2018 is to reflect the statutory principles and set out 'what should be expected' from Ministers, Social Security Scotland and from clients.

The research found that the Charter has had a strong impact on the culture of Social Security Scotland, and therefore influenced how Social Security Scotland engage with clients.

In the client survey, 90% of respondents said the Charter should:

“let clients know what they can expect from the Scottish social security system” (research report p.53).

Interviews with representatives from seldom heard groups said that:

“the Charter should focus on providing clients with a realistic picture of what to expect.” (research report p.88)

Some Social Security Scotland staff said the Charter was “aspirational” and commitments had not yet been fully implemented by Social Security (research report p.41). For example one said that although the Charter mentions referral for clients this process had not been developed.

“I don't have a referral process, I've only got a signposting process.” (Research report p.41).

The original Charter included the commitments to:

1.6 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.

1.10 Refer you to other organisations, services or forms of help where they could help improve your wellbeing or financial circumstances.

The proposed revised commitment is:

1.16 Direct you towards other organisations and services that may be able to give advice or guidance.

In the core client group there was discussion about the use of the terms 'refer', 'signpost' and 'direct'.

“Participants thought it was important the commitments were accurate and the language reflected the processes they described. For example, if there was a difference between what 'refer' and 'signpost' mean for clients, this should be clear. There was also some caution among participants about Social Security Scotland staff 'telling' clients other support was available without being certain whether the client was eligible.” (Research report p.79).

The client core group agreed with the change from 'refer' to 'direct'. (Research report, p.83).

The commitment to refer to independent advocacy services for disabled people remains at 1.14. It is the commitment to refer to advice services that has changed to a commitment to 'direct'.

In the Policy Report the reason given for the change is:

“Wording has been changed to better reflect what Social Security Scotland delivers.” (Policy Report p.13)

The statutory basis of this commitment is the duty in [section 6 of the Social Security \(Scotland\) Act 2018](#) to “have regard to the role that independent information and advice” can play, and to provide or ensure provision of information about independent information and advice.

Members may wish to discuss:

- 1. Is the Charter intended to reflect current reality or drive improvement? To what extent is it an 'aspirational' document?**
- 2. Despite being in the original Charter, was it ever Social Security Scotland's intention to make referrals to other organisations providing advice and information? Is this an example of changing something aspirational to being just descriptive of current procedure?**

Theme 2: Awareness of the Charter

The client survey found that only 33% of 894 respondents were aware of the Charter. (Research report p.49).

The focus groups with Social Security Scotland staff found “several participants who said they had not heard of Our Charter until they were invited to take part in the research.” (Research report p.39).

Members may wish to discuss:

3. **What will Scottish Government and Social Security Scotland do to raise awareness of the Charter amongst people using the Scottish social security system?**
4. **What will Social Security Scotland do to ensure that all staff are aware of the Charter?**

Theme 3: The co-design process

As with the original Charter and Measurement Framework, the revising process was based on co-design. As set out in the background section, this involved five workshops with a 'core client group' (16 participants) to discuss priorities, comment on drafts and agree the final draft.

Priorities for change identified through the co-design process included:

- Avoiding vague language and explaining terms used and an emphasis on communication.
- Removing barriers to communication – whether due to language, method (choice of online, in-person etc) or cultural misunderstandings.
- Holding Scottish Government and Social Security Scotland accountable for delivering the charter commitments.
- More information on what to expect from the social security system.
- More effort to raise awareness of the charter.

Members may wish to discuss:

5. **How have clients' priorities been reflected in the revised Charter?**
6. **Only seven stakeholder organisations responded to the survey. How do you know that stakeholders' priorities are reflected in the revised Charter?**

Theme 4: Application process

A key issue for Social Security Scotland has been processing times – particularly of disability benefits.

The original Charter included a commitment to:

“2.2 Recognise that your time is precious and handle your application and enquiries as quickly as we can.”

This has been expanded into several commitments focusing on updating clients about timeframes, and answering enquiries quickly:

2.2. Letting you know that we have received your application and what you can expect to happen next.

2.4. Introducing ways to update you on the progress of you application and expected timelines, including if things might take a bit longer.

2.10. Providing information to help answer any questions you may have along the way and responding to enquiries as quickly as we can.

Further commitments have been added about gathering supporting information and the decision-making process (see table 2 above).

Notably, there is no longer a specific commitment to “handle your application [...] as quickly as we can,” although this wording has been retained for enquiries.

In the core client group,

“many participants again emphasised the importance of timescales and updates. There was some negative feedback about the word ‘quickly’. [...] participants disliked terms which were vague and open to interpretation. [...] Participants said it was also important to include information on what to do if timescales weren’t met. (Research Report p.72).

At the final workshop, discussing the commitment to respond to enquiries quickly;

“Some participants continued to say the phrasing ‘as quickly as we can’ was vague and suggested this commitment could be refocussed on providing clients with updates” (research report p.95).

However, when discussing the Charter Measurement Framework, the client core group were concerned about timescales. On participant said:

“clients were primarily concerned with ‘how long things take’.” (Research report p.85).

In the policy report the separation into multiple commitments focusing on updates is explained as having been:

“changed to be more specific about current Social Security Scotland delivery and longer term aims.”

Members may wish to discuss:

- 7. What will be the impact of removing the commitment to handle applications “as quickly as we can”?**
- 8. What measures are being proposed for the Charter Measurement Framework on application processing times and call waiting times?**

Theme 5: Local delivery services

In the focus groups, Social Security Scotland staff mentioned barriers to meeting client preferences including a lack of face to face appointments, forms being difficult to read and long waiting times on the phone (research report p. 41).

The commitment to deliver ‘face to face services in local communities’ is now a commitment to deliver local services, ‘in person if necessary’.

The original Charter includes a commitment to:

2.6 “Deliver face to face services in local communities in places that are convenient and accessible. This includes home visits if appropriate.”

In their fourth workshop the client core group supported the following amendment:

“Delivering face to face services in local communities in places that are convenient, welcoming and accessible for you. This includes home visits if appropriate.” (Research report p.82).

The wording used in the policy report makes slight adjustments to the wording:

1.13 “Delivering in-person, local services that are convenient, welcoming and accessible for you. For example, home visits if appropriate”

The final commitment in the Proposed Revised Charter as laid in the Parliament is worded differently:

1.13: “Delivering local services that are convenient, welcoming and accessible for you, and in-person if necessary. For example, home visits if appropriate.”

Members may wish to discuss:

9. Why has the commitment to deliver face to face services been changed to a commitment to delivery ‘in-person if necessary’?

10. Will all clients be given the choice to have local support provided in person from Social Security Scotland?

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31 May 2024