

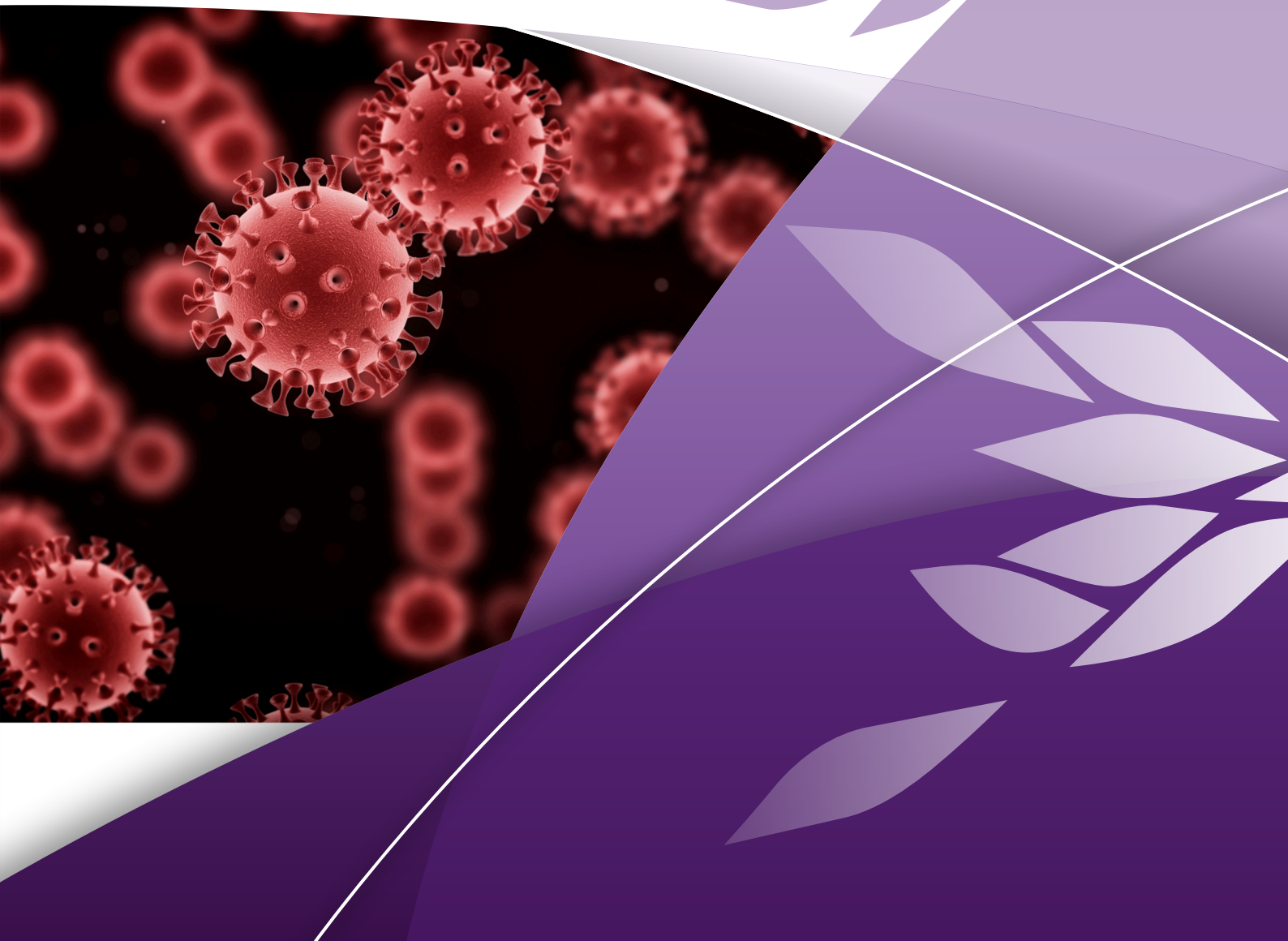


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Social Security Committee **Comataidh Tèarainteachd Sòisealta**

The Social Security Response to Covid-19



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Social Security Committee

To consider and report on matters relating to social security (including the delivery and payment of benefits that help address poverty) falling within the responsibility of the Cabinet Secretary for Social Security and Older People.



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Introduction

1. This report follows our consideration of how Scottish social security, and its part within the broader context of all UK social security, should contribute to the social and economic recovery from Covid-19.
2. Our call for evidence was based around six key themes; the economic downturn, the role of social security, suggestions for change, changes requiring little DWP input, constraints and barriers to doing more and entitlements versus discretionary funding.
3. The pandemic continues to have a devastating impact on people's lives and, in some cases, finances. As part of a cross-cutting response to the crisis and economic downturn, social security should be a financial safety net.
4. The crisis has exacerbated existing inequalities and brought more people into the system, many of whom had never needed, or did not anticipate needing, social security support.
5. We received 57 written submissions (listed in the annexe) and used them to help shape our informal engagement work, co-ordinated by the Parliament's community outreach team. This included attendance at five community meetings and one virtual conference to hear people's experiences of the benefits system in Ayrshire, Clackmannanshire, Edinburgh, Highland, Fife and from advice workers from across Scotland. Thirty-four community groups, networks and organisations participated.
6. We held formal evidence sessions throughout November and December 2020 with thinktanks, academics, stakeholders, organisations and bodies who provide support and advice. We then took evidence from Mims Davies, the UK Government Minister for Employment and DWP officials. Our final evidence session was with the Cabinet Secretary for Social Security and Older People and David Wallace, Chief Executive of Social Security Scotland.
7. We thank all who contributed during what was, and continues to be, a very difficult time. Your knowledge and insight have assisted in formulating our conclusions and recommendations. As we reach the end of this Parliamentary session, we hope this report will inform the incoming Government and successor committee.

The economic impact of the pandemic in Scotland

8. As a first step, we wanted to learn more about the economic impact of the pandemic. Scotland, in common with many countries, is experiencing an unprecedented recession due to Covid-19. In the most recent progress report on the NPF targets, the Scottish Government states—

The Scottish economy contracted by 19.4% in the second quarter of 2020 and despite growth in output in the months May to September, Scotland's Gross Domestic Product remained 7.6% below its pre-COVID level.

9. The report notes that impacts will not be fully reflected for some time, but—

COVID-19 impacts have been (and are likely to continue to be) borne unequally, are expected to widen many existing inequalities and produce disproportionate impacts for some groups that already face particular challenges.¹

10. The pandemic has had a severe financial impact on many individuals and households. For example, a large-scale survey of Scottish households by the Joseph Rowntree Foundation² found that incomes dropped for 45% of private sector tenants and of these 58% had borrowed or used up savings. Research by the Institute for Fiscal Studies found—

New Universal Credit (UC) claimants have seen, on average, a fall in net income of about 40% during the crisis (even including UC).³

11. Submissions said private renters, experiencing financial difficulties, are at increasing risk of evictions, debt and homelessness. Govan Law Centre said “half of all private tenants are worried about paying rent”.⁴

12. The Trussell Trust highlighted “an immediate and sustained surge in need across its foodbanks”⁵ Aberlour and One Parent Families Scotland (OPFS) saw increased demand for their hardship funds. In a joint submission with CPAG and OPFS, Aberlour said—

” Over the last six months [April to October 2020] Aberlour has supported 2,131 families, including 4,085 children, through its Urgent Assistance Fund. More than £500,000 has been distributed to families in urgent need via small grants for basic essentials, such as food, prepay power cards, white goods, children's clothing, beds and bedding. In addition, Aberlour has supported more than 12,000 additional children, young people and parents previously unknown to their services with food parcels and hot meals.⁶

13. Martin Canavan (Aberlour) described the level of need he was seeing as “overwhelming and stark” and “probably more recognisable as absolute rather than relative poverty”.⁷

14. Both the Scottish Women's Budget Group and Engender pointed to increased difficulties for unpaid carers due to reduced social care packages and reduced access to respite care and childcare provision.
15. The impact of the pandemic has been disproportionate. Glasgow Disability Alliance described it as "supercharging inequalities" already being faced by disabled people. A near universal observation in submissions was that those without easy and appropriate access to the internet and a digital device were now more excluded; the digital divide is widening.
16. Save the Children reflected other submissions—
 - ” We are concerned that this crisis is being disproportionately felt by the priority groups identified in the Scottish Government's Tackling Child Poverty Delivery Plan: lone parents, BAME families, young mothers, families with a disabled adult or child, families with a child under one, and larger families.⁸
17. The Scottish Government's own research corroborates this and references—
 - ” disproportionate impacts across a range of outcomes for a number of groups, including: households on low incomes or in poverty, low-paid workers, children and young people, older people, disabled people, minority ethnic groups and women. Overlap between these groups mean that impacts may be magnified for some people.⁹
18. Geographically, areas with a higher concentration of jobs in at-risk sectors have been hit hardest. JRF reported that three-quarters of accommodation and food service jobs had been furloughed.
19. The UK Government moved swiftly to provide support to those in employment, principally through the [Coronavirus Job Retention Scheme](#). Employees paid through PAYE can be put on "furlough" and are paid up to 80% of their salaries to a maximum of £2,500/month. The scheme is due to end in September 2021.
20. For the self-employed, the UK Government's [Self Employed Income Support Scheme](#) initially provided grants worth up to 80% of average trading profits, capped at £7,500. The scheme was then extended providing a further two grants to those eligible for the first scheme. However not everyone who is self-employed and who experienced a sudden drop in income has been eligible for support. The Resolution Foundation reported that, across the UK—
 - ” Close to 500,000 self-employed workers who were still without work at all in September had received no SEISS support.
21. Following this month's UK budget, it was announced that 600,000 more self-employed people who had filed a tax return in 2019-20 would now be able to claim support for the first time.
22. The pandemic has particularly highlighted groups of people for whom no UK Government financial support has been available as of right, for example people who have lost employment but still have savings of more than £16,000 and newly self-employed people. During 2020, around 3million people were estimated to have been excluded from any Covid-related financial support.

23. There have always been categories of people ineligible for social security support, for example 16 and 17-year olds are not generally eligible to claim UC, neither are students nor those with no recourse to public funds. The pandemic has brought these ineligibilities into sharp focus.
24. Even before the pandemic, many people were struggling to make ends meet; people in low-paid work, insecure or zero hours contracts (sometimes all three). JRF research found that immediately prior to the pandemic there were more than one million people in Scotland living in poverty with children making up almost a quarter of that figure.
25. We heard about people who, pre-pandemic, were just managing to get by financially. After being furloughed and receiving only 80% of their previous income, they were now falling in to debt. IPPR Scotland reported—
 - ” Over a million people in Scotland went into this pandemic with only very limited financial reserves, and this crisis has already tested families’ finances to – and beyond – breaking point ¹⁰
26. The Scottish Government’s commitment to tackling poverty and inequality, particularly child poverty, pre-dated the pandemic. The Child Poverty (Scotland) Act 2017 established statutory ambitious interim targets for tackling child poverty by April 2024 and further targets to be met by 2031.
27. One of the Scottish Government’s key policy actions was the creation of the new Scottish Child Payment (SCP) which, from February this year, provides an extra £10 per week for each child under six in a household in receipt of qualifying benefits. Payment in respect of over sixes will start from the end of 2022.
28. When SCP was first announced in June 2019, it was expected to contribute around 3 percentage points to reducing child poverty in Scotland but that was before the sudden and unprecedented change to the economic landscape.
29. A common opinion in evidence was that the amount and roll-out speed of SCP would need to increase if SCP was to contribute significantly to the child poverty targets.
30. A number of written submissions commented on the lack of generosity in the UK social security system and, in their view, its insufficiency as a safety net both in terms of the amount of payment and certainty around eligibility for support. David Eiser (FAI) commented—
 - ” There is a strong case for saying that the safety net in the UK is particularly weak by international standards. There are questions about the extent to which people who are out of work in our social security system are coerced to find work ¹¹
31. Siobhan Mathers (Reform Scotland) said that as society is changing, it is the role of Governments to provide the safety net to facilitate the change to “a new normal”. She pointed to the dramatically changed economic landscape, concluding—

” it was clear previously that the social security system was not fit for purpose. Reform Scotland very much advocates a radical change in order to parallel the change that is happening in society. Our particular solution would be a universal basic income¹¹

32. Many people who were in employment before the pandemic have maintained their incomes, or a large proportion, particularly whilst the UK Government furlough scheme remains in place. It will be some time before we know how many of the furloughed jobs remain sustainable in the medium to longer-term, after the furlough scheme comes to an end.

33. **The pandemic struck at a time when many people and households were already struggling. This, coupled with a social security system that many do not regard as comprehensive enough, has meant that a sudden loss of employment, significant contraction across a number of key sectors, restricted re-employment options and little opportunity for seasonal work have already created significant economic difficulties.**

34. **The high degree of uncertainty around the medium to longer term economic impact of the pandemic and the implications for policy making, mean it is too early to say which impacts are temporary or may lead to lasting damage and fundamental economic shifts.**

35. **With the long-term impacts on households and individuals unknown but, in the short-term at least, unlikely to improve, it is more vital than ever that social security provides an adequate safety net for those who need it and that support is targeted fairly.**

36. **There has been a greater economic impact on some groups of people. The Committee is concerned that there has been little support available for some, particularly the newly self-employed and people with savings. For example, until the recent budget announcement, the newly self-employed were excluded from the UK Government’s self-employed income support scheme (SEISS) and people with more than £16,000 in savings are excluded from Universal Credit. The Scottish Government has acted to plug some of these gaps in provision, such as through The Newly Self-Employed Hardship Fund.**

37. **Pre-pandemic, work to assess the feasibility of piloting a Citizens Basic Income in Scotland was well underway. Whilst recognising the difficulties in creating a permanent Citizens Basic Income, it could be argued that adopting its principles, in some form, in response to the pandemic would have resulted in a more equitable financial response. The Committee calls on the Scottish and UK Governments to commit to work together to consider the feasibility of a Citizens Basic Income as part of the planning for any future crisis response.ⁱ**

ⁱ Jeremy Balfour and Rachael Hamilton dissented from this paragraph

How the Scottish Government has responded to the pandemic

38. During 2020-21, an additional £9.7bn in Barnett consequential came to the Scottish Government; an increase of 28% in the resource budget for last year. As some of the additional Barnett monies were announced very late in the financial year, the Scottish Government has announced that it will carry some forward to 2021-22.
39. The impact of the pandemic on the social security budget has, so far, been less than might have been expected. The increase in UC claimants has not led to a large increase in Social Security Scotland “passported” benefits. Although there were additional “one-off” payments, the Scottish social security programme was delayed which reduced Scottish budget spend.
40. In response to the pandemic, the Scottish Government introduced a Coronavirus Carer’s Allowance Supplement payment of £230 for unpaid carers and a Winter Hardship Fund of £100m to bridge the gap until the Scottish Child Payment started to be paid.
41. The Scottish Government also introduced a Self-Isolation Support Grant of £500 for people who lose income as a result of self-isolating. We welcome the recent significant widening of the eligibility criteria for this grant. It is now available to all people on low incomes earning the Real Living Wage or less. Initially, it was only available to low income workers who had lost earnings and were in receipt of a qualifying benefit (such as UC). We are pleased that the criteria have now been simplified and broadened.
42. We know that difficulties were experienced by early applicants. Statistics from November showed that only 1,200 of almost 4,000 applications were accepted. Richard Gass described the initial experience in Glasgow—
- ” In the past two weeks, applications have stabilised at around 250 a week, but we are turning down three quarters of them. Folk are getting turned down because they are not in receipt of a qualifying benefit.⁷
43. Substantial funding was passed to local authorities and third sector organisations to distribute. They play significant roles in the delivery and effectiveness of social security support. Last March, the Scottish Government announced a £350m support package. Some of this funded Connecting Scotland, a partnership between the Scottish Government, local authorities and SCVO to enable more than 50,000 digitally excluded households to get online by the end of 2021.
44. Much of the funds passed to local authorities and the third sector was used to make discretionary awards. The two main sources of discretionary awards are the Scottish Welfare Fund and Discretionary Housing Payment.

Discretionary awards through the Scottish Welfare Fund

45. The Scottish Government allocates monies amongst local authorities, using a formula agreed with COSLA. Local authorities then administer the Scottish Welfare

Fund (SWF) by distributing monies through crisis grants and community care grants. The Self-Isolation Support Grant is also delivered through the SWF. The Scotland Act 1998, in effect, restricts the SWF to short-term or occasional payments; the SWF cannot be used to provide on-going payments.

46. During 2020-21 the Scottish Government provided around £65m for the SWF, including £5.5m for administration. An additional £22m was allocated in-year (and a further £20m to be spent flexibly). By the end of January 2021, around £37.3m had been spent from the Scottish Welfare Fund out of £57.5m available this year (65%).
47. The Poverty and Inequality Commission highlighted a lack of knowledge and awareness of the SWF, variation in how the SWF is promoted across local authorities, barriers to making applications, (last year) an apparent suspension of Community Care Grants and insufficient resourcing to manage the Fund, concerns shared by many other respondents.
48. The joint submission by Aberlour/OPFS and CPAG said—
 - ” Aberlour alone has seen a 1400% rise in applications to its own Urgent Assistance Fund during the pandemic. Around 10% of applicants to Aberlour’s fund reference an unsuccessful application to SWF in the same period prior to applying to Aberlour for assistance. This has been spontaneous, unprompted self-reporting when applying to Aberlour and is likely, therefore, to be an underestimate.⁶
49. Sheila McKandie suggested that the SWF is not flexible enough. She pointed to—
 - ” A wave of individuals who sit just above the group of individuals whom the Scottish welfare fund was originally intended to support.⁷
50. The Cabinet Secretary acknowledged the importance of the SWF when responding to emergency need but stressed “it is not an income top-up for people who are suffering from poverty”. The Cabinet Secretary disputed that some grants had been suspended, saying, “we quickly looked at it and challenged local authorities about it”.

Support for housing costs

51. Broadly across the UK, social security assistance with rental costs can be provided either by Housing Benefit or the housing element of UC. Responsibility for both these benefits is reserved to the UK Governmentⁱⁱ.
 52. For people with mortgages who are struggling financially, in some circumstances, Support for Mortgage Interest (SMI) may be available. Since 2018, SMI has been in the form of an interest-bearing loan; it is no longer a benefit or entitlement.
 53. In addition to the Scottish Welfare Fund, the other main source of discretionary funding in Scotland is Discretionary Housing Payment (DHP). In 2020-21, £81.8m was provided for DHPs including £1.2m for administration.
 54. DHPs can be made where Housing Benefit or UC do not cover full rental costs.
-

ⁱⁱ Scottish Ministers have a shared power with UK Ministers to alter the calculation of the housing element of UC (s.29 Scotland Act 2016)

Local authorities are responsible for deciding any award. The Scotland Act 1998 effectively restricts DHPs to people in receipt of benefits.

55. Cumulative DHP applications to January 2021 were 6% higher than in January 2020, and the total actual or committed spend by the end of January 2021 was 13% higher than in January 2020. These increases are higher than those seen over past years but less than the 24% increase in budget for DHPs in 2020/21.
56. DHPs are mainly used mainly to mitigate the “bedroom tax” in social housing but can also be used as a top-up for those with private sector tenancies where Housing Benefit or UC does not meet the full rent. DHPs cannot be used unless someone is already in receipt of help through the UK benefits system.
57. The pandemic has shown that more people are now struggling with housing costs. Most students, anyone with savings over £16,000 and people with no recourse to public funds, are ineligible for support through Housing Benefit or UC and, consequentially, DHPs. Furthermore, owner-occupiers with mortgages, whose income has unexpectedly reduced or who have lost their jobs, have no access either to any form of temporary assistance through DHPs.
58. The Scottish Government recently announced a Tenant Hardship Loan. It can be used to provide loans to tenants with rent arrears and is aimed at people unable to access support from other means. The scheme is only for tenants, not those with a mortgage.

59. **We welcome the action taken so far by the Scottish Government to respond to the pandemic, including the additional funds for carers, the Food Fund, the Scottish Welfare Fund and to support anticipated higher calls on the Council Tax Reduction scheme. We also welcome the further additional discretionary funding provided to local authorities, to be used flexibly, including to assist people with otherwise no recourse to public funds.**
60. **In our pre-budget letter we called on the Scottish Government to work with COSLA to consider resourcing for the administration of the Scottish Welfare Fund. We said any additional funding for administration should only be made on the understanding that local authorities properly and consistently promote how to access the Scottish Welfare Fund.**
61. **The pandemic has exacerbated known problems and highlighted ongoing and new concerns about the Scottish Welfare Fund. We repeat our previous calls to the Scottish Government and ask it now to commit to review the purpose, operation and funding of the Scottish Welfare Fund.**
62. **The Scottish Government has made available, through DHPs, a significant amount of discretionary support with housing costs. The Scotland Act 1998 effectively restricts DHPs to people in receipt of benefits and responsibility for benefits that assist with housing costs are reserved.**
63. **There is little support for people who are not entitled to benefits but who, because of the pandemic, are struggling with housing costs. There is an expectation that any savings above £16,000 must be run down until they fall below the eligibility level for benefits. More needs to be done, at an earlier**

stage, to help people temporarily struggling with housing costs due to the pandemic; not least because growing indebtedness can lead to the greater damage and cost of eviction and homelessness.

- 64. Responsibility for help with housing costs lies primarily with the UK Government, including support for owner occupiers who are struggling with mortgage payments. Under the terms of the Scotland Act, the Scottish Government's discretionary housing payment scheme is restricted to tenants. We call on the UK Government to move quickly to review and enhance short-term assistance for those struggling with mortgage payments.**

Responding to the pandemic, what more could the Scottish Government do?

65. We asked whether the Scottish Government, through Social Security Scotland (the Agency), could and should do more than simply meet any increased demand for devolved benefits and deliver on existing commitments.
66. Many of our respondents called for higher ambitions but, in doing so, acknowledged the limits of devolved powers and the relatively small scale of existing Scotland-specific benefits. Policy in Practice said—
- ” even if Social Security Scotland increases the generosity of devolved benefits or considers introducing new payments, the overall impact on household incomes will be relatively small. ¹²
67. Both CPAG and CAS suggested that the Scottish Government could increase social security funding, for example by reallocating other resources or raising tax revenues and that there were choices within existing constraints—
- ” the Scottish Government does have wide ranging powers to make new benefits, top-up existing benefits and provide discretionary support and has already made good use of them ¹³
68. There were calls to do more to support migrants. The Scottish Refugee Council suggested that could be by legislation to “put an end to the need for Discretionary Housing Payments, which “prop up failed Westminster housing/benefits policy”. CPAG and COSLA suggested reducing links to reserved benefits and seeking exceptions to the list of “public funds” noting that an exception to “public funds” had already been made for Best Start Grant pregnancy and baby grant for under 18s.
69. Many submissions recommended increasing the value of Scottish benefits and widening eligibility. Specific suggestions included increasing Carer’s Allowance Supplement and making permanent the one-off increase made last June, continuing eligibility for up to six months after a cared-for person dies, providing a payment to carers in receipt of the state pension, increasing Best Start Grant, extending eligibility for Child Winter Heating Allowance to all low income families, increasing Funeral Support Payment, topping up benefits for younger people to mirror support for other adults and using devolved social security powers to support those with no recourse to public funds.
70. A frequent suggestion was to increase and expedite the Scottish Child Payment. In its submission, CPAG pointed out—
- ” analysis by the JRF Foundation and IPPR Scotland suggested, even pre-Covid, that just to stop child poverty rising in Scotland would require a doubling of the payment to £20 a week. ¹³
71. JRF repeated its suggestion to speed up SCP delivery by making use of established local government payment channels.

72. Unsurprisingly, there was widespread support for boosting benefit take-up, something this Committee has consistently called for.
73. In addition to doing more to boost take-up of existing benefits, many suggested the Agency should be more ambitious. A number of respondents including CPAG, Trussell Trust, NHS Tayside and SCORRS suggested that the Agency should have a key role in delivering the additional support needed to tackle the child poverty commitments and should be resourced to enable it to do this.
74. The Scottish Refugee Council suggested that the Scottish Government’s ambition for the Agency should be to eliminate poverty and destitution in Scotland, without excluding people based on immigrations status.
75. Others suggested improving administration, developing a better evidence-base to support policy development and increasing the provision of advice and information about entitlements. The Low Incomes Tax Reform Group called for “direct, tailored communication aimed at specific sectors of the Scottish economy that are most hard-hit.”
76. As noted earlier in this report, there are calls to do more to help people struggling with housing costs. Some suggested that better use could be made of the SWF to help people with ongoing need. This is problematic. The SWF was established by the Welfare Funds (Scotland) Act 2015. Its scope is closely based on the powers devolved in the Scotland Act 1998 and is limited to “short-term need” or “occasional assistance”. It is likely that a different power would be needed to provide on-going support.
77. The Scotland Act 2016 includes a power to alter the housing element in UC but this is not a fully devolved power. It requires the agreement of the Secretary of State. This power could be used to provide some form of ongoing assistance to people with housing costs but only for those already in receipt of UC.
78. Many called for more to be done through local authorities, for example a cash replacement for free school meals during the school holidays, increase its value and link entitlement to council tax reduction, fully mitigate the benefit cap through DHPs and allow people with no recourse to public funds to access the SWFⁱⁱⁱ.
79. CPAG, Policy in Practice and others suggested improving the Council Tax Reduction scheme. They called for the planned CTR changes, delayed due to the pandemic, to be progressed, particularly given the sharp increase in the number of households on UC. CPAG questioned whether local government was still “the logical choice” for administering CTR given the shift from Housing Benefit to UC.
80. Improvements in the provision of advice and administration were suggested, including making better use of existing welfare rights support in the housing sector, ensuring robust referral mechanisms between the Agency and local services and increasing funding for advice services.

81. The Committee recognises that some of these issues have, at least to some extent, now been addressed and welcomes actions taken by the Scottish

ⁱⁱⁱ SWF is designated as a “public fund” and UK legislation would be needed to alter this

Government to date including the extension of support for free school meals, the establishment of the Winter Hardship Fund and the Tenant Hardship Loan.

- 82. As part of the tackling poverty agenda, the Scottish Government should review which social security measures best contribute to those aims and consider what more can be done to tackle poverty within devolved powers. We invite the Scottish Government to consider whether more of the anti-poverty agenda should be delivered by social security payments administered by Social Security Scotland.**
- 83. It remains our strong recommendation that both Governments should work together and agree appropriate funding for a concerted effort to increase take-up of all benefits and entitlements. We are already on record as saying we would support the Scottish Government taking the lead on this work in recognition of its successful campaigns on newly created devolved benefits such as Best Start Grant.**
- 84. The importance of boosting take-up for all benefits cannot be overstated. We welcome the announcement of the Scottish Government's new income maximisation campaign and the joint approach by the Scottish, Welsh and Northern Irish Ministers to the UK Government urging a more considered and collaborative approach to take-up across all devolved and reserved benefits.**

Constraints and barriers to doing more

85. Our joint report on Scotland's Fiscal Framework ¹⁴ commented on the limitations of Scottish Ministers' borrowing powers. Borrowing for resource spending, such as social security payments, can only be used to correct for errors in forecasts or for in-year cash management.
86. The Scottish Government cannot plan to use borrowing to fund new policy measures to respond to the pandemic, as available borrowing is only known once the forecast error is determined. Additional funding must come from Barnett consequential (from the UK Government's pandemic policy response) or Scottish tax rises. Furthermore, Covid-related Barnett consequential are one-off additions to the Scottish block grant and do not provide funding for longer-term social security commitments.
87. As the majority of borrowing powers and the majority of social security, including the main low-income benefits (principally UC as the main working age benefit) and housing benefit are reserved to Westminster, there are limits to what the Scottish Government can do.
88. Despite limitations, the Scottish Government's legal competence potentially allows a wide range of actions. Scottish Ministers have powers to set the level of benefits for which they are responsible, top-up reserved benefits and create new benefits in devolved areas.
89. Our evidence highlighted three main barriers to the Scottish Government doing more; the limits of devolved powers, funding / borrowing constraints but also a capacity constraint in terms of ability to develop and administer new benefits.
90. Administrative constraints, for example around data sharing and GDPR have repeatedly been raised with this Committee over the course of numerous inquiries.
91. The most frequently highlighted constraint from our submissions was the Scottish Government's policy decision to develop many Scottish benefits as "passport" benefits from UC. CPAG pointed out that linking devolved benefit entitlements to a reserved benefit "places many aspects of Scottish social security under the influence of future UK Government decisions in relation to qualifying benefit entitlement and delivery." ¹³
92. Scottish Child Payment is conditional on claimants being in receipt of UC. Both CAS and CPAG called for consideration of SCP to be made a standalone form of assistance rather than a top-up to an existing reserved benefit.
93. Due to the particular powers that been devolved and then policy decisions by Scottish Ministers on how to exercise them, such as linking eligibility to UC and DWP continuing to deliver some devolved benefits under agency agreements, there are inter-dependencies between the two devolved and reserved social security systems.
94. Recognising these inter-dependencies, in a report in early 2019, we concluded—

Tackling poverty requires a sustained strategic approach. Social security, the

focus of this Committee, is a split responsibility between the Scottish and UK Government Ministers. An effective social security system has a key role to play in any sustained strategic approach to tackling poverty. It is essential that both Governments work together meaningfully and constructively, whilst acknowledging respective policy differences.¹⁵

95. Further, when it was established in 2015, the Joint Ministerial Working Group on Welfare was welcomed as providing a space for Ministers of both Governments to work collaboratively. This area of collaborative working creates a scrutiny role for this Committee.

96. **We welcome the Scottish Government’s intention to undertake a full review of Scottish Child Payment, as part of the wider review of the Tackling Child Poverty Delivery Plan to include whether “top-up” is the most appropriate delivery.**

97. **We understand that work is underway to consider what more can be done to support migrants. Access to social security must be a central consideration for this work.**

98. **Given the interdependencies and need for collaborative working, we are extremely disappointed that the current Secretary of State for Work and Pensions did not accept any of the Committee’s invitations to give evidence, including on this inquiry.^{iv}**

99. **With the limitation on Scottish Ministers’ powers to borrow and the main income-replacement benefit being reserved to Westminster, it is more important than ever that both Governments work meaningfully and constructively together. We know this is happening well at official-level. There is a clear scrutiny role for this Committee and the UK Government’s Secretary of State must be available, from time to time, to give evidence to our successor Committee.^v**

iv Jeremy Balfour and Rachael Hamilton dissented from this paragraph.

v Jeremy Balfour and Rachael Hamilton dissented from this paragraph.

A rights-based approach to financial assistance

100. Local authorities deliver DWP funded entitlements (e.g. Housing Benefit), Scottish Government funded entitlements (e.g. Council Tax Reduction) and Scottish Government funded discretionary funds (e.g. Scottish Welfare Fund).
101. In contrast, Social Security Scotland delivers only demand-led (i.e. entitlement based) social security. Many submissions noted that discretionary funding was good for addressing a short-term crisis, but longer-term support was better provided by entitlement-based continuing support (i.e. a benefit).
102. For reasons of expediency, most of the additional funding made available during the pandemic has been channelled through local authorities rather than used to top-up existing or create new benefits to be delivered through Social Security Scotland.
103. In our call for views we asked whether, looking further ahead, the focus should be on discretionary funds or entitlements. Discretionary awards provide flexibility to take individual circumstances into account but can result in inconsistency in decision-making. Govan Law Centre said—
 - ” Providing local discretion is a way of ensuring that help is given to those most in need. It allows the applicant's circumstances to be taken into consideration and frees Local Authorities from the constraint of benefits legislation. Nonetheless, such a system has an inherent risk of inconsistent decisions...There is also a tendency to be overly cautious with budgets which leads to failed applications.⁴
104. Discretionary funding is quick to implement with fewer entitlement criteria. The importance of maintaining discretionary funding for any crisis response was highlighted by CPAG—
 - ” It would not be appropriate to tie crisis support to receipt of benefits as problems with benefits are often a contributory cause to an individual's financial crisis in the first place.¹³
105. Many respondents, including SCORRS, SFHA and CPAG, stressed that a longer-term response must mean a focus on greater social security spend through entitlements.
106. Entitlement-based assistance delivered through Social Security Scotland must comply with the Scottish social security charter. The Charter sets out what people can expect when making a claim for Scottish benefits, for example being treated equally and fairly, receiving support and getting an award decision that is consistent and accurate first time.¹⁶
107. Discretionary funding payments are not covered by the Scottish social security charter. Some submissions suggested that responsibility for discretionary payments should shift to Social Security Scotland. CPAG said—

” Now a central agency exists, we would urge the Committee inquiry and the Scottish Government to consider whether it would be beneficial to individuals and more cost-effective to develop a centralised mechanism for delivering discretionary payments through Social Security Scotland.¹³

108. Highland Council took an opposing view. Sheila McKandie said funding currently allocated to Social Security Scotland could be devolved to local authorities who would be given more of a role in delivering social security in Scotland. She explained—

” Local Government is well-placed and experienced at delivering both discretionary funds and demand-led benefits and may therefore be able to support social security delivery in Scotland¹⁷

109. The Cabinet Secretary’s view was that—

” using local authorities made absolute sense in terms of timing, but there is the additional aspect that it is often the right way to do things because local authorities can respond to local need¹⁸

110. There is a mix of views on the appropriate split between national and local delivery of benefits and entitlements. As new benefits are rolled-out in Scotland, the Scottish Government must review the split closely and consider carefully whether the needs of those seeking and accessing support are being met.

111. The Committee considers that taking a rights-based approach to social security, as committed to by the Scottish Government, means that unless there are strong reasons not to, social security should be provided as entitlements rather than locally-decided discretionary funding.

How the UK Government has responded to the pandemic

112. The UK Government retains responsibility for most social security, including the main low-income and housing benefits. UC is the main working-age benefit across the UK. Responsibility for statutory sick pay is also reserved. There has been an unprecedented increase in the number of people claiming UC. During 2020, the number of people in receipt of UC in Scotland almost doubled to 480,000.
113. The UK Government made some temporary changes to UC including—
- £20 per week increase to UC and Working Tax Credit
 - Suspension of the “minimum income floor” in UC, benefiting the self-employed
 - Restoring the link between the local housing allowance (LHA) and current local rents
 - Easing some administrative requirements, such as “conditionality” (subsequently resumed last summer).
114. We welcome the UC uplifts and the speed with which DWP mobilised staff to process the unprecedented increase in claims. But increasing numbers of people claiming UC mean increasing numbers of households impacted by the five-week wait for the first UC payment, the “two-child limit”, the benefit cap and conditionality.
115. The majority of people in receipt of disability benefits and many carers are still in receipt of legacy benefits. There has been no uplift to legacy benefits. Many people with disabilities and carers have not received the same financial help from the UK Government as those in receipt of UC.
116. CPAG told us about people being unexpectedly worse off on UC for example, people previously in receipt of tax credits who, following a drop in hour or income, then claim UC—
- ” They were either advised to make the UC claim, or not advised that in doing so that their tax credits would stop and have subsequently found themselves worse off on UC or not entitled at all. ¹³
117. The pandemic has had a disproportionate effect on young people’s finances and prospects for securing employment, yet UC is usually only available to those aged 18 and over. Only a very small number of 16 and 17-year olds who have left school are eligible to claim. The Poverty and Inequality Commission pointed out that this may leave families (where a 16 or 17-year-old still lives in the family home) and many young people without any income.
118. As already highlighted, other groups are ineligible for UC including students (other than those with disabilities or dependants), migrants who have no recourse to public funds and anyone with savings above a certain amount.
119. In our pre-budget letter we joined many calls for the UK Government to retain the

£20 increase to the standard allowance in UC and working tax credits, apply this uplift to legacy benefits and review the policy that 16- and 17-year olds are not usually eligible for UC.

120. The temporary provisions were due to be withdrawn in April but have been extended. The Scottish Government has estimated that removing the UC temporary increases will increase poverty by 2 percentage points, a significant step backwards in efforts to address poverty.
121. For those still in employment and eligible, the furlough scheme and support for the self-employed provided by the UK Government are generous. But particularly for the self-employed, there are gaps in provision and “cliff-edges”.
122. Many newly self-employed people, company owner-managers and those whose self-employment earnings represented less than 50% of their income are not entitled to any support at all. Similarly, the hard cut-off for support means someone who earns £50,000 or below through their self-employment can claim the full amount available but someone who earned £50,001 is not able to claim anything at all.

123. **As many people are facing an unexpected financial shock because of the pandemic and newly claiming UC, the 5-week wait for the first payment, the two-child limit, the benefit cap and conditionality all remain a considerable concern and we call for all four to be removed.^{vi}**
124. **The Committee urges the UK Government to make permanent the welcome temporary increases to UC, extend them to legacy benefits and review the sufficiency of UK-wide income-replacement benefits.^{vii}**
125. **As noted earlier in this report, more people are now struggling with housing costs. Most support for housing is reserved. We call on both Governments to work together to consider what further assistance can be provided for people struggling with housing costs, whatever their tenure.**

^{vi} Jeremy Balfour and Rachael Hamilton dissented from this paragraph.

^{vii} Jeremy Balfour and Rachael Hamilton dissented from this paragraph.

Employability

126. Although not wholly within this Committee’s remit, there is a clear link between employability and social security. Both involve a mix of devolved and reserved functions.
127. The Scottish Government’s employability commitments include the Scottish Youth Guarantee, a voluntary service for 16 to 24-year-olds.
128. The Scottish Government is also responsible for Fair Start Scotland aimed at people claiming reserved benefits and at risk of long-term unemployment because of barriers including disabilities. Since its launch in 2018 and the end of September 2020, 27,076 people have participated in Fair Start Scotland and a total of 8,329 have started employment. 65% of Fair Start Scotland participants reported a long-term health condition and 44% were registered disabled ¹⁹.
129. The Scottish Government established a National Transition Training Fund to address the increase in unemployment caused by the pandemic. It offers “short sharp training opportunities for people to learn in-demand skills” and is administered by Scottish Development Scotland (SDS) and DWP work coaches. In addition, SDS is the lead agency for Partnership Action for Continuing Employment (PACE). Working with DWP, local authorities, Citizens Advice, colleges and training providers, it provides free advice and support to employees and businesses.
130. James Russell (SDS) said, in response to the pandemic, SDS had adjusted the way it provides services and had extended them to all school leavers. He said—
- ” we also looked at redesigning service delivery by harnessing technology to reach scale through one-to-many webinar approaches, as well as by developing and raising our helpline services ²⁰
131. He emphasised that SDS had close working relationships with colleges. Referring to the Scottish Youth Guarantee, he explained—
- ” We took on responsibility for the development of the landing page of the website, which directs people to understand what the young persons guarantee means for them and how they can access a range of partnership support ²⁰
132. We asked what support SDS provides for disabled people looking to get back into employment and the apparent disparity between the success rates in Scotland and England. SDS explained it has responsibilities around delivering Scotland’s Careers Service and the administration of Scottish Apprenticeships. These include working with partners to improve post-school transitions for young disabled people and those with additional support needs.
133. Although the Secretary of State for Work and Pensions did not accept the Committee’s invitation to give evidence as part of this inquiry, the Minister for Employment did agree to attend to speak about the UK Government’s employability programmes and its Plan for Jobs.
134. The UK Government’s Plan for Jobs ²¹ sets out its provision in Scotland. It includes

Kickstart for 16-24-year olds on Universal Credit; a six-month placement paid at the national minimum wage by the Government. The UK Government also provides an Expanded Youth Offer which provides enhanced support from DWP to young jobseekers (aged 18-24) in the intensive work search group on UC. The UK Government also intends to double the number of DWP work coaches.

135. Ms Davies, the UK Government's Minister for Employment acknowledged that young people had been amongst the hardest hit by the pandemic. The Minister said the Kickstart programme would—

” create hundreds of thousands of new six-month placements for people under 25 who are on universal credit and who are at most risk of long-term unemployment²⁰

136. Initially, participation in Kickstart was open to employers offering a minimum of 30 placements or able to group with other employers to present a joint offer. The UK Government was working with local gateway organisations, including local authorities, colleges, employers and third sector organisations to help employers join together to enable them to apply to the scheme.

137. In September, This is Money²² reported that some small businesses were disappointed with the scheme finding it “complicated” and “a let-down” because of the requirement to provide at least 30 placements. Notwithstanding this, Margarita Morrison (DWP) stated that the DWP had been “inundated with expressions of interest” but she did acknowledge there was more to do. The UK Government recently announced the removal of the 30-job threshold.

138. In November, the UK Government announced “a new 3-year long £2.9 billion Restart programme to provide intensive and tailored support to over 1 million unemployed people and help them find work.”

139. We welcome these initiatives but note the huge increase in the number of UC claimants. Many Jobcentre Plus staff have been redeployed to focus on processing new claims and the service delivery model has been changed, including a move away from face-to-face working.

140. Our evidence, particularly from community engagement, described the difficulties this had caused some claimants, particularly those without or with limited digital access or skills and those with mental health difficulties. We heard too that the DWP presence had been taken out of prisons. This had significantly reduced the support for prison leavers, leaving some with no means to access online support and, effectively, no support at all.

141. Third sector workers told us that previously they would receive detailed referrals from DWP. Now, it may be only a name and number without any background information. The client then must then provide the necessary information all over again, leading to frustration.

142. Margarita Morrison emphasised the steps being taken to double the number of DWP work coaches but added—

” it is important for us to be open for customers who need our help because of their vulnerabilities, but it is also important that our colleagues are safe²⁰

143. Ian Pope (PCS) said that the additional work coaches were welcome but that corners should not be cut in training. He expressed concerns about the number of agency and fixed-term appointments—

” We would rather that those were permanent, fully trained staff who would be in it for the long haul and not people on one-year fixed-term contracts.²⁰

144. We were also made aware of concerns about the UK Government’s reintroduction of conditionality for UC claimants, particularly given the outlook for employment. In response, Mims Davies said that the number of sanctions was “tiny” and—

” it is not about bringing in sanctions or a difficult regime; it is about ensuring that we understand the new cohort.²⁰

145. The Cabinet Secretary for Social Security and Older People acknowledged the role of employability services in recovering from the pandemic—

” Scottish and Local Government are committed to No One Left Behind, which sets out our ambition to create a more joined up and aligned employability system.²³

146. Employability policy and delivery landscapes are now extremely complex. In planning for recovery, it is vital that Scottish employability policies are fully integrated with each other and complement UK Government initiatives. The Economy, Energy and Fair Work Committee concluded that job creation programmes designed and delivered locally, specifically targeted at the local economy and labour market, will be most effective. We agree.

147. The Committee welcomes the Scottish Government’s employability strategy and plan but seeks further detail on how people with disabilities, who have been particularly impacted by the pandemic, are being supported to find meaningful and sustained employment and how reserved employment service offers are being integrated into the Scottish Government’s plan.

Conclusions and recommendations

148. We welcome the unprecedented amount of resource that has been passed to public bodies, local authorities and third sector providers to enable a swift and flexible response during the pandemic. But it is not clear to the Committee that lessons are being learned about how existing services should, where required, be reformed and new services designed to provide efficient support. We need a greater level of assurance that these lessons are being considered systematically and banked to improve future service provision, resilience, and agility.
149. At the start of this year, the Scottish Government’s Social Renewal Advisory Board published its “calls to action” one of which is “build on new ways of working, based on what has worked well during the pandemic.” We support this and call on the Scottish Government to ensure that a systematic review is undertaken of what has been learnt about how best to support people in and out of work.
150. There are two phases to moving beyond covid: the support phase and the recovery phase. Different policies are needed for each and the Scottish Government must now carefully consider what policies are needed for the next phase. For example, how support currently provided through the self-isolation grant will continue to be developed.
151. For reasons of expediency, most of the additional funding made available during the pandemic has been channelled through local authority discretionary funding rather than Social Security Scotland. Discretionary payments are being used to plug gaps in national entitlement provision. Discretionary payments play an important role in addressing temporary short-term need or temporary gaps in provision but national entitlements should be available for longer-term need.
152. Where appropriate, the Scottish Government should consider whether financial assistance can be provided, to those in need, through social security entitlements. It is the view of the Committee that unless there are strong reasons not to, taking a rights-based approach to social security should mean delivery as a national entitlement.^{viii}
153. The Committee acknowledges the important role for local discretionary payments which can be distributed quickly and used flexibly to plug emergency or temporary gaps. When national entitlements, such as the Self-Isolation Support Grant, are delivered locally, accompanying guidance must be clear to ensure consistency and transparency around entitlement.
154. The Scottish Government and Social Security Scotland should now consider how their systems and benefit-design can be adapted to ensure that, should a quick response be necessary for whatever reason in future, more can be delivered through Scottish social security – e.g. ongoing

^{viii} Jeremy Balfour and Rachael Hamilton dissented from this paragraph.

entitlement-based benefits. The crisis has illustrated some of the difficulties in Scottish social security being so closely linked to the eligibility criteria and payment schedules for UK Government DWP benefits. Such links should be carefully considered in the design of future benefits.^{ix}

155. Problems, some long-standing, with the Scottish Welfare Fund have been exacerbated by the pandemic. The Scottish Government must now commit to review whether the purpose, operation and funding of the Scottish Welfare Fund remain fit for purpose and work with COSLA to consider the resourcing for administration of the Fund.
156. As responsibility for housing costs is reserved to the UK Government and because of the statutory restrictions on what support can be provided through Discretionary Housing Payment, there is a limit to what the Scottish Government is able to do to help those struggling with housing costs. We call on the Scottish Government to work with the UK Government to consider what further assistance can be provided for people struggling with housing costs, whatever their tenure.
157. As new benefits are rolled-out in Scotland, the Scottish Government must consider the balance between national and local delivery of benefits and entitlements to assess whether it continues to meet the needs of those seeking support and ensure that a rights-based approach to social security is maintained.
158. We cannot over-emphasise the importance of boosting benefit take-up. We welcome the new income maximisation campaign and the joint approach by the Scottish, Welsh and Northern Irish Ministers to the UK Government urging a more considered and collaborative approach to take-up across all devolved and reserved benefits.
159. This Committee has repeatedly highlighted concerns about Universal Credit. We again urge the UK Government to remove the five-week wait for a first payment, abolish the 2-child limit and the benefit cap, make permanent the temporary increases and apply them to legacy benefits.^x
160. The economic shock of the pandemic has been far-reaching, and the Committee expresses considerable concern about the significant number of people who have been unable to access any Government social security support. Whilst recognising the difficulties in creating a permanent Citizens Basic Income, consideration of it as a future emergency response should now be brought to the table. The Committee calls on the Scottish and UK Governments to commit to work together to consider the feasibility of a Citizens Basic Income as part of the planning for any future crisis response.^{xi}

ix Jeremy Balfour and Rachael Hamilton dissented from this paragraph.

x Jeremy Balfour and Rachael Hamilton dissented from this paragraph.

xi Jeremy Balfour and Rachael Hamilton dissented from this paragraph.

161. **The employability policy and delivery landscapes are extremely complex and involve a web of devolved and reserved functions. In planning for recovery, it is vital that Scottish and UK employability polices are fully integrated and complementary.**
162. **The Scottish Government and UK Government responses to this report should be provided in good time for early consideration by an incoming Session 6 Committee. Responses should also address what consideration is being given to wider cross-cutting measures to tackle poverty.**

Annexe A - Extracts from minutes

[21st Meeting, 2020 \(Session 5\) Thursday 05 November 2020](#)

2. Covid and Social Security: The Committee took evidence from—

- David Eiser, Research Associate, Fraser of Allander Institute;
- Siobhan Mathers, Trustee, Reform Scotland;
- Tom Waters, Senior Research Economist, Institute for Fiscal Studies.

3. Covid and Social Security: The Committee considered the evidence heard earlier in the meeting and agreed to invite witnesses from CPAG, CAS and JRF.

[22nd Meeting, 2020 \(Session 5\) Thursday 12 November 2020](#)

2. The Social Security Response to Covid: The Committee took evidence from—

- Sally Dyson, Head of Digital Programmes, Scottish Council for Voluntary Organisations;
- Martin Canavan, Head of Policy and Participation, Aberlour;
- Richard Gass, Chair, Rights Advice Scotland;
- Sheila McKandie, Head of Revenues & Business Support , Highland Council;
- Paula Doherty, Benefits and Welfare Team Leader, Dumfries and Galloway Council.

3. The Social Security Response to Covid: The Committee considered the evidence heard earlier in the meeting.

[23rd Meeting, 2020 \(Session 5\) Thursday 19 November 2020](#)

2. The Social Security Response to Covid: The Committee took evidence from—

- Mhoraig Green, Strategic Lead Social Justice, Citizens Advice Scotland;
- Kirsty McKechnie, Welfare Rights Worker, Child Poverty Action Group in Scotland;
- Katie Schmuecker, Acting Deputy Director Policy & Partnerships, Joseph Rowntree Foundation.

3. The Social Security Response to Covid: The Committee considered the evidence heard earlier in the meeting.

[24th Meeting, 2020 \(Session 5\) Thursday 26 November 2020](#)

2. The Social Security Response to Covid (in private): The Committee received a presentation by the Community Outreach Team on the findings of the community engagement work.

[25th Meeting, 2020 \(Session 5\) Thursday 3 December 2020](#)

2. The Social Security Response to Covid: The Committee took evidence from—

- Ian Pope, PCS DWP Group Assistant Secretary, PCS Union;
- James Russell, Director of Career Information, Advice and Guidance, Skills Development Scotland;
- Mims Davies MP, Minister for Employment,
- Jonathan Mills, Policy Group Director General, and
- Margarita Morrison, Area Director for Scotland, Department for Work and Pensions.

3. The Social Security Response to Covid: The Committee considered the evidence heard earlier in the meeting and agreed to write seeking further information from Skills Development Scotland.

[26th Meeting, 2020 \(Session 5\) Thursday 10 December 2020](#)

2. The Social Security Response to Covid: The Committee will take evidence from—

- Shirley-Anne Somerville, Cabinet Secretary for Social Security and Older People, Scottish Government;
- David Wallace, Chief Executive, Social Security Scotland;
- Dawn Abell, Head of the Scottish Child Payment and Reserved Benefits Unit, and
- Callum Smith, Reserved and Working Age Benefits Team Leader, Scottish Government.

3. The Social Security Response to Covid: The Committee will consider the evidence heard earlier in the meeting.

Annexe B - Evidence

Written Evidence

The following written submissions can be found on the Scottish Parliament's [Citizen Space site](#):

- Aberlour, CPAG, OPFS
- Chartered Institute of Housing Scotland
- Child Poverty Action Group in Scotland
- Citizens Advice Scotland
- Dumfries & Galloway Council
- Engender
- Families Outside
- Fife Council on behalf of a multi-agency group
- Fraser of Allander Institute
- Glasgow City Council
- Govan Law Centre
- Inbest
- Includem
- Joseph Rowntree Foundation
- Low Incomes Tax Reform Group
- Marie Curie
- MND Scotland
- NHS Tayside
- North Ayrshire Health & Social Care Partnership
- Policy in Practice
- Poverty Alliance
- Radiant and Brighter Community Interest Company
- Reform Scotland
- Rights Advice Scotland

- Save the Children
- Scottish Campaign on Rights to Social Security
- Scottish Commission for People with Learning Disabilities
- Scottish Federation of Housing Associations
- Scottish Independent Advocacy Alliance
- Scottish Public Services Ombudsman
- Scottish Refugee Council
- Scottish Women's Budget Group
- Scottish Women's Convention
- The Convention of Scottish Local Authorities
- The Highland Council
- The Trussell Trust
- Welfare Rights Officers Forum
- West Lothian Council
- Dr Jackie Gulland
- Emil Golebiowski
- Ian Davidson
- John Leggett
- Les Fraser
- 14 anonymous submissions

Oral Evidence

[Thursday 5 November 2020](#) - Evidence from stakeholders

[Thursday 12 November 2020](#) - Evidence from stakeholders

[Thursday 19 November 2020](#) - Evidence from stakeholder

[Thursday 3 December 2020](#) - Evidence from stakeholders

[Thursday 10 December 2020](#) - Evidence from stakeholders

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