**A Consultation on Improving Disability Assistance in Scotland**

**May 2019**

Section 1 - Disability Assistance in Scotland

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**1. Do you agree or disagree with the proposal to name Disability Assistance for clients aged 0-18 years old Disability Assistance for Children and Young People (DACYP)?**

AgreeDisagreeDon't know

**2. If you disagreed, please could you explain why.**

If you disagreed, please could you explain why.

**3. Do you agree or disagree with the proposal to name Disability Assistance for clients aged 16 years old to state pension age Disability Assistance for Working-Age People (DAWAP)?**

AgreeDisagreeDon't know

**4. If you disagreed, please could you explain why.**

If you disagreed, please could you explain why.

**5. Do you agree or disagree with the proposal to name Disability Assistance for clients who are state pension age or older Disability Assistance for Older People (DAOP)?**

AgreeDisagreeDon't know

**6. If you disagreed, please could you explain why.**

If you disagreed, please could you explain why.

**7. Do you agree or disagree with the proposal to enable multiple application channels for Disability Assistance?**

AgreeDisagreeDon't know

**8. If you disagreed, please could you explain why.**

If you disagreed, please could you explain why.

Agree however there is a lack of detail within the consultation document.

We remain concerned about the accessibility of the current PIP application process for deaf young people. The process assumes everyone can use the telephone and alternative ways of applying for the benefit are not clearly promoted or encouraged. We believe that this may breach of the Equality Act 2010. The development of a new system in Scotland is an opportunity to promote independence among disabled people by ensuring its systems are fully accessible to those who require them. Email should be available but may be inappropriate for those whose first language is BSL, therefore a range of channels should be accessible.

The provision of accessible information and advice is critical to ensure families understand the benefits they are entitled to and the processes they must follow to make the necessary applications. In addition, the complex nature of the application process often means that families require support to complete these. The National Deaf Children’s Society’s Children and Family Support Officers working with our Appeals and Disputes team regularly support deaf young people and their families across Scotland to complete these application processes and appeal decisions where required. Without support of this kind many families and young people would be unaware of what benefits are available or unable to complete the application forms and process successfully.

We recommend that the Scottish Government invest in independent advocacy structures and access to specialists in Scotland to ensure the new system works for everyone.

There is an important role for technology in terms of promoting accessibility and inclusive communication, especially for deaf young people and their families. For example like that of the new Scottish Government funded video relay service ContactSCOTLAND. NDCS recommends this service is used to allow BSL users to access the new social security system given that it is already Scottish Government funded. The duty to promote BSL is now enshrined in the British Sign Language (Scotland) Act 2015, and making provision for BSL will be vital in ensuring the system is more accessible to those deaf young people who use the language. However this does not mean the needs of all deaf young people will be met and other accessible digital technology will require to be developed for those deaf young people who do not use BSL.

We would welcome the opportunity to assist with the development of digital services by including the views of deaf young people. We believe Scotland should lead by example and make available alternative forms of communication such as email, live webchat, text messaging and BSL to ensure the claim process is fully accessible to deaf young people. We would recommend claimants are able to apply digitally but also have other channels open to them to make enquiries or report a change in circumstances.

*“When I received a letter from Department of Work and Pensions, letting me know that my DLA was due to end this year and I needed to apply for PIP instead. On the letter, it was stated that I had to PHONE them to get an application form so I could get started on applying for my PIP. I am 26 years old and I had to ask my mother to make the phone call on my behalf. It is not acceptable to expect a deaf young person to ask others to make the phone call for them. This takes away their right to independence and privacy.”*  **Deaf young person**

**9. Do you agree or disagree with the proposal to broadly replicate the current temporary absence rules?**

AgreeDisagreeDon't know

**10. If you disagreed, please could you explain why?**

If you disagreed, please could you explain why?

**11. Do you agree or disagree with the proposal to implement a person-centred approach to making decisions about entitlement for Disability Assistance?**

AgreeDisagreeDon't know

**12. If you disagreed, please could you explain why?**

If you disagreed, please could you explain why?

Agree, however there is a lack of information on specific training that will be delivered to assessors. Decisions on entitlements should include full consideration of the impact that deafness has on children and their families. In order to ensure these full considerations are made, it must be ensured that staff are well trained and have the knowledge and skills to make appropriate assessments.

A number of serious challenges can undermine the assessment process for deaf young people. For example, it is vital that communication support is provided for deaf young people that request it for their PIP assessment. Communication support ensures that a deaf young person will fully understand what is being said at the meeting, which means they can communicate their case effectively as part of this process. If this support is requested ahead of the assessment and is not provided, any assessment should not go ahead. However it is important that assessors and decision makers understand the limitations that support can give for some deaf young people but also not make assumptions from a “snapshot” assessment about a deaf person’s ability to manage outside of that assessment.

We are aware of cases where communication support has not been provided during assessment or parents/friends have been asked to provide support. This is unacceptable as often parents and friends are not adequately trained to effectively or reliably communicate a claimants needs to the assessor.

This demonstrates an extreme lack of deaf awareness and could jeopardise the chances of the deaf young person being awarded PIP. It could also cause considerable stress to deaf young people.

**We recommend that Case Managers undergo high quality deaf awareness training and provide accompanying guidance to assessors.**

*“We attended and we're taken to a very small quiet room. My son lip read her throughout. I felt that every question was there to trick my son. For example she said ‘can you hear and understand me’ and he said ‘yes’, but I told him to explain why he could i.e. it was a very quiet room, no background noise, he was close to her to lip read.”*

***Parent of a deaf young person***

We asked parents about their child’s assessment and they told us that assessors often show either a lack of deaf awareness or a perception of it by not adequately explaining the purpose of the questions during assessments:

*“Assessor had no awareness of deafness, doesn't seem to have been taken into consideration at all in the decision.”*

*“Don’t think that the assessor was deaf aware, she even followed my daughter out of the building to make sure she could walk 200 meters unaided which I think is ridiculous what has this got to do with being deaf?”*

*“After 4 cancelled appointments by them! The assessor didn't even know our son was due on the day of the appointment until that afternoon. None of his reports were read, the assessor was looking as the interview went along. Assessor was not deaf aware”*

**Assessments are often during school or college hours** which means that deaf young claimants miss out on vital learning time, at a time when their focus should be on preparing for important examinations.

Deaf young people can **often find the experience of an assessment distressing** and may not be able to adequately explain the level of support that they require, this information could be provided by their Audiologist or Teacher of the Deaf, and the face to face assessment for people under 18 could be avoided all together by improving the quality of the evidence gathering in the early stage.

**13. Do you agree or disagree with our proposed approach to the involvement of Specialist Advisors in Decision Making?**

AgreeDisagreeDon't know

**14. If you disagreed, please could you explain why.**

If you disagreed, please could you explain why.

Agree in principle, however there is a lack of information to determine whether these Advisors will be suitably qualified and therefore have the expertise and authority to give such advice on a vast range of disabilities. There is mention within the document that it is intended for people with mental health and other ‘complex conditions’ to be assessed by people with an ‘appropriate understanding of their condition or disability.’ We recommend deafness is included within this statement and that more detail is provided on what constitutes an ‘appropriate understanding’.

An understanding of the communication needs of the individual and the use of inclusive communication is essential. All deaf young people are different and will require different communication support.

Deaf young people have reported that staff involved in the claims process are not deaf aware. In some cases this has meant communication support has not been provided at assessment meetings despite it being requested and agreed to. Nevertheless, assessments have then proceeded. In other cases deaf young people are repeatedly called on their phone throughout the process despite it being recorded on their claim that they are deaf.

Scotland’s new system should ensure that deaf awareness training is in place for assessors and decision makers. This training should be reviewed and improved for all staff involved in the assessment process regularly. Specialist training should also be provided for those staff involved in reporting and making decisions on PIP claims, so that the correct decisions are made from the outset.

The system should also ensure that deaf young people are asked what their preferred method of communication is throughout the claim process and that any communication support that is requested in face to face assessments is provided.

**15. What factors should Case Managers take into account in deciding when a Specialist Advisor should be involved?**

What factors should Case Managers take into account in deciding when a Specialist Advisor should be involved?

We have concerns about the level of training that is undergone by assessors. We are aware of a number of cases where an assessor and the DWP have determined that a deaf young person is ineligible for PIP. The deaf young people in these cases have had to take legal action about the decisions. We currently overturn 78% of our benefit appeal cases. In one case where the decision was reversed, the deaf young person was awarded PIP and the DWP apologised to the deaf young person and their family. These cases have placed a great deal of stress on the deaf young people involved. We also want to highlight that on review of these cases it is often about the difficulties in completing the application form or the deaf young person stating they do not need help.

The development of a new system of social security in Scotland presents the opportunity to ensure that assessors have appropriate levels of skills and knowledge to make informed decisions about eligibility for benefits. For example, a new system could make increased use of professionals who specialise in a particular condition either directly or indirectly in the assessment process. This is as opposed to relying solely on assessors with no experience or knowledge in a particular area. Having assessors who are able to ask probing questions and test the responses to make sure the best evidence is obtained is important including being able to draw informed conclusions from paper evidence. However, a specialist assessor will only help with one part of the process, the claim form. Evidence gathering and decision making all need to be fit for purpose to ensure the right information is obtained in the best way.

**16. Do you agree or disagree that the decision making process for Disability Assistance for Children and Young People, and for Older People should use existing supporting information and not through face-to-face assessments?**

AgreeDisagreeDon't know

**17. If you disagreed, please could you explain why.**

Agree, however the parameters around face-to-face consultations, light touch reviews and informal observation are unclear within the consultation.

As mentioned previously, there should not be an over-reliance on generalist face to face assessments. Assessors should consider the sufficiency of any existing evidence before ordering a face to face assessment. We are also concerned about the stigmatising nature of informal observations. Many informal observations are not appropriate or justified and the assessor should ask questions and probe.

The face to face assessment process in its current form is not appropriate for deaf young people as it is unnecessarily discriminatory. This is because assessors are typically generalists and non-expert in deafness. Assessments are typically undertaken on a one-to-one basis in quiet and non-resonant environments which is not a fair reflection of the deaf young person’s ability to communicate effectively in daily life. For example when there is background noise, a resonant environment or an impeded view of the speaker’s lip patterns and facial expressions, many deaf people experience difficulty in communicating effectively with the world around them.

It is also unclear what the threshold is for existing supporting evidence. For example, how many reports from professionals working with the claimant is considered as sufficient information and whom the burden of providing this information lies with. The consultation states that the onus is on the Agency unless the individual chooses to do so. In circumstances where a person chooses to submit partial information, will the Agency take it upon themselves to gather more information, or is the responsibility passed over to the claimant if they submit any evidence at all.

We recommend that decision makers take a more proactive, holistic approach in gathering evidence outside of the face to face assessment process by involving specialists such as Teachers of the Deaf or audiologists in the process. Assessors should consider whether existing evidence is sufficient before ordering a face to face assessment and consideration should be given to assessments being carried out within schools and colleges. When a face to face assessment does take place, the assessor should ask probing questions and consider the impact and responses that a young person may provide against those a confident adult may give.

Assessors should show they have considered whether existing evidence is sufficient before requiring a face to face assessment and where such assessments could be carried out, for example at the claimant’s school or college. This would mitigate real world decisions being made in carefully controlled environments.

**18. What types of supporting information would be relevant in assessing an application for Disability Assistance eg. social work report, medical report?**

Evidence should be sought from specialist professionals working with the claimant, for example Teachers of the Deaf, audiologists, Speech and Language Therapists, to support the claim. People who know the claimant well, such as their teacher, manager or relative, who can explain the impact of deafness on the claimant and what changes they make. When obtaining evidence, effort should be make to make sure the forms are worded in a way that helps the professional understand what is needed so they provide relevant and correct evidence.

Comprehensively completed claims forms should be obtained.

A coordinated support plan or Child’s Plan if applicable.

It may be beneficial for data to be shared across external organisations, such as the health and social care sector, to support the claim process and to improve the support offered to claimants. This could include sharing information between Scottish social security agency benefit systems. It could also include gathering of information from social care assessments or healthcare providers. Personal information sharing should meet the requirements of data protection legislation. However the claimant must have the opportunity to see the evidence and ensure it is accurate.

**19. Do you agree or disagree with the proposal to have no set award durations but to set an award review date when a decision on a Disability Assistance application is made?**

AgreeDisagreeDon't know

**20. If you disagreed, please could you explain why.**

Unable to answer. There is a lack of clarity within the consultation document in terms of the content of Case Manager guidance, what constitutes a change of circumstance and what exceptions to the rule will apply. We agree with the principle that conditions are unlikely to change attract lengthy awards without the need for regular review or unnecessary face to face assessments.

We agree with the principle that conditions that are unlikely to change attract lengthy awards without the need for regular review or unnecessary face to face assessments. On the face of it, we believe 5-10 year awards to be acceptable.

**21. Do you agree or disagree with the proposal to set an award review date 5-10 years in the future for a person with a condition unlikely to change?**

AgreeDisagreeDon't know

We agree, in principle to an award review date of 5-10 years. There is, however, a significant difference between 5 and 10 years and accompanying guidance is required to determine the criteria between these time scales.

**22. If you disagreed, please could you explain why.**

**23. Do you agree or disagree with the proposal that a change of circumstances should be defined as a change which has an impact on the level of assistance a person receives?**

AgreeDisagreeDon't know

**24. If you disagreed, please could you explain why.**

There is no definition of ‘assistance’ within the consultation document, so has potential to be construed. We also recommend this is re-worded to impact of level of ‘need’ a person has as not everyone receives assistance.

**25. Do you agree or disagree with the proposal that clients have 31 days to request a redetermination?**

AgreeDisagreeDon't know

**26. If you disagreed, please could you explain why.**

We agree, in principle with a period of 31 days on the basis that this can be extended to request a full written reason and the requirement to put in late reviews for good cause is available.

**27. We have proposed that Social Security Scotland have a period of between 40 and 60 days to consider a redetermination of Disability Assistance. Do you agree or disagree with this proposal?**

AgreeDisagreeDon't know

**28. If you disagreed, please explain why.**

We believe that 60 working days, a maximum of 12 weeks, is too long for the agency to consider claims. Gathering of information should be done in the initial stages of the claim.

Deaf young people’s experience of the redetermination and appeals process is that it holds up their benefit at a crucial transition stage in their lives.

DLA or PIP is vital for families of deaf children. It can help with purchasing of equipment, communication support and transport costs to and from appointments. Long durations for consideration of claims could leave many families unable to pay for the extra support their children need, leaving their children vulnerable to isolation, bullying, low levels of achievement and unemployment/poverty in later life. Deaf children already have significantly poorer life outcomes than their hearing peers.

In addition, information should be provided that is fully accessible to deaf young people on all aspects of the appeals procedure including possible methods of appeal following reconsideration. Decision letters to claimants should include clear and accessible information on the options available to claimants to appeal, for example on the basis of discrimination or unfair assessment.

The current process of Mandatory Reconsideration should be made more thorough in terms of revaluation of all evidence submitted and an examination of the initial assessment to determine accuracy.

Decision makers should take an active role in gathering evidence out with the face to face assessment process. Again, this should involve input from specialist professionals such as Teachers of the Deaf or audiologists.

**29. Do you agree or disagree that STA should not be paid to people who are not living or present in Scotland?**

AgreeDisagreeDon't know

**30. If you disagreed, please could you explain why.**

We believe this should be available to those who are eligible to apply for Disability Assistance.

**31. Do you agree or disagree that STA should not be recoverable except where it is later established that the principal assistance type was claimed fraudulently when STA was awarded?**

AgreeDisagreeDon't know

**32. If you disagreed, please could you explain why.**

**33. Do you agree or disagree that STA should not be available where an investigation by Social Security Scotland has determined that the original payment was claimed fraudulently?**

AgreeDisagreeDon't know

**34. If you disagreed, please could you explain why.**

**35. Do you agree or disagree that any deductions being made from an on-going assistance type to service an overpayment liability should also be applied to STA?**

AgreeDisagreeDon't know

**36. If you disagreed, please could you explain why.**

**37. Do you agree or disagree that for successful process decision appeals where the tribunal has overturned Social Security Scotland’s decision, STA should become available at the point the decision is overturned rather than the date of the original request?**

AgreeDisagreeDon't know

**38. If you disagreed, please could you explain why.**

**39. Do you agree or disagree with the proposed approach that, generally, where there is a break in a client’s eligibility to receive the benefit, eg. due to being in residential care, they will cease to receive the benefit?**

AgreeDisagreeDon't know

**40. If you disagreed, please could you explain why.**

More detail is needed. It also needs to be read alongside other welfare support in Scotland such as health care costs. This may justify it stopping but too many unknowns for me.

**41. Please outline any comments or experience you would like to share with us about overpayment recovery and the current DWP approach to deductions?**

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Section 2 – Disability Assistance for Children and Young People (DACYP)

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**42. Do you agree or disagree with our proposal to provide entitlement to Disability Assistance for Children and Young People to clients aged 0-18 years?**

AgreeDisagreeDon't know

**43. If you disagreed, please could you explain why.**

Agree. Whilst a person is still not an adult and many in the 16-18 bracket are likely to need additional support with claiming and the process as well as additional support with their needs compared to peers, it would seem sensible to do this. There is a big difference between 16 and 18 years of age and would make it consistent with other welfare support e.g. still treated as a child unless they are estranged, parent still receives support as a parent.

**44. Do you agree or disagree with our proposal to extending eligibility, for those in receipt of Disability Assistance for Children and Young People before the age of 16, to age 18?**

AgreeDisagreeDon't know

**45. If you disagreed, please could you explain why.**

Agree, however it should be made clear to the claimant , who may not have a current DLA claim, in the false understanding that they will make a claim for PIP at age 16, resulting in significant disadvantage. We recommend this is amended to consider allowing those 16-18 to apply for this benefit.

**46. Do you agree or disagree with our approach to the eligibility rules for the different components of Disability Assistance for Children and Young People?**

AgreeDisagreeDon't know

**47. If you disagreed, please could you explain why.**

Our cases and speaking to our professional members suggest that, in general, DLA works well for deaf children but there can be poor decision making about some of their needs. Improvements could be made here such as making the claims process more accessible and receiving the benefit where there is a diagnosis, rather than delaying this by 3 months to evidence the need.

At present the three rates of care component provides the lower rate for those with additional needs for a significant portion of the day. The criteria of the lower rate care are not due to a lower level of need, only a lower frequency of attention needed. With less support available for those currently receiving the lower rate, their condition may deteriorate so that ultimately they qualify for a higher level of award.

A parent of a profoundly deaf child with additional complex needs who currently receives DLA care component at the highest rate and the mobility component at the lower rate, told us;

*‘It allows me to have the piece of mind in the winter to know I can afford to have the heating and lights on. Toys/equipment is generally more costly as it has the tag "special needs" on it so it allows me to buy toys/equipment to help my son develop to his full potential.’*

**48. Do you agree or disagree with the proposal to make a £200 Winter Heating Assistance payment to families in receipt of the highest rate care component of Disability Assistance for Children and Young People?**

AgreeDisagreeDon't know

**49. If you disagreed, please could you explain why.**

This should include people receiving middle-rate care component too. Carers would be eligible for carer’s allowance with middle rate care and as such it would make sense to have heating allowance available to them also. Families in receipt of this are likely to be at home more and therefore this could be very helpful, especially for those deaf children with additional support needs.

Section 3 - Disability Assistance for Working Age People (DAWAP)

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**50. Do you agree or disagree with our proposal to use a points based system to assess eligibility in relation to Disability Assistance for Working-Age People?**

AgreeDisagreeDon't know

**51. If you disagreed, please could you explain why.**

We are concerned about the continued use of PIP descriptors and are keen to understand what alternatives to these are being explored. We are concerned about the discriminatory application of the eligibility criteria in the current system. Many deaf young people are being told by assessors that they are not eligible for PIP. In many instances these decisions are made even though they were previously eligible for Disability Living Allowance (DLA). Successful appeals, and in some cases legal action, has lead to a reversal of the original decision and an award made. The complete reversal of decisions brings into question the way in which assessor’s report on a deaf young person’s claim and the way in which the DWP have interpreted the eligibility criteria. NDCS is concerned about the standard of training those making assessments receive in terms of making decisions on a deaf young person’s claim.

**Kayley’s PIP Story:**

Hello. My name is Kayley MacGregor, I am 21 years old. I have been deaf all my life and have worn two hearing aids since I was 4. I live in the very North of Scotland in a small town called Wick, I am a qualified Early Years Practitioner and work in a playgroup. It can be hard sometimes because of the noise and young children’s speech isn’t always the best, but I love my job!

I have been doing some research over the past few years about disability benefits, but I couldn’t really see much for deaf people. In 2010, I applied for DLA but was told because I didn’t need any help doing things for myself I wasn’t able to get it.

I recently moved into my own house, with my boyfriend, so I went to citizens advice for help on benefits in general not just disability ones. I asked about DLA again and they explained it was now PIP and we looked through the criteria together. It turns out I only got 2 points and needed more. I did not need an interpreter, etc so therefore I was not eligible for PIP. I felt that I didn’t get to put across my individual struggles. I felt this unfair as in Wick most of the jobs which are in shops, restaurants, offices, etc. Now I am not saying deaf people cannot do these types of work, because they can, it’s just that it can be difficult. I know this because I worked in a shop and found it extremely difficult. My hours have been cut down at work and I am looking for another job. PIP would have helped financially. I feel really disappointed that there is not enough help for deaf people.

We recommend the Scottish system moves away from a points-based system, even if this results in difficult conversations around passported entitlements with the DWP.

**52. Do you have any suggestions about the most appropriate way to assess eligibility in relation to mobility for Disability Assistance for Working- Age People?**

The current system of claiming benefits often requires claimants to take a deficit approach by asking them to consider what they cannot do. The process can often leave claimants feeling disempowered and insecure. The development of a new system in Scotland offers the chance to redress this issue, and take a more assets based approach within the system.

This should be for people with physical limitations, sensory impairments, learning disabilities and mental health issues, recognising the differences in need.

We recommend 100 metres is far more realistic in terms of the assessment of ability to move around and would provide much better support for those who are able to get out but really do need some extra support.

Accessing professional advice will be vital.

**53. Do you have any comments on the full list of descriptors (provided at page 36) currently used to assess claims for Personal Independence Payments?**

As they stand the criteria will mean that deaf young people are denied the support they need. For example, if a deaf young person relies on BSL it will be easier to qualify for the benefit, however others may find it difficult because the threshold of points is high, with very little middle ground. If a deaf young person with, for example, a cochlear implant who requires a lot of communication support but falls below those points will mean they cannot access support to help them socialise and live independent lives and instead risk isolation. A person could qualify for support at work but nothing for their day to day living which seems to go against the principle of this new benefit. We recommend improving the descriptors so they better identify the needs deaf young people face.

We are also concerned that the descriptors cover only the most basic functions of life and do not consider supervision that is necessary to ensure the person’s safety. This is relevant for deaf young people at home who may not hear alarms with or without their hearing technology aid. No consideration is given to social or leisure activities.  However, we strongly believe that PIP should not just be about basic survival, but should also enable a person to have a reasonable quality of life. It is unlikely that the new system will meet its commitment to be based on dignity, fairness and respect unless this is addressed in the assessment criteria.

**Aids and adaptations -** It is a common misconception that an aid or adaptation will enable a deaf young person to completely overcome the barriers they face. Aids and adaptations do not create a completely accessible society and to allow deaf young people to live ordinary lives many of them and their families will still incur additional costs. Hearing aids, cochlear implants and bone anchored hearing aids and other equipment may assist a deaf person in understanding the spoken word but do not give them hearing equal to that of person who has no hearing impairment. Variables such as background noise, busy streets and unfamiliar dialect still lead to confusion.

We are also concerned that to financially penalise young people and families for having suitable equipment would be extremely damaging. It would reduce their ability to contribute towards aids and adaptations that meet children and young people’s wider wellbeing needs and help them live a more independent and ordinary life.

**54. What types of observations, as part of a face to face assessment, do you believe are inappropriate?**

As previously mentioned, face to face assessments are completely inappropriate for deaf young people under the age of 18, and should not be considered for this group. Face to face assessments for benefit can be very stressful and are likely to harm the self-esteem of children and young people. It is unrealistic to expect most children and young people under 18 to present accurate information on the impact of their disability to an unfamiliar professional. We know that 40% of deaf young people will already experience mental health problems. Subjecting this vulnerable group to a stressful assessment process will exacerbate this leading to more pressure on NHS services.

If deemed necessary, a face to face assessment should be only one part of the process and decisions should not be made based on a snapshot of observations of the person by the assessor at the examination, but must take account of all other reports that have been supplied. The assessor should also be able to recommend that further reports are obtained from the claimant’s own professionals, where this would enable a more accurate assessment to be made. The assessor should have training in the effects of specific disabilities on people’s lives. Where the assessor does not have knowledge of a particular disability, he or she should have access to specialists for further advice.

We are aware of observational comments from assessors reported to us that include:  
‘*Heard their name called in the waiting room’  
‘Was speaking with friend/parent in the waiting area’  
‘Kept good eye contact’  
‘Followed the conversation without any problems’*These comments can be misleading because they may be appropriate on their own but if they are not quantified then incorrect assumptions are made.

One of the current problems is, we believe, observations and comments are from a drop down list and assessors have to collect them. This removes the context, where as if an assessor is required to explain the observation it may actually help the person by giving a fuller picture.

The assessment for PIP should be free standing, focussing on the criteria for PIP alone and should not rely on assessments that have been carried out for other purposes. In the interests of fairness and transparency the person being assessed should be told in advance the descriptors they are being assessed against, the scores given for each descriptor and the scores necessary to qualify for PIP.

**55. In relation to assessments, what are your views on acceptable distances to travel?**

We believe this will vary based on the individual and the area, it cannot just be about the distance but also the time it will take and number of changes. In rural areas you find people are sent very long distances but even in cities where there is greater congestion and potentially no option of driving a person may have to make multiple changes which all adds to the time.

**56. What other circumstances should the Agency take into account?**

The person’s age. Deaf young people may have school or college, but those aged 18-25 may be at work and not get time off.

Their health and if they need or want to be accompanied.

**57. In relation to assessments, how many times to do you think an individual should be able to reschedule, or fail to attend, an appointment?**

Unsure. Effort should be taken to try and establish the reason why there has been failure to attend and to communicate via multiple channels and ensure they are deaf aware. We recommend trialling different ways of doing this to establish if this increases attendance and quality.

**58. In relation to a missed assessment, do you have any comments on what should amount to exceptional circumstances (e.g. hospital admissions)?**

Exceptional circumstances, bereavement and attending hospital should count.

**59. Please provide any comments you wish to make about the audio recording of assessments.**

We are concerned that an audio/video recording could convey that a person is more able than they are because it reinforces a snap shot of the perfect environment. It could be helpful by ensuring assessors follow the guidance correctly. We are interested to see how this will be used in practice but ultimately it is the claimant’s choice.

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