

40 Scottish Devolution

Scottish Government - Introduction

1. The Social Security powers which have been devolved to Scotland through the Scotland Act 2016, give the Scottish Parliament powers over a number of Social Security benefits currently administered in Scotland by DWP. DLA Child is the first disability benefit that Scottish Government (SG) will take full responsibility for. To find out more general information about Scottish Devolution – See: [Scottish Devolution Programme](#).

2. SG will take full responsibility for taking New Claims and administering and making payments to customers living in Scotland. SG will also take responsibility for the transfer of DLA Child cases to Social Security Scotland before the point when DWP would have started the process to invite a claim to Personal Independence Payment (PIP) at age 16 (known as Rising 16's).

3. DWP will complete appointee action for customers living in Scotland who will reach age 16 from 1 September 2020. DWP will not transfer customer data to Social Security Scotland until action is complete and customers aged 16 from 1 April 2020 to 31 August 2020 will remain on the PIP journey.

4. Links to information about new SG payments and amended existing DLA Child and PIP processes resulting from new working arrangements with SG are listed below:

- [Young Carer Grant](#)
- [Scottish Devolution Personal Independence Payment \(PIP\) processes](#)
- Scottish Devolution Disability Living Allowance (DLA) Rising 16s process
- Child Winter Heating Assistance (CWAH)

46 Making Payments

Note: These instructions will evolve. Please ensure you are always working from the most recent version.

1. Some claimants will find the experience of receiving and managing payments challenging. This could be for a variety of reasons:

- It may be because of their personal circumstances or particular issues they are dealing with
- or it may be they have limited capacity to understand, process or manage financial matters.

- They may or could be influenced or open to abuse by others.
2. Where we identify there may be an impact on the health, safety and wellbeing of an individual when they receive an arrears payment, underpayment or payment outside of their usual cycle from PIP, we will work with claimants to understand their needs and seek to help them in identifying and accessing the help that they require.
 3. Not every claimant with complex needs will require a change to how they are paid but it should be considered.
 4. The principles of [Listen, Consider, Act and Review](#) must guide any decision and in each case a record must be made of the reasons so we are able to explain this to the claimants and other interested parties as necessary.

Payment Stage

1. If the claimant is due to receive an arrears payment / underpayment or payment outside of their usual payment cycle, you must:

Step	Action
1	<p>check the claimant has support, for example a Power of Attorney (POA) or an Appointee</p> <p>Note: If the claimant has a POA or Appointee, the follow the normal process and issue the payment and update PIPCS. No further action is needed.</p>
2	<p>you must check PIPCS for key indicators of potential vulnerability concerns. See: Vulnerability</p> <p>Note: Utilise the checklist to identify additional considerations using information where possible from PIPCS.</p>
3	<p>Has a Vulnerability concern been identified?</p> <p>If No, you must follow the normal process and update the system with the action taken. No further action needed.</p> <p>If Yes, you must discuss this with a Team Leader. You must consider utilising the Complex Needs Toolkit / District Provision Tool</p> <p>you must consider the payment options available, for example, make payment to a 3rd party.</p>

4	<p>make outbound call to the claimant.</p> <p>Note: If the claimant has an Alternative Format or a Reasonable Adjustment recorded, consider whether an alternative method of communication should be used. You must contact the claimant using the alternative method of communication, and update the system with the action taken, including agreed next steps.</p>
5	<p>Was contact made with the claimant / 3rd party?</p> <p>Note: You must attempt to contact the claimant 3 times over 48 hours, and at different times.</p> <p>If No, you must update the system with the action taken, Continue at step 6</p> <p>If Yes, you must explain the purpose of the call, and give the claimant clear payment options. Update the system with the action taken. Continue at step 6</p> <p>Note: If the claimant requires advanced support, use the District Provision Tool to identify appropriate partners. If the claimant wishes to consider their options or speak to a third party, agree a time with the claimant to call them back to discuss their choice.</p>
6	<p>has a payment option been agreed with the claimant?</p> <p>If Yes, you must follow the normal process to implement their choice, then update the system with the action taken. No further action is needed. If No, you must discuss with Team Leader</p>
7	<p>Do you still have Vulnerability concerns?</p> <p>If No, you must follow the normal process, then update the system with the action taken. No further action is needed</p> <p>If Yes, then continue at step 8</p>
8	<p>Identify escalation routes available for product line.</p> <p>Follow escalation route, for example Vulnerable Customer Champion (VCC) Advanced Customer Support Senior Leaders (ACSSL) as agreed with Team Leader.</p> <p>If you contact the VCC, then the VCC will decide how best to support you. You must follow the next step as agreed with the VCC, then update the system with the action taken</p> <p>If you contact the ACSSL, then the ACSSL collaborates with relevant organisations where appropriate. You must follow the next step as agreed with the ACSSL, then update the system with the action taken</p>

2. Once all reasonable steps have been taken, use all the gathered information to decide how payments should be issued as per normal process, and update system with action taken.

Payment over £5,000

1. If the payment is for £5,000 or over and claimant has **no** POA, Appointee or representative, you do not need to check PIPCS for key indicators of potential vulnerability concerns.
2. Instead you **must** make a courtesy call to the claimant to advise them about the payment and to ensure they can manage the money themselves.
3. You must update the system to show that an outbound call has been made and record the outcome of the call in Notes PIPCS Person Page.

Checklist for Making a Payment

Please read before making a payment.

1. Some claimants will find the experience of receiving and managing payments challenging. This could be for a variety of reasons:
 - It may be because of their personal circumstances or particular issues they are dealing with
 - it may be they have limited capacity to understand, process or manage financial matters.
 - They may or could be influenced or open to abuse by others.
2. Where we identify there may be an impact on health, safety and wellbeing of an individual when they receive an arrears payment, underpayment or payment outside of their usual cycle, we will work with claimants to understand their needs and seek to help them in identifying and accessing the help that they require.
3. Using this checklist will help colleagues determine the appropriate course of action to take when supporting a claimant.
4. Not every claimant with complex needs will require advanced support or require a change to how they are paid but it should be considered.

5. The principles of Listen, Consider, Act and Review must guide any decision. All reasons for a decision must be recorded so we are able to explain fully to the claimant and other interested parties as necessary.

Identify

6. When the payment stage is reached. Follow this checklist if the claimant is due to receive a payment as a result of:

- Arrears Payment
- Underpayment
- Break in Payment or Additional Payment outside of their usual payment cycle.

Does the claimant have support for example, Power of Attorney/Appointee?

7. If the claimant **has support**:

- Follow normal process and update system with all actions taken

8. If the claimant **does not have support**:

- Start assessing the claimant's circumstances

Consider the amount being paid

9. **Is the payment within their usual payment cycle:**

- Follow normal process and update system with all actions taken

10. **Is the payment outside of their usual payment cycle:**

- Continue assessing the claimant's circumstances

Note: In cases where the claimant's circumstances are known and indicate the payment may be a cause for concern continue assessing the claimant's circumstances for all payment amounts.

Listen

11. Review information held on PIPCS looking for key indicators that may demonstrate:

- risk of Injury
- ill treatment, neglect
- domestic violence
- physical or sexual abuse
- exploitation of children or vulnerable adults
- modern slavery

Additional considerations, this list is **not** exhaustive:

- is additional support noted
- where a claimant has current or recent substance use and misuse issues
- where claimant is at risk of financial exploitation
- where a claimant is homeless; is there no address held/correspondence address
- where a claimant has a gambling addiction
- where a claimant has learning disabilities or difficulties or mental health issues; checking CIS for entitlement to other benefits such as ESA may provide new insight
- where a claimant has financial management challenges; is it noted they struggle to budget effectively

Consider

12. If **No** Concerns are Identified:

- Follow normal process and update system with all actions taken

13. If Concerns **are** Identified:

- You must **Not** issue payments at this stage

You must:

- discuss concerns with Team Leader

- utilise Complex Needs Toolkit/District Provision Tool where required
- consider whether a telephone call to the claimant is appropriate
- does the claimant have Alternative Format or a Reasonable Adjustment recorded? If so we need to consider an alternative method of communication
- consider if case needs to be escalated to a Vulnerable Claimant Champion (VCC) or Advanced Customer Support Senior Leader (ACSSL) at this stage
- consider whether a visiting referral is required at this stage

Outbound call

14. Call the claimant to have an informed discussion, explain the purpose of the call.

15. Three attempts must be made over 48 hours at different times of the day.

Claimant contact successful:

- explain the purpose of the call and give the claimant clear payment options
- Payment options are;
- lump sum payment
- payment to a third party
- If the claimant is unsure, utilise the district provision tool (DPT) if signposting is required and advise them you will call them back to discuss their choice.

Note: The claimant must be free to choose how they wish to receive their payment.

Claimant contact unsuccessful:

- If Outbound Call action fails discuss with your team leader and decide next steps. Consider if the case now needs to be escalated to a VCC or ACSSL.

Contacting the Vulnerable Customer Champion (VCC)

- Follow latest benefit specific guidance and contact VCC. The VCC will investigate the referral and decide how they can best support colleagues
- follow next step as agreed with VCC

Contacting an Advanced Customer Support Senior Leader (ACSSL)

- Follow the latest guidance and contact the appropriate ACSSL. The ACSSLs play a key role and can collaborate with organisations who are already supporting the claimant
- follow next step as agreed with ACSSL.

Review

Was contact made with the claimant?

16. If the claimant has provided a preferred payment option:

- Issue payment as per their preferred payment method

17. If the claimant has not provided a preferred payment option:

- Once all reasonable steps have been taken, use all the gathered information to decide whether payments should be issued as per normal process

47 Stopping or Suspending Payments

Note: These instructions will evolve. Please ensure you are always working from the most recent version.

Advanced Claimant Support: Stopping or Suspending Payments

1. Stopping or suspending payments may create serious hardship for a person who is vulnerable, for example claimants with very complex needs, including mental health concerns. See: [Vulnerability](#)
2. By building a **pause** before payments are stopped or suspended, we can continue to make payments while we consider vulnerability and next steps.
3. You might:
 - Defer the original intervention prompting the stop/suspension of payment
 - Escalate internally via vulnerable claimant escalation routes
 - Reach out to external partners who can provide additional support for the claimant
 - Submit a visit referral

This list is **not** exhaustive.

4. Following these steps, a case conference should be held to allow a review of all circumstances and information to agree next steps before a decision is made on stopping or suspending payments.
5. In each case a record should be made of the reasons behind the decision made, so that we are able to explain this to the claimant and other interested parties as necessary.
7. Below are some steps you might consider, though this is not exhaustive.

Actions to take when stopping payment stage is reached

1. Is the claimant receiving regular payments?

- If **No**, follow normal process and update system with action taken.

2. Does the claimant have a Power of Attorney or Appointee?

- If **Yes**, follow normal process and update system with action taken.

Consider the reason for stopping or suspending payments

1. If payment suspension is considered for a change of circumstances or due to a change in underlying entitlement follow normal process and update system with action taken.
2. Consider contacting the claimant if [vulnerability](#) has been identified to explain why you are stopping/suspending benefit and to offer advice/signpost to external partners who can provide additional support.
3. If payment suspension or stopping payment is considered for a compliance issue **do not** stop payment at this stage.
4. Conduct an initial review by checking Notes on PIPCS Person Page to see if there is any information about claimant being vulnerable or needing 'Advanced Claimant Support'.
5. For Reassessment cases check DLACS for the Disability Code and any notes recorded in DA110. Utilise the [Checklist](#) to identify additional considerations using information where possible from DWP systems.
6. If **no** vulnerability concern is identified, follow business as usual instructions.

Vulnerability concern has been identified

1. If a vulnerability concern is identified discuss with Team Leader and utilise Complex Needs Toolkit/District Provision Tool.
2. Follow next step as agreed with Team Leader Person.

Next Steps – Contacting the claimant

1. Identify escalation routes and take action as agreed with Team Leader. Examples include:
 - Telephone call to the claimant
 - Contact the [Vulnerable Claimant Champion \(VCC\)](#)
 - Visiting officer (VO) referral
 - Advanced Claimant Support Senior Leader (ACSSL)
 - This list is not exhaustive; your next steps should be determined by the conversation with your team leader

Telephone call to the claimant

1. Call the claimant. If the claimant has an Alternative Format or a Reasonable Adjustment recorded, contact the claimant using an alternative method of communication.
2. Attempt to call the claimant 3 times over 48 hours at different times. Note PIPCS with a record of the Outbound Call.
3. If unable to contact the claimant update the system with all action taken.
4. If the call **is** successful explain purpose of the call, for example if a change of circumstance has occurred explain why you are stopping/suspending benefit. If you have a compliance case obtain any information required or agree timescales for evidence to be provided. Defer case and update PIPCS with all action taken.
5. If we have the information required within the agreed timescales to complete the case, follow normal process and update PIPCS with action taken.
6. If we **don't** have the information, discuss next steps with Team Leader.
7. If you no longer have vulnerability concerns, follow normal process and update PIPCS with action taken.

8. If you still have vulnerability concerns, follow agreed next steps which may include one, or more, of the other options detailed below.

Contact the Vulnerable Claimant Champion

1. Contact the Vulnerable Claimant Champion (VCC).
2. VCC will review appropriate information and provide insight on next steps.
3. Consider reconvening as a case conference, if required.
4. Follow next step as agreed with VCC.

DWP Visiting Referral

1. [Make a Visiting Officer \(VO\) referral.](#)
2. Follow the instruction for where visits are effective/ineffective. For compliance cases **Do not stop or suspend payments.** A Visit is undertaken by a Visiting Officer from DWP Visiting.
3. If an **Effective visit** occurs, follow normal process and update system with action taken.
4. If the visit is **Ineffective** a Second visit is undertaken and if this is effective follow normal process and update system with action taken.
5. After two Ineffective visits the case is referred back to VO referrer. For compliance cases **Do not stop or suspend payments.**

Contact the Advanced Claimant r Support Senior Leader

1. Following a discussion with your Team Leader, consider contacting the [Advanced Claimant Support Senior Leader \(ACSSL\).](#)
2. The ACSSL will collaborate with relevant organisations where appropriate.
3. Consider reconvening as a case conference, if required.
4. Follow next step(s) as agreed.

Next Steps

1. Discuss the case in more detail with Team Leader as part of the case conference. Consider including other relevant parties, for example any VCC or ACSSL that has been involved.
2. For compliance cases, once all reasonable steps have been taken, use all the available information to decide whether payment should be suspended/stopped as per normal process.
3. In each case a record should be made of the reasons we have made a decision, so that we are able to explain this to the claimant and other interested parties.
4. Update system with all action taken.

Checklist for Stopping or Suspending Payments

Please read before Stopping or Suspending Payments

1. Stopping or suspending payments may create serious hardship for a person who is vulnerable, for example claimants with very complex needs, including mental health concerns.
2. By building a pause before payments are stopped or suspended, we can continue to make payments while we consider vulnerability and next steps.

You might:

- Defer the original intervention prompting the stop/suspension of payment
- Escalate internally via vulnerable claimant escalation routes
- Reach out to external partners who can provide additional support for the customer
- Submit a visit referral

This list is **not** exhaustive.

3. Following these steps, a case conference should be held to allow a review of all circumstances and information to agree next steps before a decision is made.
4. In each case a record should be made of the reasons we have made a decision, so that we are able to explain this to the claimant and other interested parties as necessary.
5. Below are some steps you might consider, though this is not exhaustive.

Identify

6. If Stopping/Suspending Payment Stage is reached:

- Identify the circumstances that the payment will be stopped or suspended

7. Does the claimant have support, for example Power of Attorney/Appointee?

- If **yes**, follow Normal Process and update system with all actions taken

8. Are you stopping/suspending payments for payability or a change of circumstances which includes a change in underlying entitlement? Examples include:

- Prison
- Hospital/Hospice
- Residential accommodation/Residential school
- Absence abroad
- Death
- No longer satisfies residence and presence
- No longer satisfies underlying entitlement conditions
- Change to domestic circumstances
- Condition no longer supports entitlement

This list is **not** exhaustive.

9. If **Yes**, then follow normal process and update system with all actions taken.

10. Consider contacting the claimant if vulnerability has been identified to explain why PIP is being stopped/suspended.

11. Offer advice/signpost to external partners who can provide additional support.

12. Conduct an initial review by checking Notes on PIPCS Person Page to see if there is any information about claimant being vulnerable or needing 'Advanced Claimant Support'. For Reassessment case check

DLACS for the Disability Code and any notes recorded in DA110.

Are you stopping or suspending payments due to compliance?

13. This list is **not** exhaustive:

- Missing evidence
- Failed to attend (FTA) disability/health assessment
- Failure to return enquiry/claim pack (FTC)
- Failure to notify change of address (dead letter office)

14. If **yes**: Continue assessing the claimant's circumstances.

- **Do not** stop or suspend payment at this time.

Listen

15. Review information on PIPCS or DLACS if case is a Reassessment, looking for key indicators that may demonstrate vulnerability. This includes (but is not limited to) concerns about:

- risk of injury,
- ill treatment, neglect,
- domestic violence,
- physical or sexual abuse,
- psychological or emotional abuse
- exploitation of children or vulnerable adults,
- modern slavery

Additional considerations, this list is **not** exhaustive:

- is additional support noted
- where a claimant has current or recent substance use and misuse issues
- where a claimant is at risk of financial exploitation
- where a claimant is homeless; is there no address held/correspondence address
- where a claimant has a gambling addiction
- where a claimant has learning disabilities or difficulties or mental health issues; checking CIS for entitlement to other benefits such as ESA may provide new insight
- where a claimant has financial management challenges; is it noted they struggle to budget effectively

Consider

16. If **no** concerns identified:

- Follow Normal Process ensuring case notes fully updated to reflect action.

17. If Concerns **are** identified:

- If you have a compliance case you must **not stop** or suspend payments at this stage.

You can consider the following :

- Discuss concerns with Team Leader
- utilise Complex Needs Toolkit/District Provision Tool
- does the claimant have Alternative Format or a Reasonable Adjustment recorded? If so, consider if we need to utilise an alternative method of communication
- consider if case needs to be escalated to a Vulnerable Claimant Champion (VCC) or Advanced Claimant Support Senior Leader (ACSSL) at this stage.
- consider whether a referral to DWP Visiting is required at this stage.
- Follow steps as discussed with your Team Leader

Outbound call

18. Call the claimant to have an informed discussion, explain the purpose of the call for example if a change of circumstance has occurred explain why you are stopping/suspending benefit.

19. Three attempts must be made over 48 hours at different times of the day.

Claimant contact successful

20. If you have a compliance case and the claimant is able to provide additional information, update system notes as appropriate.

21. If the claimant is unable to provide the information requested at point of contact, agree timescales for the evidence to be supplied, utilising the Complex Needs Toolkit/District Provision Tool (DPT) to signpost them to suitable supporting agencies.

22. Explain the importance of providing the information requested to support compliance/continuation of payment.

Claimant contact unsuccessful

23. If an Outbound Call action fails discuss with your team leader and decide next steps. Consider further escalation, for example to a VCC or ACSSL, or whether to refer to DWP Visiting.

Contact the Vulnerable Claimant Champion (VCC)

24. Follow the latest PIP instruction and contact a VCC. The VCC will review appropriate information and provide insight on next steps. See: [Contact the VCC link](#)

DWP Visiting Referral

25. Request a visit using your benefit specific processes through the DWP Visiting Referral Tool:
- Refer to the [Visiting Officer Referral Tool User Guide](#)
 - Follow PIP instruction if visits are ineffective.

Contact an Advanced Claimant Support Senior Leader (ACSSL)

26. Follow the latest guidance and [contact the appropriate \(ACSSL\)](#). ACSSL play a key role and can collaborate with external organisations who can support the claimant further.

Review

27. Has the claimant responded and complied with our requests for information / evidence within agreed timescales?

28. **Claimant has now complied with our requests:**

- Follow normal process and update PIPCS with all action taken

29. **Claimant has not complied with our requests:**

- Record all activity on PIPCS.
- Once all reasonable steps have been taken, use all available information to decide whether payment on a compliance case should now be suspended or stopped.

- In each case a record should be made of the reasons we have made a decision, so that we are able to explain this to the claimant and other interested parties.