

## **SUBMISSION FROM LEONARD CHESHIRE**

*Leonard Cheshire Disability works for a society in which every person is equally valued. We believe that disabled people should have the freedom to live their lives the way they choose - with the opportunity and support to live independently, to contribute economically, and to participate fully in society.*

### **Are you generally in favour of the Bill and its provisions?**

Yes. We support the Bill. However, we believe that more detail is required from the Scottish Government relating to its spending priorities, its political priorities and the specific details relating to the secondary legislation and regulations. At the present time, there is a lack of certainty around the issue of passported benefits and we urge the committee to press the Government on these details as a matter of urgency.

### **General Principles Underlying the Scottish Bill**

The Scottish Parliament's decision to take responsibility for devolved aspects of the UK Government's Welfare Reform Bill presents a unique opportunity for Scotland to build on the progressive policies that have been adopted since the Parliament's inception in 1999.

We hope that the MSPs and Scottish Ministers will use this Bill as an opportunity to introduce provisions that will help to circumvent some of the worst effects of the UK Government's Welfare Reform Bill.

We particularly hope that Scottish ministers will take a strong line on protecting those passported benefits, such as concessionary travel for disabled people that have been put at risk as a result of cuts being implemented by the UK Government. We hope that Scotland will lead the way in protecting benefits, and resist changes that could push disabled people further into poverty.

### **What are your views on the proposed powers in relation to Universal Credit?**

The introduction of new legislation presents a threat to the passported benefits of claimants who are currently eligible for the higher components of DLA and are therefore be eligible for a Blue Badge or a concessionary travel card, but may lose this benefit should they be assessed – under the Personal Independence Payments – as eligible for a lower component of PIP, or ineligible for any support whatsoever under the new plans.

The lack of clarity over the future of these benefits is a source of anxiety for many disabled people, who depend on them in to get to work, access vital services and have full access to the opportunities that many of us take for granted.

More detail is needed on whether the recipients of these benefits will have their rights safeguarded, as well as detail on how “new claimants” will be assessed for passported benefits in the future.

### **What are your views on the proposed powers in relation to Personal Independence Payments?**

We have placed on the record our concerns about the proposed changes to Disability Living Allowance/Personal Independence Payment. The UK Government’s spending reforms mean that it is more important than ever that we take action to fight disability poverty in Scotland.

Across the UK disabled people are twice as likely to live in poverty as non-disabled people.<sup>1</sup> In Scotland, the general figure for people living in poverty is 17%,<sup>2</sup> meaning that an alarming 34% of disabled people in Scotland are estimated to be living in poverty.

Since 1999 the Scottish Parliament has introduced measures that have improved the lives of disabled people, the introduction of concessionary travel being just one example.

This legislation presents a further opportunity for Scotland to lead the way in protecting support for disabled people. While we recognise that the Scottish Parliament has limited powers in relation to welfare, other measures can be taken to mitigate some of the worst effects of the UK Government’s Welfare Reform Act.

Measures must be taken to ensure that disabled people currently in receipt of passported benefits continue to receive them, and that there are systems in place to fairly assess new claimants.

The Scottish Government could also consider further progressive measures, that would introduce minor but welcome savings for households with a disabled person.

For example, there is a lack of uniformity across Scotland in relation to how concessionary travel cards can be used in different parts of the country. While some local authorities offer a ‘companion concession’ for card holders registered in that local authority (for example, in Glasgow, West Lothian, Highland and Fife) which allows the card holder to travel with one other person who also travels free of charge or at a discounted rate, others do not. A card-holder living in Glasgow, for example, may be able to travel with a companion within the Strathclyde Passenger Transport

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<sup>1</sup> Parckar, G. (2008) Disability Poverty in the UK, Leonard Cheshire Disability

<sup>2</sup> National Statistics (2011) Poverty and income inequality in Scotland: 2009/10, Scottish Government

area, but would not be entitled to travel by train with a companion on their card to Edinburgh.

The introduction of a uniform “companion” element to concessionary travel for disabled people could help ease some of the additional financial hardship experienced by households with a disabled member who has lost some or all of their benefit entitlement under PIP, but who may be eligible to retain their card due to Scottish Government support for the ongoing scheme, or who may qualify under some other criteria.

Of particular concern are people currently receiving lower rate care DLA. With future spending on DLA being reduced this group is especially vulnerable to losing their support. Many people in this group are using their benefit to meet low level needs, delivering the kind of preventative support that helps prevent more significant interventions at a later date. As the Scottish Government has control over social care, we call on the Government to look at ways it can do more to meet those low level needs, all too often missed by social care support and now likely to be excluded from benefit support.

**What are your views on the proposed subordinate legislation powers in the Bill?**

As previously stated, we support measures that would safeguard benefits for disabled people, but would like to see more information on the detail of the Bill.

**Do you have any other comments on regulations that would follow this Bill on ‘passport’ benefits and eligibility for them?**

Please see previous responses.

**JACQ KELLY  
LEONARD CHESHIRE  
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