



## Scottish Affairs Committee

Oral evidence: [Welfare policy in Scotland, HC 889](#)

Thursday 18 March 2021

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Members present: Pete Wishart (Chair); Mhairi Black; Deidre Brock; Wendy Chamberlain; Sally-Ann Hart; John Lamont; Douglas Ross.

Questions 175 - 208

### Witnesses

**I:** Will Quince MP, Minister for Welfare Delivery, Department for Work and Pensions; Justin Tomlinson MP, Minister for Disabled People, Health and Work, Department for Work and Pensions; Andrew Latto, Deputy Director, Devolution, Pensioner Benefits and Carer's Allowance, Policy Group, Department for Work and Pensions; and Margarita Morrison, Area Director, Work and Health Services Scotland, Department for Work and Pensions.



## Examination of witnesses

Witnesses: Will Quince MP, Justin Tomlinson MP, Andrew Latto and Margarita Morrison.

Q175 **Chair:** Welcome to the Scottish Affairs Committee in what will be our last public evidence session in our inquiry into welfare in Scotland. We are absolutely delighted to be joined by a brace of Ministers to help us out with our questions this morning. I will pass across to them to introduce themselves and to tell us what their responsibilities are. We will start with you, Minister Quince.

**Will Quince:** Thank you very much, Chair. I am the Minister for Welfare Delivery and my responsibilities largely include universal credit, the disadvantaged groups within the benefit system, and fraud, error and debt, among a few other things, but that is the primary function.

**Chair:** Thank you. Mr Tomlinson, could you maybe at the same time introduce your staff colleagues who are accompanying you this morning?

**Justin Tomlinson:** No problem. I am the Minister for Disability, Health and Work, predominantly disability benefits, disability employment and also on behalf of the Department take a lead on devolution issues. I am joined by Andrew.

**Andrew Latto:** Good morning. I am deputy director in DWP for devolution policy.

**Justin Tomlinson:** We also have Margarita, virtually beaming in from—

**Margarita Morrison:** Hi. I am the director of Work and Health Services and universal credit in Scotland.

Q176 **Chair:** Thank you all so much. It is an abundance of Ministers and senior DWP colleagues joining us this morning.

I start by saying this is the last public evidence session in what has been a fascinating inquiry. Ministers, we just want to thank your Department for all the co-operation that your Department has given to this Committee in the course of its inquiry. I think all of us on this Committee just want to recognise the magnificent effort from all DWP staff in the past year and for dealing with the increased pressure in such a helpful and efficient way. I am pretty sure you will hear that from colleagues around this Committee this morning.

Can I start by asking both of you or either of you what your general views are just now about the progress of the devolution of benefits to the Scottish Government? Where we know that there have been issues around Covid, which obviously meant necessary delays, is everything working out and proceeding satisfactorily as far as you are concerned?

**Justin Tomlinson:** I will start off on that. First of all, I am very envious of your gold discs behind you. I have to say, it is very positive. I attend



## HOUSE OF COMMONS

the joint ministerial meetings and there is a genuine mutual respect between the Ministers. We have different political ideologies, and I am sure we will come on to some of those things later on, but there is a respect towards the devolution process. Officials engage thoroughly, they enjoy it and at every formal meeting we have, we do record thanks from both sides at how well the officials are working. Much of this work is very complex, there are multiple challenges, putting Covid to one side, but by and large I think it is very positive how the two different areas work. That is both officials, Ministers, day to day and in those formal meetings.

I think it is the very least that the public deserve, particularly around the fact that where there are delays or challenges, from the public's perspective, it is business as usual. There have not been cliff edges that have left people unable to access what is often very vital support. We have found a way to be very accommodating, ways to deal with those challenges on a case-by-case basis.

We also respect that in the political arena there will be things that we will disagree on. I will give you an example that is not contentious, which is the issue around rising 17s for PIP. Across the United Kingdom, we will look to transition people from child DLA aged 16 to 18, and the Scottish Government have decided to move that from 16 to 18. Objectively, I do not think there is necessarily a right or wrong answer there. We would choose to do it at 16 because it provides certainty for when they transition to adulthood, because they will know what level of support they can get. If it is not what they were expecting, there is ample time to go through an appeals process.

I think from the Scottish Government's perspective, their view would be it is better to sort out the adult side of support when they are classed as an adult. We both respect we have come to a different conclusion and we have found a way that that can then be delivered operationally. That is an example of where we disagree politically, but we have been able to then deliver it as part of our devolution agreement. On politics, there will be things we disagree with, but on a day-to-day basis it is very, very strong. I will bring in Andrew here, who leads from the official side, who can then say from their perspective how the logistics work.

**Andrew Latto:** A little bit on logistics about Covid-19: there is a Scottish devolution programme in the Scottish Government and there is a Scottish devolution programme inside DWP. Essentially, we had originally envisaged that the Scottish Government programme would be setting new things up and the DWP programme would be closing things down and we would make sure that we joined up so nothing was closed down before something else was started up. But because of the delays that have been introduced because of the pandemic, on the DWP side of things in particular we have shifted the emphasis a little bit more to how we can continue to deliver services in Scotland for a bit longer than we were envisaging doing.



We have put in place agency agreements to deliver services to people in receipt of benefits in Scotland until the Scottish Government's capacity is built through Social Security Scotland to deliver the new benefits. We were expecting those agency agreements to be a bit shorter and the pandemic has basically made that period a bit longer, so we are spending a little bit more time keeping services running and a bit less time working through the implications of closing those services down, although clearly they are doing that work as well.

**Q177 Chair:** I am grateful for that. We want to go into maybe greater detail for some of the agency agreements, how efficient and effective they have been and how we will make sure that they do become possibly not necessary as we move forward with the Scottish Government's programme.

This Committee has been interested in the devolution of social security responsibilities probably since it was first suggested. When Damian Green was Secretary of State, we had a joint session with the then Cabinet Secretary of Scotland to talk about the proposed, as it was then, devolution of social security responsibilities. What we found at that very early stage—and I am interested in the civil servants' view on this—is that there was very early engagement with civil service teams and that became a key feature, working together. I think this has been seen as an example of how things should be done, the way that the civil servants have worked together to design an agenda that seems to be working.

Can I ask if you are satisfied with the arrangements and engagements that you have had with Scottish Government Ministers, whether you get the necessary information that you require in order for this to happen efficiently? Maybe just talk us through a little bit about how you engage with your opposite numbers in the Scottish Government.

**Justin Tomlinson:** There is good and bad. On the positive, I enjoy my engagement with the Cabinet Secretary for Social Security and Older People, Shirley-Anne. We have frank, constructive, helpful discussions. Clearly, there are political directions that we disagree on, but I think we both approach those meetings that we are genuinely interested in how each other is approaching that. I think there will be cases where one side may wish to go in one direction, but then may review it and look and think, "The other side maybe is on to something there". In those very formal meetings, we are candid, we are frank and we do exchange ideas and thoughts. They are certainly meetings I enjoy; I look forward to doing those.

This will be explored further on with some of the other questions, but I think the challenge is that sometimes—and I understand, because we are in a political environment and you have to time things around the cycles in politics—things are announced that are perhaps more challenging than a timeline would allow. The gentle pushback I would give is sometimes I would question whether officials, who probably know that this is more challenging than perhaps the political people would want to hear, are



## HOUSE OF COMMONS

empowered enough to be able to say, "We understand that. We understand that is the political determination to deliver X, but we will need a little bit longer to do that". Sometimes that then adds to the pressure that can lead to some of the delays where some of your aspirations have not yet been delivered.

I was thinking about it this morning, and I was discussing this with the Minister for Welfare Delivery, that we are not all immune to that. Sometimes if I have an extra strong coffee in the morning, I get extra creative on potential policies and sometimes officials have to gently remind me that, well-meaning as my intentions are, they may take a little bit longer than I would hope, for a variety of reasons.

The pushback I would give is I very much enjoy the engagement, I absolutely respect the passion and the enthusiasm and the good intentions, but sometimes I worry that things are announced before they have worked through the details and that then causes problems on delivery and potentially then concern for some of the people that I would be representing in my role across the whole of the United Kingdom.

Q178 **Chair:** We will go into these issues because I think they are very important points to make. I think it is imperative that we explore that properly.

We have taken this inquiry so seriously we have even conducted our own survey. I will just give a couple of the headlines that we have found, if you could give us your response to this. It was 68% of respondents found the process of applying for welfare difficult. Another majority didn't think their benefit was adequate and people claiming sickness and disability benefits felt particularly let down by the system. I know the Scottish Government did their own survey recently about some of these issues and their responses were roughly in line with what we found in our survey. Are these responses something that your Department recognises? What are you doing specifically to address some of these concerns?

**Justin Tomlinson:** I will go first from the disability benefit side and then the Minister for Welfare Delivery will cover from his angle. Many of our benefits are now longstanding, so we can take a step back and look at them. We have the forthcoming health and disability Green Paper that will be launched, which will be actively reviewing the support, in terms of both disability benefits and disability employment. It will be looking at a number of themes. On the disability benefit side, it will look at the ability to gather supportive evidence, because we know if you have good quality supportive evidence you are more likely to get the correct level of support first time around and more likely to get that through a paper-based review than a full traditional face-to-face assessment.

Secondly, we want to look at the assessment process itself. But for Covid, we would have done this exercise last summer and we would have been consulting on whether we should introduce telephone or video



## HOUSE OF COMMONS

assessments. Because of Covid we have had to introduce telephone and video assessments and by and large they have worked very well. The consultation will be, "Do you want them to continue? If so, in what form and to what level?"

Thirdly, around advocacy, so this is building on the principle that we have in universal credit with the Help to Claim scheme that is delivered by Citizens Advice England and Wales and Citizens Advice Scotland in Scotland, and how we can refresh that beyond just being about the digital support, looking around particularly identifying some of the most vulnerable claimants to give them that extra level of independent trusted support.

Fourthly, around the appeals process, and where the system has not worked for a claimant, to make sure that that can be addressed as quickly as possible, and then a separate section around disability employment. We are very proud, as a Government, to have delivered record disability employment, but we still have our ambition for 1 million more disabled people in work by 2027. Part of that will also be looking at addressing those who drop out of work because of long-term health conditions or disabilities, remembering that the vast majority of people who have a health condition or a disability will acquire that during their working age, rather than necessarily being born with it. With employers, do we provide sufficient guidance and sufficient in-work support? What more can we do to help keep people in work than dropping outside of work?

There are challenges. While we have very high satisfaction rates for WCA and PIP, for those where it goes wrong, it really matters because this is crucial support to them. It is a full and frank, honest exercise, where we will be doing extensive engagement. I have done 24 preconsultation events already. I have written to every MP to suggest that if they have groups with real lived experience that individual MPs want to share with me, then we will host an event specific to their constituency. I am very grateful for all those MPs who have already applied. We are in the process of setting those up. When we formally launch that, the organisations and individuals across the country will be able to feed in directly or through the various events that will be held. We will genuinely be looking at opportunities to improve.

**Will Quince:** If I can add to that, I will be very interested to see the results of your survey, if we are able to do that, in due course. Certainly, in terms of the most recent universal credit survey, we know around 98% of the claimants surveyed made their UC application online. We know the vast majority of claimants were satisfied with universal credit and the way that queries were dealt with within the system, around 80%. In terms of Scotland in particular, we know that complaints received in Scotland stand at something like 0.03%, which is broadly the same as across England and Wales also.



## HOUSE OF COMMONS

We certainly recognise that there are some people who do need support with accessing the system. That is why, as the Minister for Disabled People rightly pointed out, for a third year in a row we have commissioned Citizens Advice and Citizens Advice Scotland to the tune of £39 million a year to run the Help to Claim service. I think over the course of the past year that support is somewhere in the region of 250,000 people to access universal credit. But we are always looking at ways in which we can improve access to the system and working with charities, organisations and stakeholders to see where we can potentially improve it. We are also acutely aware, as the Minister for Disabled People again rightly pointed out, that there is a very small cohort of people, but very significant too, who for all sorts of reasons—be they part of a disadvantaged group or particular vulnerabilities or complex needs—do need additional support.

At the beginning of last year we had ready to go a transition fund to the tune of £10 million to support people with those complex needs and vulnerabilities on to universal credit, working with local charities and organisations. Unfortunately, that work all had to be paused because of the pandemic, but we are exploring ways in which we can take that forward, and for year 4 of Help to Claim, how we can improve it to add more things, such as advocacy, financial inclusion and financial resilience, and all sorts of other areas that we know would benefit claimants and future claimants.

**Q179 Chair:** Excellent, thank you. I know that we have two very articulate and enthusiastic Ministers with us this morning, but we have lots of stuff to get through with both of you. If you feel the need to reply, please do, but if we could get shorter answers because I am conscious we are now almost 20 minutes into this session.

I have one big last topic I want to explore with you, which I think you have already touched on, and that is the different approaches from both the UK and Scottish Governments. I am sure you are absolutely aware, and it does not need repeating, that there is a different political ideological approach to this in Scotland. Even the core language is different, where in Westminster it is welfare and in Scotland it is referred to as social security.

The Scottish Government's charter stresses the fact that this is an investment in people, it is a human right and a public service and that dignity and respect should be at the heart of any system that is designed in Scotland. Do these different political and ideological perspectives affect any development of policy between the two Governments? Does it have any impact at all on the relationship issues between your Department and Scotland?

**Will Quince:** I don't think so. We have a longstanding customer charter stating staff will be helpful, polite and treat those it supports fairly and with respect. I don't think there is a million miles of difference. If we were to randomly survey people, I think the public would struggle to



## HOUSE OF COMMONS

identify either, but it is the core principles that we should treat people with respect. I personally don't think it gets in the way of any of the work that we do. We have some positive news on this, which Margarita can update us on.

**Margarita Morrison:** With the charter, we are assessed against it each year by Customer Service Excellence and we receive accreditation on the basis of the fact that we do use our charter and we have it implemented across all of our 5,000 colleagues in Scotland. I am very pleased to say that we have done that for 10 years and we have been accredited each time. Yesterday we received our accreditation for last year. Some of the comments that were made were around strong empathy, strong engagement with partners and strong mentoring. We are very pleased that it is a live document that we use and that we have that feedback from the independent accreditation from yesterday.

Q180 **Chair:** I am grateful. Ms Morrison, is that something you could possibly share with the Committee? Because all these surveys are very important and indicative about how people are responding to both Governments in terms of service providers.

Lastly from me before I pass over to John Lamont, in terms of this relationship issue, is there any way that, for example, the DWP would possibly think about incorporating some of its services under that charter? I am thinking most probably around jobcentres. Would you, as part of the services that you provide in Scotland for the DWP, adopt the Scottish charter in terms of the delivery of services in Scotland?

**Justin Tomlinson:** Yes. I think that is a fair question to ask. While we are accountable for delivering things when it will be our charter, that said, as I alluded to at the beginning, when we have our discussions, we can never be precious about saying one side is always right and one side is always wrong. Where you seek to do things in a different way, we will always look at how those work. If there are lessons for us to learn, then we will learn them. We will never be precious. We will not seek to be different for the sake of being different because the only thing that matters is the people that we are supporting, which is predominantly the most vulnerable people in society.

If you do something that proves to be better, then we must look at that, but I hope you would do the same from your perspective. I know there is a political drive to be different—I understand that—but never make that more important than making sure it is the right support, the right level of respect and helpfulness to what is some of the most vulnerable people in society.

Q181 **Chair:** I am grateful for that. I am just having a look at the DWP's charter, what you call the customer charter. It does seem to be mainly some of the process issues, like "easy access" and "keeping you informed". We are looking forward to seeing the results of your new survey. I have in front of me satisfaction levels of claimants against these



four principles for this charter and “the right treatment” gets 82%, which is very impressive. “Easy access” is 71%, which is the same as the year before. “Getting it right” is 80%, again impressive, but it has decreased 5% from the year before. It is maybe for Ms Morrison: are your new results an improvement on those results that I have just read out?

**Margarita Morrison:** In Scotland we have a customer insight team, so they monitor customer satisfaction on a weekly basis. There are two elements to that. One is safeguarding, which is very important from an adult protection perspective, and one is just generally understanding how our 5,000 colleagues across Scotland treat our customers. It is very important to me that that works well for our customers. I work with colleagues in Scottish Government to track that through.

In December we undertook a survey of 4,000 people, of which 1,400 customers responded, and there was 93% satisfaction. We are not relaxing on our laurels. There are matters they have mentioned to us that we want to look into further. On the safeguarding adult protection part, we use data mining to make sure we pick up any key words of concern. We work with all our partners across Scotland, including local authorities, police and social work departments, to talk about what more support we can give to customers to make sure that they can access benefits well and that we are giving the level of tailored support that they need from us.

**Chair:** Excellent. Thank you very much, Ms Morrison. I will now pass over to my colleague, John Lamont.

Q182 **John Lamont:** Good morning to the Ministers, Ms Morrison and Mr Latto. Thank you for your time this morning. Picking on the DWP jobcentres first of all—I have a few themes I want to pick up on—I have met the staff in the jobcentres in my own constituency a number of times in Hawick, Galashiels and Eyemouth. What I always take away, having met them, is just how tremendously dedicated they are to finding the right outcomes and support for the people that they are helping. They don’t leave any stone unturned to ensure that the right support is put in place for everybody that they are helping.

The other thing that I take away is bearing in mind many of these staff members have worked in the DWP and jobcentres for many decades, their feedback is that universal credit is a vast improvement compared to other types of system that they have been dealing with in the past in terms of supporting people and its ease of use. Is that consistent feedback you get from all DWP staff or just generally? Because many politicians take a very strong contrary view and that is certainly not the impression I get from the people on the frontline delivering this.

**Will Quince:** Thank you very much, John. I thank you for your comments about those who work within the DWP and in particular those who are the work coaches and those across the organisation that over the past year have strained every sinew and have been redeployed at very short notice to claims processing. You are right, the doubling of the



number of UC claimants over the course of the past year—and that is across the whole of the United Kingdom—was unprecedented. Yes, the system stood up to the challenge. The previous legacy benefit system, to be frank with you, would have fallen over. We would have seen queues outside jobcentres, people waiting to get paper-based forms, a legacy-based system that was largely based on face-to-face interaction. That did not happen because of our system, which people could access at their leisure, largely from home, or with support from organisations like Help to Claim and others.

Where you are right is that the consistent feedback we get from work coaches up and down the country, including in Scotland, is that universal credit is the tool that they have been waiting for because not only does it give them that tailored personalised support that they can give to individual claimants, but it gives them a tool with which to empower and incentivise people into work.

**Justin Tomlinson:** Can I just add to that, John, that under legacy benefits, with the multiple agencies that you would have to navigate, often at a point of sudden change in your life, whether that is job loss, bereavement, family breakups, to then have to navigate all those different agencies, you frankly had to be a nuclear physicist. We all know this from our constituency casework. I certainly remember those first few years when I was elected trying to unravel how you work out who is entitled to what. There were estimates of £2.7 billion a year going unclaimed around legacy benefits because, frankly, it was too complex for people to be able to access all that they were entitled to.

One of the beauties of universal credit is that brings it all into one place. For the first time you have that personalised service, a named point of contact who can treat you as an individual. I cannot emphasise that enough. You are absolutely right that if you visit a jobcentre, and many of those staff have been long-serving and have seen all sorts of things, they are very positive about the principle of universal credit, which is why whenever there are any Westminster Hall debates around universal credit, the Minister for Welfare Delivery or I—and I have served in that role—will always ask if they have been in to visit their jobcentres and spoken to those people on the frontline. We can debate about the level of support and so on, but as a principle, personalised and tailored support that is simplified is making sure that people are getting access to the support that they need. Again, these are the most vulnerable people in society in many cases.

Q183 **John Lamont:** That is very helpful, thank you. Moving on to the number of work coaches, the Chancellor previously committed to increasing the number of work coaches across all of the United Kingdom. Do you have any up-to-date information as to how that is progressing in Scotland?

**Justin Tomlinson:** Exactly 862 additional work coaches in Scotland. I am very pleased, with my ministerial disability hat on, that we are also increasing the specialist disability employment advisers to make sure the



## HOUSE OF COMMONS

level of personalisation, knowledge and understanding is there to support those particular challenges. We are making very good progress to reflect the increases in demand on the jobcentres.

**Q184 John Lamont:** I was going to ask some questions around communication between the UK Government and Scottish Government, but I think you addressed most of those within your opening remarks. Can I turn to a point the Chairman made earlier about the delays in the Scottish Government taking up some of their responsibilities in terms of welfare? What sort of practical impact has that had? Have you had to redeploy officials and teams within your Department to manage that or has there been any additional resource from UK Government that had to be put in place just to, as I say, deal with this delay?

**Justin Tomlinson:** Again, a very fair point to raise because we cannot underestimate what a challenge it is where there are delays, because we collectively, the United Kingdom Government and the Scottish Government, will have a timeline and a plan and an aspiration to deliver. When you go beyond that, it is a resource challenge. From our perspective, those charges are passed back on to the Scottish Government. We have the agency agreements in place to make sure, from the public's perspective, there is no cliff edge. For example, the delays around the Scottish Government taking over PIP, we will continue to deliver the United Kingdom's PIP so that people still have access to that support and there is no cliff edge.

But there are challenges underneath that. First of all, we have contracts, so we have that difficult position where you cannot contract to a random point in time, you have to set something, so we have to have very frank conversations with the Scottish Government to say, "Your aspiration may be in a year, but potentially we are doing a two-year contract. What do you want to do?" so those conversations happen.

I would say there are three reasons why there can be delays. There is first of all the unavoidable challenges of Covid and we all have had to make adjustments accordingly. Second—and I know this will be explored later on—is data. I alluded to this earlier, that it is absolutely vital that before Ministers make announcements the officials are empowered to advise whether that data exists, because you cannot build something reliant on data that does not exist. That can cause delays. Thirdly is where things prove to just simply be more complicated, because there can be very well-intentioned ideas, but then when you come to look at the reality of it, there can be unintended consequences that can make things worse.

An example of that is the proposed changes in Scotland to the PIP system. I formally recorded at the last joint ministerial group my concerns. Understandably, with good intentions, the Scottish Government wish to remove face-to-face assessments in PIP. I understand why they would look at that as an option because in surveys it does cause anxiety for people to go through face-to-face assessments. The Scottish



Government would say, "We would like to have a greater reliance on medical evidence". Again, we agree with that. That is one of the thrusts of the forthcoming Green Paper, but it is not that simple because if you talk to GPs, who predominantly provide that evidence, they do not always have available supportive evidence. Not every single claimant regularly visits their GP and has a full document of evidence. One possible solution is that then GPs should provide that evidence, but you find me a GP who wants to be part of the benefit process, who wanted to train to be a GP to do in effect benefit assessments. They do not exist. They will push very strongly back against that.

There will be claimants who do not have supportive evidence, so you then have to put greater weight on the submitted form. That is recreating the old Disability Living Allowance benefit, where claimants had a 16% chance of getting a higher rate of support, yet under PIP it is 33%. On mental health, as an example, you are now six times more likely to get the daily living component through PIP than you are under the legacy benefits. For very good intentions, the Scottish Government are at serious risk of cutting support to disabled people in Scotland.

My challenge back to the Scottish Government is, "When you have good intentions, are your officials empowered enough to talk about those unintended consequences and, before announcing your policy intention, work all that through? If you can do that, you then have a robust policy that is more likely to meet those timelines that you understandably are setting". That has been a challenge because we have to then step in if something misses that deadline as part of the agency agreement to make sure there are no cliff edges.

**John Lamont:** That is very helpful. Thank you, Ministers. Thank you, Chairman, that is me done.

**Chair:** Thank you. I think we have the usual Whitehall broadband gremlins. I think you were coming and going a little bit there. I don't know if there is anybody with you who can maybe help you out. You are frozen occasionally and we are hearing you, but we are not seeing you properly. I don't know if there is anybody there who can assist to see if that could be resolved. We are able to continue with hearing you, so let's just see how we get on.

Q185 **Deidre Brock:** There were some points around data sharing. The Child Poverty Action Group has given us evidence describing information sharing as vital and Citizens Advice Scotland says it is crucial for the operation of the benefit in Scotland, yet the Cabinet Secretary and her civil service colleagues last week were suggesting in their evidence that there had been problems here. Could I ask about the challenges that you think there are in sharing data with the Scottish Government? Minister, you mentioned whether data exists. Could you elaborate on that a little, please?



**Justin Tomlinson:** I will start, then I will pass over to Andrew, who deals with this. For the first phase of these changes, which was, from memory, the under-sixes, the Scottish Child Payment, the data exists so we were able to do that. That was able to, I believe, meet the timeline. That is an example of something that has worked very well. The Scottish Government had good intentions, they have checked in advance, that has worked and that is a success.

But for the older children, that data is not readily available. There is never a situation where we will not share data where we can, because we respect that you wish to do things differently in some of those policies. Where you have decided to do that, we will do everything within our power to accommodate that. But that, for the older children, was something that I am afraid was not readily available and that is what is now causing the delay. Our officials—and this is what Andrew will go into—are trying to find ways to do that to assist you, but if we don't have it, we don't have it.

**Andrew Latto:** If I break it down into two different dimensions, there is the dimension where there is a UK benefit that is being replaced by a Scottish benefit and then there is the occasion when there is a completely new Scottish benefit that has an interdependency on reserved benefits. There are a number of differences between those two things. If I take the Scottish Child Payment as an example, what we did was transfer, so maternity grants from the UK Government were replaced by Best Start grants, so a service being delivered by the UK Government was replaced by a service delivered by the Scottish Government. We moved the data wholesale across so that the Scottish Government could then deliver Best Start grant. Then the Scottish Government, which then owned that data, could use that data to provide the first phase of the Scottish Child Payment.

We do not offer maternity grant in the case of older children, so the data that we have that is being used for the first phase of the Scottish Child Payment does not necessarily exist, as the Minister said, for children over six. From a legal point of view, there is a distinction between us moving wholesale case data across because the cases are transferring and then the Scottish Government using that data for other purposes versus the Scottish Government wishing to top up a reserved benefit.

In policy terms, they are entirely entitled to do that, but in terms of the underlying data that enables them to do that, when we take a claim, for example, for universal credit, it doesn't say anywhere on the form, "Oh, and by the way, we might share your information with the Scottish Government so that you can acquire a different benefit".

Q186 **Deidre Brock:** Can I just stop you there? I noticed that the Scottish Federation of Housing Associations is saying that the DWP should take a "more rational approach to data sharing and implicit consent". It also spoke of the comments of the Information Commissioner's Office from



## HOUSE OF COMMONS

April 2019 that, “The DWP appears to be taking an unduly restrictive view of the definition of consent under data protection”. Is that affected by what you are speaking of there?

**Andrew Latto:** It is certainly relevant. First of all, I would say when we get a request for sharing information—this is not just from the Scottish Government, it would be local authorities as well—there is a process that we go through, which is, “Does the data exist? If it exists, do we own it? Are we the data owners? If we are, are we legally entitled to share it?” Part of that legal assessment is, “Is the use of that private data proportionate to the objective that is needed to be achieved?” Then there is, “Operationally, is it possible for us to share it?” There is a structured process by which we go through that.

Q187 **Deidre Brock:** What do you say about the Information Commissioner’s Office, though, that it is suggesting you are being unduly restrictive in terms of the definition of consent?

**Andrew Latto:** I am not aware of that particular report. I do not want to comment on the specifics of that report, but the basic principle that our chief data officer operates under is that we are prepared to share the minimum viable dataset we hold on citizens who make claims. In the case of the Scottish Government, once the Scottish Government have verified the identity of the person that they are dealing with, then we are content to share the data, providing it is clearly relevant to the new benefit that is being delivered to them.

**Justin Tomlinson:** This is not unique to the Scottish Government. There are many times where I or the Minister for Welfare Delivery want access to data that then for those same reasons we are not able to do. For example, it is often raised to me by stakeholders, “I have done a PIP assessment in January and I have gathered lots of supportive evidence. I have the highest rate of support so I am very happy. I have now been called to do a WCA in April. Can you please just use all of my information?” We cannot automatically do that. In the forthcoming Green Paper we will be looking at a way that we can do that, but it comes back to my point.

It may be the Information Commissioner is right and the legal people, who are much greater than us, will look at this in minutiae and then make a decision on this. If they find a way, then we will be very supportive and very happy to do it, and myself and the Minister for Welfare Delivery will be looking for what other data we could use. We have to abide by the law, but the point is that we have those conversations with officials when designing policies and, therefore, that influences the policies we are doing.

I am coming back to that point: there are very, very good intentions on many of the things the Scottish Government are looking to do, but they are announcing some of those things before they have squared these things off, which then makes it impossible to hit those timelines, which is



why things have not been delivered in this Parliament and we would then be looking to move further down the line. It would reduce risk if officials in the Scottish Government felt empowered to let Ministers know what was practical going forward.

**Chair:** Sorry, Deidre. I don't know if it is just me, but I cannot see the Ministers anymore. Is that the same with everybody else? We have lost all vision, Justin and Will. I don't know if there is anybody there who can assist you to try to get that back, but we will continue with just audio.

**Will Quince:** We are trying to get some tech people.

**Chair:** Oh, there we go. You are back now, great.

Q188 **Deidre Brock:** Minister, you mentioned the Green Paper and there is obviously going to be some attempt made to potentially revise data-sharing practices and to be able to speed up that data sharing because the Cabinet Secretary and her colleagues last week did speak at length about this and expressed a certain amount of exasperation, particularly in regard to universal credit data sharing and so on. Are you able to elaborate a little bit more?

**Justin Tomlinson:** Just to be clear, the Green Paper is specifically looking at the principle of—with claimants' permission, and only with claimants' permission—sharing evidence between PIP and WCA assessments. But on the specific principle of the data relating to the Scottish Government and whether the Information Commissioner was right, that will always be under active review because as a principle we will share anything that we are told we have and are allowed to share. We do not want to get in the way of you delivering what are your aspirations and are fully within your rights within devolution. We are not intentionally a block.

If there are ways that have been found to do it, then we will accept those and look at them, but that is a legal thing and that will have to just be looked at. But it is certainly never our intention to withhold any data, never has been, never will be. That is why there is such respect between the officials who try to do everything they can because at the end of the day, while we may disagree politically, it is about making sure that those people receiving the service do so in a seamless manner.

Q189 **Deidre Brock:** Good to hear. I think the Cabinet Secretary and her colleagues mentioned that there was a difference in approach to data sharing with Northern Ireland. I wonder if your officers could just outline those differences for us and maybe the history of them. They seem to have been in place for a while; that was the impression I gained. I got the feeling that the Cabinet Secretary perhaps would have liked to see some movement along those lines for Scotland. Are you able to elaborate on that a little?

**Andrew Latto:** If I could do that on behalf of the Ministers, with Northern Ireland, the situation is rather different. It is much more



longstanding, clearly, but that is not really the point. I think the point is the Northern Ireland Act specifies that to the largest extent possible the Northern Ireland Ministers and the Work and Pensions Secretary should seek to secure a single social security system across Northern Ireland and Great Britain. The whole point of Scottish devolution is that the Scottish Government want to do something different from the UK Government. There is also—

**Q190 Deidre Brock:** Indeed, but I suppose I was asking specifically about the data-sharing arrangements. Are you suggesting that because you are just looking at a single agreement across Northern Ireland and the UK the data sharing is simplified by that? I am not quite clear.

**Andrew Latto:** One thing first of all is that universal credit is a transferred policy in Northern Ireland, so it is not DWP that delivers it, it is the Department for Communities. The Northern Ireland Government have their own access to that sort of data. There are also longstanding arrangements, because of the parity principle, that DfC in Northern Ireland often use DWP infrastructure to deliver its benefits. In some cases, we subcontract some work to colleagues in DfC to do in Great Britain, because our systems are so very similar or in many cases identical. The data-sharing issues are rather different with Northern Ireland.

**Q191 Deidre Brock:** I just wanted to move to the social security charter principles, if I may. Thank you very much for that elaboration around Northern Ireland. That is certainly something we will go away and have a look at further.

On the agency agreement system of delivering benefits, first, to start with that, what are the main challenges for you in terms of that agency agreement system? What do you think are the main difficulties there?

**Justin Tomlinson:** I think I have already covered that. The agency agreement is rightly in place to make sure that there are no cliff edges, particularly because it is often the most vulnerable in society that we are providing support to, but from ours, wherever possible, if there are avoidable delays, if officials can be empowered to make sure that all of the considerations are taken on board before there is policy and ultimately timeline signoff. The agency agreement is only there really to pick up as things are missed, because the Scottish Government wants to be able to deliver their aspirations as quickly as possible.

We want it, from our perspective, to be as smooth as possible because it is resource intensive and it does provide uncertainty and challenges for us as we are negotiating the extension of contracts, for example, in some of the services. But as a principle, the agency agreements have worked very well, because there have not been any cliff edges, so nobody has been left without any support.

**Deidre Brock:** Could I ask one of your officers to comment as well?



**Andrew Latto:** The only thing I would add to what the Minister has said is the opportunity cost. Because we are delivering the existing benefits for a bit longer in Scotland than we were expecting to, that means that we have resource that is delivering stuff in Scotland, which we are reimbursed for by the Scottish Government, so it is not the financial cost, it is the opportunity cost because those people are clearly not doing other things that we might otherwise have planned for them to do.

From a Scottish Government perspective—it is not really for me to comment, but I will—there are difficulties with the agency agreements because the Scottish Government gets the service that is available in England and Wales. It puts a constraint on delivering different policies. For both Governments, there is no interest in keeping agency agreements going for longer than is absolutely necessary, but both Governments agree we want a safe and secure transition, so we cannot stop one service before a new service is ready to replace it.

**Deidre Brock:** Good, thank you very much.

Q192 **Chair:** Thank you. Just to go back to the data-sharing issue, last week when the Cabinet Secretary was here, she did share her frustrations around a lot of this. I think you have helpfully explained your view about some of the difficulties and issues about providing that information as required. You gave the example of Northern Ireland and I was interested to hear what you say about this. Wouldn't the elegant solution, therefore, then be just to transfer the full powers of social security to Scotland? That would end at a stroke any difficulty or issue around data sharing.

**Justin Tomlinson:** That is a much wider debate that can happen. We work constructively within the framework that is in place.

**Chair:** It would solve it, wouldn't it?

**Justin Tomlinson:** I would challenge back and say that we clearly disagree on the support. I have explained how I think that through your potential changes on PIP, you will leave some of the most vulnerable people in society with less support. That is a considerable worry to me, as the representative in the United Kingdom for disabled people. I would challenge back that that would not be a good thing for those people who are reliant on that support, but I am sure we do not want to have a full referendum debate in this Committee.

**Chair:** We are always interested in those particular views, but we will maybe leave that one there just now and pass over to Wendy Chamberlain.

Q193 **Wendy Chamberlain:** Thank you to the Ministers and witnesses for your time today. I will ask a few questions around universal credit more generally, but I think it would not surprise you that my first question is around the £20 uplift to universal credit, which has obviously been extended until October. My first question is: why has it only been extended to October? We have certainly heard evidence at this



Committee that it should be made permanent. Is there a possibility that it may be made permanent or extended again?

**Will Quince:** Thank you for the question. The response is that the Government have always been clear from the beginning and the point at which this policy was introduced that the £20 increase per week to the universal credit standard allowance was a temporary measure to support those who were facing the most financial disruption or economic shock, if you like, as a result of the Covid-19 pandemic. We have always been clear that any decisions in relation to whether we would extend such support would be made as the economic and health picture became clearer. In that context, I suspect you can imagine this decision was taken by the Prime Minister, the Chancellor of the Exchequer and the Secretary of State, so a few pay grades above mine.

Taking that economic and health picture into account, we do have to question where we are going to be in a few months' time with the successful vaccine rollout and the extending of that uplift for a further six months. I think the view taken would be extending it for 12 months or indeed making it permanent would certainly be premature and we do know it would come at a very significant cost. The cost of extending the UC uplift for a 12-month period is some £6.4 billion, the equivalent of putting, for example, 1p on the basic rate of income tax, in addition to something like a 3p increase to fuel duty.

The other point to make on this is that the six-month extension does take us well beyond and past the date at which restrictions are due to be released and our economy will be opened up. We very much hope and expect that we will be in a much better position in terms of the labour market. Understandably, the focus of the Department, of course, will always be on supporting those who need it, but you will see a shift in emphasis—and you will have seen it already—around supporting people into work and progressing in work. That is why we are increasing the number of work coaches by 13,500 and through our £30 billion Plan for Jobs we are supporting and empowering people back into work.

Q194 **Wendy Chamberlain:** Thank you, Minister. The issue is that what we are hearing is that the uplift has absolutely been required, indeed whether we had been of a part of pandemic or not. Now that we have had this uplift for 18 months, obviously people have become very dependent on it. My other point would be that certainly all the economic indicators suggest that the economy will not be back to a pre-Covid position by October this year. We have had this question in the Chamber as well, contending whether it is a cliff edge or a cut to this extension. If it is neither of those things, what would you describe it as?

**Will Quince:** I take a more optimistic view about where we will be and how our country will bounce back as restrictions are lifted. Obviously, we have seen a huge number of people come on to universal credit, but I know that the vast majority of those people are champing at the bit to get back into work and to progress into work. As the restrictions are lifted



and our economy opens up, the labour market will recover. I really do hope and expect that we will be in a much better position. Nevertheless, understandably, we keep all policies under review—you would expect nothing less—and we have regular conversations with Her Majesty's Treasury about how, going forward, we continue to support some of the lowest paid, poorest and most vulnerable people in our country. We will, of course, continue to do so.

**Q195 Wendy Chamberlain:** In relation to that ongoing dialogue with the Treasury, let me turn then to legacy uplift, which has not happened. We know that people on legacy benefits are disproportionately more likely to be disabled. I understand the Secretary of State, in a response in the Chamber, said that she had not spoken to the Chancellor about the possibility of an uplift to legacy benefits. I suppose to both Ministers: have either of you in your conversations?

**Will Quince:** The first point to make is that it is not standard practice for Ministers to disclose conversations that they have with other Ministers, in particular ahead of fiscal events. Even had I had those conversations, I probably would not be talking about them here.

The important thing to stress in this instance—and I think the Secretary of State has made this clear; I have certainly made this clear—is the original policy intent behind the £20 uplift to universal credit. I think the point you have correctly made, Ms Chamberlain, is that people across this country, as a result of the pandemic, have faced additional costs. That is why there has been a suite of measures, a package of measures, unprecedented in their scope, to support people through the pandemic.

One part of that was the £20 uplift per week to the standard allowance of universal credit and working tax credit, targeted at those who were facing the most financial disruption and have received the biggest economic shock. Accordingly, it is those people who have seen a significant drop in income or have sadly lost their jobs, which will be largely the people who are new to universal credit or to working tax credit. That is exactly why the targeted support is there.

But having said that, those in receipt of legacy benefits will have received a 1.6% increase to legacy benefits last year and a 0.5% increase next financial year in line with prices. In addition, there are things like the local council tax support, the Local Welfare Assistance scheme, the Covid Winter Grant Scheme and the Local Housing Allowance, £1 billion put into that, which means around 1 million people, for those who are in receipt of housing benefit. It is a much broader package of support and that is over and above things like the furlough scheme and the Self-Employment Income Support Scheme.

**Justin Tomlinson:** I am very proud that as a Government we have increased support for those with disabilities and long-term health conditions in real terms by an extra £10 billion, with expenditure now



## HOUSE OF COMMONS

annually of £55 billion. That will increase year on year for the remainder of this Parliament.

**Q196 Wendy Chamberlain:** One of the challenges is we know that for disabled people costs in the pandemic have been greater potentially than for the more general population.

Moving on to the five-week wait, we have heard extensive evidence at the Committee about the potential unintended consequences of the five-week wait in terms of replicating the world of work and the real hardship that it brings. Indeed, I know the DWP Select Committee has recommended a starter payment to help people manage that five-week wait period. What are we doing or what is the Department doing to address this hardship? Because it does sound from the evidence we have heard in the Committee that it puts people into a hole that it is very difficult for them to get out of.

**Will Quince:** I have read the report from the Work and Pensions Select Committee and the Lords Economic Affairs Committee carefully. I gave evidence to both Select Committees only last week.

The first point to make is that nobody has to wait five weeks for a payment of universal credit, and advance payments are available to claimants in need of urgent financial support, usually within 24 hours, certainly within a small handful of days. Those claimants who do wish to take out an advance—it is important to stress that not everybody needs or wants one; we believe the take-up is currently around 60%—they will have their universal credit advance spread over the course of 12 months at the moment, but you will have seen announced in the Budget that is extending as of April—we have accelerated it from October—to 24 months.

In effect, what that means at present is somebody would have 13 payments over a 12-month period or, as of April, they will have 25 payments over a 24-month period, interest free, spread over that period. As I say, many people will not want or need an advance. For example, if you were made redundant or lost your job, you then receive your final salary pay cheque at the end of that month. You can apply for universal credit immediately thereafter. You would live off that salary payment for the four weeks and you then have to wait just a handful of days before receiving your first universal credit payment, but we know that not everyone is in that position. Some people are in crisis at the point at which they make their application for universal credit. We wish it were not so, but nevertheless that is the case for some. That is why we have advances available.

The final point I would make is that we have explored other options that have been suggested by the Committee, many of which are not feasible for operational, financial or indeed because of the huge risk of fraud, but if this Committee has either other options available that do not cost in excess of £2 billion that are operationally deliverable and do not open up



## HOUSE OF COMMONS

the taxpayer to multi-million pound fraud, then I am all ears and, of course, I would explore it.

Q197 **Wendy Chamberlain:** Thank you very much. Moving on to Scottish choices, one of the other things that we heard particularly in relation to that initial five-week period is that that has an impact on Scottish choices as well. With the Cabinet Secretary last week, we talked about the uptake. She has submitted written evidence to us that shows that 250,000 Scots are taking advantage of either of the two Scottish choices currently available, but that the Scottish Government would like to see that option available from the start of the universal credit claim period, because the reality is people are potentially not engaging with it at a later stage because they had the five-week wait during the first instance. I would be interested to know your thoughts on whether Scottish choices could be brought in more readily from the start of a claim period.

**Will Quince:** I will certainly look very carefully at the evidence that the Committee puts forward in its report. The point I would make is that clear information is available through gov.uk as part of the universal credit application, which outlines what Scottish choices are and how they operate. Claimants receive notifications of access to Scottish choices following their first payment. This was a policy that was agreed with the Scottish Government to ensure that vulnerable people are protected by DWP, in effect alternative payment arrangements.

We do continue to work collaboratively with the Scottish Government to consider the recommendations from the recent evaluation of their policy. Of course, I will look at the evidence presented by this Committee when it is available in the report. Margarita, would you like to add anything to that? You will be the expert here in terms of the operations behind Scottish choices.

**Margarita Morrison:** Thank you. I think the important thing is just getting to know the customer, spending time with them, understanding their vulnerabilities, if there are any. We offer more frequent payments and payments to landlords in those first few weeks and then after that we can explore further. The key thing is getting that first payment in place to make sure people have money if they have not come out from employment and we can then discuss Scottish choices thereafter. We are able to give more frequent payments and landlord payments in those early discussions with customers.

Q198 **Wendy Chamberlain:** Even though they cannot claim at that stage, you would very much hope that work coaches and so on would be making them aware of the Scottish choices and that that would be an option after the first payment?

**Margarita Morrison:** Absolutely.

Q199 **Wendy Chamberlain:** In terms of the potential additional Scottish choices that the Scottish Government want to roll out and particularly in



## HOUSE OF COMMONS

light of current circumstances at the moment, where are we in relation to the split payments, particularly because we are likely to see an increase in domestic abuse taking place during lockdown? What are the likely timescales?

**Will Quince:** Yes, that is a very good question. On this one, the ball is very much in the court of the Scottish Government. Not wanting to overly highlight a point made by the Minister for Disabled People at the beginning, but this policy was announced with no clear intention or basis on how it could be delivered or operationalised. We have been clear from the very beginning that it is a very difficult thing to do at volume or at scale. We are able to do split payments at present and we do do them. They are done on a manual basis on request, but doing them by default, as standard, if you like, and as part of any automated process is far more complex.

We stand ready to support the Scottish Government to implement that policy, but my understanding is that we are yet to find a way in which it could be operationalised at scale. Margarita, is there anything you could add to that?

**Margarita Morrison:** That covers it very well, Minister.

**Justin Tomlinson:** Can I just add in on this bit? There are two elements to it. First of all, the complexity is how you determine who gets which part of the payment because every private household does something different, who is responsible for which part of the payments and stuff. It is very, very, very complex for the state to come up with a formula that would reflect every individual household.

Parking that to one side, the issue around domestic abuse is incredibly serious. Working with the former Secretary of State, Amber Rudd, this was a big thing for her during her time as the Secretary of State. We got Women's Aid and Refuge in to review what we did in terms of the training of our front-line staff to identify any claimant who is either a victim of domestic abuse or at risk of being a victim of domestic abuse. We, therefore, were far better at signposting to local support and national support through Women's Aid and Refuge. They were both empowered to then be able to raise any jobcentres where they felt that training had not been enough and people were not being signposted quickly enough.

We made changes around the ability to get access to advance payments so people can leave that home. One of the things around split payments is in some cases that may be helpful, but in a lot of the cases you do not want that individual staying in that household where domestic abuse is taking place. The big emphasis was around giving them the ability to leave that environment. That is a major piece of work. I was very proud to be part of that and I know that frontline staff valued the importance of that additional training.



**Will Quince:** I can add one more to that because it is significant. I have concerns about split payments by default for a number of reasons, in part because of the potential implications in relation to domestic abuse. We moved to a nudge model and that is a nudge to main carer, which is predominantly in a relationship the woman. What we have as a result of that is over 60% of payments going to the woman in any household.

The danger in splitting payments by default is we know that there are real concerns about coercive control. If you don't have, for example, alternative payment arrangements in place around things like direct payments to landlords, which we know many people don't, for all sorts of reasons it enables one party in a relationship in effect to withhold part of a rental payment and, therefore, threaten the roof over somebody's head. This is again a point highlighted by the Minister for Disabled People. It is well and good announcing a policy, but there are nearly always unintended consequences that you need to think through first. I have had those discussions with a number of the charities that support domestic abuse survivors and it remains one of the concerns that I have around split payments by default.

Q200 **Wendy Chamberlain:** My last question is around migration to universal credit in Scotland, described as natural and managed migration, but I suppose one of the big impacts of the pandemic over the last year is potential unintended migration, where people have a further change in circumstances brought about by the pandemic and found that they are no longer in a position to claim legacy benefits. Do we have an estimate of the number of people in Scotland who have been impacted in this way?

**Will Quince:** That is a fair question. I do not have that figure to hand, but I can certainly write to the Committee with whatever we have available in that regard. It is slightly more complex because some of the systems are not ours and people may have left tax credits, but what we do not know is whether they will have been eligible or not for universal credit. We will certainly explore what we have available and provide what we do.

Q201 **Wendy Chamberlain:** Thank you, Minister. My concern around it obviously is as part of the managed migration: you are trying to ensure that people are not losing out, but through unintended consequences that might just be the case, so I would appreciate you writing in relation to that.

In terms of managed migration, what is the future plan, given that the Scottish Government would prefer the migration process not to continue? Where are things at? It would be good to understand.

**Will Quince:** It is a great question. The managed migration pilot remains suspended as really the whole efforts of the Department continue on delivering its part of the Government's ongoing response to the Covid-19 pandemic and our Plan for Jobs. We certainly still expect the move to UC or managed migration to be completed by September 2024. We continue



## HOUSE OF COMMONS

to engage with a number of stakeholders to help shape all elements of our DWP offer, including local authorities, housing associations and the devolved Administrations, and we will continue to do so. I suppose watch this space. We have not had the time to formulate next steps, but it is very much at the forefront of my mind, given the need to complete this by 2024.

Q202 **Wendy Chamberlain:** Finally, Ms Morrison, I am thinking that potentially you might be able to give me some idea of what those numbers might look like to 2024 in terms of Scots who would be migrating.

**Margarita Morrison:** I will certainly take that away and see if that is available.

**Wendy Chamberlain:** Great, thank you very much.

Q203 **Douglas Ross:** Ms Morrison suggested she may have a good example to share with the Committee. I wondered if she wants to do that now.

**Margarita Morrison:** Very quickly, it was just in the conversation we were having about worrying about people on benefits, the split payment discussion. That is going back to the point I made regarding safeguarding. We have senior safeguarding people. We sit on all safeguarding boards with local authorities and we pick up through conversations or data mining through our journals any concerns we have about our customers and we will pick that up. This is a recent example: a customer was referred to a safeguarding team by the disability employment adviser via a support worker within one of the local authorities, criminal justice. The customer had an abusive ex-partner who was using her address to claim UC fraudulently, which also removed her entitlement to severe disability premium because they thought they were living together, which was not the case. She has also accrued significant rent arrears as she had not been claiming housing benefit and was on the verge of losing her home. The disability employment adviser rightly escalated this to our safeguarding team in a conversation with local authorities. To cut quite a long story short, we got it all sorted for her. That is the type of proactive work we are doing to find these customers, to make sure we are getting that learning and that it does not happen to anyone else.

Q204 **Douglas Ross:** Can I thank Ms Morrison for that example? I think it will be a useful one for us to include in our report as well, so I am grateful to get that on the record.

I am delighted to have both Ministers with us today and their officials. Could I first of all start with Minister Quince? To go back to the very first thing the Chair said as he opened this meeting, we all recognise the amazing effort that DWP staff have put in, particularly over the last 12 months. I wonder if Minister Quince could just quantify or outline some of the numbers we have seen across Scotland in terms of people moving on to universal credit during the pandemic, the support that people in



## HOUSE OF COMMONS

Scotland had seen throughout the last 12 months and what that has meant in terms of added workload for staff at DWP offices and how they have met that challenge so commendably.

**Will Quince:** Yes, I certainly can. Thank you very much for that question. You are absolutely right that the system has stood up to the challenge. That has been part of the jigsaw, if you like. The other part has been the incredible effort that has gone in by DWP staff in jobcentres and indeed working from home and service centres up and down the country, often at very short notice being redeployed from other parts of the organisation to claims processing. We very much set at the beginning our ambition of ensuring that as many people as possible got the support that they needed as quickly as possible and that people were paid on time and in full. I am pleased to say throughout the pandemic we have consistently paid people over 94% of the time in full and on time, which given the pressures on the Department and the fact that we have in effect doubled the number of people on universal credit now to over 6 million people is an incredible feat.

In terms of Scotland, I can give you an idea. Claims for universal credit in Scotland increased in 2020 from 11,359 in January to a peak of over 76,000 in April 2020 and nevertheless, despite that, payment timeliness continues to be strong. Certainly, in Scotland it remains over 90%.

Yes, it has stood up to the challenge. In fact, many stakeholders and indeed politicians who have said it privately recognise that we would not have been able to cope under the legacy benefit system, which was largely based on paper-based forms, so people would have had to go to jobcentres in order to collect those forms or print them off—and we know how many people don't have access, sadly, to printers readily available—and it was largely based on face-to-face interaction. We know the nature of the universal credit system, being online, dynamic and agile, it was almost built for a scenario of this nature. We did not expect it ever to be tested on this scale and in such a short period of time.

To give you another incredible statistic, towards the end of March on two particular days, there were 1.8 million and 2.2 million calls respectively into the Department and nevertheless the system did not fall over and we got the support to people who desperately needed it. The only reason we did that was universal credit and the staff at the DWP that stood up behind it to support it.

Q205 **Douglas Ross:** Absolutely. I do think everyone on this Committee—and indeed across Parliament and parties—recognises the huge amount of work that has gone in over the last year. Those figures are stark, doubling the numbers on universal credit and the peak even in Scotland for claimants on universal credit. That on its own would be a huge challenge to the staff and the Department, but you were doing that during a pandemic, where working patterns were totally changed and people were working remotely. Minister Quince, have there been any changes to working practices that you think will continue beyond this



## HOUSE OF COMMONS

pandemic because you have seen them improve the system in any way or do you believe—not the universal credit system itself—how the offices work will revert to prepandemic experiences when the restrictions are lifted?

**Will Quince:** Yes, it is a great question. One of the things that I am very proud of is that despite the incredible pressure over the course of the past year, we did not close jobcentres. They were still open to the most vulnerable to be able to come in and get that support where they needed it. We still, of course, had access via telephony and the internet too and via Help to Claim. There are lots of changes that we have made. In effect, near doubling the number of work coaches, we will have to think about the estate. Yes, we are taking on additional offices but we have found for a large number of people working from home or a blended approach does work. Some of the changes that we have been looking at for a while around improving our verification processes, making it more streamlined, we will also look to continue.

For some of the work that we piloted in Scotland around supporting some of the most vulnerable, for example, prison leavers, the pandemic gave us an opportunity to stop the pilot early and say, "This is working, so why don't we just roll this out now and roll it out across the country?" I am pleased we did because we are now going to keep that on and it has been proven to work incredibly well. Sometimes getting everyone in a Department all pointing in the same direction, all focusing on the same outcome, which is getting support to people as quickly as possible, can focus minds. It means that you can get things done quicker and work out what your priorities should be in terms of processes. We will certainly be looking at what processes we want to keep going forward.

Some we are going to have to change and we already have because they sadly have led to an increase in fraud. We kind of knew that was going to be the case because inevitably when you make it easier for somebody to make a claim quickly, it does unfortunately also make it easier for fraudsters to target the system. We very quickly turned those easements off as quickly as we were able to, but I certainly make no apology whatsoever throughout this pandemic for prioritising getting support to people as quickly as possible. Yes, we are going to keep a lot of the changes that we made.

Q206 **Douglas Ross:** Could I move to Minister Tomlinson? Clearly, you have a UK Government brief and a remit that sees changes made in Scotland that could impact on those who are also within your remit at a UK level. Are there any changes being proposed by the Scottish Government that you have concerns will not help the people they are designed to support?

**Justin Tomlinson:** I had already set out—I have done this formally at the joint working groups—potential changes to adult PIP. I acknowledge that the Scottish Government are doing it for good intentions, but it is all about these unintended consequences. I talked about how I felt that it would replicate the limitations and failings of DLA. Just to expand a little



## HOUSE OF COMMONS

bit on this, particularly around mental health, a lot of people who will apply for support through PIP may have a physical disability or a health condition, so they will fill their initial forms in, they will go to their GPs to get that supportive evidence that backs up this and they put that into the system.

The face-to-face assessment builds your case and it explores things. There are a lot of people who are unaware that their physical health condition has impacted on their mental wellbeing. That case is built as part of the assessment, handed back to us to then do the decision, and that is what has driven the fact that now you are six times more likely to get the highest rate of support with a mental health condition as part of your menu of health conditions being put forward than under the legacy benefit.

While we acknowledge we need to do more to support people getting supportive evidence and we need to make sure that the assessment process is continually reviewed, I think going forward we can look to use more triaging and continued use of telephone and video assessments. The traditional face-to-face assessments will fall in a percentage of what is needed, but certainly in some cases that is what is driving the increased spend.

As I said, overall as a Government we are now spending £10 billion more on supporting people with disabilities and long-term health conditions. I think regardless of which party you represent, that is a welcome thing. I am very worried that, despite good intentions, we could see people that I am responsible for, as the Minister for Disabled People, end up receiving less financial support than they currently do under the system.

**Q207 John Lamont:** Can I ask what response you get at the joint ministerial meetings between Scottish Government and UK Government when these concerns are raised?

**Justin Tomlinson:** We constructively disagree, and that is perfectly fine. I gave an earlier example around the rising 17 year-olds. We disagree. I think this one is probably more serious. I have urged them to continue to look, and to listen to their officials. For example, I understand that they want to give greater weight to supportive evidence provided by GPs, but as I have explained, GPs do not necessarily hold information. For example, I talked to my own CCG chair and they talked about one of their medical practices, 27,000 people on their books, and they certainly do not hold detailed records on all 27,000. The logic is some claimants will not be able to access supportive evidence because it does not exist.

One possible solution to that is you then make GPs provide supportive evidence or other medical professionals, but that is not what they have signed up for. It is very difficult to mandate to the NHS for them to become part of the benefit system. We want to expand the range of supportive evidence and we want, where possible, to share data with the claimant's permission, but not everybody can get supportive evidence



## HOUSE OF COMMONS

and, therefore, there will always be a case. Also it is identifying those who may be unaware of additional health conditions, for example, mental health, that we can pick up through that system.

It may be that more of those will be done through telephone assessments or video assessments rather than in a traditional physical venue with a traditional face-to-face assessment, but as part of the forthcoming Green Paper, we are going to listen to real lived experience of those who work on the frontline, those who have gone through the benefit system, the big stakeholders, the small stakeholders, and collectively we will try to come up with the best balance to make sure that people get a good experience during the assessment and absolutely underline they get the full amount of support that they are entitled to. Nobody should miss out on money that they are entitled to.

**Douglas Ross:** Thank you to both Ministers and our witnesses. Finally, Chair, I think it would be helpful if we look at this when we are doing our report. I understand what the Minister is saying about the issue where 17 year-olds could be collected at a Scottish level or a UK level, but on that last example on PIP, I think we should focus on concerns that have been raised about how that will potentially detrimentally affect people in Scotland and across in comparison with the UK. Very useful from both Ministers, and thank you to our witnesses today.

Q208 **Chair:** Thank you. We always indeed follow the evidence in this Committee, so we are always making sure that all the representations and evidence from the Ministers are included.

I have a couple of last quick questions before we wind up this session. One just very quickly, because we have not touched on it in the course of questions, and that is digital by default. We know that for some people this works perfectly and I know this is something that you are keen to champion, particularly when it comes to universal credit. I just wondered if you have thought about some of the peculiar and particular situations in Scotland, given some of the collections of poverty that we have in some of our inner cities and the difficulty with people being able to secure the necessary equipment.

We also have the most extensive rural areas, the Highlands and Islands area, which I have part of in my constituency, and other colleagues have here, where there is poor broadband connection, which makes that difficult. Did you think about that when you were proposing and promoting digital by default, whether you have adapted some of those practices to meet the situation in Scotland and whether you will make more resources available for those that cannot get access to either that imperative computer, tablet or phone?

**Will Quince:** Yes, I think that is a fair question. We know that the vast majority of people make their universal credit application and their interaction with their work coach online, but some people do not have the equipment or do not want to access these modes. That is why we have the freephone universal credit helpline, we have Help to Claim by Citizens



## HOUSE OF COMMONS

Advice and Citizens Advice Scotland, we have our jobcentres that have been open throughout the pandemic and we are also piloting, as you may know, video calls.

Perhaps Margarita would like to say a bit more about that because it is a very exciting piece of work, which I think has potential to be rolled out across the United Kingdom. We are also looking at ways in which we can work in a multiagency way with others, including local authorities and charities, and where possible co-locating in more remote areas. Margarita, you will know the geography far better than me. Would you like to expand on that?

**Margarita Morrison:** Yes, thank you. We have a pilot trial ongoing at the moment in three jobcentres in Scotland. We have Inverness, Dingwall and Invergordon. That has been going for some time. I think we have realised through Covid that that has been very useful for our customers, who have not been able to travel, but in normal circumstances would find it quite difficult to travel in the rural areas, as has been mentioned. It is just about that customer segmentation, understanding who our customers are. We have a very different customer base, particularly with the 83% increase that we have in customers. It is right that we have the conversation about the best way to engage.

There will always be customers that will need to come in and see us in jobcentres because they need that added support and help, but equally, we have a number of customers—I just have another example in front of me here, where we have an ex-graduate who has significant skills, who knew most of what they wanted to do and, therefore, were able to do that over video. The person is now in work, which is fantastic. We will take learning from those videos. We are looking to roll that out to other areas across all and other parts of the UK. It will be part of our tools, as I say, based on how customers want to speak to us.

The other thing we are doing is, if we think about our Kickstart programme, we have hundreds of jobs getting uploaded daily. We are talking to hundreds of employers, a very exciting project, but we have also recognised that 18 to 24 year-olds do not necessarily want to come and sit opposite us in a jobcentre. We have set up youth hubs. We have 18 planned. Covid is holding us back a wee bit at the moment, but we will be setting 18 up. We have one, for example, in the centre of the new FUSE development in the centre of Edinburgh, where we will have our partner, Skills Development Scotland, and other partners, just really who we need to do training for youth in these environments, a bit like a one-stop shop for youth. They can have their interviews there and hopefully get into employment.

We are trying to find a number of methods based on customer requirement and need. It will be different for our post-50 as against our youth, but the video trial has been very successful. Customers are really enjoying using that method.



## HOUSE OF COMMONS

**Will Quince:** Chair, do you mind if I just add one more? That is talking about the Flexible Support Fund, which is another way in which we can support claimants break down barriers to employment. That can include things like purchasing laptops or tablets or smartphones. Margarita, is there any intel you can tell us about the use of the Flexible Support Fund, which was increased by £150 million this year across the UK, but how that is working in Scotland?

**Margarita Morrison:** Yes, we are using it for driving lessons, we are using it for laptops, as you say. We are using it for expenses for travel. We have bought bicycles, where people want to use that method to get to work. It is that tailored conversation with the customer, understanding what the barriers to work are and what it is that we need to support them with to get them into work. We are looking at all sorts of things, but those are some of them.

**Chair:** Thank you for that. That is a very detailed response. Anything you could share, please, Ms Morrison, about some of these findings would be really appreciated by this Committee.

Ministers, we have concluded the session. Thank you ever so much, that was very helpful. We are obviously very grateful that we have had both of you here today. There are a few things that we have asked in terms of further information that you can maybe help this Committee with. Again, we are at the point where we will be starting to draft our report and I am sure you both will be very interested in the result of our inquiries and recommendations and conclusions. But for today, thank you both ever so much. Apologies to everybody who was watching this programme. There were a few technical difficulties, but we managed to navigate and negotiate them and I think we had a very satisfactory session, so thank you once again.