

Written evidence submitted by Poppyscotland (WPS0025)

POPPYSCOTLAND AND THE ROYAL BRITISH LEGION REPORT: “MAKING THE BENEFITS SYSTEM FIT FOR SERVICE: IMPROVING THE SUPPORT FOR VETERANS WITH MILITARY COMPENSATION”

I am writing to you to share with members of the Scottish Affairs Committee our joint report, published in November 2020, with the Royal British Legion, [“Making the Benefits System Fit For Service”](#) which highlights the experiences of injured and disabled veterans in the welfare system.

As Poppyscotland and the Legion are the largest providers of welfare advice within the veteran charity sector I hope that sharing our benefits report, on the experiences of our veterans, will help members of the Committee in conducting their very welcome inquiry into the effect of welfare policy on the lives of people in Scotland.

The Armed Services Advice Project (ASAP), funded by Poppyscotland and delivered by Citizens Advice Scotland in its 10-year anniversary report highlighted that the biggest issue they have supported their clients with has been social security benefits. This builds on earlier evidence from Poppyscotland’s 2014 Household Survey which found that 1 in 4 members of the Armed Forces community in Scotland received a means tested benefit or tax credit.

With the establishment of Social Security Scotland, which will be responsible for 11 devolved benefits including Funeral Payments and Early Years Assistance and which will take on the administration of larger benefits such as Personal Independence Payment by 2024 presents many opportunities to make a positive and meaningful difference for the Armed Forces community in Scotland.

The introduction of the Welfare Reform Act 2012 has seen significant changes to the UK benefits system which has impacted the way veterans access and receive social security. Our report looks at these changes and explores the experiences of disabled veterans through a 'benefits journey'. The report highlights the main challenges and idiosyncrasies faced by veterans with a compensation award either from the War Disablement Pension Scheme, for those injured before April 2005 and the Armed Forces Compensation Scheme, for those injured after April 2005. Overall, the report made 24 recommendations for government agencies including Social Security Scotland to improve the social security for veterans.

Poppyscotland have identified six key recommendations for Social Security Scotland which we believe will significantly improve the experiences, welfare of the Armed Forces community who rely on benefits in Scotland.

Our recommendations are:

1. Social Security Scotland (SSS) should provide appropriate support and guidance with completing benefit application forms to all veterans.
2. SSS should redesign current benefit application forms to include a question to identify those who have served in HM Armed Forces.
3. SSS should extend their intended data sharing with the Department for Work and Pensions (DWP) to veteran specific organisations such as the Veterans Agency and Ministry of Defence (MoD) to make best use of already existing data such as compensation assessments and medical records to inform assessments or decisions and prevent veterans from having to undergo frequent assessments.
4. Benefits assessments should be designed with the needs of veterans in mind, this should include recognising common Service-related injuries and conditions and ensure that assessors are trained on military culture.
5. Military compensation should be fully exempted from financial assessments for social security benefits.
6. SSS should design and implement a network of Armed Forces champions similar to those administered by the DWP.

Social Security Scotland (SSS) should provide appropriate support and guidance with completing benefit application forms to all veterans.

Completing application forms for available benefits remains an area where support can sometimes be scarce due to time and resource constraints, especially for veterans who have long left Service. As completing an application form is integral to benefit entitlement, all disabled veterans could benefit from support with completing forms should they wish to access it.

Poppyscotland believe that SSS should provide appropriate support with completing benefit application forms to all veterans with compensation through agencies such as Veterans UK and the wider veterans support network, such as Poppyscotland's ASAP. Support should take on the form of guidance which should clearly detail what information or evidence is most appropriate to include at each stage of the application, and what to expect at the assessment.

SSS should redesign current benefit application forms to include a question to identify those who have served in HM Armed Forces.

At present, a lack of data around the numbers of veterans claiming welfare benefits restricts third sector advice agencies from being able to accurately identify how many veterans claim specific benefits, and the barriers to successful claims. With this data, organisations like Poppyscotland can tailor service provision accordingly. Equally, Service injury compensation claims cut across other benefits such as Employment Support Allowance or Universal Credit and more accurate, seamless data sharing between government departments would improve the experiences of veterans who claim compensation. Therefore, application forms should include a question to identify those who have served in HM Armed Forces

SSS should extend their intended data sharing with the Department for Work and Pensions (DWP) to veteran specific organisations such as the Veterans Agency and Ministry of Defence (MoD) to make best use of already existing data such as compensation assessments and medical records to inform assessments or decisions and prevent veterans from having to undergo frequent assessments.

Serving personnel do not receive their healthcare through the National Health Service, but via Defence Medical Services (DMS) which keeps records separately to the NHS. Only upon leaving Service, does a veteran's healthcare become the

responsibility of the NHS. To access their full Service medical history the individual must request their full clinical records from the MoD. Service Medical Records can form an important part of the additional evidence veterans' may submit when making a benefit claim due to their Service-related injury. These records provide insight into Service-related conditions and combined with other supporting evidence, such as a report from a military compensation assessment, this can create a picture of the veteran's functionality, which at the assessment they may not be able to articulate.

Service medical records may not always be considered because there is no guidance for assessors on how much weight to give this additional information. There is little formal guidance on how to use additional evidence and what emphasis should be given to particular types of information. SSS should include Service Medical Records as a specific category of supporting evidence for veterans with compensation who are making a claim based on their Service-related condition and explicitly state how these should be presented.

One of the features of welfare reform is that awards are not permanent and claimants are subject to reassessment. For veterans with deteriorating conditions this can create an extreme situation where they must undergo multiple assessments in a short period of time. There should be more scope for the sharing of information between organisations such as Veteran's UK, the MoD, the DWP and SSS to ensure that veterans do not have to undergo several, often similar, assessments. This would ease the onus on the veteran to continuously prove how their condition affects them and reduce stress and anxiety around the benefits process.

Benefits assessments should be designed with the needs of veterans in mind, this should include recognising common Service-related injuries and conditions and ensure that assessors are trained on military culture.

A lack of assessor knowledge about the Armed Forces, common Service-related conditions, and particularly military culture, was a theme returned to frequently during our research and focus groups for our Benefits report.

For example, our research uncovered that, often advisers believed that beneficiaries who were smartly dressed were perceived to not have an illness or condition. There was little understanding of the military mindset; where veterans are expected to be well presented and turned out at all times. One veteran described the effort it took to look presentable for the assessment. They

attributed this to their time in Service, where presentation and 'putting your best foot forward' is an integral part of the culture of the military.

If assessors have a strong understanding or appreciation of military culture and Service-related conditions, they are more likely to create an environment that puts claimants at ease, which may contribute to a more appropriate decision and an increased perception of accuracy in the decision making. The military is a unique environment that gives rise to a culture that may seem alien to those without prior or insider knowledge of the military. The circumstances and conditions under which they operate often mean that certain behaviours, illnesses and disabilities are more prevalent within this population, and the inimitable characteristics of this group should be accurately recognised when they access support that is mainly designed for civilians.

Military compensation should be fully exempted from financial assessments for social security benefits.

Military compensation is awarded to serving personnel and veterans in recognition of their pain and loss of amenity brought about by an injury caused in Service. As a no-fault compensation scheme for injury, it is distinct from income replacement benefits, such as ESA or Pension Credit.

For many veterans, who look to welfare benefits to make up their income, only the first £10 of their income is not means tested. This is known as a 'disregard'. When compensation is disregarded for means tests, it is not considered as income and therefore not included in the benefit calculation. However, War Pensioners who claim ESA are only entitled to keep the first £10 of their compensation and the rest is considered normal income. This rule also applies to other means tested benefits such as Pension Credit.

Military Compensation will be fully disregarded under UC but not all claimants will be able to access it until 2024, when the roll out is expected to be completed. Until they are moved onto UC, many veterans will continue to see their compensation considered as normal income.

Treating the compensation of War Pensioners as income is an affront to the sacrifices that our veterans have made whilst in Service.

SSS should design and implement a network of Armed Forces champions similar to those administered by the DWP.

The evolution of Scotland's Social Security system presents many opportunities to make a positive and meaningful difference for the Armed Forces community in Scotland. One of the ways this can be achieved is through SSS establishing a nationwide Armed Forces and Veterans Champion network within the agency. This network would require clear Terms of Reference and regular, focused engagement with serving and veterans' communities, and the military, ex-service, and wider third sectors that support them.

Such a network that engages in this way would allow the agency to better understand the specific needs of the Armed Forces community in Scotland, and to build relationships with a view of sharing information and encouraging the community to get more involved in the agency's experience panels and other forums.

This letter provides a summary of some of the key recommendations where Poppyscotland believe that changes to the welfare system in Scotland can better deliver for our veterans and those who have served. Attached to this letter is our full report which explores these areas in much more detail and highlights further areas of complexity, peculiarity and for potential improvement.

It is important that the welfare system works well for our veterans' community therefore I hope that you and members of the Committee find our joint report with the Royal British Legion helpful as you explore the impact of welfare policy in Scotland and look to make recommendations as to where Social Security Scotland can take a different approach.

If you would like to discuss our Benefits report further as well as the wider work Poppyscotland does to support our Armed Forces and veterans community in Scotland please do not hesitate to contact our Public Affairs and Campaigns Manager, Ross Thomson, on [REDACTED]
I wish you well with the Committee inquiry.

Kind Regards,

Mark Collins
Interim Chief Executive of Poppyscotland

March 2021