

# Pension Age Disability Payment

## Submission by Age Scotland, April 2024

### Summary

- PADP will replace Attendance Allowance in Scotland for people of State Pension age.
- It will be brought over initially in line with the “safe and secure” transfer principle, with only limited changes to eligibility and operation.
- Attendance Allowance doesn't include a mobility component and the Scottish Government has stated it has no intention of including one after transfer is complete.

Rationale for including a mobility component:

- Increased independence and participation
- Relieving pressure on other public services
- Supporting health and wellbeing
- Tackling social isolation and loneliness
- Equity with Child Disability Payment and Adult Disability Payment
- Higher poverty levels among disabled older people

Recommendation: This paper calls for the Scottish Government to include a mobility component within Pension Age Disability Payment

### Background

Pension Age Disability Payment (PADP) will be the Scottish replacement for Attendance Allowance. It is due to be piloted in autumn 2024, with national roll-out currently scheduled for 2025. Attendance Allowance is a payment for people over State Pension age who have a physical or mental disability which means that they need help with personal care or supervision. It is not means-tested. There are two weekly rates, dependent on the level of help needed by the recipient. The rates from April 2023 are £68.10 for the lower rate (requiring help either during the day or at night) or £101.75 for the higher rate (requiring help through the day and night). As of November 2022, there were 127,399 people in Scotland in receipt of Attendance Allowance.<sup>1</sup> 64% (81,535) of claimants received the higher rate, and 36% (45,864) received the lower rate.

Although the Scottish Government has stated it intends to make some changes when introducing PADP, including the introduction of short-term assistance and a new definition of terminal illness, it does not plan to include a mobility component within the benefit.

This paper seeks to put forward the case to the Scottish Government for including a mobility component within PADP. Our arguments include reference to a mobility component's potential to safeguard disabled older people's independence and participation in society, enhance wellbeing, tackle social isolation and loneliness, relieve pressure on frontline services, and combat poverty. It outlines why we believe including a mobility component within PADP would

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<sup>1</sup> Carer's Allowance, Disability Living Allowance, Attendance Allowance and Severe Disablement Allowance at November 2022: summary statistics (2023) <https://www.gov.scot/publications/carers-allowance-disability-living-allowance-attendance-allowance-and-severe-disablement-allowance-at-november-2022-summary-statistics/>

align with the stated foundations of the Scottish social security system of dignity, fairness, and respect and with the rights-based approach being taken. The paper includes real life testimony from older people who are currently unable to access support with their mobility through the benefits system.

### Mobility Component

Attendance Allowance is a vital and much valued payment which helps many disabled older people with costs and promotes independence. However, although the equivalent disability benefits for children and working age people include a mobility component, Attendance Allowance does not. This has previously been justified by the reasoning that “developing mobility needs in older life is a normal consequence of ageing” and that Attendance Allowance is designed to help only with long term care or supervision needs arising after State Pension age.<sup>2</sup> Despite this rationale, there are many older people who do not experience problems with their mobility to the extent that they need additional support.

People can continue to get Disability Living Allowance, Personal Independence Payment, or Adult Disability Payment beyond the upper age limit if they continue to satisfy the relevant disability tests, but new claims must have been made before they reached the relevant age threshold. As such, older people above State Pension age who become disabled or develop a long-term health condition or older disabled people applying for assistance for the first time cannot get help through the benefits system for mobility needs.

Benefit	Mobility Component	Weekly payment
Child Disability Payment	Lower rate	£26.90
	Higher rate*	£71.00
Adult Disability Payment	Standard award	£26.90
	Enhanced award*	£71.00

\*Recipients must be awarded this to apply for the Motability scheme.

The following sources of mobility help are available through the benefits system:

- The **Motability Scheme** allows disabled people to exchange their qualifying mobility allowance (higher/enhanced rates of Child Disability Payment or Adult Disability Payment) for a brand new car, wheelchair accessible vehicle, scooter or powered wheelchair.
- Anyone who receives the higher rate mobility component of Child Disability Payment, or who receives Adult Disability Payment and scores 8 points or more for the “moving around” activity or 12 points for the “planning and following a journey” activity is **automatically eligible for a Blue Badge**.
- People in receipt of the enhanced/higher rate mobility component for Adult Disability Payment and Child Disability Payment can apply for an **exemption from paying vehicle tax**.

<sup>2</sup> Written Question answered by Department for Work and Pensions, January 2023 <https://questions-statements.parliament.uk/written-questions/detail/2022-12-19/113439>

## **Arguments for including a Mobility Component within PADP**

We have set out arguments below which we feel make the case for the Scottish Government to include a mobility component within PADP.

### **Independence and participation**

The Scottish Government have been clear that they consider social security to be a human right, and it currently intends on incorporating a range of additional human rights treaties into Scots Law. These include the UN Convention on the Rights of Persons with Disabilities (UNCRPD), which encompasses the right to “living independently and being included in the community”. Offering support with mobility needs to PADP recipients will allow disabled older people to live independently, see friends and family and participate in social activities, in line with this right. It would also align with the right to social security included under the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, the latter of which the Scottish Government intends to incorporate into Scots Law.

Disabled older people also need to be able to carry out practical tasks such as shopping and banking and attending hospital and GP appointments. Measures to make this easier will have the benefit of improving quality of life, while boosting the local economy and reducing demand on services. Many older people are working for longer into later life as State Pension age changes take effect – providing support with their mobility needs will enable people to continue working for longer if they are well enough to do so as otherwise, they may need to pay for support to enable this themselves and may not be in a financial position to do so.

### **Relieving pressure on other public services**

Although we understand that providing a mobility component for PADP would bring significant financial cost, by including a mobility component and thus enabling older disabled people to access support with their mobility needs, the Scottish Government could relieve pressure on other public services both in the immediate term, and down the line. Enabling disabled older people and those with other long-term conditions to retain a level of activity through support with their mobility, including access to a Motability vehicle, may mitigate the need for more serious (and costly) health and social care interventions if people lose their independence and if their ability to remain active diminishes. Health and social care services in many areas of Scotland are already stretched beyond their capacity, with long waiting times for treatment, assessments, and packages, making this point particularly acute.

As such, we feel investment in providing a mobility component for PADP should be viewed through the lens of a preventative spend which was a core principle of the now-paused draft Health and Social Care Strategy for Older People. The Disability and Carers Benefits Expert Advisory Group’s (DACBEAG) advice to the Scottish Government on PADP included the following recommendation which we would endorse and urge the Scottish Government to consider: “...the financial analysis of amending the Pension Age Disability Payment eligibility criteria, for example introducing a mobility component, should compare the cost of increased benefit expenditure to the wider costs of not making the change. This should consider the

savings to other areas of public spending, including for example social care and healthcare, introducing such changes could help to generate”.<sup>3</sup>

## Health and wellbeing

### Case Study

Alex is 79 and receives Attendance Allowance. He continued to work up until the age of 77, but had to retire two years ago due to ill health. Recently, he has been trying to get a Motability vehicle. As there is no mobility component within Attendance Allowance this has not been possible. Alex says he has “been down every avenue” looking for support with his mobility needs. He feels the fact he cannot get a Motability vehicle because he is above State Pension Age is an example of age discrimination. He is frustrated with the current system and thinks it is unfair that because he was not claiming a disability benefit before turning 65, he is not entitled to the same support with his mobility needs. He feels it is unjust that despite working until he was 77, paying taxes and contributing to the economy, he is facing this situation. He thinks something needs to change and has written to his MSP asking them to make representations.

Including a mobility component within PADP would help improve the lives of older disabled people and those with long term conditions affecting their mobility. Many people’s mental health can suffer as a result of not being able to get out and about – this was made clear during lockdowns over the course of the Covid-19 pandemic. Evidence suggests that disabled people are more likely to experience lower levels of wellbeing compared to non-disabled people, and that rates of depression, anxiety and severe mental ill-health are higher.

If the Scottish Government is serious about promoting healthy ageing, then providing support with mobility needs which would allow older people to continue to get out and about would be extremely effective. In its advice to the Scottish Government, the DACBEAG states “the mobility component also links to a Wellbeing Economy and the National Performance Framework in that it would improve opportunities and increase wellbeing for those in receipt of Pension Age Disability Payment”.<sup>4</sup> We would echo this and encourage the Scottish Government to look at this issue in the context of its drive towards a wellbeing economy.

### Social isolation and loneliness

In the most recent iteration of the Scottish Health Survey, 26% of over 65s reported they had felt lonely either most/all of the time or some of the time within the past week.<sup>5</sup> This is significant as chronic loneliness has the same effect as smoking 15 cigarettes a day and can increase the chance of death by 10%. It can also contribute to poor mental health. Disabled people are thought to be twice as likely to face severe loneliness and social isolation as non-

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<sup>3</sup> Disability and Carer Benefits Expert Advisory Group - pension age disability payment: advice, August 2022 (2023) <https://www.gov.scot/publications/disability-and-carer-benefits-expert-advisory-group-pension-age-disability-payment-advice/>

<sup>4</sup> Disability and Carer Benefits Expert Advisory Group - pension age disability payment: advice, August 2022 (2023) <https://www.gov.scot/publications/disability-and-carer-benefits-expert-advisory-group-pension-age-disability-payment-advice/>

<sup>5</sup> The Scottish Health Survey 2021, Mental wellbeing tables, Table 2.11 (2022) <https://www.gov.scot/publications/scottish-health-survey-2021-volume-1-main-report/documents/>

disabled people and adults with poor physical health and/or disability are less likely to have social contact with friends, family, and neighbours and less likely to have social support.<sup>6</sup> Older adults are more likely to have existing disabilities or physical health issues, which can contribute to an increased risk of mental health challenges and loneliness and isolation. Allowing people an easier way of getting out to see family and friends and participate in social activities and clubs will help to tackle social isolation and loneliness. Although loneliness is an issue nationally, people living in rural areas can be particularly affected by the inability to access the Motability scheme and other forms of mobility support which would enable them to access social activities.

### **Fairness**

Including a mobility component within PADP would bring it into line with Child Disability Payment, Adult Disability Payment and DLA. It would also end anomalies in the system whereby those who receive the higher/enhanced rate of DLA or ADP can continue to access mobility support after they pass State Pension age. We recognise and welcome that those who are already receiving help with mobility costs can continue to do so after reaching State Pension age. Under the current Attendance Allowance system and proposed PADP system, someone of State Pension age who developed mobility difficulties and successfully claimed the enhanced award of Adult Disability Payment shortly before reaching State Pension age can receive support with their mobility costs for the rest of their life.

In contrast, someone developing the same mobility difficulties after reaching State Pension age, or who had problems before but was unaware they could claim Adult Disability Payment, would receive no support with their mobility needs. The Scottish Campaign on Rights to Social Security has previously suggested that “a human rights based approach is potentially incompatible with a system that is based on the age of the claimant” – flagging the lack of an Attendance Allowance mobility component as one of the anomalies create under the current age based system.<sup>7</sup> If the Scottish Government is looking to avoid a two-tier benefits system in its development of PADP, it should address this anomaly by including a mobility component within PADP. Along with disability, Age is a protected characteristic under the Equality Act. We feel that barriers being placed on one cohort of social security recipients as a result of their age alone are unfair and inequitable – as is currently the case with the non-inclusion of a mobility component within PADP.

### **Support from older people**

Older people often tell us that they feel the current system, whereby those over State Pension age do not qualify for the Motability scheme or other forms of assistance with mobility needs, is unfair and even ageist. Age Scotland’s helpline frequently hears from people in receipt of Attendance Allowance and their families and carers looking for information on what is available to support their mobility needs. Our advisers report that people often cannot understand why they do not qualify for help simply due to their age.

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<sup>6</sup> NHS Health Scotland, Social isolation and loneliness in Scotland: a review of prevalence and trends (2018) <https://www.healthscotland.scot/media/1712/social-isolation-and-loneliness-in-scotland-a-review-of-prevalence-and-trends.pdf>

<sup>7</sup> Scottish Campaign on Rights to Social Security, Beyond a Safe and Secure Transition – a Long Term Vision for Disability Assistance in Scotland [https://www.cas.org.uk/system/files/publications/scorss\\_report\\_beyond\\_a\\_safe\\_and\\_secure\\_transition.pdf](https://www.cas.org.uk/system/files/publications/scorss_report_beyond_a_safe_and_secure_transition.pdf)

A number of call examples handled by the Age Scotland Helpline on this issue in the last 12 months are below:

- Age Scotland's Helpline received a call from a caller contacting us on behalf of her friend's mother, who has been diagnosed with terminal cancer. She has been awarded Attendance Allowance. She has bought a car, but is unable to drive it as she cannot manage the gears. They are looking into a Motability car – however, the Helpline adviser who took the call had to explain the Motability scheme will not be available to them because they are on Attendance Allowance.
- Age Scotland received a call from a caller enquiring about whether she could get help with her mobility as she spends a lot on taxis. The Helpline adviser who took the call had to explain it might be cheaper to use a local dial-a-bus service, as there are no benefits with a mobility component available for new claims after State Pension age.
- Age Scotland's Helpline heard from a caller who was wondering if his wife could get a Motability car. She had a bad fall and broke a number of bones and now uses a wheelchair to get around. She receives the higher rate of Attendance Allowance. Our Helpline adviser had to let them know that the Motability scheme is not available after State Pension age as it is not possible to make a new application for a benefit with a mobility component. Similarly, the caller was advised that road tax exemption or reduction is only available with a mobility component.
- Age Scotland's Helpline was contacted by a caller who was looking for information on whether his father, who is 76, might be able to get a Motability car. The Helpline adviser who took the call explained that new applicants over State Pension age are unable to claim a disability benefit with a mobility component.
- Age Scotland's Helpline received a call from a caller with fibromyalgia who was enquiring about the support available to her. She told our adviser she had read somewhere that she could not get DLA as she is over State Pension age. She said her friend had a Motability car and asked if it was correct that she could not get one – this was confirmed by the adviser handling the call.
- Age Scotland heard from a caller who had just been awarded Attendance Allowance who has difficulty with their mobility. They live at the bottom of a hill and struggle to get out and about due to this. They wanted to know if they could get a Motability vehicle. Unfortunately, our Helpline adviser had to advise them Attendance Allowance does not contain a mobility component and as such, getting a Motability car is not possible.
- Age Scotland's Helpline heard from a caller who cares for her parents, both aged 88. She only has a small car and is struggling to transport them to appointments and social outings. They are both in receipt of Attendance Allowance. Our adviser had to let her know that they would therefore not be able to access a Motability car.
- Age Scotland's Helpline heard from someone calling on behalf of their parents, who are both 79. Their father has a brain tumour and his mobility has declined. He receives Attendance Allowance. The caller wanted to know if he could get a mobility component. The adviser handling the call explained there is no mobility component available within Attendance Allowance or for new disability benefit claims made after State Pension age.
- Age Scotland's Helpline heard from a caller whose wife, aged in her 70s, lost her leg due to medical negligence. The caller provides care for her, but does not receive Carer's Allowance due to the State Pension overlap. He queried whether they would be entitled to a Motability vehicle. Unfortunately, the adviser they spoke to had to inform them Attendance Allowance does not contain a mobility component and this is not available for people who develop mobility problems after reaching State Pension age.

## Public transport

We do not believe that the provision of free bus passes for over 60s is a reason to not give older disabled people help with their mobility needs. While free local bus travel is a lifeline for many older people who do not drive, local bus services are simply not available in many areas, including rural locations but also in some parts of cities. In many remote rural areas of Scotland, people require a car to be able to leave the house as the area is served by little to no public transport. Even if public transport services are available, they are not always accessible to disabled people, so they cannot benefit from the free bus pass.

The Infrastructure Commission for Scotland's Key Findings Report highlighted there are considerable accessibility concerns relating to Scotland's public transport system which will impact older and disabled people.<sup>8</sup> The latest Transport Scotland data reports there has been an 83% reduction in the number of buses with low floor access and a 6% reduction in buses with an accessibility certificate over the last five years.<sup>9</sup> Together, this represents an overall total 7% reduction in accessible or low floor buses to serve our older and disabled population. Additionally, a 2018 EIR request to the Scottish Government revealed that out of Scotland's 364 train stations, 20% were either not at all accessible to disabled people or would present significant challenges to accessibility due to rough ground and steep ramps to access platforms.<sup>10</sup> For others, declining mobility may be preventing them from using public transport due to needing extra assistance.

Older disabled people still incur the same costs as younger disabled people with regards to needing to visit hospitals and medical professionals. It is vital that they can also get to where they need to go to take part in social activities, get to work and volunteering and to the shops. If people are being forced to rely on taxis to get them where they need to go because they do not have access to a Motability vehicle or other support with their mobility needs and public transport is neither accessible nor reliable, the cost of this can rapidly mount up. For people in receipt of Attendance Allowance who live in areas where public transport options are unavailable, the inability to get a Motability vehicle can be linked with rural poverty.

## Poverty

Disabled people are more at risk of poverty for a number of reasons, including the additional costs of being disabled such as higher energy bills, the cost of specialist equipment or aids, accessible transport costs, and charges for social care services. Analysis by the charity Scope has found disabled households need an additional £975 per month to achieve the same standard of living as non-disabled households.<sup>11</sup> The same research found that the average extra cost of disability is equivalent to 63% of a household's income after housing costs. These additional costs have been exacerbated by the cost of living crisis, with a recent report by the Health and Social Care Alliance Scotland (the ALLIANCE) capturing the experience of people who had cut back on essentials including food, bathing and charging powered wheelchairs.<sup>12</sup>

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<sup>8</sup> Infrastructure Commission for Scotland, Phase 1: Key findings report, a blueprint for Scotland (2020) [https://infrastructurecommission.scot/storage/281/Phase1\\_FullReport.pdf](https://infrastructurecommission.scot/storage/281/Phase1_FullReport.pdf)

<sup>9</sup> Transport Scotland, Scottish Transport Statistics 2022, Chapter 02 – Bus and Coach travel, Table 2.1b: Number of disability accessible or low-floor buses used as Public Service Vehicles in Scotland (Local Operators) (2023) <https://www.transport.gov.scot/publication/scottish-transport-statistics-2022/chapter-02-bus-and-coach-travel/>

<sup>10</sup> Information on railway stations fully accessible to persons with disabilities: EIR release (2018) <https://www.gov.scot/publications/foi-18-02665/>

<sup>11</sup> Scope, Disability Price Tag 2023: the extra cost of disability (2023) <https://www.scope.org.uk/campaigns/extra-costs/disability-price-tag-2023/>

<sup>12</sup> The ALLIANCE, Disabled People, Unpaid Carers and the Cost of Living Crisis: Impacts, Responses and Long Term Solutions (2022) <https://www.alliance-scotland.org.uk/wp-content/uploads/2022/10/ALLIANCE-Cost-of-Living-Report.pdf>

Barriers to work and employment also contribute to the likelihood of disabled people living in poverty. Poverty is difficult to move out of when you are retired or living on a low or fixed income, as many older disabled people in Scotland do.

Older women can be at greater risk of poverty due to earning lower pay on average during their working lives or experiencing interrupted careers. Women make up the majority of low-income pensioners – almost 1 in 4 single female pensioners (23%) live in relative poverty.<sup>13</sup> Many older women have also been financially impacted by the rise in State Pension age. Almost two thirds (62%) of Attendance Allowance claimants are female.<sup>14</sup> There is therefore a gendered impact of Attendance Allowance, and not including a mobility component has the potential to drive up pensioner poverty, particularly among women.

## Case Study

Alison had been in receipt of Disability Living Allowance since the early 2000s and had a Motability vehicle through her award. When she was 68, she was reassessed and lost her DLA and Motability vehicle “overnight” in what she describes as a “double whammy” blow. In Alison’s view, Attendance Allowance is unfair as it doesn’t take into account that disabled older people need to be able to leave the house. Alison lives in a small village in the Highlands and she says it can be hard for her to get out and about without her Motability vehicle. Local bus services are infrequent, finish at 17:30, and do not run at weekends. Additionally, buses are not always suitable for wheelchair users – Alison says that if you book in advance, you might be able to get on, but this is not always the case. For Alison, just walking to the bus stop is “like running a marathon” as a result of her arthritis and ME. Even a trip to the shops can be difficult without a Motability vehicle, due to the need to walk to the bus stop, then from the bus stop to the supermarket, around the supermarket, and then having to make the return journey. She attends a writer’s group in the nearest town, but as this takes place in the evening when buses do not run, she has to take a taxi which works out at £30 each way. If Attendance Allowance or PADP had a mobility component, she would be able to use her Motability vehicle for these trips. Alison also points out that many older people need to be able to access a vehicle to get to work or to volunteer. She feels the implicit assumption that people over the State Pension age do not need to get out or socialise is ageist.

## Scottish Government position

In February 2020, the Scottish Government published a [position paper](#) on a mobility component for Disability Assistance for Older People (previous name for PADP). It stated it did not think it would be practical to include a mobility component for the following reasons:

- **Financial impact:** it calculated that introducing a mobility component in line with those provided for DLA and PIP would cost £580m annually.

<sup>13</sup> Scottish Government, Poverty and Income Inequality in Scotland 2019-22 (2023)

<https://data.gov.scot/poverty/#Gender>

<sup>14</sup> Carer’s Allowance, Disability Living Allowance, Attendance Allowance and Severe Disablement Allowance at November 2022: summary statistics (2023) <https://www.gov.scot/publications/carers-allowance-disability-living-allowance-attendance-allowance-and-severe-disablement-allowance-at-november-2022-summary-statistics/>

- **Impact on access to “passport” benefits:** Scottish Government suggest that DWP might not pay passported benefits which it currently does for disability benefits if a mobility component introduced for DAOP.
- **Two tier social security system:** Scottish Government suggest that introducing a mobility component for DAOP would create a two-tier benefits system, with two different sets of eligibility criteria, whilst undertaking the transfer process.

These concerns were reiterated and re-affirmed by the Scottish Government in its [response](#) to the Disability and Carer Benefits Expert Advisory Group in 2023.

## Conclusions and Recommendations

We believe the Scottish Government has the opportunity to promote fairness and improve the quality of life for older disabled people by including a mobility component within PADP. Providing a mobility component will be in keeping with the rights-based approach being taken by Social Security Scotland to the delivery of social security in Scotland.

While we recognise that the Scottish Government may not initially want to make changes to the eligibility criteria and details of the payment to ensure a safe and secure transition to PADP, this does not preclude it looking to introduce a mobility component at a future point. We would strongly urge the Scottish Government to commit to exploring this. For instance, it could commit to undertaking a review of PADP within two years of its rollout. This could consider elements such as benefit take-up and utilisation, updating its monetary value, as well as considering whether additional items such as a mobility component should be included.

We acknowledge that this scheme would be expensive to implement and the budgetary pressures under which the Scottish Government is operating – however we believe the arguments set out earlier build the case that the Scottish Government simply cannot afford not to do this given the potential to relieve pressure on frontline services, improve quality of life, and boost local economies and other benefits highlighted.

**As such, we are calling for the Scottish Government to introduce a mobility component within Pension Age Disability Payment, in line with both Child Disability Payment and Adult Disability Payment.**

Although our strong preference would be for the inclusion of a mobility component within PADP, we have suggested some alternative approaches which the Scottish Government may wish to explore if this is not possible to achieve:

- Allow people in receipt of PADP who require support with their mobility needs to access the Motability scheme.
- Automatically passport PADP recipients to a Blue Badge – without the need to re-apply periodically.
- Encourage Motability to scope whether they could have a wider range of price points for those who are currently unable to access the scheme.
- Encourage Motability to allow people in receipt of PADP to opt-in to the scheme using their own money to enable them to access the package of support offered and support with vehicle adaptations.

We would like to take this opportunity to reaffirm that we are willing to work with the Scottish Government to explore how the mobility needs of older people who are in receipt of PADP can be met.

This briefing is endorsed by the following organisations:

