



Welfare Rights Conference 2025

Moving to Scottish benefits – an update

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Introduction

Transferring the disability and carer benefit awards of over 700,000 people from the Department for Work and Pensions (DWP) to Social Security Scotland (SSS) is a monumental task. Case transfer is not a simple administrative process. It is a complex transfer of data, forms and evidence, and legal entitlement. It requires transferring and refining data from legacy systems used by DWP, some of which are decades old, onto Social Security Scotland's new single system that will be used to administer all forms of Scottish assistance.

The whole process has to be achieved in line with the case transfer principles co-designed with those having their benefits transferred, meaning:

- you do not need to apply,
- your payments will not be disrupted,
- if transferring from PIP you will not be subject to a DWP face-to-face assessment,
- you will be clearly communicated with throughout the process, and
- the transfer will be completed quickly, while ensuring it remains safe and secure

Taking stock– where we are and how it has gone

In this context, the Scottish Government has now safely and securely transferred the disability and carer benefit awards of more than 462,000 people since beginning in October 2021.

All awards of disability living allowance (DLA) for children and young people in Scotland have now been successfully transferred to child disability payment (CDP). Over 47,000 awards were transferred in all. More than 301,000 people have now had their personal independence payment (PIP) awards transferred to adult disability payment (ADP), more than 90% of the total expected to transfer. Since transfer from carer's allowance (CA) to carer support payment (CSP) began in February 2024, over 109,000 carers have had their transfer completed, more than 85% of the total expected to transfer. Transfer from attendance allowance (AA) to pension age disability payment (PADP) began in February 2025 and the remaining adult disability living allowance (DLA) cases began to transfer to Scottish adult disability living allowance (SADLA) in March 2025.

There have been challenges along the way, and changes have been made. For example, in line with stakeholder feedback:

- the time it takes to transfer an award where someone reported a change in circumstances has been reduced from 13 - 17 to 4 - 8 weeks,
- the change of circumstances form is now sent earlier in the case transfer process, so clients can get SSS the information they need to make a decision more quickly,
- guidance has been reviewed and updated to better explain complicated parts of the transfer process, such as backdating, and
- DWP and SSS have worked together to support front line staff to have a better understanding of the transfer process and provide more consistent and accurate information.

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Feedback from those who have been through the case transfer process has been positive. The most recent SSS Client Survey found that over 78% of respondents who had their award transferred to ADP or CSP felt informed about the process. Written comments often highlighted how 'smooth' the process was and how the communications 'explained everything'. The majority described the communication they received about case transfer was 'clear and easy to understand and had a friendly tone'. Respondents also said that the communications 'made them feel confident that they could approach SSS if they had a query', with 71% of ADP respondents and 85% of CSP respondents agreeing or strongly agreeing to this statement. Over 78% agreed they felt reassured about the case transfer process.

Everyone living in Scotland who received DLA for children, PIP, or CA should now have had their first letter telling them their award was transferring or completed the process. Anyone who hasn't should contact SSS. Transfers to SADLA and PADP are now under way, and the Scottish Government is confident it will meet its goal of completing case transfer for all relevant disability and carer benefits by the end of 2025.

Transferring from attendance allowance to pension age disability payment

If you live in Scotland and get attendance allowance (AA) you will transfer to pension age disability payment (PADP) as part of a managed transfer process. The process is expected to be complete by the end of 2025. You will be notified in writing that you are being transferred to PADP, including how long the process will take and that your AA will end when your PADP starts. Unless you now satisfy the conditions for the higher rate because you are terminally ill you are awarded the same rate of PADP as your previous award of AA.¹

Until you are transferred to PADP, you should continue to report any changes in your circumstances to the DWP.

Transferring from DLA to Scottish adult DLA

Scottish adult DLA (SADLA) has replaced adult disability living allowance (DLA) for anyone living in Scotland. It is only available to those with an award of adult DLA and aged 18 or over. It is a 'closed' benefit which means new claims cannot be made, but if you had an award of either disability living allowance (DLA) or SADLA that ended less than one year ago, you can ask to be awarded SADLA². If you are getting DLA you will be transferred to SADLA. It is administered and paid by Social Security Scotland (SSS) and Scottish rules for challenging decisions apply.

Scottish differences

Although DLA and SADLA are broadly the same, with the same disability criteria and the same components and rates, there are some notable differences. To be entitled to SADLA you must be resident in Scotland. As with other Scottish disability benefits the definition of terminal illness for SADLA does not require death to be expected within 12 months. If you meet the Scottish definition you will be paid the higher rates of both components of SADLA unless the

¹ Sch para 9(4), The Disability Assistance for Older People (Scotland) Regulations 2024

² Sch 1 paras 12 and 13, The Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025

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clinical judgement was made after you reached pension age. In that case the mobility component can be restricted but the higher rate care component paid.³ In keeping with other Scottish disability benefits you can be entitled to short term assistance (STA) while challenging a decision to reduce or end your SADLA, and awards are 'rolling' awards without fixed end dates. Awards can be subject to scheduled and unscheduled reviews.

Other differences from DLA include:

- Prisoners-if you get SADLA and go into prison you can continue to be paid for the first 28 days that you count as a prisoner.⁴ This is in keeping with other types of alternative accommodation such as going into a care home.
- Severe visual impairment – the criteria for the severe visual impairment test for higher rate mobility for SADLA includes entitlement if you have '*insufficient vision to enable you to be independently mobile in familiar places outdoors*'.⁵
- Severe mental impairment – for SADLA you can't qualify for higher rate mobility component through this route if someone needs to intervene to prevent damage to property due to your disruptive behaviour. You may still qualify if intervention is required to prevent physical injury to yourself or someone else.⁶

Who gets DLA?

There are two groups of adults in Scotland who are still getting adult DLA:

- those who were aged 65 or over on 8 April 2013. This is the date that personal independence (PIP) was introduced and this group, who were already retirement age, were given assurances by DWP that they would remain on DLA as long as they were eligible. That has continued to be the case until now.
- those who were under 65 on 8 April 2013. This group were gradually invited to claim PIP in the past. Were it not for the introduction of adult disability payment (ADP), people in this situation would, at some stage, have been invited to claim PIP. Since 2022 this group have been gradually transferred to ADP when they had a change in circumstances, when their award was ending or being reviewed, or if they just asked to move on to ADP.

Since 21 March 2025, when SADLA was launched, anyone remaining on adult DLA will now be transferred to SADLA regardless of which group they belong to. The transfer will be a 'safe and secure' process. In most cases you will get the same benefit as you were paid on DLA, you will not need to claim and there will be no break in payments. This will be a general managed transfer process with random selection for transfer in most cases. There are some extra considerations depending on which of the above groups applies to you.

Moving to SADLA – if 65 or over on 8 April 2013

If you were 65 or over on 8 April 2013 (ie. born on or before 8 April 1948) you will be moved to SADLA through a straightforward managed process. If you have a change in your condition that could affect entitlement to benefit this should be reported to DWP until you are

³ Reg 20, The Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025

⁴ Reg 25, The Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025

⁵ Reg 8(5)(c) The Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025

⁶ Reg 8(9)(b) The Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025

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transferred. Reporting a change will not trigger a transfer to SADLA unless you are terminally ill according to the Scottish definition, but not the UK definition.

Once transferred to SADLA your DLA ends and you will remain on that benefit so long as you remain entitled.

Moving to SADLA – if under 65 on 8 April 2013

If you were under 65 on 8 April 2013 (ie born after 8 April 1948) changes in your condition should be reported to the DWP. This will trigger a transfer to SADLA. You will initially be awarded the same rate of benefit as your DLA award, unless the change is that you are now terminally ill. Once transferred to SADLA your award will be reviewed as soon as 'reasonably practicable' to take the reported change into account.⁷

There are some differences in disability criteria for SADLA which might affect you (see above), such as the different definition of severe visual impairment (SVI). If you would satisfy the SADLA definition of SVI but have not been getting higher rate mobility component your SADLA award should also be reviewed.⁸ Your award will not be reviewed in either of these circumstances if you have already requested a redetermination or you are appealing the transfer determination.⁹ Note; if you are over pension age when you transfer to SADLA the mobility component is restricted.

Once on SADLA you can remain on that benefit so long as you remain entitled. You can report any future changes and have your award reviewed applying SADLA disability criteria, or you can **choose** to **apply** for ADP.

Moving to adult disability payment

Once on SADLA you may decide to apply for ADP. You claim ADP in the same way as any other ADP claim. Unless you are now terminally ill you will get an interim award of ADP at the same rate as your SADLA.¹⁰ The low rate of the care component is replaced by a transitional rate of ADP. Your SADLA award ends when the ADP starts. The ADP will be reviewed as soon as 'reasonably practicable' applying the usual ADP descriptors, so long as you have not asked for a redetermination of the interim award. If you are now over pension age the restrictions on the mobility component will not apply in that first review so long as you claim on or before 31 December 2027¹¹ If your entitlement to ADP is higher it should begin on the date you applied for ADP and you will be paid the difference between that and the amount already received. If lower it will begin on the date the ADP is determined.

To claim or not to claim ADP

This is a difficult choice to make and we would urge caution. If you are already getting the highest rate of both components of SADLA there is nothing to gain from claiming ADP, and a lot to lose. The benefits have very different disability criteria. Once ADP is awarded you can

⁷ Sch para 7-10, The Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025

⁸ Sch paragraph 10 (1)(a)(ii) The Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025

⁹ SCh para 10(1)(c), The Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025

¹⁰ Sch 2 paragraph 15A(4) The Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025

¹¹ Sch 2 paragraph 15F(5) and (6) The Disability Assistance (Scottish Adult Disability Living Allowance) Regulations 2025

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seek a redetermination and appeal but you cannot go back to SADLA. Although we might think someone has a good prospect of an ADP award, actual determinations can be quite unpredictable. Everyone should be aware of the risks. In fact, the SSS process includes a warning of that risk when you start an ADP application in this situation.

It might be tempting to claim ADP for some people. For example,

- if you are now over pension age and don't already get DLA/SADLA higher rate mobility you may be able to get ADP enhanced rate mobility component if you claim within the above timescales, whereas it is restricted in SADLA.
- it may be that you have no night time needs and therefore cannot get SADLA higher rate care component but might score enough points to get ADP enhanced rate daily living component.

There is no guarantee of success and you could also get less or no ADP. You should weigh up the potential gain and the risk very carefully.

A further concern in this regard is the UK government's current plans to change the criteria for personal independence payment (PIP).¹² We don't know the final details yet, and do not know how this might affect ADP in future. Someone could move on to ADP now and then find that changes to the disability criteria leave them worse off in the long term.

Cross border changes

As case transfer for all relevant disability and carer benefits is due to complete by the end of 2025, the Scottish Government is now looking ahead to ensure that future movers to Scotland from the rest of the UK experience as smooth a journey as possible when it comes to their benefits. Unlike case transfer, the cross border process will be a permanent requirement, and clients will need to make a new application for Scottish benefits.

Although DWP were not able to continue to share relevant data in order to enable Scottish Ministers to make determinations without application for cross border movers, steps have jointly been taken to ensure that individuals will have the time and information they need in order to apply for Scottish benefits and minimise the possibility of breaks in payment. Volumes are expected to be around 300 clients per month across all relevant benefits.

Amendment regulations are being laid in Parliament on 24 June 2025.¹³ These will come into force on 6 November 2025 for CDP, ADP and CSP, and at a later, still to be agreed date for PADP and Scottish Adult DLA, when case transfer for these benefits completes.

Backdating

The regulations aim to reduce the possibility of breaks in payment for clients by including provisions to backdate cross border claims to the day after DWP/Department for Communities (DfC) entitlement ends. In order to be eligible for this backdating, you must be in receipt of a relevant benefit from DWP or DfC when you move to Scotland from another part of the UK, and must apply to Social Security Scotland (SSS) within set timeframes following

¹² [Pathways to Work: Reforming Benefits and Support to Get Britain Working Green Paper - GOV.UK](#)

¹³ The Social Security (Cross-border Provision, Case Transfer and Miscellaneous Amendments) (Scotland) Regulations 2025

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the move. You must submit your name and date of birth to SSS within 26 weeks of the date of the move, and

- for CDP you then must submit part 2 of the application, within 32 weeks of the date you move to Scotland.
- for ADP/PADP part 2 of the application must be submitted within 34 weeks of the move.
- for SADLA you must request a determination of entitlement within 34 weeks of the move
- for CSP, which does not have a two part application process, you must submit a full application within 26 weeks of the move.

Clients may still receive backdating if they apply outwith these timeframes, provided they have a good reason for doing so. Otherwise the date the benefit starts will be consistent with any new claim for that benefit.

Note: if you move to Scotland before the regulations commence, but SSS become aware of the move after commencement date, these timeframes apply from the commencement date. If you move to Scotland and tell SSS before the relevant commencement date you will go through the current case transfer process and won't need to make a new application.

In order to help make the process as smooth as possible and minimise the risk of breaks in payment, the DWP will continue to pay the UK benefit for 13 weeks after their date of the move. The DWP will signpost clients to SSS in writing when informed of the move. The cross border design ensures that new applications will be identified quickly, so that clients can receive the relevant communications from SSS and be prioritised for processing, to minimise delay in cross border clients receiving their benefit.

The Scottish Government is working to produce clear client-facing guidance which will be published on MyGov.scot in due course.