Carers Scotland response to the Scottish Parliament Devolution (Further Powers) Committee call for evidence

Carers Scotland welcomes the opportunity to submit our views on the UK Government’s draft legislative clauses for further devolution. We have kept these deliberately succinct, focusing on the main clauses affecting carers.

Carers Scotland is a charity led by carers, for Scotland’s 657,000 carers - our mission is to make life better for carers. Amongst other activities, we give expert advice, information and support through our dedicated advice line for carers and campaign together for lasting change.

We have provided a carer perspective to the development of recently devolved welfare powers including the Scottish Welfare Fund and have provided evidence of the impacts of welfare reform on unpaid carers and those they care for.

In our response to the Smith Commission, we highlighted the significant hardship that many carers face simply because they provide unpaid care. Our year-long inquiry on Carers and Family Finances\(^1\) gave a picture of the real challenges they face. For example:

- 47% were in a household where no-one was in paid work, reflecting the impact of disability and caring on households.
- 37% were unable to pay their utility bills
- 47% were in debt as a result of caring
- 46% had given up work to care, 22% had reduced their working hours and 17% had taken a less qualified job or turned down promotion to care. 10% had retired early to care.

This hardship extends to all parts of carers’ lives. In a recent survey\(^2\), 81% said that caring had made their health worse and 56% said that their caring role had isolated them in their own home.

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\(^1\) Caring and Family Finances 2014, Carers UK and Carers Scotland
\(^2\) State of Caring 2014, Carers UK and Carers Scotland
We highlighted that to the Smith Commission that partial devolution of social security would create additional complexity for carers, who already faced significant complexity in juggling health and social care and benefits systems alongside their lives and caring roles. We know, for example, that estimates for unclaimed Carers Allowance are already some £94 million\(^3\).

To enable a coordinated approach to delivery and policy development without creating this additional complexity and the associated costs of managing two systems, it would have appeared to make sense to devolve the full range of social security powers to Scotland.

The Committee will be well informed of these arguments, particularly from organisations across the third sector and having stated our position, now use this opportunity to highlight areas where we have concerns or queries over the draft clauses published by the UK Government in relation to carers and disability benefits.

**Carers & Disability Benefits**

1. The power to create a new benefit to replace Carers Allowance or make changes to Carers Allowance for carers in Scotland appears to be more restrictive than what we believe the Smith Commission outlined.

   Clause 16 appears to suggest that the power extends only to benefit to carers who are aged 16 or over, not in full time education, and not gainfully employed. We believed that this is unnecessarily restrictive and limits any future developments to support, for example, support carers who wish to study whilst managing a caring role.

2. Equally these clauses appear to apply to any changes the Scottish Government may wish to make to Carers Allowance in line with its own policy direction. For example, we have been given to understand that the description “not gainfully employed” refers to the earnings limits currently in place for Carers Allowance – where a carer cannot earn more than a prescribed amount (after certain deductions) before all Carers Allowance is lost. This earnings limit will be £110 per week in April 2015.

   This limit is very low and every year many carers lose complete entitlement to Carers Allowance when the minimum wage rises, even when their earnings are merely a few pence above the earnings limit.

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\(^3\) [http://www.carersuk.org/for-professionals/policy/policy-library/carers-allowance-takeup](http://www.carersuk.org/for-professionals/policy/policy-library/carers-allowance-takeup)
3. We question whether the restrictive nature of the clauses will prevent the Scottish Government from removing this “cliff edge” or increasing the earnings limit in line with, for example, the Living Wage rather than the minimum wage. We continue to seek clarification.

4. Whilst we welcome the joint commitment that any new benefits must provide additional income for individuals there is a lack of clarity over whether increases in levels of current benefits – for example, to bring the value of Carers Allowance in line with Jobseekers Allowance – will simply result in a deduction from income support, pension credit or universal credit. This will not therefore bring any increase in income to the poorest carers. We continue to seek clarification.

5. Carers Scotland noted with some concern evidence relating to Clause 16 submitted to the Committee by Professor Paul Spicer of Robert Gordon University. In his evidence, Professor Spicer highlighted that the use of the terminology [a disability benefit is paid for] “significant adverse effect that impairment to a person’s physical or mental condition has on his or her ability to carry out day-to-day activities or a significant need arising from impairment” restricts the power to deliver benefits to current criteria. In line with his response we would seek for this to be clarified and for this clause to be reconsidered to ensure that it meets the needs of disabled and older people effectively.

6. Alongside other organisations, we believe that carers and disability benefits must remain as income benefits and are not brought into social care support budgets. We know that this was an early discussion on the devolution of Attendance Allowance and believe that it would be detrimental to individuals and their carers.

   We have argued since our beginnings 50 years ago that carers must have access to an independent income of their own. Whilst Carers Allowance does have its limitations and qualifying criteria, it is the only standalone benefit that recognises the enormous contribution that carers make to supporting older and disabled people.

   Moreover, pooling with social care budgets removes the choice of older and disabled people over whether or not to use social care support or not. Many choose not to receive support through social work departments and many more simply do not qualify for support under council’s eligibility criteria. Income from disability benefits aims to meet the additional costs of disability not simply care costs, for example, additional heating or food costs, equipment, Motability cars, transport to employment etc. Pooling budgets would, we believe, remove choice and control from older and disabled people and their carers.
Discretionary Housing Benefits

1. We note the response of CPAG highlighting potential difficulties with Clause 19, which appear to give no power to local authorities to make discretionary housing payments to individuals not in receipt of housing benefit. We share their concerns that households, including carer households (who would without the under occupancy change be eligible for housing benefit) appear to be ineligible for any support.

Finally, we would emphasise the need for strong interagency and intergovernmental working. With some benefits devolved and some benefits reserved there is a potential for significant confusion and uncertainty to people seeking support. It is vital that the respective Governments and departments work together effectively, focusing their efforts on ensuring that systems and information place ease of access and clarity to individuals at the heart of developments.

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About Carers Scotland

Across Scotland today, more than 660,000 people are carers, supporting a loved one who is older, disabled or seriously ill. That’s 1 in 8 adults who care, unpaid, for family and friends. Three in five of us will become carers at some point in our lives and, within our lifetime, there will be 1 million carers in Scotland. Every day 500 people in Scotland become carers. Many don’t know how or where to get help. It can be frightening and very lonely.

Caring is such an important part of life. It’s simply part of being human. Carers are holding families together, enabling loved ones to get the most out of life, making an enormous contribution to society and saving the Scottish economy £10.3 billion each year.

Yet many are stretched to the limit – juggling care with work and family life, or even struggling with poor health themselves – and finding it difficult to make ends meet.

Carers Scotland is a charity led by carers, for carers – our mission is to make life better for carers.

- We give expert advice, information and support
- We connect carers so no-one has to care alone
- We campaign together for lasting change
- We innovate to find new ways to reach and support carers

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