

Scottish Carers Assistance Consultation Response

The Poverty Alliance, May 2022



About us

The Poverty Alliance is Scotland's anti-poverty network. Together, we influence policy and practice, provide evidence through research, support communities to challenge poverty and build public support for the solutions to tackle poverty. Our members include grassroots community groups, activists who are experiencing poverty, academics, large national NGOs, voluntary organisations, statutory organisations, trade unions, and faith groups.

Introduction

In line with other organisations across the third sector, the Poverty Alliance welcome the introduction of the Scottish Carers Assistance to replace Carers Allowance in Scotland. We recognise that it is vitally important that the work carers carry out in our society, and for those to whom they provide care, is valued and respected.

We also recognise that carers are a group at risk of experiencing poverty and social isolation and therefore welcome many of the proposed improvements upon the existing Carers Allowance. These improvements will help protect carers from poverty and aid them in participating more fully in society.

However, like other organisations, we believe further improvements could be made to the policy proposal and we welcome to opportunity to highlight these.

Responses to consultation questions:

- 1. Please give us your views on how Scottish Carer's Assistance services could be designed to suit carers' needs (For example, in terms of how carers can apply for benefits, report changes that may affect their benefits, get payments, or get information or notifications about their benefits).**

Applications for Scottish Carers Assistance (SCA) should be designed to make it as simple and easy as possible for carers to apply. Applying for benefits can be stressful, so the process should be clear about what is being asked of applicants and about what information they need to provide to reduce in order to reduce stress and worry. The eligibility criteria should also be clear so that applicants can easily understand whether they are entitled to the payment and how much they are entitled to.

Payment of SCA should be flexible to suit the needs of carers. This means offering a range of dates for the payment to be made.

We echo the calls of The ALLIANCE in their recommendation to implement a 'digital choice' approach, meaning the system should give parity between digital and non-digital formats so

applicants can choose how to apply or interact with the system, and so no one is excluded from applying.

2. Please give us your views on support that Scottish Carer's Assistance could link to that would be helpful for carers.

Anyone enquiring about applying for the SCA should be signposted to an independent benefits assessment to enable them to work out whether they would be better off with or without receiving the payment.

As stated in the ALLIANCE's response to the consultation, social security can be complex and individuals such as carers may play multiple roles such as also being a parent or student. These additional roles must not conflict with being a carer and social security should be designed to reflect this complexity of need.

It is therefore imperative that carers receive independent support to complete applications and to be informed on how their entitlements to other benefits or incomes are impacted by claiming SCA. This includes signposting to appropriate independent advocacy and advice services, as appropriate to their needs whilst recognising the differences of support that these two support mechanisms provide.

3. Do you agree or disagree with the proposed residency criteria for Scottish Carer's Assistance? [Agree, Disagree, Unsure.]

Agree in part.

4. Please write the reason why you agree or disagree with the proposed residency criteria for Scottish Carer's Assistance, or any other information you want to share on this question.

The Poverty Alliance agrees, in principle, that entitlement to SCA should depend on the applicant being normally resident in Scotland.

We disagree, however, with the use of the 'past presence test' – detailed below.

5. Please give us your views on the 'past presence test' which should be used for Scottish Carer's Assistance.

The Poverty Alliance believe that it is neither necessary nor right to exclude anyone from being eligible to receive SCA on the grounds that they fail the past presence test. In addition, we share concerns with other organisations that this proposed criteria would

unfairly disqualify individuals who recently moved to Scotland in order to provide care from applying for SCA. This both disincentives individuals from outside Scotland who may wish to become carers whilst also worsening the financial security of these people once they have moved here, potentially pushing them into poverty. With regards to residency, it should be sufficient to entitle a person to apply for the SCA that they normally reside in Scotland and care for a person residing in Scotland (assuming they meet additional eligibility criteria).

6. Do you agree or disagree with the proposed re-determination timescales for Scottish Carer's Assistance? [Agree, Disagree, Unsure.]

Agree.

7. Please write the reason why you agree or disagree with the proposed redetermination timescales for Scottish Carer's Assistance, or any other information you want to share on this question.

The Poverty Alliance agrees with the proposed redetermination timescales since they represent an improvement on the current rules.

8. Do you agree or disagree with the proposals on when payments of Scottish Carer's Assistance should be suspended? [Agree, Disagree, Unsure.]

Agree.

9. Please write the reason why you agree or disagree with the proposals on when payments of Scottish Carer's Assistance should be suspended, or any other information you want to share on this question.

Suspensions should take place in only the most exceptional of circumstances given the significant economic shock that could be faced by carers who have this income taken away at short notice. We are glad to see the Scottish Government recognise this and additionally propose that any missed payments due to unnecessary suspension should be backdated.

10. Please give us your views on what should happen to payments of Scottish Carer's Assistance when a cared for person's qualifying benefit is suspended.

In recognising the distress that can be caused by the sudden loss of income, it is important that carers are protected from extreme financial hardship in the circumstance that they receive a suspension.

Of key importance to this process is the wellbeing of the individual who has lost this income. In recognition of this, if the decision was made to suspend SCA payments we would like to see the immediate provision of information on what other support the individual was entitled to such as Universal Credit and signposting to financial crisis support like the Scottish Welfare Fund.

Echoing calls made by The ALLIANCE, during the following process of applying for other benefits, seeking a redetermination or paid employment, we would urge that SCA still be given to the individual to tide them over during this period of uncertainty. This could come in the form of a SCA payment over four weeks in a similar manner as to how payments are given if the individual being cared for is hospitalised or passes away. This provides the individual with an adequate safety net to make plans or challenge the suspension without pulling them into poverty. As with other areas of devolved social security, if the suspension leads to a complete end of the award for the cared for person, the carer should not be expected to return these Scottish Carer's Assistance payments.¹

15. Please give us any other views you want to share on the proposals for Scottish Carer's Assistance when it is first launched.

The Poverty Alliance believes that key aspects of the SCA which are set to come into effect after the initial launch should be brought forward to the initial launch date. This includes bringing forward plans to:

- Remove education restrictions so carers can receive the SCA while in full-time education, which we believe will allow carers the dignity of making positive choice about their life beyond their caring responsibilities.
- Allow carers to add together hours they spend caring for more than one person.
- Extend SCA payments for 12 weeks after the death of a the person who has been cared for.
- Provide payments for a longer period when the person being cared for is in hospital or a care home.
- Increase the amount a person can earn while still receiving support from the SCA.

Since the Scottish Government have already outlined their intention to roll-out this extended support, it is unfair to ask carers to wait to take up education or that some will miss out altogether on additional payments after the death of someone they care for.

¹ As above.

The Poverty Alliance also believes that the delivery of SCA should follow the key principles outlined by the Scottish Campaign on Rights to Social Security (SCoRSS)², which are to:

- Have a clear purpose
- Be based in human rights
- Support equal participation in society and independent living
- Provide adequate support
- Provide whole-of-life support
- Interact well with future social security developments and be well connected to other services.

26. Do you agree or disagree with the proposed future change to allow carers in full-time education to get Scottish Carer’s Assistance? [Agree, Disagree, Unsure.]

Agree.

27. Please write the reason why you agree or disagree with the proposed future change to allow carers in full-time education to get Scottish Carer’s Assistance, or any other information you want to share on this question.

We believe that this proposal is a significant improvement on the current 21-hour limit on studies, especially for young carers.

This change is in line with the guiding principle of Social Security Scotland that “respect for the dignity of individuals is to be at the heart of the Scottish social security system³.” In order to respect the dignity of carers, they must be afforded the right to pursue their own interests and personal development goals. Further, many carers struggle with social isolation as a result of their caring responsibilities and an education can provide much needed interaction with peers to boost wellbeing and mental health.

Equally, this proposal will also protect students who unexpectedly become carers during their course and may have to drop part-time jobs in order to fulfil caring responsibilities.

This change should be made at the launch of Scottish Carer’s Assistance.

28. Do you agree or disagree with the proposed future change to allow carers to add together hours spent caring for two people to reach the 35 hour caring requirement? [Agree, Disagree, Unsure.]

²<https://cpag.org.uk/sites/default/files/files/policypost/SCoRSS%20report%20Beyond%20a%20Safe%20and%20Secure%20Transition.pdf>

³[Scottish Government’s Social Security Scotland.](#)

Agree.

29. Please write the reason why you agree or disagree with the proposed future change to allow carers to add together hours spent caring for two people to reach the 35 hour caring requirement, or any other information you want to share on this question.

We support this proposal and echo calls from The ALLIANCE who have stated that whilst we support the 35 hour caring requirement, we believe that this should not be limited to two people. Although caring for more than two people may be uncommon, it is not non-existent and these people are likely even more vulnerable to poverty given competing priorities between the individuals they are caring for. We would therefore strongly urge the government to not exclude those falling within this category in the initial phase of the roll out of this benefit.

As previously noted, we believe this change should be made at the launch of Scottish Carer's Assistance.

30. Do you agree or disagree with the proposed future change to continue to pay Scottish Carer's Assistance for 12 weeks (rather than 8 weeks) after the death of a cared for person? [Agree, Disagree, Unsure.]

Agree.

31. Please write the reason why you agree or disagree with the proposed future change to continue to pay Scottish Carer's Assistance for 12 weeks (rather than 8 weeks) after the death of a cared for person, or any other information you want to share on this question.

The Poverty Alliance welcomes this proposal. Giving a carer time and support to grieve and to adjust after the death of a cared for person is of paramount importance during this transitional stage. We therefore support the expansion from 8-weeks to 12-weeks which will reduce the amount of financial stress faced by a carer during this time and allow them to make plans and adjust.

As previously noted, we believe this change should be made at the launch of Scottish Carer's Assistance.

32. Do you agree or disagree with the proposed future change to continue to pay Scottish Carer's Assistance for 12 weeks when a cared for person goes into hospital or residential care? [Agree, Disagree, Unsure.]

Agree.

33. Please write the reason why you agree or disagree with the proposed future change to continue to pay Scottish Carer's Assistance for 12 weeks when a cared for person goes into hospital or residential care, or any other information you want to share on this question.

The Poverty Alliance welcomes this proposal. Echoing the calls by The ALLIANCE, we agree that the current limit of 4 weeks is unreasonable, particularly in relation to hospital admission. Given the uncertainty that a longer term hospital admission can pose, extending the period to 12 weeks allows more time to plan work and finances accordingly until the point where it is determined whether the cared for person is likely to be in hospital or residential care for the longer term.

As previously noted, we believe this change should be made at the launch of Scottish Carer's Assistance.

34. Do you agree or disagree with the proposed future change to increase the earnings limit for Scottish Carer's Assistance? [Agree, Disagree, Unsure.]

Agree.

35. Please write the reason why you agree or disagree with the proposed future change to increase the earnings limit for Scottish Carer's Assistance, or any other information you want to share on this question.

The Poverty Alliance welcomes this proposal. Carers are at a high risk of experiencing poverty and therefore it is essential that those who are able to work to boost their incomes are given greater scope to do so. As well as guarding against poverty, increasing the number of hours a carer can work will also provide more financial stability if or when they lose their eligibility for SCA. This also allows more opportunity for socialising, reducing social isolation which many carers can face if excluded from the labour market completely.

As previously noted, we believe this change should be made at the launch of Scottish Carer's Assistance.

36. Do you agree or disagree that the earnings threshold should be set at a level which would allow carers to work 16 hours a week alongside their caring role? [Agree, Disagree, Unsure.]

Agree in part.

37. Please write the reason why you agree or disagree that the earnings threshold should be set at a level which would allow carers to work 16 hours a week alongside their caring role, or any other information you want to share on this question.

The Poverty Alliance agrees that carers should be supported to work alongside caring, should they choose to do so and that this should not impede on the amount of support they receive for their caring responsibilities.

This threshold however, must be managed carefully. Overarchingly, any level of a threshold can create a 'cliff edge' wherein working any further hours than this threshold results in a significant drop in income due to the loss of SCA, and this may be an imbalance if the additional hours do not pay to make-up for the amount awarded through SCA.

It is therefore crucially important that the limitations of this threshold are explained clearly. This includes clarifying what is meant by 16 hours per week as zero-hour contracts can make this difficult to predict and additional hours may be given without the consent of the carer by the workplace or indeed their work may require them to work longer hours than anticipated (as can be the case in sectors such as shift work in hospitality). This also needs to tie into an awareness that 16 hours per week on minimum wage is very different to 16 hours per week on the real Living Wage and therefore considerations of how this threshold may work in relation to different earnings patterns must be considered.

As previously noted, we believe this change should be made at the launch of Scottish Carer's Assistance.

For more information, please contact:

Ashley Mclean
Policy and Parliamentary Officer,
The Poverty Alliance
ashley.mclean@povertyalliance.org