



Response from Carers Trust Scotland to the Scottish Commission on Social Security: Carer Support Payment – Amendment Regulations

Introduction

Carers Trust Scotland welcomes the opportunity to submit views to the Scottish Commission on Social Security regarding Carer Support Payment – Amendment Regulations.

Carers Trust in Scotland works to transform the lives of unpaid carers.

We partner with our network of local carer organisations to provide funding and support, deliver innovative and evidence-based programmes and raise awareness and influence policy.

Carers Trust's vision is that unpaid carers are heard and valued, with access to support, advice and resources to enable them to live fulfilled lives.

Questions

1. *What do you think of the regs overall? Can you see any particular gaps?*

Yes, Carers Trust Scotland welcomes these amendment regulations overall. We especially the backdating provisions, which provides a level of equity for those unpaid carers that would be entitled for Carer Support Payment but do not currently receive it due to not living in a current Carers Support Payment local authority pilot area.

We welcome the expansion of Carer Support Payment to student carers aged 16 to 19 in non-advanced education with certain exceptional circumstances. However, as previously noted throughout our interaction with Scottish Commission on Social Security and with our engagement with Scottish Government, we believe this should be extended to all unpaid carers aged 16 – 19 years old in non-advanced education. We believe this rule continues to add unnecessary complexity, confusion and will further disadvantage many unpaid carers aged 16 to 19 years old in non-advanced education who are already fulfilling the required 35 hours of caring each week.

- 2. Do you have any experience to share about backdating generally and any particular issues for carers?**
- 3. Do you have any specific concerns about the new backdating rules in the regs, either for people living in one of the areas where roll out will be later on, and for people who become newly eligible because of their student status?**

Carers Trust Scotland welcomes the backdating provisions presented in the amendment regulations. As previously stated, this creates a level of fairness for those unpaid carers who would be entitled to Carer Support Payment, who are currently disadvantaged from receiving the payment as the benefit has not currently launched for new applications in their local authority area.

However, it is vital that clear and transparent communications are widely promoted to ensure that unpaid carers know when the benefit is launching in their area. These communications should make it clear that in order for unpaid carers to qualify for this backdated provision that they must apply within a 13 week window from launch of Carer Support Payment being available in their local authority area to receive this. Communications must also be clear around the backdating timeframes dependent on when Carer Support Payment went live across local authority areas and also in relation to new amended provisions planned to go live from June. For example, it must be clear for a student carer aged 17 studying at HNC level in Glasgow (where Carer Support Payment is planned to launch on 21 October 2024) why their backdating provision will be to 19th November 2023, whereas a parent carer (of a disabled child receiving a qualifying disability benefit) in Glasgow, aged 17 studying at NC level, backdating provision will be to 23 June 2024.

Unpaid carers must not be penalised by receiving this potential lump sum payment. Scottish Government must ensure any backdating payment will not impact existing entitled for unpaid carers receiving support in any other part of the devolved or reserved social security system, in circumstances where they would be entitled to such support if receiving a regular payment of Carer Support Payment.

- 4. Eligibility for certain groups of students aged 16-19 in full time non-advanced education is being brought forward from October to June this year. Do you foresee any particular issues for young carers who either are students in this category already or who might be encouraged to take up study as a result of the new rules? Does the extra 3 months have any impact?**
- 5. How should changes to eligibility for certain groups of students aged 16-19 in full time non-advanced education be communicated?**

Carers Trust Scotland is glad to see the proposal to extend Carer Support Payment to certain groups of students aged 16-19 years old in non-advanced education. However we do find the student grouping *"in a couple where one or*

both are students” confusing and further guidance on who this would apply to needs to be clearly communicated. For example, would this extend to a couple who are not living together? etc

As we have said throughout the consultation process for Carer Support Payment, the proposed rules are unnecessary complex, can cause confusion around entitlement and we believe that the benefit should be expanded for all unpaid carers to all 16-19 years old in advanced and non-advanced education.

We welcome that the eligibility will be brought forward from October to June and do not foresee any particular issues for unpaid carers. A lot of student support ceases over the summer months and we hear from unpaid carers that many services for their cared-for person also reduces over this period, resulting in many unpaid carers taking on more intensive caring roles over the summer months. For many students, they are able to take on employment opportunities over the summer months to supplement their incomes and while they experience financial gaps in student support. But for many unpaid carers, who take on more intense caring roles over the summer, employment opportunities may not be possible for them. Bringing eligibility forward from October to June may help those unpaid carers ensure they have some financial support over the summer months.

Our vision at Carers Trust is *“that unpaid carers are heard, valued and have access to the support, advice and resources they need to live a fulfilling life alongside caring.”* If the extension of Carer Support Payment results in more unpaid carers being able to take forward their aspirations to take up further study, then we think this is a positive outcome.

However, clear communication is essential to ensure unpaid carers get the information they need around their entitlement to Carer Support Payment. For example, in June, many unpaid carers will be just finishing education, for example school, and potentially not starting their new non-advanced education course in college (NC level for example) until August/September – it needs to be clear if they will still be eligible to apply and receive Carer Support Payment during this interim period.

It is vital that Scottish Government and Social Security Scotland provide an array of communication resources to make eligibility to Carer Support Payment clear. We would encourage multi-communication methods from short videos/animations explaining the changes, posters to information guides. These also should be available in multiple community languages. We would also urge Social Security Scotland to be linked in and working closely with local carer organisations in pilot areas to help reach unpaid carers that may be entitled to Carer Support Payment. We would encourage Scottish Government to continue to work with the National Carer Organisation, so we can help spread national communications and promotion of Carer Support Payment and provide information and support to local carer organisations to be prepared for these changes.

6. Do you have any experience of carers going into some type of legal detention (eg for criminal or for mental health reasons)? Are there any particular issues arising from carers being detained?

We currently have limited evidence in this area to support a full response to this question. However, in principle, Carers Trust Scotland are supportive of this approach proposed by Scottish Government to treat these short periods as a temporary break in care and to allow payments to continue for up to four weeks where a carer is temporarily detained, and for the award to be restated without application within 26 weeks of an award which is ended due to temporary legal detention. In principle, we believe that this temporary break will break down barriers for unpaid carers in such situations and won't require them to complete a new Carer Support Payment application in these situations and await the processing of a new a claim.

7. Do you have any comments about potential impacts of these regulations on groups which are protected under the Equality Act, socio-economic disadvantage or communities of place/interest under the Fairer Scotland duty? Eg young people/students in particular locations or with disadvantaged characteristics?

As previously noted, Carers Trust Scotland would like to see multi-communication methods from short videos/animations explaining the changes, posters, social media campaigns across multiple channels to information guides being available. It is vital that those entitled to Carer Support Payment know about the benefit, especially for those who need to apply within the backdating timescales to receive backdated payments. These communications need to also be available in multiple community languages.

Social Security Scotland and Scottish Government should work with a range of stakeholders to ensure unpaid carers are informed about these changes and they are empowered to support unpaid carers; including, but not limited to, local carer organisations, national carer organisations, colleges, universities, youth organisations, religion and faith organisations, local authorities and local authority Heads of Education, GPs and Pharmacy settings etc.

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