

# Carer Support Payment: Equality Impact Assessment

## Title of Policy

The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023

## Summary of aims and desired outcomes of Policy

Carer Support Payment (formerly known as Scottish Carer's Assistance)<sup>1</sup> will replace Carer's Allowance in Scotland from the end of 2023, with a phased national roll out from spring 2024. It will provide some replacement income for unpaid carers in Scotland who are less able to take on paid work, and provide recognition of their important caring role.

We have developed policy<sup>2</sup> that makes changes now, and that allows for changes in future, that aim to:

- recognise the impact of caring on carers' lives, providing support in a way that takes into account that different carers have different needs, and that different caring situations have different impacts
- provide stability, and support carers to access opportunities outside of caring, where possible, and if they wish to do so
- ensure carers have a positive experience of the social security system, and maximise carers' take-up of all support available to them.

The Social Security (Scotland) Act 2018 ('the 2018 Act') sets out the broad framework for the delivery of devolved social security in Scotland. In April 2018 Scottish Ministers took executive and legal competence for Carer's Allowance.

Since 2018, Carer's Allowance has continued to be delivered during a transition period by Department for Work and Pensions (DWP) under the terms of an Agency Agreement with the Scottish Government. Carer Support Payment will be delivered by Social Security Scotland on behalf of Scottish Ministers under the 2018 Act. It is planned that the new benefit will launch on a pilot basis by the end of 2023, with a phased national roll out from spring 2024. Scottish Government officials are continuing to engage with the DWP to agree a timetable for the transfer of awards to Social Security Scotland. We intend to complete case transfer as soon as possible, while ensuring the process is safe and secure, so that we can deliver improvements to Carer Support Payment. The Carer's Allowance Agency Agreement has been extended to March 2025, and we remain on track to complete case transfer by the end of 2025. The Carer's Assistance (Carer Support Payment) (Scotland) Regulations 2023 set out the detailed rules surrounding entitlement to Carer Support

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<sup>1</sup> When the consultation launched, our working title for the new benefit was 'Scottish Carer's Assistance'. Since then, we have worked with carers, carer organisations and our Experience Panel members to choose and test a preferred name for the new benefit. We can confirm that the chosen name for the benefit replacing Carer's Allowance in Scotland will be 'Carer Support Payment'.

<sup>2</sup> The aims for Carer Support Payment were developed on the basis of carer and stakeholder feedback, and published as a [discussion paper](#) in March 2021. Further to feedback on these, final aims were set out in the formal consultation on the benefit which ran from February to May 2022.

Payment from launch, and provide for the transfer of awards for carers already receiving Carer's Allowance in Scotland.

In our consultation on the benefit, we set out plans for how the benefit would work from launch and potential priority changes to make as soon as reasonably practical once 'case transfer' from Carer's Allowance is complete, as well as plans to improve join up across services for carers. This impact assessment covers all of these, and the transfer of awards for existing Carer's Allowance clients from DWP to Social Security Scotland. While this goes further than our obligation to impact assess the new legislation, we have chosen this approach because it allows initial plans to be seen in context, and also because it allows for feedback to further inform ongoing detailed policy development.

This policy is closely aligned with the Healthier, Wealthier and Fairer Strategic Objectives, and contributes to the following National Outcomes:

- We respect, protect and fulfil human rights and live free from discrimination
- We tackle poverty by sharing opportunities, wealth, and power more equally
- We live in communities that are inclusive, empowered, resilient and safe
- We grow up loved, safe and respected so that we realise our full potential.

## **Team, Division, Directorate**

Carer Benefits and Case Transfer Policy Unit  
Social Security Policy Division, Social Security Directorate.

## **Executive summary**

1. The Social Security (Scotland) Act 2018 ('the 2018 Act') sets out the broad framework for the delivery of devolved social security in Scotland. On 1 April 2018, Scottish Ministers took executive and legal competence for Carer's Allowance.
2. Since 2018, Carer's Allowance has continued to be delivered during a transition period by DWP under the terms of an Agency Agreement with the Scottish Government. This is a key component of ensuring the safe and secure devolution of Carer's Allowance.
3. The Carer's Assistance (Carer Support Payment) (Scotland) Regulations set out how the Scottish Government will deliver our replacement for Carer's Allowance, Carer Support Payment. This was formerly known as Scottish Carer's Assistance which was the working title for the benefit. The aim of Carer Support Payment is to provide some replacement income for unpaid carers in Scotland who are less able to take on paid work.
4. In addition to allowing for new applications, the regulations make provision for the transfer of responsibility on behalf of Scottish Ministers for delivering carer benefits for individuals who are currently in receipt of Carer's Allowance in

Scotland from DWP to Social Security Scotland. They also make provision to transfer the awards of these individuals from Carer's Allowance to Carer Support Payment, a process known as 'case transfer'.

5. The awards for these clients will transfer to Social Security Scotland once new applications for Carer Support Payment are available. Based on data provided by the DWP, there are around 120,000 individuals whose awards will transfer from Carer's Allowance to Carer Support Payment.
6. The public sector equality duty is a legislative requirement that requires the Scottish Government to assess the impact of applying a proposed new or revised policy or practice. Policies should reflect that different people have different needs. Equality legislation covers the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.
7. This Equality Impact Assessment (EQIA) has considered the potential effects of Carer Support Payment and how it impacts on groups with protected characteristics, presented below in the Key Findings section. The findings here are based on stakeholder engagement and feedback (including extensive engagement with carers themselves), desk-based research and analysis of the responses to the Scottish Government's consultation on the new benefit.
8. This EQIA has not identified any aspects of the final Carer Support Payment which would negatively impact on carers from protected groups, or to people in these groups who are cared for. As women are more likely to be in receipt of this benefit, and cared for people are more likely to be disabled people, we would expect a disproportionately positive impact on women and disabled people. As the evidence and data gathered indicate that overall the final policy will have a positive impact for carers and equality groups, no further changes have been made to Carer Support Payment policy as a result of the assessment to date. The Carer Support Payment policy therefore builds on the framework of the 2018 Act of a new system that is underpinned by dignity, respect and a human rights-based approach.
9. The EQIA has identified opportunities to improve our understanding of particular protected characteristics and carers, and to identify and address any barriers faced by carers in accessing Carer Support Payment. We will undertake further focused engagement with stakeholders to increase our understanding, which will be used to inform further policy development and implementation.
10. Our public consultation, which ran from February to May 2022, proposed changes to eligibility criteria which could be made in future to improve this benefit<sup>3</sup>. Equalities data was a key weighting to our Multicriteria Analysis when prioritising these changes (more information on this is included at **Annex A**). Any changes need to avoid creating a 'two tier system' which could disadvantage some carers. To avoid this, we do not plan to make eligibility changes until case transfer is complete.

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<sup>3</sup> [Scottish Carer's Assistance: consultation - gov.scot \(www.gov.scot\)](https://www.gov.scot/consultations/scot20220001)

11. We aim to raise awareness and understanding of Carer Support Payment through the implementation of the policy, across all groups and with a specific focus on particular groups, to increase take-up of the benefit where possible, and to reinforce the importance of the role played by unpaid carers in our society. It is intended that this will, among other things, address the issue that some people providing care may not identify as carers.

## **Background, Policy Aims and Proposed Rules**

Carer Support Payment will replace Carer's Allowance in Scotland. Carer's Allowance is a benefit for unpaid carers in recognition of the caring role and its impact on their ability to earn income from paid work.

Scottish Government estimates suggest that unpaid care is currently saving Scotland £13.1 billion per year in health and social care costs (£12.8 billion per year in social care costs, plus £320 million in health care costs).<sup>4</sup> Following the impacts of the coronavirus pandemic, where more people undertook caring roles than ever before due to face-to-face respite services reducing, the overall level and value of unpaid care being provided in the UK is likely to have increased. As the average age of the population continues to rise, the numbers of unpaid carers in the UK are also anticipated to increase.

### **Origin of the benefit**

Carer's Allowance developed in the UK from the introduction of the 'Invalid Care Allowance' (ICA) in 1975. The scheme followed the 1974 White Paper 'Social Security Provision for Chronically Sick and Disabled People' which stated that there was 'a strong case for the provision of a non-contributory benefit of right' to be payable to carers of sick and disabled people.

Married women were, initially, not eligible for ICA. This reflected wider societal expectations at the time, that married women would provide care for family members. In 1986, this policy was held to be unlawful by the European Court<sup>5</sup> and the benefit was widened out to all carers regardless of their marital status. Further changes to the benefit were made in 2002, including the abolition of an upper age limit of 65 for claims. The benefit was also renamed Carer's Allowance.

The key criteria for Carer's Allowance now are that it provides support to unpaid or informal carers who provide 35 hours or more of care a week for people receiving certain disability benefits, and earning below a certain amount. In 2023-24 it will provide £76.75 a week and the earnings threshold will be £139 per week.

### **Devolution**

The Scotland Act 2016 gave the Scottish Government legislative competence over eleven benefits, including Carer's Allowance. The 2018 Act sets out the legislative

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<sup>4</sup> National Care Service (Scotland) Bill (2022) [Financial Memorandum \(paragraph 72\)](#)

<sup>5</sup> Jackie Drake successfully argued that the exclusion of married women from Carer's Allowance, where married men residing with their wives were not excluded, constituted a clear example of direct discrimination on the grounds of sex.

framework for the administration of social security in Scotland and makes provision for operational functions such as managing overpayments, fraud, error and appeals. Since September 2018, Carer's Allowance in Scotland has been administered by the DWP under an agency agreement in advance of the replacement benefit being introduced.

## **Carer's Allowance in the context of reserved benefits**

Carer's Allowance is arguably the most complex of the benefits being devolved to Scotland, due to its linkages with other benefits. As an 'income-replacement' benefit, it has a high number of interactions with low-income benefits delivered by DWP, upon which tens of thousands of Scotland's carers rely for help with housing and other basic needs. Carer's Allowance eligibility passports carers on low incomes to additional carer specific payments. It also entitles carers to Class 1 National Insurance contributions, which can help to, for example, build up their State Pension. These interactions mean that the principle of safe and secure transition of DWP benefits to Social Security Scotland through the devolution process is particularly important, as any increase in complexity during the case transfer process would increase the risk to the ongoing payment of these benefits to carers in Scotland.

## **Extra payments for carers in Scotland**

We prioritised support for carers in our new social security system. Our first change when the 2018 Act was passed was to introduce Carer's Allowance Supplement (CAS). This increased the existing Carer's Allowance which was the lowest working age benefit, to being in line with and now exceeding Jobseeker's Allowance through two additional payments a year. Carers who receive both Carer's Allowance Supplement payments in 2023-24 receive the equivalent of £87.15 weekly, rather than the £76.75 they would receive without the uplift.

Double payments of Carer's Allowance Supplement were made in June 2020 and December 2021 in light of the additional pressures faced by carers as a result of the coronavirus pandemic.

Since the launch of Carer's Allowance Supplement in 2018, 920,970 Carer's Allowance Supplement payments totalling £255.4 million have been made to 148,515 carers.<sup>6</sup> By 2023, carers in Scotland continuously in receipt of Carer's Allowance will have received an extra £3,300 through the Supplement since its introduction.

In October 2019, we opened applications for Young Carer Grant, the first support of its kind in the UK, providing annual grants of £359.65 (2023-24 rate) to Scotland's young carers in recognition of their caring role. The payment helps them access opportunities which are the norm for other young people. Over 8,500 payments Young Carer Grant payments have been made since its introduction, with a total value around £2.7 million.<sup>7</sup>

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<sup>6</sup> [Summary official statistics for Carer's Allowance Supplement to April eligibility date in 2023](#), published in August 2023

<sup>7</sup> [Young Carer Grant: high level statistics to 30 April 2023](#), published in August 2023

Timing for the introduction of a new payment for carers of more than one person was affected by the impact of the coronavirus pandemic. This support, which expands on an earlier commitment to a Carer's Additional Child Payment, is known as Carer's Additional Person Payment for now. The support would be equivalent to £10 per week for each additional person being cared for who is in receipt of a disability benefit. We now intend to implement this commitment as part of work on Carer Support Payment, once the benefits of existing Carer's Allowance clients have been safely transferred from DWP.

## **Carer Support Payment policy aims**

When we consulted in 2016 about Scottish benefits, most people who responded agreed that the new benefit should have a similar role to Carer's Allowance<sup>8</sup> – that is, it should be a benefit to provide some replacement income for unpaid carers who have caring roles which mean they are less able to take on paid work. Most people agreed it should not be a payment for the care provided, but should provide some recognition for the caring role – by providing support with no requirement to look for work.

Carer Support Payment will be 'non-means tested' in the same way as Carer's Allowance. This means that a carer's income, other than from paid work<sup>9</sup>, and their household's income won't affect whether they can get the benefit, or how much they will get. Because it will be paid to people caring for at least 35 hours a week and with limited earnings, it is focused on unpaid carers who have some of the most intensive caring roles, and who are more likely to be on lower incomes.

### **Aims**

In March 2020, we published a discussion paper on the new benefit<sup>10</sup>, setting out draft aims for what the new support should do. The aims sit within the broader framework of the National Carers Strategy<sup>11</sup>. They also need to be seen in the context of wider social security provision available to carers from DWP. It is vital that DWP continue to recognise Carer Support Payment recipients as carers for the purposes of paying Universal Credit and other benefits.

The aims are:

**Aim 1.** Carer Support Payment provides income for unpaid carers in recognition of their vital role and its impact on their lives. It is delivered in a way that takes into account that different carers have different needs, and that different caring situations have different impacts.

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<sup>8</sup> Most respondents to our 2016 consultation on social security, supported the goal we set for Scottish Carer's Assistance, that it would be 'not a payment for care [but] provide some financial support and recognition for those who choose to, or who have had to give up or limit their employment or study because of caring responsibilities'. <https://www.gov.scot/publications/analysis-written-responses-consultation-social-security-scotland/>

<sup>9</sup> Carer's Allowance is an 'income-replacement' benefit so carers may not be earning more than £132 per week (2022/23 rate) from employment, after tax, National Insurance and some expenses. More information on is available at: <https://www.gov.uk/carers-allowance/eligibility>

<sup>10</sup> [Scottish Carer's Assistance discussion paper](#)

<sup>11</sup> [National Carers Strategy](#)

Aim 2. Carer Support Payment provides stability and supports carers to access opportunities outside of caring, where possible, and they wish to do so.

Aim 3. Carer Support Payment is designed to ensure carers have a positive experience of the social security system, and to maximise carers' take-up of all support available to them.

In addition to setting out the broad framework for the delivery of devolved social security in Scotland, the 2018 Act also allows Scottish Ministers to create a new social security system using a distinct 'Scottish approach', which has our values of dignity, fairness and respect at its core. Carer Support Payment will contribute to this. It will also help to deliver our overall vision for unpaid carers in Scotland, that unpaid carers can provide the best possible care, supported by a system that recognises and values their contribution, allowing them to lead a full life in addition to their caring role.

The policy contributes to the following National Outcomes:

- We are healthy and active
- We tackle poverty by sharing opportunities, wealth and power more equally
- We are well educated, skilled and able to contribute to society
- We respect, protect and fulfil human rights and live free from discrimination.

### **Case transfer**

The first priority of Carer Support Payment is the safe and secure transfer of Carer's Allowance awards in Scotland currently managed by DWP to Social Security Scotland. Scottish Government officials are engaging with DWP to agree a timetable for the transfer of awards to Social Security Scotland. We intend to complete case transfer as soon as possible, while ensuring the process is safe and secure, so that we can deliver improvements to Carer Support Payment. The Carer's Allowance Agency Agreement runs until March 2025, and we remain on track to complete case transfer for all disability and carer benefits by the end of 2025. Scottish Ministers have developed a safe and secure transfer process, which will require no action on behalf of the individual wherever possible, and has been designed in line with the following case transfer principles:

- no individual will be required to re-apply for their benefit
- individuals will continue to receive the right payment, at the right time
- we will complete the case transfer process as soon as possible while ensuring it is safe and secure
- we will maintain clear communications with clients during the transfer process.

### **Carer Support Payment rules**

It is planned that Carer Support Payment will develop over time, in line with the agreed benefit aims.



## Policy on launch

On introduction, Carer Support Payment will provide an improved, more accessible service to carers, joining up with wider services to help carers access information on the wide range of support available to them.

Eligibility for the new benefit will broadly mirror Carer's Allowance to enable the safe and secure transfer of awards from DWP to Social Security Scotland. However, there will be some changes, to reflect existing differences in wider Scottish social security policy and principles. As set out in the regulations which this impact assessment accompanies:

1. Core eligibility will mirror Carer's Allowance in that carers will need to be aged 16 or over, providing 35 hours of care or more a week to someone getting certain disability benefits, and not earning more than £139 per week from paid work.<sup>12</sup>
2. Payment amounts will be in line with Carer's Allowance, though carers will continue to receive additional support through Carer's Allowance Supplement.<sup>13</sup>
3. Residence requirements for receipt of the benefit will mirror those for devolved disability benefits, including the 'past presence test' which will require presence in the Common Travel Area for 26 of the past 52 weeks. The test will also be dis-applied in some circumstances, including where a person is receiving support under the Special Rules for Terminal Illness, has a refugee or humanitarian protection status, or is caring for someone who meets these criteria.
4. Carer Support Payment may be temporarily stopped in a number of situations where Carer's Allowance would be suspended or ended, reducing the need to make new applications. Carer Support Payment will continue to be paid in some situations where a qualifying disability benefit is suspended, to improve the stability of support for carers.
5. Re-determination and appeal processes and timescales will mirror the disability benefits, providing more time for carers to request a re-determination compared with the low-income benefits, and clarity on timings for re-determination decisions.
6. Eligibility will be expanded to include more carers in full-time education. In particular, the benefit will be available for the first time to people aged 20 and over in full-time education at any level, and people aged 16 to 19 in full-time advanced education. As part of the national roll out, this will also be extended to include some carers aged 16 to 19 in full-time non-advanced education in exceptional circumstances.

Other differences from Carer's Allowance from launch will be:

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<sup>12</sup> After deductions

<sup>13</sup> Carer's Allowance Supplement will continue to be paid in the same way as now until we safely and securely transfer the awards of carers in Scotland receiving Carer's Allowance from the Department for Work and Pensions (DWP) to Social Security Scotland. Consequential amendments will provide necessary provisions for CAS to be paid to those getting CSP as well as CA until case transfer is complete.



7. Applications for Carer Support Payment will not be accepted in advance, while Carer's Allowance applications may be accepted up to three months before a carer expects to become entitled to support. Our understanding is that this provision is not currently well used. Our intention is that Carer Support Payment applications will be handled more quickly. Providing an advance application option is likely to add complexity and confusion to the application system. Backdating provisions in place for Carer Support Payment will prevent carers from losing out on support they are entitled to where they are not able to apply from the first day of their entitlement. Nevertheless, the potential for advance applications will be kept under review as part of continuous improvement.
8. Carer Support Payment will be paid four weekly in arrears as standard, while Carer's Allowance offers a choice of weekly in advance payments. Carers whose benefits are transferring from Carer's Allowance will continue to receive weekly in advance payments and weekly in advance payments will be available to carers who are terminally ill, or caring for someone who is terminally ill. However, the overall approach is intended to reduce the potential for overpayments.

During the case transfer period and beyond, further improvements to link carers to wider support available to them will be made.

### **Further improvements to eligibility after completion of case transfer**

We plan to bring forward further regulations to provide for changes we are committed to make to Carer Support Payment in future. These are planned for as soon as practicable after case transfer completes. These are set out below.

9. We are committed to introducing a new Carer's Additional Person Payment. Detailed policy is under consideration taking into account the feedback from the consultation. This payment is intended to provide an extra £10 per week for carers receiving Carer Support Payment who have a significant caring role for more than one person in receipt of disability benefits.
10. We plan to provide short-term assistance in some situations where a Carer Support Payment decision is being challenged, and provide support to carers when the person they care for is challenging a decision and receiving short-term assistance. Because of the complex links the existing Carer's Allowance benefit has with support which remains reserved, we need to continue to work with the DWP to consider the impacts on other benefits before finalising our plans. We plan to deliver short-term assistance and related support for Carer Support Payment after case transfer is complete, rather than when the benefit first launches.
11. We plan to increase the period that Carer Support Payment is paid after the loss of a person being cared for from eight to twelve weeks.
12. We plan to pay Carer's Allowance Supplement alongside Carer Support Payment in future, so that carers receive a higher regular income.

## **Potential changes under consideration for the future**

Further potential changes which could be made in future to Carer Support Payment eligibility and rules were set out in the public consultation. We are using the consultation responses to inform our ongoing consideration of these potential changes. These are set out below.

13. To increase the period of time that Carer Support Payment is paid when a person being cared for goes into hospital or residential accommodation.
14. To extending eligibility so that Carer Support Payment could be available to people who are caring for two different people for a total of 35 hours.
15. To increases to the earnings threshold and consider whether a 'run on' of support could be introduced where a carer has earnings over the threshold.

## **Who was involved in this EQIA, scope, data sources and wider context**

### **Who was involved**

#### **Carer Benefits Advisory Group**

The Carer Benefits Advisory Group<sup>14</sup> has played a key role in developing the equalities knowledge base for policy proposals, generating ideas, and informing and scrutinising detailed policy development. It is made up of representatives from organisations with an interest in informal caring including national and local carer support organisations, welfare rights providers, and local government. Organisations that have a particular focus on equalities groups are also represented: women (Engender), disabled people (Inclusion Scotland), BAME and gypsy traveller communities (MECOPP), and single parents (One Parent Families Scotland).

In 2017 the group commissioned research on carer equalities issues from the Minority Ethnic Carers and Older People Project. The aim of this was to identify key issues to ensure they were appropriately considered when providing advice to Ministers during the policy development process. Group members also reviewed draft plans for engagement in respect of carers for the Experience Panels. Input from these panels, made up people with experience of social security, inform the development of social security in Scotland. Further detail is provided in the Carer Voice section below. Carer Benefit Advisory Group members participated in the workshops which informed the weighting of criteria, including equalities, for the Multicriteria Analysis for future changes to Carer's Allowance. The Group held two annual carer benefits equalities event, to scrutinise, share and inform policy, with the first event taking place in December 2021.

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<sup>14</sup> [Carer Benefits Advisory Group - gov.scot \(www.gov.scot\)](http://www.gov.scot)

In terms of the formal consultation on the replacement to Carer's Allowance, the Group reviewed plans for targeted workshops with different equalities groups, and accessible and appropriate materials for stakeholder organisations to use with carers. Following the consultation period, a series of workshops to take feedback on policy proposals in light of the consultation responses were held with the Group. During these equalities issues for each proposal were considered.

This EQIA and the related impact assessments were scrutinised at the 2022 Carer Benefits Advisory Group annual equalities event. As well as the organisations referred to above, this event included representatives from LGBT Health and Well-being, Citizens Advice Scotland, Child Poverty Action Group, Marie Curie, Family Fund, Support Mind Scotland, and Social Work Scotland.

### **Disability and Carer Benefits Expert Advisory Group**

The Scottish Government has also undertaken ongoing engagement on proposals for Carer Support Payment through the independent Disability and Carer Benefits Expert Advisory Group (DACBEAG)<sup>15</sup>. The Group's role was to advise Scottish Ministers on specific policy options for disability and carers benefits due to be delivered in Scotland. The Group, which was independent of the Scottish Government, comprised individuals with significant practical experience of the UK social security system from a range of professional backgrounds. Membership included people working in the disabilities field for organisations such as The Alliance and Inclusion Scotland, in the racial equality field such as the Coalition for Racial Equality and Rights in Scotland, and the Chair of the Scottish Government's Equality and Budget Advisory Group. The development of Carer Support Payment was considered at six meetings of the Group, and case transfer from Carer's Allowance was discussed in detail at the Group's November 2022 quarterly meeting.

Following feedback from DACBEAG on equalities relating to Young Carer Grant, we carried out a review of skills in respect of the equalities impact assessment process within the Carer Benefits Policy Unit, and developed and implemented a staff development plan to address gaps. We also established the Carer Voice Forum to improve knowledge internally on the lived experience of carers, including equalities issues. This is attended by carer policy and carer benefits policy makers, analysts and systems development and operational staff within Scottish Government and Social Security Scotland. Regular presentations and discussions on emerging analysis and issues are held. This has helped us consider in depth the outputs of Scottish Government and Social Security Scotland reports, independent evaluation, and wider analysis and reports on carers circumstances, experiences and views as we have developed policy.

### **Other organisations**

Of the 41 organisations that responded to the consultation, around a quarter were from organisations representing the interests of groups with protected characteristics. The majority of these were disability groups.

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<sup>15</sup> [DACBEAG](#)

As we developed this EQIA, in recognition of our need to better understand impacts on LGBTQIA+ carers, we connected with the organisation LGBT Health and Well-being. This will form part of our longer-term engagement plan to understand the needs of communities where we currently have less knowledge.

A key element in ensuring policy choices for future eligibility changes were informed by our equalities responsibilities was the Multicriteria Analysis. More information on this process is provided at **Annex A**. Stakeholders, including Age Scotland, Alzheimer's Scotland, Epilepsy Scotland, Hospice UK, PAMIS and RNIB Scotland, took part in workshops in June 2021 to input on the weighting of the criteria including equalities.

### **The Carer Voice: Experience Panels**

To inform social security policy, the Scottish Government has used Social Security Experience Panels with over 2,400 people across Scotland registered as panel members when the Panels opened in 2017. The Panels involve people with lived experience of the benefits being devolved. 'About you' surveys are used to identify the demographic of panel members and ensure a range of voices and experiences are represented<sup>16</sup>. Over half of panel members have caring responsibilities<sup>17</sup>. We have published six reports specifically on carer benefits.

We have also carried out research with relevant stakeholders to specifically target people from seldom heard groups as part of our broader engagement on social security. This includes research into the experience of people who are 'carers and care experienced'<sup>18</sup>.

On Carer Support Payment specifically, we asked Panel members to provide their views on how our new benefit could be different from Carer's Allowance. The research took place from March to July 2022. A total of 242 Panel members completed a survey with 16 participants taking part in follow-up interviews.

Two surveys regarding the case transfer process were sent out to Experience Panel members in January and February 2019. 404 and 559 responses were received respectively. A series of individual and group interviews were also conducted. Results from both surveys and the interviews were published in 2019<sup>19</sup>. These surveys confirmed that continuing to receive the correct payment at the correct time was most important to panel members.

### **The Carer Voice: User Research**

User Research is being conducted to support the development of Carer Support Payment and the case transfer journey. This is the process of working with carers

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<sup>16</sup> [Social Security Experience Panels: publications - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/social-security-experience-panels/)

<sup>17</sup> [Social Security Experience Panels - panel members: visual summary – 2020 update - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/social-security-experience-panels-panel-members-visual-summary-2020-update/)

<sup>18</sup> [Social Security Experience Panels - Seldom Heard research programme: carers and care experienced - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/social-security-experience-panels-seldom-heard-research-programme-carers-and-care-experienced/)

<sup>19</sup> [Social Security Experience Panels - Scottish Carer's Assistance: main report - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/social-security-experience-panels-scottish-carers-assistance-main-report/)

directly to understand their needs in order to design the systems to learn about, apply for and receive their benefits. This began last year and will continue until the build is completed, with this work being carried on by Social Security Scotland once the new benefit is up and running. This has included work with carers who are disabled or who have long term conditions, carers from black and minority ethnic communities, women who are carers, young carers, older carers and rural carers.

### **The Carer Voice: Consultation**

A number of groups were identified as underrepresented in our evidence base as part of our framing exercise, when reviewing previous carer benefit impact assessments, and through our Carer Voice Forum. Although we do have data, it is not sufficiently specific and/ or robust to inform all aspects of benefit design. These groups are:

- Disabled people who are carers
- Carers from black and minority ethnic communities
- Women who are carers
- Rural carers
- Lesbian, Gay, Bisexual, Transgender and Queer carers
- Faith groups
- Carers with the characteristics of marriage and civil partnership, and pregnancy and maternity
- Student carers

During the consultation period workshops were held with the support of stakeholders to help address gaps in respect of carers with learning disabilities, from black and minority ethnic communities, woman who are carers and rural carers. A total of 151 individuals responded to the formal consultation. However, we do not have a breakdown of these people by protected characteristics

We sought events with other groups but were unsuccessful. We have begun a programme of work to develop stronger links in these areas, and deepen our understanding of the experience and needs of carers groups where we have gaps or have identified particular issues to follow up. This work reaches across the Experience Panel, User Research, carer policy, and the Social Security Scotland equivalent of Experience Panels, Client Panels.

### **Scope of the EQIA**

This EQIA covers the impact that introducing Carer Support Payment will have on recipients or potential recipients who have one or more of the protected characteristics, including the transfer of Carer's Allowance awards from DWP to Social Security Scotland. It covers policy from launch, and plans for changes to be made further to the completion of case transfer.

### **Data Sources**

For completing this EQIA, data was gathered from a range of sources including:

- DWP Stat Xplore<sup>20</sup>
- Scotland's Carers 2022<sup>21</sup>
- Scottish Health Survey 2019<sup>22</sup>
- Scottish Health and Care Experience Survey 2017/18<sup>23</sup>
- Scotland's Census 2011<sup>24</sup>
- Scottish Government Equality Evidence Finder<sup>25</sup>
- EQIA and evaluation of Carer's Allowance Supplement and Young Carer Grant<sup>26</sup>
- User research for the development of Carer Support Payment

## Wider context

This impact assessment is one key part of the suite of impact assessments to accompany Carer Support Payment policy. This EQIA should be read in conjunction with the other impact assessments

- the Business and Regulatory Impact Assessment (BRIA)
- Child Rights and Wellbeing Impact Assessment (CRWIA)
- Data Protection Impact Assessment (DPIA)
- Fairer Scotland Duty Assessment (FSDA)
- Islands Communities Impact Assessment (ICIA)

## Data and key findings

A summary of the available evidence and data collected to help inform this EQIA for each of the protected characteristics covered by legislation is provided in the table below.

### Sex

#### Eligibility for Carer's Allowance

- As of February 2023, 69% of Carer's Allowance recipients in Scotland were women<sup>27</sup>. Over 75% of those in receipt of Carer's Allowance aged 30-39 are women. After this age the proportion of women caring falls very gradually to 65% in the 60-64 group, with women making up 66% of over 65s<sup>28</sup>.
- The 2021-22 Carers Census showed that, 73% of carers were female. <sup>29</sup>

<sup>20</sup> DWP Stat-Xplore <https://stat-xplore.dwp.gov.uk/>

<sup>21</sup> Scotland's Carers 2022 [Scotland's carers: update release - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/scotland-carers-2022/pages/introduction.aspx)

<sup>22</sup> [Scottish Health Survey 2019 - volume 1: main report - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/scottish-health-survey-2019/pages/introduction.aspx)

<sup>23</sup> [Scottish Health and Care Experience Survey \(2017/18\)](https://www.gov.scot/publications/scottish-health-and-care-experience-survey-2017-18/pages/introduction.aspx)

<sup>24</sup> Scotland's Census (2011) <http://www.scotlandscensus.gov.uk/>

<sup>25</sup> [Equality evidence - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/equality-evidence/pages/introduction.aspx)

<sup>26</sup> [Carer's Allowance Supplement: evaluation - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/carers-allowance-supplement-evaluation/pages/introduction.aspx), [Young Carer Grant: interim evaluation - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/young-carer-grant-interim-evaluation/pages/introduction.aspx)

<sup>27</sup> [Social Security Scotland - Summary statistics for Carer's Allowance Supplement to October eligibility date 2022](https://www.gov.scot/publications/social-security-scotland-summary-statistics-for-carers-allowance-supplement-to-october-eligibility-date-2022/pages/introduction.aspx)

<sup>28</sup> DWP Stat Xplore <https://stat-xplore.dwp.gov.uk/>

<sup>29</sup> [Carers Census, Scotland, 2021-22](https://www.gov.scot/publications/carers-census-scotland-2021-22/pages/introduction.aspx)

## Key points

- Women are most likely to be in receipt of disability and ill health benefits. 55% of adults in receipt of the disability benefits are women<sup>30</sup>.
- Women are more likely to rely on social security payments as part of their incomes than men, and there is some evidence that women typically act as 'poverty managers', going without food and other vital resources so that other family members do not.<sup>31</sup>
- Women have been disproportionately impacted by cuts to disability benefits, both as claimants and as carers.<sup>32</sup>
- There is some evidence to show women may be disproportionately affected by the economic impact of the pandemic due to lower incomes and increased caring responsibilities<sup>33</sup>.
- Women working full time were significantly more likely than men working full time to provide unpaid, regular care (17% of women, compared with 12% of men)<sup>34</sup>.

## Barriers

Key points raised in work with disabled carers and stakeholder organisations<sup>35</sup>:

- The current earnings threshold and higher education restrictions within Carer's Allowance constitute barriers to work and education and so maintain structural inequality for women.
- Carer identification - women are more likely than men to view caring tasks as integral to their existing role and responsibilities rather than as separate "caring".
- Participants in the Experience Panels made references to disabled migrant women, and women from south Asian communities who may be caring for multiple family members. These women do not consider themselves to be carers and might not apply for the support to which they are entitled. It was also felt that language barriers might prevent some women (for whom English is not always their first language) from applying for support.
- Over half of all male carers feel their needs as carers are different to those of female carers and many struggle to ask for help and support.<sup>36</sup>

## Pregnancy and maternity

### Eligibility for Carer's Allowance

- DWP do not publish data on carers with this protected characteristic.
- There is little data available on this characteristic within the wider population. This information is not gathered through the census for example. However we do know that in 2022, around 1,300 households in Scotland were paid Universal Credit with a child under one year old and claiming the carer element<sup>37</sup>. There

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<sup>30</sup> DWP Stat Xplore <https://stat-xplore.dwp.gov.uk/>

<sup>31</sup> Close the Gap briefing: [leafletpov \(closethegap.org.uk\)](http://leafletpov(closethegap.org.uk))

<sup>32</sup> [ShapingScotFuture \(engender.org.uk\)](http://ShapingScotFuture(engender.org.uk))

<sup>33</sup> [Oxfam, 2020: Care, poverty and Coronavirus across Britain](#)

<sup>34</sup> [Carers Census, Scotland, 2021-22](#)

<sup>35</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>36</sup> Carers Trust (2014) [Husband, Partner, Dad, Son, Carer? A survey of the experiences and needs of male carers](#)

<sup>37</sup> DWP Stat Xplore <https://stat-xplore.dwp.gov.uk/>



will be many more people who are providing informal care who are pregnant or with a baby but who do not claim benefits.

- Maternity Allowance is an overlapping benefit with Carer's Allowance. Carers receiving Maternity Allowance in full will have only underlying entitlement to Carer's Allowance and so will not receive Carer's Allowance or Carer's Allowance Supplement. However, full Maternity Allowance is paid at a higher rate than Carer's Allowance with the Supplement. Those receiving partial Maternity Allowance may receive partial Carer's Allowance and would receive the Supplement in full. In 2022, this could constitute up to 1,766 people<sup>38</sup>.

## Barriers

- It is self-evident that providing 35 hours or more care weekly whilst being pregnant or having young children is likely to induce more exhaustion and stress than an equivalent situation without being pregnant or having young children.
- Barriers set out above in relation to sex will also often apply.
- People receiving Maternity Allowance with underlying entitlement to Carer's Allowance may feel that their role as a carer has not been recognised by the social security system.

## Disability

### Eligibility for Carer's Allowance

- DWP do not publish data on the number of disabled carers eligible for Carer's Allowance. However, benefit combination information<sup>39</sup> suggests that in February 2023 15,574 working age carers who were entitled to Carer's Allowance were also entitled to Disability Living Allowance or Personal Independence Payment. A further 14,542 state pension age carers were also entitled to Carer's Allowance and are entitled to one of Personal Independence Payment, Disability Living Allowance or Attendance Allowance. A significant proportion of those eligible for Carer's Allowance are therefore disabled themselves. It is important to note that 'entitled to' does not necessarily mean in receipt of payment.
- According to the 2011 Scottish Census, 41% of carers of all ages have a long-term health condition.<sup>40</sup> This is significantly different to other Scottish benefits – the Social Security Scotland Equalities Monitoring data from May 2021 found that that 17% of clients identified as having a physical or mental health condition or illness.<sup>41</sup>
- The percentage of carers of all ages with one or more long-term health condition increases with the number of hours caring – from 36% of those caring for 1-19 hours to 50% of those caring for 35+ hours.<sup>42</sup>

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<sup>38</sup> DWP do not publish statistics on the number of people on Maternity Allowance who have underlying entitlement to Carer's Allowance. At the end of February 2022, 2,680 people were in receipt of Maternity Allowance in Scotland. The vast majority of those people are under 40, and there are 1,766 women aged 18-40 who have underlying entitlement to Carer's Allowance. Some of these may be getting another earnings replacement benefit.

<sup>39</sup> DWP's StatXplore website, [Stat-Xplore - Log in \(dwp.gov.uk\)](https://www.dwp.gov.uk/statxplore)

<sup>40</sup> Scotland's Census (2011) <http://www.scotlandscensus.gov.uk/>

<sup>41</sup> [Social Security Scotland client diversity and equality analysis – December 2020 – May 2021](#)

<sup>42</sup> Scotland's Census (2011) <http://www.scotlandscensus.gov.uk/>

- Some disabled carers will be in receipt of Employment Support Allowance (ESA). Where this is paid at a higher rate than Carer's Allowance, these carers will only have underlying entitlement to the benefit, and this will remain the case with Carer Support Payment. According to benefit combination statistics from the DWP<sup>43</sup>, 6,350 people in Scotland received ESA and were paid or had an underlying entitlement to Carer's Allowance in May 2022.

## Barriers

Key points raised in work with disabled carers and stakeholder organisations<sup>44</sup>:

- Many disabled carers, particularly those with learning disabilities, reported feeling overwhelmed with the application process for benefits (including Carer's Allowance) and that they struggled to understand what was being asked of them. Carers shared that they often had support workers to help complete applications for them and explain letters received about their benefits to them face-to-face. Many carer participants highlighted this was compounded by feelings of fear and intimidation from unpleasant experiences they previously had with the DWP.
- Disabled carers have reported concerns that applying for carer benefits may affect any disability benefits they receive or that they may be considered not to be eligible for disability benefits if they are receiving support for a significant caring role.<sup>45</sup>
- Carers reported feeling 'doubly stigmatised' from being both disabled and a carer, often feeling stressed and isolated from not being able to talk about their experiences.
- A small number of interview participants and survey respondents stressed concerns about different circumstances which may impact on a carer's eligibility. These included disabled carers who live together and care for each other, carers who care for multiple people, and carers who also need care due to their long-term conditions or disabilities<sup>46</sup>.

## Age

### Eligibility for Carer's Allowance

- As of February 2023 statistics, there are 83,196 carers in Scotland in receipt of Carer's Allowance.<sup>47</sup> This includes 455 carers under 18, and around 3,494 carers over the age of 65.<sup>48</sup> A further 41,985 carers in Scotland have an underlying entitlement to Carer's Allowance but do not receive it. 79% of the carers with underlying entitlement (around 33,000) are over State Pension Age.<sup>49</sup>

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<sup>43</sup> DWP Stat Explore <https://stat-xplore.dwp.gov.uk/>

<sup>44</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>45</sup> DACBEAG – add link once online.

<sup>46</sup> [Supporting documents - Social Security Experience Panels - Scottish Carer's Assistance: main report - gov.scot \(www.gov.scot\)](#)

<sup>47</sup> [Social Security Scotland - Summary statistics for Carer's Allowance Supplement to October eligibility date 2022](#)

<sup>48</sup> [Social Security Scotland - Summary statistics for Carer's Allowance Supplement to October eligibility date 2022](#)

<sup>49</sup> [Social Security Scotland - Summary statistics for Carer's Allowance Supplement to October eligibility date 2022](#)

- Information on the age of people cared for by those in receipt of Carer's Allowance is not publicly available.
- The Scottish Health Survey (2019) showed the prevalence of unpaid care varies significantly by age, increasing from 4% among those aged 4-15 to 7% among those aged 16-24. Prevalence of unpaid care is higher for middle age brackets (19% among those aged 45-54 and 21% among those aged 55-64) before it starts to decrease for older carers (14% among those aged 65-74 followed by a decrease to 7% of those aged 75 and over).<sup>50</sup> It also showed a higher proportion of carers aged 65 and over reported providing 50 hours or more of unpaid care each week - 20% for those aged 65-74 and 28% for those aged 75 and over. Younger age groups varied from 4% to 15%.<sup>51</sup>

## Barriers for younger carers

Key points raised in our work with younger carers and stakeholder organisations<sup>52</sup>:

- A fear of social services and a distrust of social security support as a result.
- Many young adult carers do not identify as carers, particularly where they are caring for family members such as parents or siblings. (Australian and UK studies have suggested that this is especially common among some minority ethnic communities.<sup>53</sup>)
- Many young adult carers grow up in areas of deprivation in Scotland and may not have personal access to technology that would allow them to make digital applications for support. Some young carers therefore face barriers to applying for support when they leave school as this is often where they have access to computers and laptops.
- The current restriction of Carer's Allowance eligibility on full-time education puts many young carers off going into higher education.

## Barriers for older carers

Key points raised in our work with older carers<sup>54</sup>:

- Many older carers hold strong negative views that the Scottish Government do not plan to change the rule that carers receiving State Pension with only underlying entitlement would not receive the Carer Support Payment
- Many older carers have health issues themselves, which can exacerbate any negative impacts of caring<sup>55</sup>
- Older aged group carers are more likely to have difficulty in finding the support they need particularly those unpaid carers aged 80 and above<sup>56</sup>
- A small number of interview participants highlighted the age difference of carers and the impact on the methods of communication used for application processes and information of carer benefits. They mentioned the limited use of online

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<sup>50</sup> Scottish Government (2019) The Scottish Health Survey [Scottish Health Survey 2019 - volume 1: main report - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/scottish-health-survey-2019-volume-1-main-report/pages/20190601-scottish-health-survey-2019-volume-1-main-report.aspx)

<sup>51</sup> Scottish Government (2019) The Scottish Health Survey [Scottish Health Survey 2019 - volume 1: main report - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/scottish-health-survey-2019-volume-1-main-report/pages/20190601-scottish-health-survey-2019-volume-1-main-report.aspx)

<sup>52</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>53</sup> Children and Young People's Commissioner Scotland (February 2017) "Coping is difficult, but I feel proud" - Perspectives on mental health and wellbeing of young carers.

<sup>54</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>55</sup> Carers Trust (2023) [Experiences of Older Adult Unpaid Carers in Scotland](#)

<sup>56</sup> Carers Trust (2023) [Experiences of Older Adult Unpaid Carers in Scotland](#)

sources and services by older carers. Research from Citizens Advice Scotland<sup>57</sup> found 38% of people aged 65 to 79 who accessed their services were unable to use a computer, compared to just 3% of people aged 18 to 24. 46% of those aged between 65 and 79 reported they never used the internet compared to just 1% of those aged 18 to 24.

## Other issues

- A few Experience Panels interview participants mentioned that the proposals and plans around Carer Support Payment will improve children's rights and wellbeing for young carers and also for carers who have children. They mentioned that young carers also need further wellbeing support.

## Marriage and civil partnership

### Eligibility for Carer's Allowance

- DWP do not publish data on the number of eligible carers with the protected characteristic of marriage and civil partnership, and to date we have been unable to source data on the wider population.

### Barriers

- Carers who are single are likely to have less of a support network to help them with their caring role<sup>58</sup>.

## Race

### Eligibility for Carer's Allowance

- DWP do not publish data on race of carers eligible for Carer's Allowance. According to census data<sup>59</sup>:
- 96% of carers are of a "White Scottish / British / Irish" ethnicity, while 4% are of "Other" ethnic backgrounds.
- 9% of people in Scotland provide unpaid care and this varies across ethnic groups. People from older ethnic groups such as 'White: Scottish' and 'White: Other British' were the most likely to provide unpaid care.
- People from ethnic groups with younger age profiles (such as the 'Arab' and 'White: Polish' groups) were least likely to provide weekly unpaid care.
- People from the White: Gypsy/Traveller group were most likely to be providing unpaid care and to be providing 35 hours or more of unpaid care, the threshold for Carer's Allowance). The next most likely to provide 35 hours or more of unpaid care were Bangladeshi and Pakistani groups.  
However, we know that some communities of BAME carers may be less likely to identify as carers.

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<sup>57</sup> Citizens Advice Scotland (2018) Disconnected. Understanding digital exclusion and improving access

<sup>58</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>59</sup> [UK Census](#)

## Barriers

DWP research<sup>60</sup> found on their provision:

- Language barriers where English was not the first language of carers, inadequate interpretation and translation services, and the use of terminology which was difficult to translate or which had negative cultural resonance could limit satisfaction and uptake of benefits.
- Reluctance to seek assistance in order to 'hide' the existence of disability within the family.
- Lower levels of awareness and knowledge of welfare benefits.

Points raised in our work with BAME carers and stakeholder organisations<sup>61</sup> included:

- Many languages do not have a direct translation for the word 'carer', making it difficult to discuss help needed in relation to caring.
- Lack of awareness of support available being particularly prevalent in older minority ethnic carers who not only experienced language barriers but technology barriers as well, worsening issues with being able to access information on support available.
- Some people in BAME communities may not contact social security services unless they are in very challenging financial difficulties.
- A recent Social Security Scotland Client Survey reported<sup>62</sup> that 7% of 10,757 respondents experienced some sort of barrier in getting help from Social Security Scotland. Of this group, 37% reported that they did not feel understood by Agency advisors, with a number of respondents citing written and verbal language barriers.

Work by the Minority Ethnic Carers of Older People Project (MECOPP)<sup>63</sup> found that gypsy/ traveller communities:

- are less likely to identify as carers;
- are less likely to access support services for carers, including benefits, with high levels of illiteracy impacting significantly on carers' ability to search for support and
- are likely to have lower levels of knowledge about carer entitlements.

Anecdotal evidence taken more widely on social security indicates that gypsy/travellers may prefer to operate in the cash economy, with Post Office accounts preferred to bank accounts.<sup>64</sup>

## Religion and belief

### Eligibility for Carer's Allowance

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<sup>60</sup> Allmark P, Salway S, Crisp R & Barley R (2010) [Ethnic Minority Customers of the Pension, Disability and Carers Service: An Evidence Synthesis](#)

<sup>61</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>62</sup> [Social Security Scotland – Client Survey Report 2018 – 2021](#) .

<sup>63</sup> MECOPP (2012) [Hidden Carers. Unheard Voices. Informal caring within the Gypsy/Traveller community in Scotland](#)

<sup>64</sup> [Gypsy /Travellers in Scotland: A Comprehensive Analysis of the 2011 Census](#)

- DWP do not publish data on religion and belief of carers eligible for Carer's Allowance.
- The 2011 Census showed that 9% of people in Scotland provided unpaid care. There was some variation in the proportion of people providing unpaid care by religion. A slightly higher proportion of people who identified as Church of Scotland (11%), Other Christian (11%), Jewish (11%), Buddhist (10%) and Roman Catholic (10%) provided unpaid care. Meanwhile, a slightly lower proportion of people who did not state their religion (9%), Sikh (8%), have no religion (8%), Muslim (7%) and Hindu (5%) provided unpaid care.
- Data from Social Security Scotland Equalities Monitoring forms collected between December 2020 and May 2021 shows that the proportion of clients across all Scottish benefits live at that time who identified as Roman Catholic was 12%, compared to 7% Church of Scotland, 5% Muslim and 5% Other Christian.

## Barriers

There is little data available on how religion and belief may affect carers. However, participants in our Experience Panels<sup>65</sup> highlighted that:

- Carers from different religions could be impacted diversely by the Carer Support Payment proposals because of cultural differences, and ideas about what constitutes being a carer and language barriers. They also mentioned that these communities may not contact social security services unless they are in very challenging financial situations.

## Sexual orientation

### Eligibility for Carer's Allowance

- DWP do not publish data on the sexual orientation of carers eligible for Carer's Allowance.
- A study published in 2007 by the Lesbian, Gay, Bisexual Transgender and Intersex (LGBTI) Centre for Health and Wellbeing reported that 0.8% of respondents from Edinburgh, the Lothians and the Borders provided full-time caring.<sup>66</sup>
- Data pooled from the Scottish Government's three household surveys shows that in 2019, 2.9% of people reported their sexual orientation to be lesbian, gay, bisexual or other, and does not show a statistically significant difference to levels of caring to those reporting as heterosexual.<sup>67</sup>

## Barriers

- LGBT carers face barriers in having both their LGBT and carer identities recognised by support services.<sup>68</sup>

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<sup>65</sup> [Experience Panels](#)

<sup>66</sup> [Arskey H Hirst, M \(2005\) Unpaid Carers Access to and Use of Primary Care Services, Primary Health Care Research and Development](#)

<sup>67</sup> [Scottish household survey 2019: annual report - gov.scot \(www.gov.scot\)](#).

<sup>68</sup> [State of Caring 2022 report | Carers UK](#)



- There is often a lack of visibility of LGBT identities within services which are necessary to counter LGBT people's expectations of discrimination, or a lack of confidence that services are able to meet their needs.<sup>69</sup>
- Many LGBT carers or the LGBT people they are caring for may have reduced social networks due to a lack of acceptance of their sexual orientation or gender identity. This can result in accessing less support than other carers.<sup>70</sup>
- Many LGBT people fear potentially experiencing homophobia, biphobia or transphobia from services or have previous experience of discrimination from a service.<sup>71</sup>
- Issues for LGBT+ individuals in receiving support for a caring role if they do not want to declare the nature of their relationship to the cared for individual.<sup>72</sup>

## Other issues

A high proportion of LGBT people have been subject to bullying. A Carer's Trust report in 2016 reported that 83% respondents had personally experienced bullying in school, 40% in college and 27% at university.<sup>73</sup>

## Gender reassignment

### Eligibility for Carer's Allowance

- DWP do not publish data on of carers eligible for Carer's Allowance with this protected characteristic.
- A study published in 2007 by the Lesbian, Gay, Bisexual Transgender and Intersex (LGBTI) Centre for Health and Wellbeing reported that 0.8% of respondents from Edinburgh, the Lothians and the Borders provided full-time caring.<sup>74</sup>

### Barriers

(We do not have data which separates LGB issues from gender reassignment issues)

- LGBT carers face barriers in having both their LGBT and carer identities recognised by support services<sup>75</sup>
- There is often a lack of visibility of LGBT identities within services which are necessary to counter LGBT people's expectations of discrimination, or a lack of confidence that services are able to meet their needs.<sup>76</sup>

<sup>69</sup> [LGBT Youth Scotland's response to the Consultation on Proposals for Carers Legislation \(2014\)](#)

<sup>70</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>71</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>72</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>73</sup> Carers Trust Scotland (2016) [Young People Caring OUT There: Experiences of LGBT young adult carers in Scotland](#)

<sup>74</sup> Arskey H Hirst, M (2005) [Unpaid Carers Access to and Use of Primary Care Services, Primary Health Care Research and Development](#)

<sup>75</sup> LGBT Youth Scotland's response to the Consultation on Proposals for Carers Legislation (2014) <https://www.gov.scot/publications/carers-legislation-consultation-proposals-responses/> - res450457

<sup>76</sup> LGBT Youth Scotland's response to the Consultation on Proposals for Carers Legislation (2014) <https://www.gov.scot/publications/carers-legislation-consultation-proposals-responses/> - res450457



- Many LGBT carers or the LGBT people they are caring for may have reduced social networks due to a lack of acceptance of their sexual orientation or gender identity. This can result in accessing less support than other carers.<sup>77</sup>
- Many LGBT people fear potentially experiencing homophobia, biphobia and transphobia from services or have previous experience of discrimination from a service.<sup>78</sup>
- Issues for LGBT individuals in receiving support for a caring role if they do not want to declare the nature of their relationship to the cared for individual.<sup>79</sup>

## Other issues

A high proportion of LGBT people have been subject to bullying. A Carer's Trust report in 2007 reported that 83% respondents had personally experienced bullying in school, 40% in college and 27% at university.<sup>80</sup>

## Impact of Carer Support Payment to those in protected groups

There are a number of issues faced by unpaid carers in general that need to be taken into account when considering the impacts of Carer Support Payment on carers with one or more protected characteristics.

Carers are more likely to have below average incomes and are more likely to live in areas of social deprivation<sup>81</sup>. Some groups with protected characteristics are already more likely to be in this category<sup>82</sup>. Low-income households with an unpaid carer are likely to be disproportionately impacted by the current cost-of-living crisis<sup>83</sup>.

There are specific additional challenges and barriers associated with some protected characteristics. This could include being from a community where providing informal care to relatives is felt to be the norm, not having English as a first language, or having less confidence with application forms or technology. Not all of those who meet the eligibility criteria will identify as a carer, know about carer benefits, or feel confident in applying.

Caring for 35 hours or more a week can be intense. The Scottish Health Survey 2019 found that mental wellbeing is lower on average among those who provide a greater number of unpaid caring hours per week<sup>84</sup>. This can be more challenging for those carers who experience additional barriers due to protected characteristics. Also, mental wellbeing could be exacerbated for those who provided informal care

<sup>77</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>78</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>79</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

<sup>80</sup> Carers Trust Scotland (2016) [Young People Caring OUT There: Experiences of LGBT young adult carers in Scotland](#)

<sup>81</sup> [12. Poverty - Scotland's Wellbeing: national outcomes for disabled people - gov.scot \(www.gov.scot\)](#)

<sup>82</sup> [Carers Census, Scotland, 2021-22 - gov.scot \(www.gov.scot\)](#)

<sup>83</sup> [Chapter 5: Households Most Affected - The Cost of Living Crisis in Scotland: analytical report - gov.scot \(www.gov.scot\)](#)

<sup>84</sup> [Scottish Health Survey 2019 - volume 1: main report - gov.scot \(www.gov.scot\)](#)

during the pandemic, when many formal services were unavailable or reduced for extended periods, and chances to have a break from caring were more limited.

The following sections summarise the issues and set out the key proposals and activities in relation to each group. Please note that there is much activity which is relevant across all or most protected characteristics. For example, when Carer Support Payment is up and running, we will take feedback from carers with all protected characteristics, including those who share more than one protected characteristics (i.e. who are intersectional) to identify and address any barriers, seeking to continuously improve our training, guidance and processes to deliver our aims. For better readability, we have focused on the key information relevant to each characteristic, and cross refer where appropriate.

## Sex

We have identified no negative impacts in respect of sex as a result of the introduction of Carer Support Payment. We have identified a range of positive impacts through the new benefit for women in particular.

The gendered nature of caring is a key equality issue for Carer Support Payment. Reflecting that in society caring roles most typically fall to women, 69% of people who get Carer's Allowance are women<sup>85</sup>.

Women already face a gender pay gap and are more likely to have been affected by previous benefit changes<sup>86</sup> and by the coronavirus pandemic in multiple ways<sup>87</sup>. Women are more likely than men to rely on social security, and for some women, Carer's Allowance, paid directly to the carer, may be their main or only independent income.

Measures to link carers to wider support and services can help address the inequality faced by women, as well as other groups of people with protected characteristics. A more joined-up approach will allow carers to access clear information on the support available to them, including other social security benefits they may be entitled to. We will also signpost carers to support to help them access opportunities outside of caring, where possible and should they wish to do so, taking into account the particular issues identified by and in respect of women carers. This supports the vision set out in the National Carers Strategy, to 'enable people to provide care for loved ones in a meaningful and sustainable way while still being able to work, attend education and have full lives away from caring.'<sup>88</sup> We will make changes in time for launch, further changes as part of the national roll out, and will continue to make improvements in future.

The change from launch (set out in the regulations which this EQIA accompanies) to allow Carer Support Payment awards to be 'temporarily stopped' in a number of

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<sup>85</sup> DWP StatXplore <https://stat-xplore.dwp.gov.uk/>

<sup>86</sup> [A fairer Scotland for women: gender pay gap action plan](#), Scottish Government, 2019.

<sup>87</sup> [The gender impact of welfare reform](#), Scottish Women's Convention, August 2013, [A Widening Gap – Women and Welfare Reform](#), Engender, 2015.

<sup>88</sup> [Ministerial Foreword - National carers strategy - gov.scot \(www.gov.scot\)](#)

situations where Carer's Allowance would be suspended or ended reduces the need to make new applications where a carer is not entitled to support for a short period. These situations are where:

- the person being cared for is in hospital or residential care for longer than 28 days,
- the carer earns over the earnings limit or
- the carer exceeds the allowable breaks in care for a period.

This is intended to provide more stable support and reduce stress. We also know that the rules around earnings in Carer's Allowance can be confusing and we are working through user research and testing to make information and processes for assessing carers' earnings as clear as possible. It will be important to make these processes as clear and easy to use as possible, as we know this can be a barrier to women<sup>89</sup>.

We considered the residence and presence conditions which should apply to Carer Support Payment and have decided that these should mirror the devolved disability benefits and not Carer's Allowance from launch. This is to support consistency with our disability benefits, particularly taking into account that carers receiving Carer Support Payment will increasingly be caring for people receiving these benefits. The divergence from Carer's Allowance, which includes a reduced 'past-presence test' was considered by and agreed with the Department for Work and Pensions in recognition of the importance of ensuring that carers can continue to receive support which is the responsibility of the UK Government but linked to Carer's Allowance (and in future Carer Support Payment). Respondents to the consultation were in favour of the residence requirements aligning with devolved disability benefits.

The regulations also disapply the past presence test in line with the disability benefits, so that carers are not required to meet the test where they are terminally ill. In addition to this the past presence test will be disappplied for carers where it has been disappplied for the person they are caring for, to ensure carers are supported to provide care on the same timescales.

The past presence test will impact UK nationals returning to Scotland, and third country nationals who have immigration status that allows them access to public funds. There are significant challenges in relation to the data available on these groups and interactions with social security benefits. The change is expected to particularly benefit women as the majority of unpaid carers and recipients of the existing benefits though limited additional information is available.

While we recognise there were some calls for the past presence test to be removed altogether, to allow more people to receive support sooner, this would need to be considered across all devolved benefits and taking into account the potential impacts for safe and secure transfer, as well as implications for wider support.

Changes to the rules on receiving Carer Support Payment while studying full time will make it easier for more women receiving the benefit to access education, which could help to increase their longer-term employment and financial prospects.

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<sup>89</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

In terms of male carers, we know that they may be less likely to seek support than female carers. We will take this into account in developing benefit uptake materials, for example by ensuring a sufficient range of images of males in promotional materials.

It is not expected that the transfer of entitlement from Carer's Allowance to Carer Support Payment will create any particular barriers resulting from our policy approach in relation to sex. Our approach will protect continuity of payments, which is particularly important for women as a group given their, on average, greater reliance upon social security.

## **Pregnancy and maternity**

We have identified no negative impacts to those who are pregnant or have a baby through this EQIA. We have identified some positive impacts.

We do not currently have any data on the number of carers that fall under this protected characteristic. Carrying out informal caring of 35 hours a week while being pregnant or looking after a baby is likely to be stressful and exhausting. Therefore, the information set out above in relation to women, particularly the impact of increases to payment levels, will help making some progress against structural inequality and plans to provide greater stability. The actions to link clients to relevant services will also positively impact people with these protected characteristics.

People who are on Maternity Allowance, which is typically higher than Carer's Allowance, may have only underlying entitlement to the new benefit. We will encourage people to apply for the benefit as having underlying entitlement can increase the amount of support carers can access in other benefits. We will also use this engagement opportunity to make them aware of wider support for carers, such as their rights to a Young Carer Statement or Adult Carer Support Plan, and to signpost them to local and national support services (see also the section on underlying entitlement and case transfer on page 32).

It is not expected that the transfer of entitlement from Carer's Allowance to Carer Support Payment will create any particular barriers resulting from our policy approach negatively impacting people with this protected characteristic. Our approach will protect continuity of payments for this group, who, as set out in relation to women, are more likely to be reliant on social security.

We recognise that we lack evidence on this protected characteristic. We will seek to remedy this as we continue to develop policy in this area, for example by engaging with organisations that support women and young parents. We will also monitor this through data and evaluation, including client experience surveys once the benefit has launched.

## **Age**

We have identified no negative impacts in relation to the protected characteristic of age through the introduction of Carer Support Payment, although we acknowledge that some older carers are disappointed that the benefit will, like Carer's Allowance, not be paid to people with only underlying entitlement. We have identified some positive impacts.

### **Younger carers**

Young carers are less likely to be in receipt of Carer Support Payment than adults of working age and above. This is because the benefit is a payment for adults which seeks to provide some income where the ability to work is constrained by the caring role. We have already introduced Young Carer Grant to recognise the role of caring amongst young adult carers. This support is available to carers aged 16 to 18 providing informal care of 16 hours or more a week to someone on disability benefits. It is paid regardless of earnings, income or education, and can be paid in respect of care provided to a disabled person who is also cared for by someone receiving Carer's Allowance. It aims to help young carers improve their own quality of life by enabling them to access opportunities which are the norm for their non-caring peers.

We know that take-up of carer benefits may be affected by the young person having concerns about social services, not recognising their caring role, and that their communication preferences may be different from other age groups. Learning from Young Carer Grant and evidence from user research is being used to design and deliver communications which take into account these issues, and this will include promoting the multiple channels available for application.

The key positive impact for young adult carers will be the change to enable carers in full-time advanced education to access Carer Support Payment. This will enable more younger carers with intensive caring roles to continue their studies beyond school and college.

In terms of study, Carer's Allowance can only be claimed by people studying part-time courses of less than 21 hours per week. Carer Support Payment rules expand eligibility considerably. Those aged 16 to 19 will continue to be eligible while studying non-advanced education courses of less than 21 hours per week, and in addition, will be able to claim while studying any advanced education courses for any amount of time. Students over the age of 20 will be entitled to Carer Support Payment regardless of what type of education they are undertaking and for how many hours. We are working closely with the Student Awards Agency Scotland and the Scottish Funding Council to ensure that the extension of entitlement to Carer Support Payment is fully reflected within relevant guidance and that overall levels of support for full-time student carers across social security and further and higher education are maintained to avoid any unintended consequences of extending eligibility for support.

We are also continuing to monitor the position for student carers who study non-advanced educational courses. Many young carers aged 16 to 19 in non-advanced education will be able to receive support through the Young Carer Grant and the Education Maintenance Allowance. Their parents or guardians should also continue to have access to support through reserved benefits such as Child Benefit, and if they are on lower incomes, Universal Credit and Child Tax Credit. In line with our policies on the Young Carer Grant, it is important to get the balance right between providing support but not incentivising or normalising young people taking on a substantive caring role alongside their school-level education.

As part of the national roll out of Carer Support Payment we will extend eligibility for the benefit to carers aged 16 to 19 in full-time non-advanced education in certain circumstances. This will allow carers who would have entitlement to social security benefits in their own right, such as those without parental support or have childcare responsibilities, limited capability for work or couples where one or both are student, to access the benefit. This is in recognition of the fact that these carers are unlikely to have any other form of parental or financial support.

We will continue to look carefully at the impact of the changes we are making to the education rules, including the interaction between Carer Support Payment and the Young Carer Grant, and wider support in the education and reserved benefits systems, to ensure we continue to get the balance right between supporting young carers and not incentivising substantive caring roles, and to address any gaps in entitlement.

### **Carers of working age**

Longer term proposals to look at changes to the earnings threshold are likely to have a positive impact on working age carers – where they wish to take on paid work and are able to do so. From launch we are working to make the operation of rules around earnings clearer for carers and have been working through user research and testing to make information on earnings rules and application materials work better for the people who will use them.

### **Older carers**

We know that older carers are more likely to have health problems and disabilities than the population at large, which can make the caring role more difficult over time. Information about this is contained in the disability section below.

Some older carers, although by no means all, may be less comfortable using digital technology than other age groups. The multiple channels available for applications will be actively promoted to this age group to help address this barrier.

Older carers make up the majority of carers with an underlying entitlement to Carer's Allowance – meaning they meet the eligibility criteria for Carer's Allowance but do not receive it as they are in receipt of state pension, which is significantly higher than Carer's Allowance. As the policy intent for Carer Support Payment is to recognise the caring role within the benefits system by providing some income with no

requirement to work, this impact is not regarded as negative as these carers still have access to an income, and no requirement to work. In addition, carers with underlying entitlement on low incomes will continue to receive additional carer specific benefits.

We do however recognise that some older people may feel that that they lose recognition of their caring role when they start to get state pension instead of Carer's Allowance, which their non-caring peers also receive. These feelings may have been exacerbated by the introduction of Carer's Allowance Supplement, even though the state pension is still higher than the combined payments of Carer's Allowance and the Carer's Allowance Supplement. We also know from research with carers and support organisations that communications regarding underlying entitlement are not well understood and carers have a negative reaction to these. We have worked to design our communications around this to be clearer, reflect recognition for the caring role, and focus on the linked support that carers can access due to underlying entitlement. We will encourage people to take up or maintain underlying entitlement. This will help ensure that those on lower incomes receive any carer specific benefits to which they are entitled, and that they access wider carer support, for example through their local Carer Centre, and short breaks. Also, the proposal to consider a long-term carer recognition payment has the potential to benefit many of those with only underlying entitlement.

### **Case transfer and underlying entitlement**

In respect of case transfer, we are not aware of any evidence that suggests moving an individual from Carer's Allowance to Carer Support Payment would in itself create any particular inequalities for this protected characteristic. We are considering how communications and signposting to support can be tailored for clients with underlying entitlement to the benefit to enhance their experience of the case transfer process. Our case transfer notifications that carers with underlying entitlement receive will highlight the benefit of having this type of award in getting extra amounts in other benefits. These notifications will also signpost carers to extra support and advice available to them in order to support them in their caring role.

### **Disability**

We have identified no negative impacts in relation to the protected characteristic of disability through the introduction of Carer Support Payment. We have identified some positive impacts.

A high proportion of carers are themselves disabled, with some analysis suggesting the figure is as high as half<sup>90</sup>. Many of these are older carers. And, because of the close relationship between carers and the cared for person, we expect improvements we make in social security support for carers to have a positive impact on the disabled people being cared for, a large proportion of whom will also be over pension age. This is partly through increasing the well-being of the person providing them with informal care, and partly through increased household incomes where, as

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<sup>90</sup> Scotland's Census (2011) <http://www.scotlandscensus.gov.uk/>



will be common, the carer lives in the same household as the cared for person. We know that disabled people are more likely to live in the bottom half of income deciles, so it is vital that people do not miss out all the payments available to them.

Our benefit take-up strategy has a strong focus on addressing barriers faced by this group. As well as targeted communication, work in this area includes the provision of free and independent advocacy for disabled people looking to access Social Security Scotland assistance. This service supports disabled people to have their voice heard, express their views, and feel understood. The service is available to anyone who identifies as having a disability and requires additional support to communicate. We have also funded welfare advice in accessible settings, including our Welfare Advice and Health Partnerships – placing money advisors in 180 GP practices in Scotland's most deprived areas, as well as remote and rural communities. This advice service is bringing advice and support to places people already go, rather than expecting them to seek access to an additional service.

Accessible formats, adaptations and support will be available to ensure all eligible carers have the opportunity to apply for the benefit, and all processes will be underpinned by dignity, fairness and respect. To develop the system for Carer Support Payment, we have undertaken extensive User Research with carers with a range of disabilities, building on work undertaken in the development of our disability benefits. This has resulted in, for example, development of notifications to the cared for person to ensure that they are aware of their data being processed for the purposes of a Carer Support Payment claim and to ensure that they understand the impact on their benefits.

We know that applying for benefits can be particularly challenging for people with learning disabilities, with applicants reporting feeling overwhelmed, finding communications difficult to understand, and even experiencing discrimination in their previous applications. People employed by Social Security Scotland are required to undertake equality training in line with our commitment to delivering a service based on the values of dignity, fairness and respect. Communication will reflect what we have learned through our engagement with disabled carers, for example, online support and guidance tested with people with learning disabilities for those who prefer to use this method of application. Training and guidance for operational staff will make it clear that having a disability, including a learning disability, has no bearing whatsoever on eligibility for Carer Support Payment.

When Carer Support Payment is up and running we will take feedback from carers with all protected characteristics to identify and address any barriers, seeking to continuously improve our training, guidance and processes to deliver our aim to design Carer Support Payment to ensure carers have a positive experience of Social Security Scotland, and to maximise carers' take up of all the support available to them.

Evidence from User Research reinforces the need to ensure communications signpost carers to wider support, including mental health support. Carers will be signposted to information on further financial support, wellbeing support, and support to take breaks from care. The existing Local Delivery function will also be promoted

to ensure carers with disabilities are aware that face-to-face appointments would be available in outreach locations as well as at home or virtually.

As well as work to increase take up, future plans to increase the amount of money available through Carer Support Payment can help address income inequality. This includes, for example, increasing run-on periods, increasing the earnings threshold and the Carer's Additional Person Payment.

We intend that the features set out above will reduce some of the stress associated with taking on an intensive caring role, and so help mitigate any negative impacts of caring which come on top of existing challenges faced by many disabled people.

Carer Support Payment will be paid to people who are caring for someone in receipt of specified disability benefits. Information on the benefits of the person being cared for will be accessed in order to award Carer Support Payment as where the cared for person is receiving additional amounts in their means-tested benefits, these can be affected by a carer's receipt of Carer Support Payment.

The application process for Carer Support Payment will make clear to carers the importance of discussing their application with the person they care for, where possible, and the potential impacts of Carer Support Payment award on the benefits of the person they care for. When an application is received a notification will be sent to the person they care for to inform them that their data has been accessed for the application. This will inform them about the potential impacts of a Carer Support Payment award on their benefits, and their right to contact Social Security Scotland if they disagree with the application or that the applicant is providing care for them. A Carer Support Payment application may be denied, or an ongoing award set to £0 where a person named on the application disputes that care is being provided. Regulations and processes for 'rival carer' situations, where more than one person has applied for Carer Support Payment in respect of care provided to the same person, will also require that the best interests of the cared for person are taken into account in decisions on who should be awarded support, where there is no agreement between the carers.

### **Case transfer**

It is expected that Carer Support Payment and the case transfer process will have a direct and indirect positive impact on those with disability, directly due to the high proportion of carers that have a long-term health condition, and indirectly by helping those they care for.

As part of the transfer process, the cared for person, who will be in receipt of a qualifying disability benefit, will be informed that their carer's benefit is transferring and that their data is being used as part of this transfer. This will also provide signposting to further information about the transfer process, ensuring that the cared for person's data rights are upheld and any questions or concerns they have about the transfer process are answered.

## Race

We have not identified any negative impacts on people with this characteristic as a result of this policy. We have identified some positive impacts.

We know that communities within this group may be less likely to identify as a carer (particularly amongst carers of southeast Asian heritage and within gypsy/traveller communities), have less awareness of financial and wider support for carers to which they are entitled, and face language and literacy barriers. Within some BAME communities, there can be reluctance to seek assistance in order to 'hide' the existence of disability within the family, and a reluctance to contact social security services unless they are in very challenging financial difficulties.

Carers from a range of ethnic backgrounds have been involved in User Research to design the application process for Carer Support Payment. This will help ensure that the systems and support available addresses these issues and meets the needs of clients with this characteristic. And, as with other protected characteristics, once the benefit is up and running, Social Security Scotland will continue to improve understanding of issues facing specific communities, such as Black Asian Minority Ethnic women and gypsy/travellers, to continue to inform communication plans, take up materials and activities, and staff training and guidance. Approaches will draw on best practice from take-up initiatives and campaigns undertaken across Scotland and elsewhere in the United Kingdom.

As is being done with our disability benefits, Social Security Scotland communications will work with community radio and foreign language press to promote Carer Support Payment to particular communities. In some circumstances printed marketing materials may not be the right way to engage with these communities and where this is the case, we will look to alternatives, working with Social Security Scotland's National Stakeholder Engagement and Local Delivery functions.

We know from work on other benefits that gypsy/travellers may be less likely to have a bank account than other groups. As well as Post Office and Credit Union accounts, Social Security Scotland payments can be made using iMovo which is a secure digital voucher system that can be delivered to individuals in several media (SMS, email). These can be redeemed at multiple PayPoint outlets in Scotland. This has also been found to be useful for young adults who have not yet opened a bank account.

As set out in detail in previous sections in relation to other characteristics, linking carers with this protected characteristic to wider relevant services and opportunities, and changes to provide greater stability, increase the amount of money available to carers and increase opportunities for education and paid employment can deliver positive impacts – helping reduce some of the stresses associated with intensive caring roles, and so help mitigate any negative impacts of caring which come on top of dealing with wider societal racial discrimination.

## Sexual Orientation and Gender Reassignment

We do not have a breakdown of evidence that distinguishes between sexual orientation and gender reassignment, so at this time will use evidence on the combined characteristics. We will seek to address this gap in future.

We have not identified any negative impacts in relation to these protected characteristics as a result of Carer Support Payment or the transfer of entitlement from Carer's Allowance to Carer Support Payment. We have identified some positive impacts.

We anticipate that the introduction of Carer Support Payment will impact positively by increasing take up and engaging with people with these characteristics in a proactively inclusive way. People with these protected characteristics may feel less confidence in services, with concerns that they cannot be open about their sexual orientation/gender identity or their relationship with the person they care for, or that they may face discrimination due to previous negative experiences<sup>91</sup>. Many LGBT carers or the LGBT people they are caring for may have reduced social networks due to a lack of acceptance of their sexual orientation or gender identity, which can result in accessing less support than other carers.<sup>92</sup>

As set out earlier, people employed by Social Security Scotland are required to undertake equality training in-line with our commitment to delivering a service based on the values of dignity, fairness and respect. Agency staff will be recruited who embody values of dignity and respect and all training for new staff will include LGBT+ awareness and be underpinned by human rights principles.

Social Security Scotland will engage with representative organisations in developing its targeted communications and seek input from LGBT+ carers to seek to make a range of sexual identities visible in promotional materials.

In terms of transgender applicants, our application processes already follow good practice in not asking any applicant to identify as only male or female, and this will be reflected in the case transfer process for existing clients.

We are committed to increasing our knowledge base in respect of carers with this protected characteristic, with work already underway in this area.

## Marriage and Civil Partnership

We have not identified any particular barriers affecting people with the protected characteristic of marriage or civil partnership.

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<sup>91</sup> Carers Trust Scotland (2016) [Young People Caring OUT There: Experiences of LGBT young adult carers in Scotland](#)

<sup>92</sup> User Research, [Experience Panels](#) and the [Scottish Carer's Assistance consultation analysis](#)

We recognise the lack of evidence available in respect of this characteristic and will seek to remedy this in ongoing policy development.

## **Religion and Belief**

We have not identified any negative impacts on people with this protected characteristic as a result of Carer Support Payment or transfer of awards from Carer's Allowance to Carer Support Payment.

However, this is based on little evidence, as there is very little data available on how religion and belief may affect carers. While participants in our Experience Panels highlighted that carers from different religions can be impacted diversely because of cultural differences, and ideas about what constitutes being a carer and language barriers, it is not clear how these are necessarily specific to religion and belief, as opposed to race.

## **Monitoring and review**

Following launch of Carer Support Payment, an annual client survey is planned to monitor how the new benefit is working in practice, to identify and respond to any unintended consequences at an early stage, and to gauge any requirement for continuous improvement. We will also continue to ensure that carer voices and experiences are reflected in policy development by continuing to work alongside both the Experience/Client<sup>93</sup> Panels members and the Carer Benefits Advisory Group. We will monitor any arising issues raised through these channels or in any Ministerial correspondence.

Programmes of policy impact evaluation exist to support the devolution of benefits to Scotland. This is the systematic assessment of a benefit's design, implementation and outcomes. Our monitoring and evaluation of Carer Support Payment will continue this commitment, drawing on lessons we have learned from evaluating benefits already devolved. The final design of the Carer Support Payment policy evaluation will aim to capture both key policy changes from launch as well as longer-term reform and will take into consideration the views and experiences of stakeholder organisations in developing this plan.

Policy evaluation plays an important role in supporting our obligations under equalities legislation, both by assessing how the impact varies by equality group, and how this and implementation of policy accord with a benefit's Equality Impact Assessment. Management information, including equalities data, is a key component of policy evaluation. In line with our practice across all of our benefits, we collect equality information covering age, sex, disability, gender reassignment, ethnicity, sexual orientation and religion. Where gaps exist in our equalities information for clients who have transferred from DWP, we are committed to addressing this.

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<sup>93</sup> [Social Security Scotland - Social Research](#)

The Social Security (Scotland) Act 2018 places a duty on the Scottish Ministers to report annually to the Scottish Parliament on the performance of the Scottish Social Security system during the previous financial year. The report is to describe what the Scottish Ministers have done in that year to meet the expectations on them set out in the Social Security Charter.

The Scottish Government has established the independent Scottish Commission on Social Security (SCoSS), an advisory non-departmental public body set up to provide independent scrutiny of the Scottish social security system (including benefit regulations) and hold Scottish Ministers to account.

## **Data gaps**

We recognise that there are a number of areas where significant gaps remain in our understanding of particular characteristics and carers. Most notable are the characteristics of sexual orientation, gender reassignment, religion and belief, and marriage and civil partnership. This is partly because these are among groups for whom DWP has not gathered this information in respect of Carer's Allowance. So, we have no historical information for these groups, and we will not have it for people whose benefits will transfer to Social Security Scotland.

We will of course gather this information (on a voluntary basis) for new applicants to Carer Support Payment, but we are mindful that it will be some time before we have a fuller picture of who applies for and receives the benefit, and what that means.

There is also more to consider than statistics. It is vital that we understand the experience of carers on a day-to-day basis and identify and respond to any barriers particular communities face. We do have some knowledge of this through regular engagement with stakeholders from the Carer Benefits Advisory Group and the Disability and Carer Benefits Expert Advisory Group, as well as analysis of Young Carer Grant recipients from the interim evaluation, but we want to understand and address any issues particular to the caring role.

We therefore plan to undertake a piece of work over the next three years to achieve this. We are working with organisations who support carers in these groups with the aim of undertaking focused engagement with a sufficient number of carers on their experience. The workplan will be informed by expertise from the Carer Benefits Advisory Group, and we will take the plan and learning to our annual carer benefits equalities event over the next three years.

## Recommendations and conclusion

We have not identified any negative impacts on groups with protected characteristics through the introduction of Carer Support Payment, in respect of both final plans for launch and for further changes. We have identified a number of positive impacts.

We do recognise that although older carers with underlying entitlement will receive at least as much and usually significantly more in benefits more than their peers who receive Carer Support Payment, including specific benefits for caring for those on low incomes, they feel disappointed that they will not receive the Carer Support Payment. Older carers will benefit from our work to encourage applications for underlying entitlement, and linking up to wider carer support, such as short breaks from caring and access to an Adult Carer Support Plan. Some older carers have responded positively to the proposal to explore a new payment for carers with a long-term caring role, which could benefit many carers who currently have underlying entitlement.

Changes to be made at launch through regulations, and work to better join up carers with services, are expected to impact positively on all carers, with particular potential to benefit some protected characteristics. Actions from our benefit uptake strategy and our approach to user centred design, which has had extensive input from many carers with protected characteristics, will help address financial inequality experienced by some groups with protected characteristics.

Changes to eligibility criteria have been informed by equalities data. It is intended that the changes to eligibility criteria will also increase incomes and bring about greater financial stability. These, combined with changes to eligibility criteria to improve access to education and paid employment can help address structural inequality. We are aware that many people with protected characteristics already face additional challenges and stress related to their protected characteristic, and we want the changes planned to reduce the challenges and stresses that can come with an intensive caring role.

It is anticipated that the evidence-based practice and continuous improvement employed by Social Security Scotland will continue to embed dignity, fairness and respect in an equalities context into Carer Support Payment on an ongoing basis.

Monitoring and evaluation will test the extent to which our aims are met.

In recognition of our data gaps, we are taking a proactive approach across social security and wider Scottish Government to work with representative groups to build our evidence base and hear direct from carers in specific groups to inform ongoing policy development. In recognition of the lack of equalities data we will receive on carers whose benefits are transferring from Carer's Allowance to Carer Support Payment, we will include a link in the case transfer award letter which will allow people to complete an equalities survey, which will help to improve our knowledge of the characteristics of the people receiving Carer Support Payment. However, as it is important that this survey is optional, uptake of this may not be significant. We will continue to consider opportunities to improve our data on carers who have



transferred from Carer's Allowance, for example at the point that we open applications for Carer's Additional Person Payment.

## Authorisation

I confirm that the impact of the Carer Support Payment has been sufficiently assessed against the needs of the equality duty:

<p>Name and job title of policy lead: Jane Sterry Senior Policy Adviser Social Security Policy</p> <p>Name and job title of a Deputy Director or equivalent:  Ian Davidson Deputy Director Social Security Policy</p>	<p>Date this version authorised:4th September 2023</p>
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## Assessing future changes to eligibility criteria

A key element of assessing options for future changes to eligibility criteria for Carer Support Payment was the Multicriteria Analysis (MCA). The purpose of the MCA was to ensure that a wide range of factors were considered to assess the options for Scottish Carer's Assistance (now known as Carer Support Payment).

The MCA technique draws largely on qualitative evidence for comparing the options without necessarily focusing entirely on quantifiable or monetisable aspects. The Scottish Carer's Assistance policy has wide-ranging aims and there are trade-offs in the wider reserved and devolved social security landscape. As a result, it was deemed necessary to use an appraisal technique that would enable a broad range of policy and delivery factors to be considered resulting in distinguishing between the options in a way that would not otherwise be possible. Although there is a degree of subjectivity in this process, using this MCA framework has advantages over informal judgement in that it is based on an explicit evidence base.

Following publication of our Discussion Paper on Scottish Carer's Assistance aims in March 2021, we worked with stakeholders to develop a final list of 15 options for longer term changes to Scottish Carer's Assistance eligibility (table 1). We took feedback on the assessment criteria and weighting for the subsequent MCA. Following presentation of the results of this, Scottish Ministers asked that we undertook further analysis of the top nine options. This allowed further exploration of means to address the issues with Carer's Allowance which had been set out in the Discussion Paper, through changes to eligibility criteria.

The overarching criteria framework of the MCA consists of five core criteria sets.

1. Dignity and Respect
2. Equality and Poverty
3. Efficiency and Alignment
4. Implementation and Risk
5. Economy and Society

Within each criteria set we identified a range of sub-criteria to reflect the policy aims of Scottish Carer's Assistance. The sub-criteria were also informed by what stakeholders told us would be important for the policy to consider. Equality comprised 35% of the Equality and Poverty core criteria.

Equality Characteristics we sought to consider across the options where possible are<sup>94</sup>:

- Age
- Sex
- Disability
- Ethnicity

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<sup>94</sup> No data was available on gender reassignment or pregnancy/maternity. Limited information was available on ethnicity, religion or belief and sexual orientation.

- Religion or belief
- Marriage / household type
- Sexual Orientation

Carer's Allowance encompasses very different caring situations, for example younger carers might forego education opportunities whereas carers leaving work to care are foregoing their salaries. Several of the policies are geared towards different aspects of the benefit be it supporting carers in work or allowing them to combine their caring responsibilities with enrolment in full time education. Understanding if the policy is particularly likely to impact a given group is therefore very important and as a result received the relatively high weight of 35%.

Particularly given that the impact of unpaid caring responsibilities on a much wider set of outcomes, such as employment, earnings, pension contributions, for women is well documented elsewhere we were thus particularly interested in the effect of policies on women<sup>95</sup>.

We looked at intersections of the characteristics where the data allowed us, but this was often not possible due to small sample sizes. Poverty and social justice colleagues suggested in the internal experts' session that the characteristics of priority families as identified in the Tackling Child Poverty Delivery Plan<sup>96</sup> be considered in addition to equality characteristics, these are groups that have been considered in the development of other policies and have reasonable sample sizes within the Family Resources Survey.

This criterion evaluates to what extent each option interacts with and addresses groups of carers who have specific needs<sup>97</sup>.

Carer's Allowance recipients are more likely to be women (almost 73%) and are more likely to be among the older working age group with almost 45% of carers in receipt over 50<sup>98</sup>.

For several of the equality characteristics there is some information in the 2020 all clients survey, with around 2,300 of the 3,200 respondents reporting that they were unpaid carers. It provides some indication that the gender reassignment group is likely to be very small, whereas sexual orientation, religion/beliefs other than no belief or Christian, and non-white ethnic minority groups are potentially more numerous on Carer's Allowance. This is tentative and due to the low response rate, we don't try to extrapolate proportions from these figures out of concern that respondents are not representative.

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<sup>95</sup> [OECD \(2014\) Unpaid Care Work: The missing link in the analysis of gender gaps in labour outcomes](#)


[Understanding the gender pension gap - Institute For FiCarer Support Paymentl Studies - IFS Time use in Scotland 2020: ONS Online Time Use Survey - gender analysis - gov.scot \(www.gov.scot\)](#)

<sup>96</sup> [Every child, every chance: tackling child poverty delivery plan 2018-2022 - gov.scot \(www.gov.scot\)](#)

<sup>97</sup> Needs specific to unpaid carers.

<sup>98</sup> StatXplore – CA in payment (to Feb 2021)

Table 1: MCA final list of 15 options



Options ranking	Equality Impacts
<b>Strongest</b>	Extend the period for which Carer's Allowance is paid after the cared for person loses their relevant qualifying benefit for any reason (option 3)
<b>2<sup>nd</sup></b>	Remove the earnings threshold and introduce an hours per week threshold (option 5)
<b>3<sup>rd</sup></b>	Remove the earnings threshold and introduce an hours per week threshold (option 4)
<b>4<sup>th</sup></b>	Introduce a taper rate so that the award is reduced gradually as earnings exceed the weekly threshold (option 7)
	Introduce a run-on period after earnings exceed the earnings threshold, with gradual reductions of the award over a period of time (option 8)
<b>5<sup>th</sup></b>	
<b>6<sup>th</sup></b>	Remove the rule that prevents carers in full-time education from receiving Carer's Allowance (option 6)
<b>7<sup>th</sup></b>	Allow carers to add together hours spent caring for up to three people to reach the 35 hours per week caring requirement <sup>99</sup> (option 9)
<b>8<sup>th</sup></b>	Continue to pay Carer's Allowance to carers in receipt of State Pension (currently as Carer's Allowance and State Pension are 'overlapping benefits' carers can't receive both) (option 12)
<b>9<sup>th</sup></b>	Introduce a Carer Recognition Payment to be paid to carers with 'underlying entitlement' to Carer's Allowance due to the overlapping benefits rule (option 13)
<b>10<sup>th</sup></b>	Extend the period for which Carer's Allowance is paid after the death of a cared for person (option 1)
	Extend the period for which Carer's Allowance is paid after a cared for person is admitted to hospital or residential care (option 2)
<b>11<sup>th</sup></b>	
<b>12<sup>th</sup></b>	Allow more than one person to claim Carer's Allowance for the same cared for person where they meet all of the other eligibility criteria (option 10)
<b>13<sup>th</sup></b>	Reduce the caring hours requirement from 35 hours per week to 20 hours per week (option 11)
	Introduce a Carer Recognition Payment for all carers caring for at least 20 hours per week (option 14)
<b>14<sup>th</sup></b>	
<b>Weakest</b>	Replace the requirement that a cared for person is in receipt of a qualifying benefit with verification from an approved third party that the carer is providing 35 hours or more of care a week to a cared for person. (option 15)

<sup>99</sup> Additional hours from caring for more than one person at the same time cannot be counted towards the total of 35 hours per week.

Ethnicity, religion and sexual orientation information is available from the Scottish Surveys Core Questions. However, the sample sizes trying to look at those reporting receipt of Carer's Allowance becomes very small in the population surveys, particularly for smaller subgroups<sup>100</sup>. Consequently, this is only for the broadest group of all unpaid carers and even significant differences here are difficult to interpret as they are likely to be at least in part due to confounding intersectionalities. For example, differences that are due to religion are entangled with those that are due to age. In other cases, small sample sizes mean the estimates are too uncertain to be confident in determining that there are differences such as for sexual orientation.

Other groups we have determined are of interest are care experienced people although there isn't a great deal of data about this group, and the six family types that were considered as part of work on tackling child poverty. We don't think that young mothers or households with children under 1 are very numerous on Carer's Allowance. This is partly because of their age but also because it can be difficult to diagnose very young children. Given that care will be for someone in receipt of one of the disability benefits, and because many carers are disabled themselves, the majority of carers are likely to report living in a household with a disabled person. This means that at least 90% of Carer's Allowance recipients are likely to fall into a priority group, but leaves large families, minority families and lone parents who are more likely to be in poverty. We believe all of these groups are present on Carer's Allowance although we have limited information about the first two, with lone parents overrepresented on the benefit<sup>101</sup>. None of the policies under consideration are specifically targeted at these groups but we try to consider the policies more likely to affect them.

Carer's Allowance is currently more targeted at those with some of the most intensive caring responsibilities than some of the eligibility extensions under consideration. Option 3 scores well because it applies to existing Carer's Allowance recipients, recognises a particular situation and primarily would reach those caring for children and working age people because these groups are more likely to have their awards disallowed. Although this policy is relatively small, it is one of the few under consideration with the potential to reach lone parents and large families.

Option 5, then 4, followed by 7 and 8 together have scored at the top of equality characteristics. This is because they are a targeted attempt to alleviate a well-documented issue faced by those trying to combine their care with work.

Option 6 is the only policy among those being considered that is more targeted at younger carers, although it could also help carers whose situation is changing. A small proportion of all unpaid carers are currently combining their care with full time education, among the broadest group of working age unpaid carers it is estimated to be around 2%, falling to 1% of those caring for over 20 hours.

Option 9 is a difficult group to obtain more information about as people caring for 35 hours for multiple people, but not any one of them individually. They do not appear in

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<sup>100</sup> [Scottish Surveys Core Questions 2019 - gov.scot \(www.gov.scot\)](http://gov.scot)

any management information. That said this is a very particular situation. Anecdotally these are people that are balancing care between children and parents with support from others, but we don't know much more about this group beyond their hours at this time.

Option 12 and then 13 are for carers with an underlying entitlement. The main distinguishing feature of this group is that they are disproportionately older carers in receipt of the State Pension, although the group also includes some working age Carer's Allowance recipients. They are much more likely to be in receipt of a disability benefit themselves and caring for a disabled partner than for another group and report some of the longest hours cared although it's not clear how comparable this situation is to working age carers doing similar hours given they are less likely to be foregoing work.

Options 1 and 2 deal with particular situations but are more focussed on recipients likely to be caring for older people.

We expect that Option 10 will largely affect couples caring for children or parents, as such we'd expect most of these payments to be to men. It helps those who already have the additional support of a second carer while excluding those caring alone – groups such as lone parents.

The main distinguishing feature of those benefitting from Option 14 and Option 11 are those caring for 20+ hours as opposed to those caring for more than 35 hours. The 20+ group is significantly more likely than the broader group of unpaid carers to have had their employment affected, but this is still significantly less likely than for Carer's Allowance recipients. They are more likely to have reduced their hours than Carer's Allowance recipients however Carer's Allowance recipients are more likely to have been unable to take up work or left work altogether. There do not appear to be significant differences in age or sex between the groups.

We do not have specific information about Option 15. Whilst there are particular subgroups currently excluded from Carer's Allowance for which a strong argument could be made, such as those with addictions who we have heard are more likely to have younger carers, the broadening of the definition of disability generally is an extension of the benefit to people with potentially less intensive caring responsibilities. If there is an argument for an extension here it would need to justify why the disability should be recognised for care but not in itself as part of the disability benefits.