

Disability and Carers Benefits Expert Advisory Group: Young Carer Grant Workstream

To: Shirley-Anne Somerville, Cabinet Secretary for Social Security and Older People
By e-mail

10th December

Dear Shirley-Anne,

Young Carer Grant - background

At the meeting of the Disability and Carers Benefit Expert Advisory Group on 30th August, you asked for advice on the Young Carer Grant by the end of this calendar year. The task of developing this was delegated to a workstream comprised of several members of the Expert Advisory Group with particular expertise in this area, who have been pleased to be asked to consider this.

We welcome the commitment by the Scottish Government to ensure safe and secure delivery of the newly-devolved benefits, and to improve the claiming process for all recipients. We understand that our advice may incur risks, implications and challenges for the Scottish Government. These will be made explicit in the current advice note and we aim, where possible, to signpost a proposed solution.

We have taken the following documents into consideration:

- Draft Regulations, The Carer's Assistance (Young Carer Grant) (Scotland) Regulations 2018 (the regulations)
- The Carer (Scotland) Act 2016 (the Carer Act)
- The Social Security (Scotland) Act 2018 (the Act)

We have worked with officials to ensure that our advice is informed by information available at this time and relevant to the current policy landscape. Clearly, information and that landscape may change in ways that cannot be foreseen at this time and so the advice we give now is with the caveat that this too may change in light of developments.

We set out below some issues arising from our discussions which we wish to draw to your attention. Our recommendations are summarised at the end of this letter.

Eligibility

We would like to comment on the following:

1. Multiple applications
2. Eligibility gaps

1. Multiple applications

While we understand that the realities of family life may well mean a family member having more than one young carer, we think that the policy of allowing just one carer

at a time to get a grant is a reasonable compromise. It allows for conditions relating to the care being provided to be simpler than currently proposed (more about this below), avoids complex evidence requirements and designs out one overpayment risk.

However, we think it should be possible for a young carer to get a grant when another carer gets Carer's Allowance for the same cared-for person. The young person may not know whether anyone else gets Carer's Allowance and inadvertently put themselves at risk of overpayment or even prosecution. There is an opportunity to design out this risk.

We think there is merit in allowing the grant to be accessed by young carers providing care for more than one person, assuming the amount of care provided totals 16 hours. We do acknowledge that this may be more challenging for the young carer to detail and the Agency to verify, which may delay the claiming process.

2. Eligibility gaps

We are concerned that the age criteria for eligibility creates a potential gap for young people who cannot claim Carer's Allowance due to being in full-time education but who are too old to claim the grant. We noted in particular that the grant would miss young carers aged 18 who are not at school but who are at a pivotal transition period in their lives. For them the grant could help to mitigate the financial impact of being in tertiary education, or promote more independence, for example by covering the cost of driving lessons, or providing respite or a period of reflection before undertaking work or further study.

In the longer term, carer's assistance delivered in Scotland could reduce barriers to work and learning. We think it important to keep in view how best to support young people, whether through continuing to offer a Young Carer Grant or directly through carer's assistance. In the meantime we would advise that the education requirements for the grant at age 18 are removed or at least are aligned with the broader full-time education definition in Carer's Allowance and not the young carer definition stated in the Carer Act.

Application process

We would like to comment on the following:

1. Application/Reapplication
2. Specificity of the conditions relating to the care provided
3. Verification of caring responsibilities
4. Redeterminations and appeals

1. Application/Reapplication

We would like to see a straightforward application process that does not place an unnecessary burden on young people. The application form should be concise, clear and easy to understand. We are mindful that these young people will most likely be engaging with the benefits system for the first time, and will need to be well supported. This includes offering advocacy and signposting to other support services.

For reapplication, we would suggest that the least amount of required information be gathered. This process should be light-touch, e.g. a brief check via email or phone to see if the young person's circumstances have changed. Communications should be

worded sensitively, mindful that the cared-for person may have died since the last contact. Linking with the 'Tell Us Once' bereavement notification service may enable cases to be flagged. In the event of being notified of the cared-for person's death, we would advise prompt and sensitive engagement, with signposting to support, including parental death and bereavement services.

We would advise that systems should be flexible enough to allow any correspondence to the Agency to be submitted via the applicant's preferred communication channel. We would caution against requiring postal (re)-application and/or redetermination forms. This would prolong the process and would not reflect legislative duties set out in the Act regarding communicating in an inclusive way.

2. Specificity of the conditions relating to the care provided

Under the proposals, a young carer must be providing certain kinds of care. We consider that defining care introduces considerable complexity (that is not present in Carer's Allowance) and question whether it will actually improve targeting at those most in need.

Caring dynamics vary greatly, as well as being personal and complex. It seems to us to be very challenging to define care for Young Carer Grant in a way that captures the care actually being provided by young people while avoiding confusion, disproportionate and difficult form filling, and complexity in decision making and verification. A solution would be to remove the definition altogether. Targeting could simply be by virtue of the hours of care provided combined with caring for a person with a qualifying benefit.

We recognise that young people may be reluctant to formally identify as a carer or may not recognise the support they give as caring. Young Carer Grant would need to be promoted in terms that are relevant to young carers. Removing a formal definition has the advantage of allowing more flexible communications.

3. Verification

Whilst development is ongoing regarding evidence requirements, we wish to note that we consider confirmation from the young carer e.g. in relation to the hours of care provided, to be sufficient verification. This would be easier and less resource-intensive for both the young carer and the Agency. This is caveated with the expectation that the cared-for person's receipt of one of the qualifying benefits has been confirmed.

If more extensive resources were devoted to verification, we would advise that this is underpinned by a sound understanding of the cost-benefit ratio given the relatively small sums involved and estimated levels of fraud.

4. Redeterminations and appeals.

We would advise monitoring whether a 31-day timeframe to request a re-determination is sufficient and whether there are particular impacts on different protected groups. Young people with no prior engagement with the benefits system may need more time and support with the process. We are mindful that it will be at the Agency's discretion to decide whether there is a good reason for a late request for redetermination and we would suggest the Agency take an open and supportive approach, seeking to include

rather than exclude. An unsuccessful application may be an opportunity to refer to support services

Promotion and take-up/signposting

With Young Carer Grant targeted finely at an estimated 1700 people, we do not underestimate the challenge for the Scottish Government of ensuring that as many eligible young people as possible apply. A strategy to widely promote the grant, we think is good for general awareness of carers' issues, consulting young people on the best channels to use for communications. However, carefully targeted promotion, will be needed to reach the right young people. Support networks and services to engage with include:

- Schools and other educational establishments
- Professionals working with young people (e.g. college bursary officers, skills development officers, additional needs assistants, social workers, family support workers)
- Youth centres/groups
- Social media
- GP surgeries
- Local authority contact centres/Citizen's Advice
- Religious centres/groups
- Sports groups
- Disabled people's organisations and carers' organisations

We would expect that targeted promotion would take account of young people in marginalised groups and under-represented groups including ethnic minorities, rural and island applicants, and gypsy/ traveller communities. We would also expect that promotion and take-up be reflective of the interactions between other protected characteristics and caring responsibilities.

Given that even targeted promotion is likely to reach beyond those eligible to apply, there is an opportunity to promote take up of other support relevant to young carers e.g. Education Maintenance Allowance.

In considering sources of appropriate signposting and referral for young carers, we would wish the Agency to be mindful of the lack of young carer services in some areas. More local delivery and engagement by the Agency to plug these gaps is likely to be needed. This might include working with authorities with duties under The Carer Act to facilitate the Young Carers Statement to ensure that these authorities are duty-bound to increase awareness of the grant and signpost to support services.

We caveat this by noting that, for many young carers, being at school or outside the caring environment is a welcome respite and there will be situations where a young person may meet the eligibility criteria for the grant but who, despite support, would prefer not to formalise their caring responsibilities. This preference should be respected and a young person should not feel coerced into making an application.

Administering the Young Carer Grant

We note that it is anticipated that the majority of payments will be made via BACS payments. We foresee a risk that not all eligible recipients will have a bank account

nor find it easy to set one up, and this is particularly relevant in marginalised groups, including gypsy/ traveller communities. We are concerned that this will complicate the process and dissuade young people from applying. We recommend that flexible payment arrangements are also offered.

This raises the issue of how best to serve and support marginalised groups across all age demographics, many of whom may be eligible recipients of a wide range of benefits. We would suggest Scottish Government undertake further stakeholder engagement on this issue.

Safeguarding

We believe that the needs and rights of young people are paramount. Young people should be able to make a real and unfettered choice to have a caring role or not. We consider it important to monitor Young Carer Grant to ensure it does not inadvertently lead to some young people continuing in unsuitable caring roles, nor to a perception that depending on young people to provide care is an appropriate alternative to adequate social care provision.

To help safeguard young people, we would urge promotion and take-up campaigns to include signposting to advice and support services. We are encouraged that officials have set up a Safeguarding Working Group and we look forward to updates.

Recommendations

Please see below our key recommendations.

Recommendation 1:

We recommend that a young carer can apply for the Young Carer Grant if another carer is in receipt of Carer's Allowance for the same cared-for person.

Recommendation 2:

We recommend, on the assumption that the applicant provides 16 hours or more care in total a week, that a young carer can apply for the Young Carer Grant if they are providing care for more than one cared-for person,

Recommendation 3:

We recommend that young carers aged 18 need not be in school to be eligible for the Young Carer Grant. We recommend aligning the educational requirement with that of Carer's Allowance, and not the young carer definition in The Carer's Act.

Recommendation 4:

We recommend the application be concise and accessible and the re-application process light-touch.

Recommendation 5:

We recommend against specifying the kind of care provided. We think this would introduce unnecessary complexity.

Recommendation 6:

We recommend monitoring whether a 31-day timeframe to request a re-determination is sufficient.

Recommendation 7:

We highlight the need for targeted promotion to reach young carers from marginalised or under-represented groups. We recommend promotion of Young Carer grant also promotes take up of other relevant support, including support services.

Recommendation 8:

We recommend that Young Carer Grant payment arrangements be flexible to cater for those who do not have bank accounts.

I hope this is helpful and look forward to your response.

With best wishes,

Fiona Collie
Workstream Chair