House of Commons
Work and Pensions Committee

Valuing and Supporting Carers: Government Response to the Committee's Fourth Report of Session 2007–08

First Special Report of Session 2008–09

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The Work and Pensions Committee

The Work and Pensions Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Work and Pensions and its associated public bodies.

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First Special Report

1. The Work and Pensions Committee agreed its Fourth Report of Session 2007-08, Valuing and Supporting Carers, on 21 July 2008. The Report was published on 29 August 2008 as House of Commons Paper No. 485. We have now received the Government’s Response to this report in the form of a memorandum from the Minister of State for Disabled People, Jonathan Shaw MP. This memorandum is printed as an Appendix to this Special Report.

Appendix: Government response

Introduction

1. The Government welcomes the Fourth Report of the Work and Pensions Select Committee on valuing and supporting carers. The Committee has identified a number of issues which it believes need to be addressed. The Government fully recognises the valuable contribution made by carers and believes that carers must be universally recognised and valued as being fundamental to strong families and stable communities.

2. The Government’s 10 year carers’ strategy - *Carers at the heart of 21st-century families and communities*\(^1\) acknowledges that the current system of support for carers does not recognise or adapt to the wide variation in both carers’ responsibilities and needs. Accordingly, the Government intends to examine the role of carers’ benefits within the context of its plans for reform of the benefit system. On 10 December 2008 the Department for Work and Pensions published *Raising expectations and increasing support: reforming welfare for the future*.\(^2\) This paper outlines the next steps for carers’ benefits reform.

Conclusions and Recommendations

1. We call on DWP to take a stronger and more proactive lead in Government policy on carers. As well as identifying and implementing specific policies to improve the lives of carers, DWP needs to take specific account of carers in all its work, including its role in reducing child poverty and pensioner poverty, its efforts to see 80% of working age people in employment, and its vision of giving people equality of opportunity. (Paragraph 41)

3. The Department for Work and Pensions (DWP or ‘the Department’) is taking a strong and proactive approach in Government policy on carers and does take account of carers in its work. Carers are one of the key groups of people the Department is focusing on in its welfare reform strategy and drive to reduce both child and pensioner poverty. The Department was a key player in development of *Carers at the heart of 21st-century families and communities*, leading two taskforces.

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\(^2\) *Raising expectations and increasing support: reforming welfare for the future*, December 2008, (Cm 7506)
4. The Department has demonstrated its commitment to delivering services that have carers’ needs at their centre in the provision of up to £38 million to enable carers to be better able to combine paid employment with their caring role through enhanced flexible working opportunities and increased skills training opportunities.

5. The National Insurance Carer’s Credit which will be introduced in 2010 to protect the State Pension rights of people under pension age, who care for a severely disabled person for at least 20 hours a week, will make an important stride towards ensuring that carers are not disadvantaged in later life, because of their caring role.

2. Access to immediate and continuing information, advice and guidance is a major concern for carers, who often go for years without receiving adequate support. We welcome the Government’s commitment to “Providing every carer with the opportunity to access comprehensive information when they need to” and to make this information “easily accessible for all groups of carers, and specific to their locality.” (Paragraph 51)

6. The Government is pleased the Committee welcomes its commitment to help carers access information easily both when, and where it is needed. The Information Service/Helpline for carers is a mainstay of the Department of Health’s strategy for informing and supporting carers. The Service will provide an up-to-date, accurate and comprehensive resource supporting carers across the many areas of importance to them – whether these are in respect of themselves or those they care for. The service will achieve this through a content rich website and a helpline available by telephone and email seven days a week, as well as by post. It will be available to all carers irrespective of their eligibility to statutory services.

7. Carers, and other customers, can also now obtain information and advice on a wide range of Department for Work and Pensions’ benefits, pensions and credits via the recently-introduced online Benefits Adviser Service on the Directgov website.³

3. The Department’s information, advice and guidance services are not reaching significant numbers of carers. We recommend that the Department addresses problems of access to its Benefit Enquiry Line and explores ways to convey the information that carers need in a more accessible way. (Paragraph 57)

8. The Government recognises that access to the Benefit Enquiry Line’s (BEL) service has been below the acceptable level over recent months. The Department for Work and Pensions has been working to rectify this situation and new staff have recently joined BEL which should have a positive impact on people’s ability to access the service. Additionally, steps are being taken to enable routine requests for claim forms to be handled by Disability Living Allowance/Attendance Allowance Helpline staff which will leave BEL staff more time to deal with the more complex enquiries. It is expected that these measures will restore BEL’s service to previous levels.

³ www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/index.htm
4. Evidence suggests that Jobcentre Plus personal advisers’ knowledge of carers’ issues in general, and the complexities surrounding benefits for carers and care recipients in particular, is low. We welcome the Government’s commitment to funding for the third sector and training for professionals in local authorities to support carers more effectively. We welcome the Government’s commitments: to training for DWP frontline staff to improve information provision; to advice services for carers; and to placing a carer expert in every Jobcentre Plus district. (Paragraph 63)

9. Jobcentre Plus learning programmes for customer facing staff focus on raising awareness of caring responsibilities within Foundation Learning and Adviser Skills events. The ‘Adviser Skills’ event is underpinned by a number of health and personal circumstance information stencils or guides known as SKIPPS (Specialist Knowledge, Interview Planning and Preparation Stencil).

10. The “Caring Responsibilities” information stencil provides staff with an awareness of barriers that many carers experience and the effects that they might have on an individual’s ability to find and retain employment. This provides the adviser with better insight into the possible types of support an individual might need in employment.

11. To broaden adviser knowledge of carers, Jobcentre Plus has created a Carers Portal on the Jobcentre Plus Intranet, engaging with key stakeholders (including The Princess Royal Trust for Carers) to quality assure the product. The portal provides information about the needs of carers as well as links to useful guidance and external sites. This draws together in a single point of reference all that the Department for Work and Pensions does to help carers. It has recently been enhanced with the carers ‘Ten Must Knows’, a reference tool for all staff working with carers.

5. The merger of the Pension Service and the Disability and Carers Service has the potential to reduce some of the bureaucracy in the system. However, it is still too early to tell what impact it will have and we are particularly cautious about the impact the merger might have on those customers who do not overlap between the two services. We recommend that the Department commission an independent customer survey to assess the potential impact of the merger on carers. (Paragraph 68)

12. The merger of the Pension Service and the Disability and Carers Service (PDCS) has already reduced some bureaucracy, for example having the Carer’s Credit office situated alongside the Carers Allowance Unit is a step towards delivering a joined up service to carers.

13. The annual Disability and Carers Service Customer Satisfaction Survey included a large sample of carers (5,000) from all age groups. It is carried out by MORI, an independent contractor. The Department for Work and Pensions will be including a similar number of carers in this year’s survey of Disability Living Allowance, Attendance Allowance and Carer’s Allowance customers which is being carried out now on behalf of PDCS. This will provide information about the current level of customer satisfaction and provide information about whether the merger or other changes made to the handling of carers claims has made an impact on the service.
14. The Pension Service Operating Model has recently been reviewed and a core consideration for this has been the future proofing of the model in order to enhance the customer experience to all of the PDCS customer base in the future.

15. From April 2009 the intention is to move to a quarterly satisfaction monitor across the entirety of PDCS so this would give the opportunity to monitor any changes in customer satisfaction on a more regular basis.

6. To raise awareness of the appointeeship scheme, we recommend that automated telephone scripts used by Jobcentre Plus are reviewed and amended to ensure that there is a prompt to discuss appointeeship as an option. Jobcentre Plus literature on appointeeship should also be amended to state that, in cases of mental illness, it may be possible to apply for appointeeship without a face to face interview with the beneficiary. (Paragraph 72)

16. It is quite common for customers, for a variety of reasons, to act through a third party on the 'phone, (e.g. Citizens Advice or a translator), even when they are able to manage their own affairs. Jobcentre Plus does not consider that the right approach would be to include information about appointeeship in an automated message as there might be a variety of situations where a customer might want help from a third party. However, it will continue to ensure its agents are aware that this help is available.

17. Internal guidance for Jobcentre Plus staff already sets out clearly the decision making process for appointees, including whether an interview with the customer is appropriate. Within external literature, the majority of detail about appointeeship is in claim forms and secondary forms. Jobcentre Plus will review the current text about the appointeeship scheme as part of the ongoing forms review schedule.

7. We believe that health and social care professionals are an appropriate initial source of information regarding access to welfare benefits and other support. We recommend that DWP participates in the planned pilots looking at ways in which Primary Care Trusts can support carers to ascertain how it can work better with healthcare professionals, local authorities and third sector organisations which have regular contact with carers, often in the early stages of their caring role. The Government should develop a national strategy for giving carers advice on benefits in healthcare settings. (Paragraph 81)

18. The Government recognises that carers need ready access to accurate information on the range of benefits and other help that is available to them and the people they care for. This information is currently available from a variety of outlets including Jobcentre Plus offices, Citizens Advice Bureaux, public libraries, carers’ organisations and GP surgeries. As stated above carers and other customers can now get information and advice on a wide range of Department for Work and Pensions’ benefits, pensions and credits via the online Benefits Adviser Service on the Directgov website. Customers simply answer questions tailored to their circumstances and are then told which benefits, pensions or credits they may be entitled to. They are also given contact details to help them make a claim. Customers do not need prior knowledge of which agency to deal with, as the facility enables them to get through to the right agency on their first attempt.

*www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/index.htm*
19. The Department for Work and Pensions will continue to work closely with the Department of Health as the development of the Carers’ Strategy continues. In that context, the two departments will consider what the most appropriate level of involvement will be for the Department for Work and Pensions, in the planned pilots with Primary Care Trusts.

8. We welcome the introduction of Information Prescriptions for carers. We believe that carers are best placed to contribute to the development of information prescriptions locally. We recommend that information on benefits for carers and the cared for person should be included in information prescriptions. (Paragraph 86)

20. The Department for Work and Pensions will work closely with the Department of Health to develop all elements of *Carers at the heart of 21st century families and communities*, including the development of Information Prescriptions. The Department will also be taking a joined up approach with the Department of Health, and other Government Departments, agencies and local government partners to ensure that there is a good supply of information about benefits available to carers. To that end, the Department is working closely with the Department of Health on the development of the carers’ website and helpline.

9. We welcome the Government’s planned national helpline and website for carers. This will provide important information for carers in England, including those who are not eligible for local authority support. We recommend that the helpline and website provide up-to-date, accurate, comprehensive information and advice for carers on how to access benefits and other services for carers and the people they care for. We call on the Government to work closely with the devolved administrations in Scotland, Wales and Northern Ireland to ensure that helplines providing equivalent advice are rolled out across the UK. (Paragraph 91)

21. The Government is pleased that the Committee welcomes the introduction of the Information Service/Helpline for Carers. This Service will provide an up-to-date, accurate and comprehensive resource for carers. The development of the service benefited from the consultation undertaken to develop the Carers’ Strategy generally, as well as consultation specific to the service. Throughout the service’s development the Department of Health has maintained dialogue with stakeholders. While the launch of the service in spring 2009 may be later than some stakeholders may have wished for, the general view expressed has been one of support for the Department of Health’s approach of taking time to develop a quality service, rather than behaving with undue haste and compromising on quality.

22. During the development process the Department of Health continued, and continues, to support existing information provision to carers:

- through funding to third sector carers’ bodies
- encouraging Local Authorities and Primary Care Trusts to fund carers’ information services

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• through Caring with Confidence⁶, which went live from August 2008

• through Direct.gov

23. While the service will deal with many matters which are constant for all UK carers, such as benefits or the emotional and practical consequences of caring, health and social care is devolved to the respective administrations in Scotland, Wales and Northern Ireland. As a result many aspects of the social, health and other environments for carers vary between the four nations. Given these significant variations the service is not equipped to service all UK carers reliably.

24. When carers from the devolved nations contact the helpline they will be responded to thoughtfully and effectively – as the service will maintain a directory of information services of relevance to carers in the devolved nations, and refer enquirers to these. Carers from the devolved nations will also be able to utilise those parts of the website that have UK relevance.

25. The Department of Health would welcome the opportunity to work closely with the devolved administrations to ensure that similar services are developed in those nations.

10. We have been impressed by the Commonwealth Carelink Centres in Australia and examples of independent and third sector Carers’ Centres in the UK. We believe that some Carers’ Centres already offer an effective ‘first stop shop’ for signposting carers to local organisations, services and benefits, and for providing ongoing support as carers’ circumstances change. We welcome the Minister’s review of section 64 funding. We recommend that the Government takes a more strategic approach to Carers’ Centres in the UK with the objective of there being a national network of such Centres, and that it provides adequate core funding to give them financial stability. (Paragraph 100)

26. The Government can confirm that special grants have been awarded to carers’ organisations, including those who run carers’ centres to enable them to develop their capacity. However, it is for councils and their partners to ensure there is appropriate local provision of support. Carers’ centres are very popular with those carers who use them and the most effective centres combine work to reach potentially excluded carers with a range of emotional and practical support for those most in need. The concordat, Putting People First,⁷ commits local and national government to making significant progress by 2011 towards ensuring all areas have both “carer support” and “a universal information, advice and advocacy service for people needing services and their carers irrespective of their eligibility for public funding”.

27. The concordat advocates a partnership approach involving the third sector and people who use services and their carers themselves, but the focus is on the outcomes rather than one particular delivery method. Carers’ Centres are one of a range of innovative approaches being taken by commissioners and the third sector to meeting those commitments.

⁶ www.caringwithconfidence.net/
11. We do not believe that families receive sufficient recognition and compensation for the additional costs of disability. Carers consistently face costs that are not covered by Disability Living Allowance or Attendance Allowance (and in some cases disabled or older people cannot claim DLA or AA). We call on the Department to review the level of DLA to ensure that it provides an appropriate contribution to the extra costs faced by disabled people. We share the belief that the current level of support for carers is too low and call on the Government to commission an independent review of the impact of caring on carers’ incomes and of the long-term costs of caring for an older person or someone with a disability. The additional costs incurred by carers need to be recognised in the Government’s review of benefits for carers. (Paragraph 115)

28. Carer’s Allowance provides a degree of replacement for lost or forgone income to those who have given up the opportunity of full-time work. However Carer’s Allowance is not a wage for caring, nor is it intended to provide compensation for the extra costs faced by disabled people. There is a range of other benefits to help with these costs, such as Disability Living Allowance.

29. Disability Living Allowance is intended to provide a broad-brush contribution towards the extra costs faced by disabled people, in addition to the many other sources of financial and practical assistance available. It remains a valuable benefit, being worth up to £5,915 a year, and is increased annually in line with the Retail Prices Index.

30. Whilst the Government does not accept the general level of support provided to help with caring and the costs of a disability is inadequate, the Government does accept that the support available to carers does not differentiate sufficiently between the different needs and circumstances of carers. Building a system of support that is able to target resources more effectively to those with the greatest need will be one of the main aims as the Department works towards a better system of support for carers.

12. We believe that Carer’s Allowance is outdated. We welcome the Government’s review of the benefits available to carers and recommend that carers’ benefits should be radically overhauled at the earliest opportunity to recognise the contribution carers make and to be more flexible to reflect carers’ different circumstances. (Paragraph 125)

13. The rule that links one CA claim to one AA/DLA claim provides no recognition for carers who look after more than one disabled person or carers who have to share the caring role for a severely disabled person. This could be reflected in our proposed reform of carers’ benefits which we make later in this chapter. (Paragraph 142)

14. The eligibility rules for Carer’s Allowance also do not take into account those who care for more than one person with a disability, none of whom meets the criteria for CA, but who nevertheless face a very substantial demand for care. We call on the Department to examine the case for extending entitlement to Carer’s Allowance to those who care for more than one person, none of whom qualify them for Carer’s Allowance, but who, nonetheless, face a burden of care equivalent to a carer eligible for Carer’s Allowance. (Paragraph 143)

31. The Government acknowledges that the current system of carers’ benefits does not reflect the widely differing circumstances and needs of carers. In Carers at the heart of 21st Century Families and Communities the Government committed to examining carers’
benefits in the context of the welfare reform. The White Paper *Raising expectations and increasing support: reforming welfare for the future*, sets the context for the next phase of welfare reform.

32. In the White Paper, the Department outlines its commitment to simplifying and improving the benefits system. In the Green Paper *No-one written off* the Department set out its proposal to look at whether, over the long term, radical simplification is best achieved by introducing a single benefit, drawing on the best features of Jobseeker’s Allowance, Income Support, and the new Employment and Support Allowance. The White Paper confirms that the Department remains attracted to the idea of a single working age benefit and will continue to explore whether, over the longer term, this is the right approach.

33. It is in this context that the Department must consider the financial support it provides to carers. The aim is to create a benefit system that enables and empowers individuals to take control of their own lives and treats each customer as an individual. Because the needs and circumstances of carers vary widely, the Department will consider the position of carers very carefully as it develops its thinking. This will provide an appropriate opportunity to examine the role and scope of carers’ benefits, as the Committee notes is needed. The Department will, of course, discuss these plans with stakeholders as work on streamlining the benefits system progresses.

15. **Qualifying periods that apply for AA and DLA are also problematic for some carers.** We believe that there is a case for introducing a fast-track procedure for Carer’s Allowance applicants in emergency circumstances, and we call on the Department to look at ways to introduce such a provision. (Paragraph 144)

34. The Government shares the Committee’s concern that carers in emergency situations need to have their claims for Carer’s Allowance assessed as speedily as possible. However, the Government believes that any amendment to the qualifying periods for Attendance Allowance and Disability Living Allowance would seriously undermine the purpose of those benefits, specifically that they are available to people with a long-term disability. It should also be noted that carers can claim Income Support or Jobseeker’s Allowance if the person they are caring for has applied for either Attendance Allowance or Disability Living Allowance. This provides an important safety net for those who are most financially vulnerable at a point when they are taking on the additional burden of being a carer.

16. **We have received evidence that support a new accreditation scheme for the purpose of establishing eligibility for benefits for carers.** However, because linking carers’ benefits to qualifying benefits for disabled people has the great advantage of simplicity, we are not convinced by the proposals for such a scheme. We recommend that DWP addresses the problems of lack of awareness of disability benefits by investing in a large-scale awareness raising campaign. (Paragraph 145)

35. The Department aims to ensure that there is a wide range of information regarding disability benefits available, in a number of formats, so that prospective customers can find the information that they need. The Government believes that the correct approach should be to ensure that awareness of these benefits is raised specifically in the places where potential customers are likely to seek information e.g. medical centres, welfare rights
organisations and day centres. The Department has also promoted the value of "partners" in helping to raise awareness of these benefits as organisations who meet directly with disabled people are more likely to be able to identify possible claimants than any mass campaigns would. The Government remains keen to ensure that potential customers are given sound information to enable them to make informed decisions as to whether or not to claim.

36. Face-to-face visits are offered to the most vulnerable pensioners. In the 2007/08 financial year, Local Service staff carried out over 750,000 home visits. During a face-to-face visit, full benefit entitlement checks are carried out by the Local Service to ensure that pensioners are receiving all the benefits and services to which they are entitled.

17. The overlapping entitlement rules are confusing and over-complicated and DWP therefore ‘loses people along the way’ in the process of claiming carers’ benefits. The system of having to apply for a benefit you know you are not going to get in order to be eligible for a benefit you are not yet claiming is counter-intuitive. The administrative costs to the Department of dealing with almost 64,000 Carer’s Allowance claimants above State Pension age must be substantial. We recommend that the Department urgently streamlines the application process for benefit entitlements for carers of State Pension age. Our recommendations below, on how best to reform Carer’s Allowance in the longer term, aim to address the complexities of overlapping entitlements. We believe that this should be an urgent priority for DWP’s Benefit Simplification Unit and any simplification of benefits for carers should be in line with our recommendations. (Paragraph 157)

37. The Government agrees that simplicity and ease of application must be one of the guiding principles in the design of any changes to the benefit system. This is an important principle underlying the proposed move towards a single benefit.

38. The Government also accepts that more can be done to simplify the application process for carers of State Pension age, in the current benefit structure. The Pension, Disability and Carers Service has tested a new procedure for assessing claims to the carers “Additional Amount” in Pension Credit. The results from the pilot are still under consideration and the Department will use the findings to develop a plan for simplifying the application process for all carers.

18. Carers currently face a stark choice between engaging in education and training without any financial support or living on benefits. Many carers would be able to undertake education or training in addition to providing in excess of 35 hours of care per week. We recommend that the Department evaluates the effect of lifting the 21 hour study rule for carers on Carer’s Allowance to enable carers to engage in education and training as a route into paid employment. We also recommend that the Department evaluates the effect of adding Carer’s Allowance to the list of qualifying benefits for reduced education and training fees. (Paragraph 163)

39. The Government is keen to ensure that carers have access to training opportunities that will enable them to improve their skills in preparation for entry or re-entry to the job market if their caring responsibilities come to an end. Rather than consider piecemeal changes to Carer’s Allowance, the Government intends to look specifically at the support
offered to carers through the benefits system as part of its development of the single benefit.

40. The Department for Innovation, Universities and Skills is committed to tackling the many barriers people face to accessing opportunities to get into training and on at work. This includes those with full time caring responsibilities, of whom an estimated 1 in 5 has left or turned down a job because of caring responsibilities.

41. The Department for Innovation, Universities and Skills is introducing a new advisory service - the adult advancement and careers service (aacs) - that will combine skills and training advice with practical guidance for people on how to overcome the barriers they face in getting on in life. The aacs will provide a one-stop-shop for those seeking training and help into work but who also face problems in areas like childcare, money matters, housing and disability issues. The service will be freely available to all, but it is intended that it will provide particular targeted support for groups such as carers, ensuring that they do not miss out on opportunities to achieve their ambitions because of the social contribution they have made. The new service will be operational from autumn 2010.

19. Despite recent increases to the earnings limit, its level still represents a major barrier for carers to combine work and care, and/or progress in employment. We recommend that the Department urgently commissions and publishes a thorough analysis of the costs and benefits of increasing the earnings limit and introducing a taper. (Paragraph 174)

20. The different timetable for Carer’s Allowance earnings limit uprating and the uprating of the National Minimum Wage is still a cause of great anxiety for claimants and causes problems for employers. We recommend that the Department finds ways of synchronising the increases in the level of the Carer’s Allowance earnings limit with increases in the National Minimum Wage. (Paragraph 175)

42. The Government is keen to help carers to combine some paid work with their caring responsibilities where they are able to do so. However introducing an income taper into Carer’s Allowance would make the benefit considerably more complex to administer and much more difficult for carers to understand. It would therefore add an extra burden for carers who already have heavy caring responsibilities as their benefit would need to be reassessed with every change in their income.

43. The Carer’s Allowance earnings limit increased by 13% during 2007, and the Government will continue to keep the level of the earnings limit under review, including the most appropriate timescales for uprating.

44. As noted above, the Government intends to look systematically at the support offered to carers through the benefits system as part of its development of the single benefit.

21. Different earnings rules for carers claiming Carer’s Allowance and means-tested benefits are confusing and increase the risk of overpayments. We believe that there is a case for a complete review of earnings rules across the range of benefits in the social security system to reduce the scope for fraud and overpayment, dramatically simplifying the benefit system and also provide incentives for people to engage in the labour market. (Paragraph 180)
45. The Government accepts that the number and range of benefit rules can be confusing for carers. As it develops options to streamline the benefits system, the Department for Work and Pensions will continue to look at how work incentives are affected in different reform models, and how different earnings rules can support customers to move into employment.

46. The Government will continue to work to ensure that the tax and benefit system does not constrain anyone’s, including carers’, motivation and ability to move into work.

22. We believe that it is important for carers to be supported in their voluntary work to help others and to remain in touch with people and organisations outside their caring role. We recommend that DWP take steps to remove obstacles for carers to engage in voluntary work, including ensuring that reimbursed travel costs and the costs of replacement care are not counted as income in calculation of Carer’s Allowance or means-tested benefits. (Paragraph 183)

47. The Department for Work and Pensions is keen to ensure that there are no obstacles preventing a Carer’s Allowance recipient from participating in voluntary work. The Department does not generally ask claimants to declare details of unpaid activities, and the reimbursement of travel costs incurred in undertaking voluntary work would have no effect on a carer’s entitlement to Carer’s Allowance or means-tested benefits. This also applies to the cost of replacement care.

48. The Department will continue its work to ensure that correct information on benefit entitlement and rules is available to both staff and customers.

23. We recognise that although some carers are in receipt of income replacement benefits, they are not ‘unemployed’. We do not believe it would be in the interests of the carer or those they care for, to place the same compulsion on carers to seek employment as those on ESA. We recommend that carers who seek training or employment should be better supported to enter the labour market, but that there should be no conditionality about seeking employment for people with care-giving responsibilities in excess of 35 hours a week. (Paragraph 187)

49. The Department for Work and Pensions fully recognises the importance of caring responsibilities, which will mean that many carers cannot enter paid work. The Department also accepts the recommendation from Professor Paul Gregg’s review of conditionality that carers with entitlement to Carer’s Allowance, should not have to engage in work-related activity in order to keep their benefit. In the White Paper, the Department makes clear that it will not introduce a conditionality regime for those carers claiming Carer’s Allowance, and that it will design future systems to take account of carers’ needs and responsibilities.

50. However, it is also recognised that many carers want to enter paid work in the future. The Department wants to ensure that as much support as possible is provided to carers who want or need support in preparing for work.

24. We endorse the commitment in the 2008 Carers’ Strategy to review carers’ benefits as part of a wider process of welfare reform. We believe that this review should be guided by the principles that carers who are not able to work due to their caring
Responsibilities should be entitled to an income replacement benefit comparable to other income replacement benefits; and that an additional payment should recognise the additional costs of caring for one or more people. (Paragraph 198)

25. We ask DWP to give urgent and detailed consideration to replacing Carer’s Allowance with a two-tiered benefit for carers, and cost our proposals as soon as possible. They would operate as follows:

Carer Support Allowance, to be paid at the same rate as Jobseekers’ Allowance, with the opportunity to earn a modest amount in a paid job (offering reasonable consistency with CA and in line with the permitted earnings rules). As this will be an income replacement benefit we do not think it should be payable in addition to other income replacement benefits; however we do not believe it is necessary, or desirable, to ‘means-test’ Carer Support Allowance, as carers entitled to receive it will need to be fully occupied by their caring role (for at least 35 hours per week).

Caring Costs Payment, available to all carers in intensive caring roles (35+ hours per week, consistent with existing Carer’s Allowance), but payable also to those over State Pension age, to compensate them for the additional costs of caring, and/or to enable them to buy in some help, goods or services to ease their caring situation. We recommend that CCP should be set at a level commensurate with other parallel payments in the UK social protection system (such as Child Benefit); this would make it likely that CCP could be set somewhere between £25 (£1,300 p.a.) and £50 per week (£2,600 p.a.). (Paragraph 199)

51. The Department accepts the Committee’s general principle that a future system of support for carers should be able to differentiate between the support that a carer needs because they have no income, and the support that a carer needs because of other costs relating to the caring responsibilities. In the White Paper Raising expectations and increasing support – reforming welfare for the future the Department says that it will explore whether a single benefit would be a good way to provide a more adaptive system of support. The needs and circumstances of carers will play a key part in the consideration of options for streamlining the benefit system.

52. But it would not be right to undertake any review of carers’ benefits in isolation. Many of the difficulties that carers experience arise from the interactions between different benefits and interactions with different aspects of the wider welfare system.

53. The Government said in Carers at the heart of 21st century families and communities that it would be important to look at carers’ benefits in the context of wider welfare reform. It remains committed to doing this and recognises the importance of taking a joined-up approach to looking at the future of carers’ benefits – across the Department for Work and Pensions and across Government.

54. For example, the Department of Health is currently leading a fundamental review of the care and support system, with input from Department for Work and Pensions, to ensure the country is equipped to deal with the challenges that an ageing population will present. The findings from this review will be crucial in assessing the role of unpaid carers in a future care and support system.
55. The Department for Work and Pensions will ensure that proposals for a future system of support make appropriate provision for carers and fit well with the outcome of Department of Health’s review of the care and support system.

26. The Green Paper, No one written off: reforming welfare to reward responsibility, was published on the day that we agreed our Report. We ask the Department to consider and take into account our report as part of its consultation on the Green Paper. (Paragraph 200).

56. The Department for Work and Pensions welcomes the Committee’s valuable contribution to the Green Paper consultation exercise and has taken the Committee’s report into consideration. The response to the consultation was published on 10 December. The White Paper contains plans for the next stage of welfare reform, in which the needs of carers will play an important part.

27. We welcome the Government’s commitment to work with local authorities to spread the idea of concession cards for carers more widely. We recommend that the Government follows Australia’s good example and proactively negotiates concession cards for carers for travel, parking, leisure and other activities with local authorities, business and transport operators to help carers cope with the financial burden of caring. (Paragraph 205)

57. The Government is committed to working with local government to make sure that good practice to support carers is spread more widely.

58. In Putting People First* the Government made it clear that it does not seek to prescribe uniform systems and structures in every part of the country. However, it does stipulate that access to high quality support should be universal and available in every community. How this is provided is a matter for local decision, which councils will take in considering how best to allocate their resources.

59. In the light of this the Government will not be following Australia’s example. However, every locality is expected to seek to have a single community based support system focused on the health and wellbeing of the local population.

28. We welcome recent reforms to the State Pension which will recognise carers’ contributions to society and begin to ensure that they do not suffer poverty in retirement. We particularly welcome the introduction of a new Carer’s Credit for people caring for 20 hours a week or more for someone who is severely disabled. This will ensure that carers caring for 20 hours or more per week are less likely to experience negative impacts on the value of their State Pension. (Paragraph 215)

60. The Government thanks the Committee for its positive assessment of the changes being introduced. It is anticipated that around 120,000 extra carers a year may benefit from more basic State Pension and around 180,000 may accrue State Second Pension entitlement as a result. These changes build upon the wider pension reform agenda by helping to ensure that the lack of a qualifying disability benefit does not present a barrier. This will mean that the new credits will protect people who may previously have missed out.

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29. The Committee believes that Personal Accounts will benefit many carers with unstable working patterns and help them to save for retirement. However, we restate our earlier recommendation that the Government examines possibilities for further reform to the system to allow carers to pay in lump sums to save for their pension. (Paragraph 221)

61. The Department for Work and Pensions agrees with the Committee that Personal Accounts will benefit many carers and help them to save for their retirement. The Department also understands the importance of providing flexibility for those with unstable working patterns in contributing to their personal account. The Department has been examining the possibility of introducing a lump sum contribution limit to run alongside the annual contribution limit. The Department is also aware of the need to ensure that additional features, such as a lifetime lump sum limit, do not create disproportionate complexities and costs in implementing the scheme. This is important as over burdening the scheme with additional costs, particularly in the early years of the scheme's operation, would be detrimental to the Personal Accounts Scheme and its members.

62. The Department has always said that a good time to introduce this facility could be following the 2017 review; when the scheme is running effectively and more information is known about saving behaviour in the target population, and when the Department understands the complexities that could be involved in enabling this feature. Furthermore, for the Personal Accounts target audience, there is still room within the current annual contribution limit to make additional contributions.

30. Quality information and advice is absolutely essential to enable carers to find the right social care support. For the national helpline and website to be successful, it needs to link up with local agencies to ensure carers and those they care for are well informed about local social care services. (Paragraph 228)

63. While a national service, the service will work with national, regional and local carers’ services to ensure that the information provided is as broad, valuable and relevant as possible to carers. This information will be accessible to carers through the service’s website and helpline.

31. It is helpful to have a national framework such as Fair Access to Care Services to set national standards. However, the current system is not achieving the fairness and consistency required. We welcome the review of eligibility criteria and recommend that the Government considers carefully what support it can offer to those who are not eligible for, or who choose to access support without using, social services. (Paragraph 234)

64. The Department of Health welcomes the report by the Commission for Social Care Inspection (CSCI) on the application by councils of the Fair Access to Care Services (FACS) Guidance and its impact on people, commissioned by the Minister for Care Services earlier this year. The Department particularly welcomes the constructive approach taken by CSCI to engage with a wide range of stakeholders.

65. The Department of Health will continue to support the democratic process within local government, to ensure that local councils are ultimately responsible for determining local
priorities and allocating resources accordingly. The Department of Health would not propose to make any short-term change to this whilst it engages in the longer-term debate over the future arrangements for the funding of social care.

66. To put service users and their family carers at the heart of what is done, it is necessary to have a transparent, open and fair system for the allocation of resources with a stronger focus on outcomes for people. Whilst the current FACS guidance goes some way in supporting this, CSCI’s review has highlighted the differing interpretations placed on it by councils. The Department therefore welcomes the recommendation that it should rework the guidance to set it clearly in the framework of Putting People First. This will offer councils an opportunity to spell out their policies clearly and in a way that people understand and experience as transparent and fair, and to use the resources available to them in the most effective way. The Department plans to work with key partners to revise the existing guidance and intends to consult on this in the spring.

32. We call on the Government to develop a system to enable social care assessments to be ‘carried over’, so that another local authority can make decisions based on (appropriately updated) information previously provided in the social care assessment. This would be less stressful for families, and would also reduce bureaucracy and the waste of resources. (Paragraph 235)

67. The Government accepts that there are great challenges within the care system and has signalled its intention for radical reform with the announcement of the Green Paper on care and support. The Government has launched a public engagement process which specifically asks people whether care and support in the future should be based on the principle of devolved control and local flexibility or on a more national basis where a person will be entitled to the same support no matter where they live. This is a fundamental component of the system that can only be addressed as part of a full review.

68. The Green Paper will set out options for the funding of care and support in the future, and these options will address the wider issue of local flexibility versus national standards, and the difficult problems that this presents to service users, as set out in the amendment. There will be a formal consultation on these options, and a decision made, in light of the consultation responses, as to what the care and support system of the future will look like.

69. The Government has also asked the Law Commission to include, within the proposed scope of its review of adult social care law, consideration of whether the current legal framework contributes to the difficulties which people face when moving from one local authority area to another because they are unable to find out in advance what package of community care services will be made available to them in the new area. Through this action, the Government will bring to bear on the problem the highly respected and independent view of the Law Commission to complement the work going on in preparation for the Green Paper.

70. In the meantime, the Department of Health intends to issue directions and revise existing guidance to local authorities on ordinary residence. The guidance will set the ordinary residence provisions in the National Assistance Act 1948 within the modern social care context and clarify the approach to be taken by local authorities when disputes over ordinary residence arise. The guidance will also remind local authorities that under
section 47 of the National Health Service and Community Care Act 1990, they have a duty to assess the needs of any person for whom the authority may provide or arrange the provision of community care services and who may be in need of such services. Because local authorities have a power to provide services to people who live outside their area, the duty to assess is not limited to people who are ordinarily resident in the authority's area. Local authorities can, therefore, carry out a needs assessment on people who are planning to move into their area and let them know what services they will receive when they move.

33. Carer assessments have an important role to play in the Government’s strategy for carers as they are designed to assist carers in combining their caring responsibilities with their work, training, education and leisure needs. Practice in the delivery of carer assessments varies widely between local authorities. All carers, including those caring for individuals who do not qualify for local authority social care support, should be able to look to their local authority for support. (Paragraph 236)

71. *Putting People First* confirmed that reform of social care could only be delivered through partnerships across central and local government. A key message from 'Putting People First' is the need to ensure people have access to the right information about the support that is available to them locally, whether or not they are eligible for services.

34. Currently state funding for social care is growing at a much slower rate than the demographic changes require. This means the Government is heading for a funding gap of an estimated £6bn, unless the system is changed. We look forward to the Government’s proposals in the forthcoming Green Paper for funding for a 21st century social care system that is both financially adequate and sustainable. (Paragraph 242)

72. The Government has made a commitment to publish a Green Paper that sets out possible options for the future of care and support early in 2009. A wide-ranging public engagement exercise ran from May to November 2008 to inform the process, and a 12-week formal consultation period will be held after publication of the Green Paper.

35. We welcome the Government’s move towards the provision of more flexible and responsive social care services through Direct Payments and Personalised Budgets. These new developments have the potential to maximise personal choice and to stimulate the social care market for more personalised, flexible service. (Paragraph 250)

73. The Government is committed to delivering a more responsive and flexible social care service and welcomes the Committee’s recognition of the potential of Direct Payments and Personal Budgets. A further report on the evaluation of the individual budgets pilots in relation to carers will be published in early 2009.

36. The lack of flexible, appropriate, good quality support services is a major barrier to employment, career progression and regular participation in work for many carers. We are concerned about uneven implementation of the Carers (Equal Opportunities) Act 2004. (Paragraph 253)

74. Councils should account for the Carers (Equal Opportunities) Act 2004 when they are assessing carers’ needs, including considering if the carer needs or wants to go back to

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work. It is for local authorities to support their local population, including carers, based on their joint strategic needs assessment.

37. We believe that Care Vouchers may have the potential to leverage significant additional funds into care services and could be a good way of engaging employers’ support for carers. We recommend that the Government undertake a cost benefit analysis of the Care Vouchers Campaign’s proposals at the earliest opportunity. We suggest that DWP should take the lead in piloting such a scheme for its own employees who are carers. (Paragraph 262)

75. The Government does not believe that a care voucher scheme with a tax and National Insurance Contribution exemption would provide the most appropriate, cost effective and fairest solution to the issues raised by the Committee. Tax breaks exclude non-taxpayers and offer greater savings for higher paid people who are generally in a better position to provide additional care. As a result, tax breaks would not target those in greatest need of financial support. The Government’s social care policy for adults has been to focus on those with highest needs and lowest means.

38. We were impressed by the measures that the Australian Government has introduced to assist families planning for the future care and accommodation of a family member with a severe disability. We believe that a scheme along the lines of the Australian Special Disability Trust has the potential to leverage additional funds into the market for care services. We call on the Department to carry out a cost benefit analysis of the possibility of introducing such a scheme in the UK. The quality of the advice that is provided to families on how to access such a scheme would be crucial to its success. (Paragraph 264)

76. The Department of Health has examined care and support systems in countries around the world, including Australia, to inform development of the forthcoming Care and Support Green Paper. The Australian Special Disability Trust assists immediate family members of people with severe disabilities to make a private financial provision for the future care and accommodation needs of that person. Consideration of the needs of younger adults with care and support needs, the role of carers and the feasibility of private finance products are all part of the development of the Green Paper due for publication in spring 2009.

39. We note that for some carers and former carers, engaging in formal care work may provide a very effective route back into paid work. (Paragraph 277)

77. There are a number of examples where both Jobcentre Plus and third sector providers have worked closely in developing courses, training and even qualifications aimed at helping former carers into formal care work. They report considerable success in getting carers into work and the Department for Work and Pensions is considering whether to explore ways of expanding this through Jobcentre Plus.

78. However, it should be noted that whilst some former carers may find working in formal care a good route into work, many will not. The Department for Work and Pensions is exploring ways of providing carers with as wide a range of career prospects as possible. In addition many carers report that after considerable periods of undertaking informal care transforming their experience into formal care holds little attraction for them.
40. There is much evidence that carers are currently disadvantaged in accessing education and training. More needs to be done to introduce greater flexibility of training courses, including home-based courses, which can be fitted around caring responsibilities. (Paragraph 278)

79. Carers can have low levels of skills – partly because a high proportion come from disadvantaged backgrounds and partly because extended periods out of the labour market can lead to skills becoming outdated. If Government is to ensure that carers are able to compete effectively for jobs and increase productivity when in paid work it must aim for them to have the same opportunities to access skills training as other groups.

80. However, research indicates that there are often barriers, such as the lack of flexible provision, which prevent carers engaging in learning. The Government is, therefore, introducing measures such as greater flexibility of provision or home-based learning to ensure that carers – particularly those aged 16 to 24 who are less likely to be in education or training than non-carers – can access the education or training they need. Increased skills levels increase carers’ chances of finding a job and progressing in a career.

81. It should be noted that colleges can claim a 12% uplift in funding for full-time carers who are students to encourage them to provide suitable services.

41. We welcome the Government’s commitment to ensure that skills training is provided in a more flexible manner and to provide replacement care for people on approved training courses. We recommend that the Government ensures that this support is available for education and training courses at all levels, as carers have wide-ranging levels of training and re-skilling needs, and provision targeted only at the lowest qualified is often not appropriate for them. We believe there is a case for placing a duty on providers of training and education to ensure that they take all steps to provide for the needs of carers. (Paragraph 279)

82. The Government is committed to ensuring carers have every opportunity to ensure that their skills enable them to combine work and caring. It is working to create a more effective and integrated employment and skills system which gives adults the support they need to find sustained employment and to progress in work including funding replacement care for those on employment-related programmes operated by Jobcentre Plus who are participating in approved training.

83. Carers should be afforded the same standard and choice of training and development and as such the Care Training Code developed for social care employers is a useful tool to check that training provision will meet the needs of the individual. Additionally, the Qualifications Credit Framework, ready at the end of 2010, will offer flexible units and flexible qualifications to meet a wider variety of need.

84. Government investment for adult skills is available to support a range of courses from below level 2, to level 2 and 3 and up to level 4. This funding is prioritised towards those qualifications that equip people with the skills they need to find sustained employment and progress in their careers. Therefore the majority of planned investment, reaching £3.3billion in 2009-10, will be focused on basic literacy and numeracy, full level 2 and full level 3 qualifications. While these priorities remain, in order to respond to the skills challenges associated with the economic downturn, a range of
additional flexibilities have been introduced in the use of Government funding to ensure adults have the support they need to retrain to get back into work as well as consolidating their skills to remain in work.

85. Through the Cross Government Programme Board consideration will be given to the Committee’s recommendation regarding the support available to carers and the case for placing a duty on providers of training to provide for the needs of carers.

42. We have strong evidence that carers feel left out of the Government’s welfare reform agenda. It is also evident that Jobcentre Plus staff have not always provided effective support for people with caring responsibilities. Carers need more specialist return to work support. In order to deliver that, Jobcentre Plus needs better trained staff and specialist return to work programmes. We welcome the Government’s commitment to training for Jobcentre Plus staff and care partnership managers in every JCP district. We also welcome the commitment to investigate the feasibility of providing return to work support through third sector organisations. We recommend that the Government develops and launches pilots for employment support for carers as soon as possible. (Paragraph 288)

86. As demonstrated in the White Paper published on 10 December 2008, the Government has no intention of leaving carers out of the welfare reform agenda. One of the central aims of welfare reform is to build a system of support that has the flexibility to support all customers.

87. However, in the short-term, the Government is committed to raising the profile of carers with Jobcentre Plus. The Government is pleased the Committee has acknowledged its commitment to ensuring Jobcentre Plus staff are trained to support carers. Jobcentre Plus is training advisers to provide more effective back to work support to carers, as well as investing in Care Partnership Managers to raise awareness of carers’ needs, working with local organisations and providing access to employment programmes for all carers, irrespective of the benefit they receive, to aid the transition to work. These changes will collectively strengthen advisers understanding of the complexities around benefits for carers and care recipients.

88. Jobcentre Plus has already taken steps to improve advisers’ awareness so that they are better equipped to give a full range of advice to carers. Improved guidance and advice for advisers now covers topics such as making sure the carer receives the right financial assistance, how to obtain a Carer’s Assessment from their Local Authority, and advice on obtaining respite care to provide a break and help maintain their own health. Jobcentre Plus advisers also signpost carers to help available from Health Services.

89. The implementation of these changes is currently being planned. However, because of the relatively small numbers involved it is unlikely that the Department will pilot these changes. They are more likely to be implemented on a national basis, although their effectiveness will be monitored and, if necessary, procedures and practices will be adapted in the light of experience.

43. One-fifth of Incapacity Benefit claimants are carers. When the rules for the new Employment and Support Allowance come into force, Jobcentre Plus staff need to be fully trained to ask the right questions to ascertain whether a customer is a carer. Many
Carers will welcome tailored support to return to work. However, any approach needs to be light-touch and personalised. For some carers, their own health and/or heavy caring responsibilities will mean that work is not a possibility. (Paragraph 294)

90. The underlying principle of Employment and Support Allowance is that everyone that is able should have the opportunity to work and that people with an illness or disability should get the support they need to engage in appropriate work. Most people claiming Employment Support Allowance will be expected to take appropriate steps to help prepare for work, including attending a series of work-focused interviews with a personal adviser. Carers on Employment and Support Allowance will, therefore, be able to access the range of work-focused support available.

91. However, when developing personalised Action Plans advisers will take into account the caring responsibilities of the person alongside their opportunities for taking employment. The guidance issued to advisers recognises the position of carers and recommends that deferral provisions be considered for these customers.

44. We welcome the extension of the right to request flexible working to include carers. The right to request has been working well so far; most requests have been accepted by employers. However, awareness of the right to request for carers is still low amongst both employees and employers. We welcome the Government’s plans for an awareness raising publicity campaign. We believe this campaign needs to be targeted both at employers, especially SMEs, and employees. (Paragraph 298)

92. Successful implementation of flexible working in the workplace relies on employer and employee cooperation and trust. The Government will take steps to raise awareness of the right to request flexible working. The campaign will include informing both employers and employees of the benefits of flexible working. It will also highlight guidance available to assist in its implementation in the workplace. The recently updated guidance and the tools available on Business Link website\(^\text{10}\) can help business handle flexible working requests more effectively. There is also newly revised and updated information tailored for employees available on the Directgov website\(^\text{11}\).

45. There is evidence that a fear that a request for flexible working might not ‘go down well’ with the employer deters carers from making requests. We believe that there may be a case for strengthening employee rights in this respect. However, we recommend that the Government should evaluate first what impact an improved awareness raising campaign would make, before considering further legislative steps. (Paragraph 302)

93. Employers have a duty to consider requests for flexible working seriously and can only refuse requests on valid business grounds. All the evidence is that the law works well and there is no indication that the law needs strengthening. Indeed recent research shows that 93% of all requests from carers are agreed (CBI Employment Trends Survey 2007)\(^\text{12}\). Much of the success of the flexible working legislation is due to its light touch nature which has been accepted by employees and employers alike.

\(^{10}\) www.BusinessLink.gov.uk

\(^{11}\) www.direct.gov.uk/en/index.htm

\(^{12}\) www.cbi.org.uk/ndbs/staticpages.nsf/StaticPages/home.html/?OpenDocument
46. There is a large disparity between flexible working arrangements being offered by large employers and SMEs. Although smaller employers are more likely to agree to requests, the flexible working arrangements offered in these firms are predominately part-time jobs. Government and business need to work together to address the problem that much part-time working is in lower paid, low-skilled jobs, and as such offers limited opportunities for carers unable to work full-time. (Paragraph 308)

94. Opening up more quality jobs on a part-time basis is a key challenge for businesses and for government. The part-time pay gap is still very high - women working part-time earn 39.9% less per hour than men working full-time. This is largely because part-time working is concentrated in low-paying sectors and junior grades. The Quality Part-time Work Fund was set up to explore different approaches to tackling this problem. The impact of the projects supported by the fund is now being assessed and the results will be put to the Women and Work Commission for consideration. The Government will then decide what steps it should take based on this evidence. The Government cannot solve this problem alone - companies need to examine the strong business case for flexible working and then decide if they can afford to keep losing talented people simply because they have caring commitments.

47. We welcome the Government’s commitment to produce good practice guides for employers. We recommend that Government, through Business Link, works with employer organisations and federations to spread good practice more widely. (Paragraph 309)

95. The Government is already actively engaged in promoting good practice amongst employers. Working closely with employer organisations the Employment Law Guidance Programme has provided a number of new online tools on the businesslink.gov website and delivered an initial direct marketing-led campaign to around one-and-a-half million SMEs to encourage more use of the ‘Employing People’ pages of the website. A wide range of channels is utilised to deliver key messages to employers and government is working closely with the Acas helpline and Business Link Advisors. In addition, to deliver the changes in employer behaviour that are required work will be undertaken with a range of stakeholder delivery partners to help test guidance and tools and to support the inclusion of key messages through their business channels.

48. We welcome the Government’s commitment to review the definition of carer for the purpose of the right to request. We have heard differing views on the benefits of extending the right to request flexible working to all workers. We do not, at this stage, call for an extension in the right to request flexible working to all employees, but believe this option should be kept under review. (Paragraph 317)

96. The Government always considers whether there is a clear case for legislation and is mindful of the impact on business. Much of the success of the right to request with employers is due to its targeted nature, and that approach is being maintained. The Government first introduced the right for those with parental responsibility for children up to 6, then extended it to carers of adults and is now extending it to parents of children aged 16 and under. There are no plans to extend the right to request flexible working to all employees at this time.
49. We have also heard differing views on whether the right to request flexible working should be applicable from day one of employment, rather than after 26 weeks, as is the case now. Although we are not yet persuaded of the case for introducing the right from day one, we believe that the current 26-week rule can represent a real barrier for carers and should be reviewed. (Paragraph 318)

97. Under employment protection legislation, employees have a number of individual rights, but it is often the case that an employee must have completed a qualifying period of continuous employment to be eligible for those rights.

98. Employers feel strongly that flexible working should be something that is discussed and negotiated with employees once an employer has built a relationship of trust with the employee. The qualifying period means that work patterns can be discussed meaningfully because both sides have been working together for a while and understand the possible issues.

99. Some employers may be happy to go further in some circumstances, but that should be their choice, not a statutory obligation.

100. A Day 1 right would particularly impact on small businesses if they employed an individual and then potentially had to incur the time and expense of dealing with a request for a new work pattern soon after starting. The qualifying period allows time for probationary training before the law applies.

50. As we have recommended in previous reports, Jobcentre Plus needs to be more proactive in negotiating flexible working arrangements on behalf of its clients. We welcome the Government’s commitment to providing information about flexible working in Jobcentre Plus job banks. We also welcome the Minister for Disabled People’s statement that Jobcentre Plus staff will encourage employers to accommodate flexibility in terms of caring responsibilities. (Paragraph 323)

101. The Government is well aware that the need to work flexibly is increasingly important to a growing percentage of its clients including lone parents and carers. Currently the Jobcentre Plus vacancy taking system does not always capture all the flexibilities offered by an employer nor does it easily allow jobseekers to search for vacancies offering flexible working.

102. Action is being taken to produce a system that captures and displays flexible working opportunities and also encourages the person placing the vacancy into considering the ways that flexible working could operate.

103. The Government welcomes the Committee’s acknowledgement of its commitment to providing information about flexible working in job banks. Other steps being taken to promote and support flexible working include Local Employment Partnership, where employers agree to work with Jobcentre Plus and its partners, to provide more job opportunities for people often overlooked in the labour market. This includes carers.

104. There is a range of measures that employers are encouraged to use to help open up opportunities for people from disadvantaged groups. These include considering sympathetically the needs of potential recruits for flexible working patterns but also
adjusting recruitment processes, offering work trials or guaranteed interviews, arranging work placements, providing mentoring, linking pre-employment training to recruitment, etc.

105. Small and Medium Enterprise employers will be targeted as part of a new phase of the Employ ability campaign, due to be launched late 2009. Employ ability currently addresses perceptions about the employability of disabled people, but it is to be expanded to cover lone parents, carers and people from black minority ethnic groups. Encouraging employers to offer flexible working will be key to addressing the barriers to work for people with caring responsibilities and Jobcentre Plus will be at the heart of getting this message across.

51. Self-employment is a potential route for carers into employment who otherwise face barriers to the open labour market. We recommend Jobcentre Plus helps carers to pursue this opportunity. (Paragraph 327)

106. At present around 10% of carers in employment are self employed. The Department for Work and Pensions knows from employment surveys that many carers find being self-employed the best way to combine their caring responsibilities with paid employment.

107. Jobcentre Plus already refers thousands of people a year to a number of agencies who provide specialist advice on becoming self-employed. Referral to these agencies will continue with carers although Jobcentre Plus will seek advice from organisations currently dealing with carers and self-employment for expert advice.

52. At present, carers in employment are at greater risk of disciplinary procedures because of higher absence levels. We believe that options already available, such as emergency time off, should be better used by employers and employees. To this end, the Government should improve information and advice on emergency time off. We recommend a review of the regulations for emergency time off to allow employers and employees more flexibility to prevent carers dropping out of employment because of caring responsibilities. We recommend that Government in general and DWP in particular should act as a model employer with regard to its employment of all those with caring responsibilities. (Paragraph 334)

108. The information and advice on the right to Time Off for Dependants has recently been reviewed and amended in order to make it simpler and clearer. The right allows employees to take a reasonable amount of time off work to deal with certain unexpected or sudden emergencies. It does not require advance notice to be given to the employer and is designed to help employees to make any longer-term arrangements that may be necessary before returning to work. The Government is not aware of evidence that the legislation on emergency time off needs to be reviewed at this time.

109. The Department for Work and Pensions agrees it should be a model employer, and believes it is in this regard. It has paid special leave provision, on compassionate grounds and for domestic emergencies, which are generously applied. Carers can also have an unpaid break of up to five years and a suitable job will be available on their return.

53. Working Tax Credit (WTC) allows two groups of people to claim when working 16 hours per week rather than 30 – parents and disabled workers. We agree with the evidence presented to us that carers are a group who try regularly to combine work with
other responsibilities and face additional obstacles to work. We recommend that the Government costs the proposal to grant WTC for carers at 16 hours per week. For this proposal to work, the earnings limit for Carer’s Allowance will need to be significantly increased, as recommended above. (Paragraph 339)

110. Work incentives for carers are a complicated area, and the Government recognises the particular difficulties that they face. To support carers, the Government offers dedicated financial help in the form of Carer’s Allowance. Carers on low incomes can also apply for Working Tax Credit if they fulfil the normal eligibility conditions. The Government recognises that the present structure of Carer’s Allowance can create difficulties for some carers, and has committed to looking at possible reforms. The Government is not persuaded that the eligibility rules for Working Tax Credit should be revised, and believes that the obstacles to work faced by carers are best addressed through reform of Carer’s Allowance.

54. We recommend that the Government costs the proposals for childcare costs for carers to be eligible for the childcare element of WTC where one member of a family is entitled to Carer’s Allowance (including claimants with an underlying entitlement to Carer’s Allowance who are caring for a disabled child). (Paragraph 343)

111. The childcare element of the Working Credit exists to address childcare costs acting as a barrier to work. The eligibility rules for the childcare element reflect this, since it is targeted at families for whom childcare could otherwise prevent the family from working. Eligible working carers can claim the childcare element in the same way as other tax credits customers. Childcare support unrelated to work is available through numerous other Government schemes, such as free part-time nursery school places for three and four year olds. Support with the costs of caring for a disabled child, regardless of the parents’ employment status, is provided through the Child Tax Credit. The Government does not intend to separate childcare support provided through the Working Tax Credit from work.

55. At present, carers are not protected from discrimination in employment, training, goods, facilities, services and public services. We were impressed on our visit to Australia by the requirements placed on public authorities in South Australia to report on how they meet the needs of carers. (Paragraph 363)

112. The Government has made clear that it does not intend to extend protection against discrimination for carers as carers; or for parents as parents. It recognises the very valuable role which carers play and the additional responsibilities and challenges that people face when they act as carers – and has acted to target specific measures that support people in this position, particularly to help them balance work/life responsibilities. In particular, following the report by Imelda Walsh\textsuperscript{13} earlier in 2008, it has been decided to extend the right to request flexible working to apply to all parents of children up to the age of 16.

113. The Government will be studying the implications of the Coleman ruling further to assess what changes need to be made to the legislation as a result.

\textsuperscript{13} \textit{Right to Request Flexible Working - A review of how to extend the right to request flexible working to parents of older children} by Imelda Walsh. Published by the Department for Business, Enterprise and Regulatory Reform, May 2008 http://www.berr.gov.uk/files/file46092.pdf
56. We believe that the Coleman case will have wide-reaching implications. We hope the Government will respond to these rapidly. It should include carers in the forthcoming Single Equality Act, which would give carers the protection they currently lack in employment, the provision of goods, facilities and services and through public sector equality duties. (Paragraph 364)

114. In the light of the European Court of Justice’s judgment on Coleman, the Government has been considering the extent to which anti-discrimination legislation should provide protection from direct discrimination and harassment that arises from the victim’s association with a disabled person.

57. Placing a duty on public bodies and publicly funded service providers to carer-proof their policies would deliver the benefits to carers that the Carers Recognition Act has done in South Australia. Introducing this duty would ensure improvements in provision of services for carers, in employment, skills, social care and guidance, information and advice, that we have recommended in this report, are delivered. (Paragraph 365)

115. The Government has decided to bring together the existing three equality duties to provide significant rationalisation benefits, promote the development of more personalised public services which better meet people's diverse needs, and place the achievement of equality outcomes at the heart of public services. This new Equality Duty will help the Government move from what has in the past been perceived as a rather process-based approach to one which focuses on the achievement of outcomes. As well as race, disability and gender, the new Equality Duty will cover age, sexual orientation and religion or belief, and will also fully cover gender reassignment. There is no intention to extend the new duty to carers as carers because the Government does not believe it is appropriate to extend the Equality Duty in this way. However this decision should be seen in the light of the Government’s clear recognition of the very valuable role which carers play and the specific measures that support people in this position, particularly to help them balance work/life responsibilities.