

# **Carer Support Payment: Business and Regulatory Impact Assessment**

September 2023

# Carer Support Payment: Business and Regulatory Impact Assessment

## Title of policy

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

## Purpose and intended effect - Background, Policy Aims and Proposed Rules

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

Scottish Government estimates suggest that unpaid care is currently saving Scotland £13.1 billion per year in health and social care costs (£12.8 billion per year in social care costs, plus £320 million in health care costs).<sup>2</sup> Following the impacts of the coronavirus pandemic, where more people undertook caring roles than ever before due to face-to-face respite services reducing, the overall level and value of unpaid care being provided in the UK is likely to have increased. As the average age of the population continues to rise, the numbers of unpaid carers in the UK are also anticipated to increase.

## Origin of the benefit

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

Married women were, initially, not eligible for ICA. This reflected wider societal expectations at the time, that married women would provide care for family members. In 1986, this policy was held to be unlawful by the European Court<sup>3</sup> and the benefit was widened out to all carers regardless of their marital status. Further changes to the benefit were made in 2002, including the abolition of an upper age limit of 65 for applications. The benefit was also renamed Carer's Allowance.

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

<sup>2</sup> National Care Service (Scotland) Bill (2022) [Financial Memorandum \(paragraph 72\)](#)

<sup>3</sup> Jackie Drake successfully argued that the exclusion of married women from Carer's Allowance, where married men residing with their wives were not excluded, constituted a clear example of direct discrimination on the grounds of sex.

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

## **Devolution**

The Scotland Act 2016 gave the Scottish Government legislative competence over eleven benefits, including Carer's Allowance. The 2018 Act sets out the legislative framework for the administration of social security in Scotland and makes provision for operational functions such as managing overpayments, fraud, error and appeals. Since September 2018, Carer's Allowance in Scotland has been administered by the Department for Work and Pensions under an agency agreement in advance of the replacement benefit being introduced.

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

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

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

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

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

Since the launch of Carer's Allowance Supplement, 920,970 Carer's Allowance Supplement payments totalling £255.4 million have been made to 148,515<sup>4</sup> carers. By the end of this year, carers in Scotland continuously in receipt of Carer's Allowance will have received an extra £3,300 through the Supplement.

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<sup>4</sup> [Summary official statistics for Carer's Allowance Supplement to April eligibility date in 2023](#), published in August 2023

In October 2019, we opened applications for Young Carer Grant, the first support of its kind in the UK, providing annual grants of £359.65 (2023-24 rate) to Scotland's young carers in recognition of their caring role. The payment helps them access opportunities which are the norm for other young people. Over 8,500 Young Carer Grant payments have been made since its introduction, with a total value around £2.7 million.<sup>5</sup>

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

## **Carer Support Payment policy aims**

When we consulted in 2016 about Scottish benefits, most people who responded agreed that the new benefit should have a similar role to Carer's Allowance<sup>6</sup> – that is, it should be a benefit to provide some replacement income for unpaid carers who have caring roles which mean they are less able to take on paid work. Most people agreed it should not be a payment for the care provided but should provide some recognition for the caring role – by providing support with no requirement to look for work.

Carer Support Payment will be 'non-means tested' in the same way as Carer's Allowance. This means that a carer's income, other than from paid work<sup>7</sup>, and their household's income will not affect whether they can get the benefit, or how much they will get. Because it will be paid to people caring for at least 35 hours a week and with limited earnings, it is focused on unpaid carers who have some of the most intensive caring roles, and who are more likely to be on lower incomes.

### **Aims**

In March 2020, we published a discussion paper on the new benefit<sup>8</sup>, setting out draft aims for what the new support should do. The aims sit within the broader framework of the National Carers Strategy<sup>9</sup>. They also need to be seen in the context of wider social security provision available to carers from DWP. It is vital that

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<sup>5</sup> [Young Carer Grant: high level statistics to 30 April 2023](#), published in August 2023

<sup>6</sup> Most respondents to our 2016 consultation on social security, supported the goal we set for Scottish Carer's Assistance, that it would be 'not a payment for care [but] provide some financial support and recognition for those who choose to, or who have had to give up or limit their employment or study because of caring responsibilities'. <https://www.gov.scot/publications/analysis-written-responses-consultation-social-security-scotland/>

<sup>7</sup> Carer's Allowance is an 'income-replacement' benefit so carers may not be earning more than £132 per week (2022/23 rate) from employment, after tax, National Insurance and some expenses. More information on is available at: <https://www.gov.uk/carers-allowance/eligibility>

<sup>8</sup> [Scottish Carer's Assistance discussion paper](#)

<sup>9</sup> [National Carers Strategy](#)

DWP continue to recognise Carer Support Payment recipients as carers for the purposes of paying Universal Credit and other benefits.

The aims are:

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

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

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

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

The policy contributes to the following National Outcomes:

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

### **Case transfer**

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

- no individual will be required to re-apply for their benefit
- individuals will continue to receive the right payment, at the right time

- we will complete the case transfer process as soon as possible while ensuring it is safe and secure
- we will maintain clear communications with clients during the transfer process.

## **Carer Support Payment rules**

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

### **Policy on launch**

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

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

1. Core eligibility will mirror Carer's Allowance in that carers will need to be 16 or over, providing 35 hours of care or more a week to someone getting certain disability benefits, and not earning more than £139 per week from paid work.<sup>10</sup>
2. Payment amounts will be in line with Carer's Allowance, though carers will continue to receive additional support through Carer's Allowance Supplement.<sup>11</sup>
3. Residence requirements for receipt of the benefit will mirror those for devolved disability benefits, including the 'past presence test' which will require presence in the Common Travel Area for 26 of the past 52 weeks. The test will also be dis-applied in some circumstances, including where a person is receiving support under the Special Rules for Terminal Illness, has a refugee or humanitarian protection status, or is caring for someone who meets these criteria.
4. Carer Support Payment may be temporarily stopped in a number of situations where Carer's Allowance would be suspended or ended, reducing the need to make new applications. Carer Support Payment will continue to be paid in some situations where a qualifying disability benefit is suspended, to improve the stability of support for carers.
5. Re-determination and appeal processes and timescales will mirror the disability benefits, providing more time for carers to request a re-determination compared with the low-income benefits and clarity on timings for re-determination decisions.

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<sup>10</sup> After deductions

<sup>11</sup> Carer's Allowance Supplement will continue to be paid in the same way as now until we safely and securely transfer the awards of carers in Scotland receiving Carer's Allowance from the Department for Work and Pensions (DWP) to Social Security Scotland. Consequential amendments will provide necessary provisions for CAS to be paid to those getting CSP as well as CA until case transfer is complete

6. Eligibility will be expanded to include more carers in full-time education. In particular, the benefit will be available for the first time to people aged 20 and over in full time education at any level, and people aged 16 to 19 in full-time advanced education. As part of the national roll-out, this will also be extended to include some carers aged 16 to 19 in full-time non-advanced education in exceptional circumstances.

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

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

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

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

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

9. We are committed to introducing a new Carer's Additional Person Payment. Detailed policy is under consideration taking into account the feedback from the consultation. This payment is intended to provide an extra £10 per week for carers receiving Carer Support Payment who have a significant caring role for more than one person in receipt of disability benefits.
10. We plan to provide short-term assistance in some situations where a Carer Support Payment decision is being challenged and provide support to carers when the person they care for is challenging a decision and receiving short-term assistance. Because of the complex links the existing Carer's Allowance benefit has with support which remains reserved, we need to continue to work with the Department for Work and Pensions to consider the impacts on other benefits before finalising our plans. We plan to deliver short-term assistance and related

support for Carer Support Payment after case transfer is complete, rather than when the benefit first launches.

11. We plan to increase the period that Carer Support Payment is paid after the loss of a person being cared for from eight to twelve weeks.
12. We plan to pay Carer's Allowance Supplement alongside Carer Support Payment in future, so that carers receive a higher regular income.

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

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

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

## **Scope**

This impact assessment covers the changes to be made through regulations at launch, case transfer from Carer's Allowance to Carer Support Payment, and also looks at impacts on businesses because of our wider Carer Support Payment policy. We will continue to consider and monitor impacts through ongoing policy development and evaluation and publish further impact assessment documents with future regulations.

## **Wider context**

This Business and Regulatory Impact Assessment (BRIA) should be read in conjunction with the other impact assessments:

- Equality Impact Assessment (EQIA)
- Child Rights and Wellbeing Impact Assessment (CRWIA)
- Data Protection Impact Assessment (DPIA)
- Fairer Scotland Duty Assessment (FSDA)
- Islands Communities Impact Assessment (ICIA).



## Rationale for Government intervention

The assessment of Carer Support Payment regulations in relation to the Business and Regulatory impact was undertaken using the five principles of Better Regulation, as follows:

**Proportionate:** The Scottish Government will look to identify and minimise any identified indirect impacts. These could include administrative burdens on local government, private businesses or third sector organisations as a result of the introduction of Carer Support Payment and case transfer from Carer's Allowance.

The existing Carer's Allowance benefit is currently delivered on behalf of the Scottish Government by the DWP through an agency agreement. The number of people receiving Carer's Allowance will reduce as Carer Support Payment is delivered by the Scottish Government and carers' benefits are transferred over to Social Security Scotland. We expect that the impact in the longer term – in terms of the administrative burdens on other public agencies, private businesses and third sector organisations – will be neutral as a result.

As Carer Support Payment will replace Carer's Allowance and there will be some differences between the two benefits, in the short term, we would expect to see some impacts to carer support services and welfare advice agencies, as carers and others adapt to the new benefit and engage with these organisations with regards to eligibility requirements and the application process. We plan to alleviate these impacts by continuing to work with a range of stakeholder organisations and through our detailed communications and engagement plan for Carer Support Payment to ensure that we provide clear information and support in advance of Carer Support Payment launching, and further clear information on future changes, to reduce these impacts<sup>12</sup>. A joined-up approach will be taken on communications in relation to Carer Support Payment to develop, agree and oversee the joint communications and engagement strategy, which sets out how we will reach key audiences with the most appropriate messaging and at the right time. The plan will also identify communications needs, risks, and opportunities as far as possible, to ensure the correct course of action is taken in addressing any emerging issues or needs. We also recognise that the complex links that Carer's Allowance has with support which will remain reserved to the UK Government makes the communications and engagement around the payment even more important and this will be a key consideration in our communications around the launch and roll out of this new support.

**Consistent:** Carer Support Payment builds on the Social Security (Scotland) Act 2018 framework of a new system that is underpinned by the principles of fairness, dignity and respect. Carer Support Payment will be delivered on an entitlement basis to eligible carers in Scotland. Decision-making will be person-centred and operational and decision-making guidance for case managers within Social Security Scotland will be created in line with the rules within the regulations which will provide a framework for consistent decision making across all applications.

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<sup>12</sup> [Carer Support Payment Consultation \(www.gov.scot\)](http://www.gov.scot)

Key elements of the benefit rules for Carer Support Payment have been designed to align with those which apply to the devolved disability benefits, Child and Adult Disability Payment, including residence conditions, suspensions provisions and re-determination processes and timescales. This ensures the overall devolved benefits system is clearer and more consistent and is particularly important as the people who are cared for by the recipients of Carer Support Payment will increasingly be in receipt of the devolved disability benefits.

**Accountable:** All decisions made relating to an application for Carer Support Payment or case transfer from Carer's Allowance will be provided to clients in a consistent way. The Social Security Charter sets out, in plain and clear English, what people are entitled to expect from the Scottish social security system, including how they should be treated and how their application will be processed. Complaints regarding Social Security Scotland can be directed to the Scottish Public Services Ombudsman.

We will ensure that clients understand their right to have their decision re-determined by Social Security Scotland and to request an appeal to the First Tier Tribunal (FtT) if they are unsatisfied with the outcome of the re-determination. The timescales in which Social Security Scotland is required to carry out re-determinations are set out in the regulations. Carers will have the right to appeal directly to the FtT if Social Security Scotland is unable to complete the re-determination process within these timescales.

Clients will also be provided with information in pre-application guidance and in notifications on the use of automated decision making in Carer Support Payment and will be signposted to further information which is available in our Privacy Notice, which will cover specific information relating to Carer Support Payment as well as general information about the use of automated decision making.

**Transparent:** For Carer Support Payment, we will develop a communications strategy which will aim to ensure that clients and their families, the third sector, local government, education and health sectors and advice providers are aware of the benefit, know how to apply and understand the eligibility criteria. Similarly, our communications strategy will ensure that carers, the people they care for, and stakeholder organisations understand the case transfer process. Both carers and the people they care for will receive direct communications notifying them when the transfer of the carer's benefit has started and what to expect, and the carer will be notified when this process is complete.

Where a decision is made that a client is not entitled to assistance, Social Security Scotland will provide a reason, as set out in the Social Security (Scotland) Act 2018, to ensure that decisions are understood and that our processes are as transparent as possible.

We will also publish guidance on Carer Support Payment in a way that takes account of differing communication needs, so that entitlement is clearly understandable. Social Security Scotland will create a bank of Carer Support Payment and case transfer stakeholder resources and content in accessible formats that will be

proactively supplied to relevant stakeholder organisations through the National Stakeholder Engagement team, for organisations to distribute to people in local communities. Easy read versions will be made available and application forms can also be set out in a number of different languages or formats upon request. If applying by phone, Social Security Scotland can also provide an interpreter where English is not the applicants' first language<sup>13</sup>.

Social Security Scotland will produce communication materials in other languages on request. Social Security Scotland communications will work with community radio and foreign language press to provide messaging on Carer Support Payment to communities. In some circumstances printed marketing materials may not be the right way to engage with communities and where this is the case, we will provide an engagement approach through work carried out by the National Stakeholder Engagement and Local Delivery functions.

**Targeted only where needed:** Carer Support Payment will provide some replacement income for unpaid carers who are less able to take on paid work. It will not be a payment for the care provided, but will provide recognition for the caring role, by providing support with no requirement to look for work. Like Carer's Allowance, Carer Support Payment will be non-means tested. This means that a carer's income (other than from paid work) and their household's income will not impact whether they can receive the benefit, or how much they will get. Carer Support Payment will, however, only be available to those earning under a set threshold (after certain deductions) which ensures it is targeted at those whose ability to earn income from paid work is affected by their caring responsibilities. Carer Support Payment will also be targeted at carers who are caring for at least 35 hours a week for people who are in receipt of a qualifying disability benefit. This means that it will be focused on unpaid carers with some of the most intensive caring roles, who are more likely to be on lower incomes.

The latest estimates suggest that older working-age women are more likely to provide unpaid care than other age and gender groups. Over a quarter (26%) of females aged 45-54 and 23% of females aged 55-64 have reported providing unpaid care<sup>14</sup>. Female unpaid carers of working-age also make up most Carer's Allowance recipients<sup>15</sup>, who may be involuntarily excluded from the labour market through factors such as the current rules on earnings. As a result, unpaid carers of working-age also generally experience a higher poverty rate than both pension-age carers and their non-caring peers<sup>16</sup>.

The Joseph Rowntree Foundation have reported that a key driver of the higher rates of poverty experienced by unpaid carers and those they care for is the current UK labour market, which does not offer the flexibility and accessibility required to allow carers who want to access work to do so<sup>17</sup>. Findings from the Carers Week report on

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<sup>13</sup>Social Security Scotland – Information on Benefits: [Social Security Scotland - Benefits](#)

<sup>14</sup> [Footnotes - National Care Service - people who access adult social care and unpaid carers: evidence - gov.scot \(www.gov.scot\)](#)

<sup>15</sup> Stat-Xplore - Dataset: CA: Cases with entitlement - Data from May 2018 - Gender by Quarter and Client type - [Stat-Xplore - Table View \(dwp.gov.uk\)](#)

<sup>16</sup> [UK Poverty 2022: The essential guide to understanding poverty in the UK | JRF](#)

<sup>17</sup> [UK Poverty 2022: The essential guide to understanding poverty in the UK | JRF](#)

unpaid carer identification in June 2023 found that over a fifth (23%) of respondents reported that their caring role had affected their job or ability to work<sup>18</sup>. Many unpaid carers do however choose to work, with around 11% of unpaid carers in receipt of Carer's Allowance present in the UK workforce<sup>19</sup>. The Carer Positive scheme<sup>20</sup>, introduced in Scotland in 2014, is a Scottish Government initiative developed with the support of a partnership between private, public, and voluntary sector organisations. The scheme encourages employers to take a more flexible approach and create a supportive working environment for unpaid carers in the workplace.

We have already increased the amount of support provided to carers through our Carer's Allowance Supplement, so carers getting Carer's Allowance in Scotland get around 13% more in financial support than carers in England and Wales. Previous evaluations of Carer's Allowance Supplement<sup>21</sup> reported that the Supplement had a positive impact overall on businesses, as carers' have more money to spend, and there is a reduced risk of carers' being unable to meet ongoing living costs, which is of particular importance in the context of the current cost of living crisis. In a recent Carers Trust report, a quarter of respondents reported feeling financially worse off now than 12 months prior. The report also found that 37% of respondents reported using less energy at home to save costs and 25% reported cutting back on other essentials<sup>22</sup>. The Supplement was not considered to have any negative impacts on businesses, and we expect this to also be the case for Carer Support Payment.

The Scottish Government also published its second Benefit Take-Up Strategy<sup>23</sup> in October 2021 under the provision of the Social Security (Scotland) Act 2018. The strategy sets out Scottish Ministers' work supporting benefit take-up to date. It also introduced a series of new activities and initiatives aimed at increasing awareness of and access to Scottish benefits and supporting those who are eligible to apply. These include new funding streams for benefit take-up and income maximisation. Increasing take-up of Carer Support Payment would be expected to have a positive impact on businesses and the economy as it would mean more people are receiving the income from the benefit which they could use to purchase a range of goods and services.

Providing more accessible and stable support for unpaid carers is also intended to help carers to continue in their roles, which, as noted above, have been shown to contribute significantly to the Scottish economy as a whole.

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<sup>18</sup> [Carers Week Report 2023](#) page 25

<sup>19</sup> Source: Annual Population Survey, Jan-Dec 2019, ONS

<sup>20</sup> [Carer Positive the standard for employers in creating supportive working environment for carers](#)

<sup>21</sup> [Carer's Allowance Supplement \(Scotland\) Bill: business and regulatory impact assessment - gov.scot \(www.gov.scot\)](#)

<sup>22</sup> [Carers Week Report 2023](#)

<sup>23</sup> [Social Security \(Scotland\) Act 2018: benefit take-up strategy - October 2021 - gov.scot \(www.gov.scot\)](#)

## Consultation

### Public consultation

The public consultation<sup>24</sup> on Carer Support Payment (formerly known as 'Scottish Carer's Assistance') was open for 12 weeks, from 28 February until the 23 May 2022. During this time, 9 stakeholder events were held with a range of external stakeholders including the Coalition of Carers, Engender and ALLIANCE, in order to increase awareness of the new benefit, to provide stakeholders the chance to ask officials questions and to comment on the proposals. A total of 192 responses to the consultation were received across a range of individuals (151 responses) and organisations (41 responses). The independent analysis of the responses, conducted independently by Why Research, was subsequently published in November 2022<sup>25</sup>. The Scottish Government response to the consultation was published in March 2023<sup>26</sup>.

The consultation sought views on a number of proposals, which were split across three main sections:

- Carer Support Payment from launch,
- Extra money for carers in Scotland, and
- Changes to Carer Support Payment.

The consultation also invited views on any impacts of Carer Support Payment on businesses, noting that the Scottish Government have considered the potential business and third sector impacts of introducing Carer Support Payment. Creating a new benefit, widening eligibility, and changing some elements of how the benefit works, is likely to mainly affect carer support services and welfare advice agencies, as carers adapt to the new Social Security Scotland system and eligibility requirements, and consider applying for the new support. The Scottish Government will continue to work with stakeholders from a range of organisations to ensure that information and support is provided in advance of Carer Support Payment launch and future changes in order to reduce these impacts.

From the independent analysis of the consultation responses, 30 respondents provided comments to this question, with a few noting their agreement that the impact on businesses needs to be considered in policy development.

A key view held by a few respondents was the need for all businesses to have a basic understanding about the caring role and the impact this can have on an individual, for example, being limited in the number of hours that can be worked. One organisation noted that businesses need to be flexible and creative in their contractual arrangements, and the need for changes to working practices during the pandemic has shown this is possible. Similarly, a few respondents also noted that the consultation proposals may benefit businesses as carer employees may be able

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<sup>24</sup> [Scottish Carer's Assistance: consultation - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/consultations/scottish-carer-support-payment/consultation-analysis/consultation-analysis-2022-2023/pages/1-1-introduction.aspx)

<sup>25</sup> [Carer Support Payment: consultation analysis - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/consultations/scottish-carer-support-payment/consultation-analysis/consultation-analysis-2022-2023/pages/1-1-introduction.aspx)

<sup>26</sup> [Social Security: Scottish Carer's Assistance Consultation: Scottish Government Response - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/consultations/scottish-carer-support-payment/consultation-analysis/consultation-analysis-2022-2023/pages/1-1-introduction.aspx)

to work longer hours, resulting in benefits for both the business and the carer's mental health.

The proposals may also help to ease recruitment and retention problems experienced by some businesses. An organisation noted that:

“The increase in the earnings limit for carers and the increase in hours that carers are able to work could benefit employers. There have been workforce shortages with recruitment and retention of staff remaining challenging in the public, third sector and independent sector. While not all carers will be able to work, it will depend on their individual circumstances, but those who can may help ease the workforce challenges across the sectors while improving their financial situation. The pandemic has taught that standard work patterns can change; hybrid working and working from home are attractive options and offer flexible arrangements that may suit some carers. The impact on business in each of the sectors will require them to become flexible and creative in their contractual arrangements with staff.”

A very small number of respondents, mostly organisations, suggested that there would be economic benefits from these proposals. A third sector organisation noted that carers could be more socially and economically active in their communities, and a local authority perceived those increased benefits will mean more spend in local businesses.

The need for advice and support activities was highlighted by a few respondents. One organisation suggested that guidance should be provided to businesses regarding the employment of carers and an individual respondent noted that carer organisations can advise businesses on how to support carers within their workforce. There were also a few references to removing the earnings threshold and/or revising the number of hours a carer can work before their benefits are impacted.

## **Within Government**

Internally, a series of workshops and ongoing engagement have been undertaken in the development of Carer Support Payment, including ahead of the Multicriteria Analysis process which informed the proposals set out in the public consultation, as well as in developing the consultation itself. This has included in particular colleagues in Health and Social Care, Education, Employability, and wider Social Security policy, as well as Social Security Scotland, Social Security Social Research and the Social Security Analysis, Forecasting and Evaluation (SSAFE) unit.

In developing the detail of Carer Support Payment policy and the design and delivery of systems, workshops and regular engagement have been also ongoing with internal stakeholders such as operational colleagues within Social Security Scotland, other policy colleagues, analytical colleagues and colleagues within Programme delivery. In addition to this, policy officials have also regularly engaged with policy counterparts within the DWP and Northern Ireland Department for Communities. Regular updates have also been provided to the Minister and decisions sought at regular points on key areas of policy.

As part of engagement with Programme delivery colleagues, areas of policy have also been regularly user-tested with carers, cared for persons and carer support organisations.

## **Carer and stakeholder consultation**

In addition to the public consultation and engagement events, both surveys and interviews were conducted with Experience Panel members by Social Researchers within the Scottish Government and the findings published in the Social Security Experience Panels Report<sup>27</sup>. Though many did not comment on the impact on businesses or the third sector specifically, there were a few comments made regarding the importance of widely advertising Carer Support Payment proposals and the eligibility criteria, in recognition of the fact that many unpaid carers are not aware of the support – either financial, respite or otherwise – available to them. Other comments made in relation to this included:

“Let people know it is available. Carers often miss out as they are not aware there is a benefit. I missed out for a long time, until advised by [my] council's welfare reform team.”

- (Survey respondent)

“It must be more widely advertised and simpler to understand if you qualify. Many do not go near a carers centre because it is [viewed as being] mostly for older people.”

- (Survey respondent)

A small number of respondents suggested that the process to notify a carer's change of circumstances and change of carers benefits should be simplified. They also noted that clear information and simplified processes regarding these benefit changes, their new rules and their eligibility criteria should be put in place. Comments in support of this included:

“Just a plea to make the transition as seamless and admin free as possible. So many carers have had a tough couple of years and are already inundated with paperwork, appointments and reviews for the person they care for.”

- (Survey respondent)

“Please make sure as much as possible that changes in circumstances where a person will continue to be entitled to claim (but perhaps caring for a different person) will not lead to other benefits being ended in the meantime. Currently, this can mean being moved off legacy benefits onto new benefits which might make you worse off or leave you with a big gap and no money.”

- (Survey respondent)

Finally, a number of comments were made in support of increasing the rate of Carer Support Payment and also the earnings threshold. These included:

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<sup>27</sup> [Social Security Experience Panels - Carer Support Payment: main report - gov.scot \(www.gov.scot\)](http://www.gov.scot)

“[Reducing the earnings threshold] would reduce it [inequalities] slightly. But there are still people who will be penalised because they will have to work and they have to earn a certain amount to pay their own living expenses and they will still be penalised and expected to drive themselves into the ground because they don’t get any support and I do think that the fairer way would be to pay everybody, regardless of how many hours per week, because they are caring. And give them a living wage for that caring time. But obviously that would bankrupt the government completely because they have been getting away with treating us like rubbish for the last 40 years; but in an ideal world we should be compensated, however long we spend caring, and we should be compensated at a reasonable wage.”

- (Interview participant)

“Make it realistic and fair. Pay carers for the hours they care for by way of a living hourly wage. Carer’s Allowance payment must not be discriminatory and based on capped earnings but base it how many hours the cared for individual is receiving.”

- (Survey respondent)

Two surveys regarding the case transfer process were sent out to Experience Panel members in January and February 2019. 404 and 559 responses were received, respectively. A series of individual and group interviews were also conducted. Results from both surveys and the interviews were published in 2019<sup>28</sup>. These surveys confirmed that of most importance to panel members was that they continue to receive the correct payment at the correct time.

The Scottish Government has also undertaken ongoing consultation with stakeholders through the independent Disability and Carer Benefits Expert Advisory Group (DACBEAG). DACBEAG was chaired by Dr Jim McCormick and comprised individuals with significant practical experience of the United Kingdom social security system, from a range of professional backgrounds. It was independent of the Scottish Government. The Group’s role was to advise Scottish Ministers on specific policy options for disability assistance and carer benefits due to be delivered in Scotland. In addition to this, the views of people with lived experience have been captured through a range of user research with Carer’s Allowance case transfer clients.

## **Business**

A total of 41 organisations responded to the public consultation in 2022. This included a range of campaigning and advocacy services, the third sector and local authorities<sup>29</sup>. As above, a number of stakeholder events were held with a range of external stakeholders in tandem with the public consultation, including the Coalition

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<sup>28</sup> See [findings from DWP benefits case transfer process survey](#) and [Social Security Experience Panels; designing the case transfer process \(gov.scot\)](#)

<sup>29</sup> Respondent profile, p.13 [Scottish Carer’s Assistance: Independent Analysis of Responses to Consultation \(www.gov.scot\)](#)



of Carers, Engender and ALLIANCE, in order to increase awareness of the new benefit, to provide stakeholders the chance to ask officials questions and to comment on the proposals.

As part of this policy development, we have also engaged every quarter with our Carer Benefits Advisory Group (CBAG) stakeholders, which includes representation from Carers Scotland, Carers Trust, Minority Ethnic Carers of People Project (MECOPP), Social Work Scotland, VOCAL, Connecting Carers, One Parent Families Scotland, Engender, Child Poverty Action Group, the Convention of Scottish Local Authorities (COSLA) and Citizens Advice Scotland.

## Options

### Option 1 - Do Nothing:

The Scottish Government could take a 'do nothing' approach to the introduction of Carer Support Payment.

The transfer of powers to Scotland to make provision for Carer Support Payment is set out in the Scotland Act 2016 and Social Security (Scotland) Act 2018. Therefore, not taking over powers from the DWP was not considered to be a viable option.

If the DWP were to stop making Carer's Allowance payments to Scottish clients and the Scottish Government did not provide a benefit to replace this provision, then over 83,000<sup>30</sup> carers entitled to Carer's Allowance would be worse off as they would no longer receive a payment. Carers with 'underlying entitlement' to Carer's Allowance may also lose out on additional support provided in other benefits in recognition of their caring role. As noted previously, this number is forecast to increase over time. Therefore, not taking over powers from the DWP was not considered to be a viable option as carers would lose out on essential support.

**Benefits:** There are not expected to be any benefits to this option.

### Option 2 - Introduce Carer Support Payment on same basis as current DWP provision:

If Carer Support Payment were to reflect current DWP provision, it is not considered that this would be in line with our social security principles, or consistent with how our existing benefits are delivered. Social Security Scotland ensures that the principles of dignity, fairness and respect are at the heart of its work. Of particular importance is the principle that 'social security is a human right, essential to the realisation of other human rights'. The Scottish Government committed to a rights-based approach at the heart of everything it does; from policy development and service design, all the way through to the delivery of benefits, the way that agency

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<sup>30</sup> [Summary statistics for Carer's Allowance Supplement, April eligibility date 2023 and Carer's Allowance, Disability Living Allowance, Attendance Allowance and Severe Disablement Allowance at February 2023](#)

staff are recruited and trained, and the interaction between staff and the people who use the new service<sup>31</sup>.

While Carer Support Payment will broadly mirror Carer's Allowance when it first launches to protect the safe and secure transfer of benefits for carers in Scotland who are already receiving Carer's Allowance and to avoid creating a 'two-tier system' where people are treated differently between the two benefits, there are a number of changes which can be made from launch to improve how carers are supported. Carer Support Payment will deliver an improved service from launch, designed with carer and support organisations and in line with our aim to ensure carers have a positive experience of the social security system, and providing links to wider services to help carers access all the support to which they are entitled. This will include a reduced past presence test so that carers can access support more quickly, and changes to the rules on receiving the benefit while in full-time education which will allow more carers can study and continue to receive support. In line with the devolved disability benefits we will also take a different approach from Carer's Allowance in terms of re-determinations and appeals processes and providing clear timescales for these to be undertaken in.

**Benefits:** There are not expected to be any particular benefits to the option of introducing Carer Support Payment on exactly the same basis as Carer's Allowance, for the reasons set out above. However, we appreciate that replicating exactly how Carer's Allowance works now may be clearer initially for existing benefit recipients, welfare advisors and wider organisations working with carers and the people they care for, and would avoid a short period where eligibility will differ within Scotland during the pilot phase of delivery. In general, Carer Support Payment will mirror current Carer's Allowance eligibility and rules to support safe and secure transfer of benefits for existing clients and avoid differential treatment. In addition, certain elements of the existing Carer's Allowance benefit have been maintained that are viewed positively by existing recipients, for example the trust-based approach applications, where carers self-report caring hours.

### **Option 3: Introduce Carer Support Payment (recommended option):**

**Proposed:** The Scottish Government proposes the introduction of Carer Support Payment and the safe and secure transfer of clients in receipt of Carer's Allowance in Scotland, onto Carer Support Payment.

The Scottish Government will make first payments of Carer Support Payment when it launches a pilot in winter 2023, with phased rollout from spring 2024 incorporating all the improvements set out previously. The Scottish Government will transfer entitlement of clients in receipt of Carer's Allowance in Scotland, safely and securely, in line with its published case transfer principles.

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<sup>31</sup> <https://www.gov.scot/policies/human-rights/embedding-human-rights-in-our-work/>

## **Sectors and groups affected:**

The impact of Carer Support Payment and the case transfer process is going to be dispersed across the country and sectors of the economy. The Scottish Fiscal Commission's forecast for Carer Support Payment published in May 2023 and revised in June 2023<sup>32</sup> included a formal forecast for Carer Support Payment for the first time, estimating expenditure of £486 million in 2024-25 (including Carer's Allowance Supplement), rising to £615 million in 2027-28 (including both Carer's Allowance Supplement and the planned Carer's Additional Person Payment).

As noted previously, there may be some potential impacts on welfare advice and support services, however we plan to mitigate this through our ongoing engagement with carer stakeholder organisations, and by providing stakeholders with clear information and communications around any changes to support.

An information sharing process will also be in place between the Scottish Government and external stakeholders – including the Department for Work and Pensions (DWP) the Ministry of Defence (MoD), His Majesty's Revenue and Customs (HMRC) and Local Authorities – to ensure all communications between departments is as seamless as possible and to support with the overall transition from Carer's Allowance to Carer Support Payment in Scotland.

### **Department for Work and Pensions**

The Scottish Government and the DWP will share data with each other to support delivery of Carer Support Payment. This data sharing arrangement is required to assess eligibility for support, ensure accurate determination on cases are made and to ensure that clients' receipt of Carer Support Payment affects awards of DWP income-related benefits in the right way, and that receipt of DWP income replacement benefits affects Carer Support Payment in the right way.

### **Ministry of Defence**

The Scottish Government and the MoD will share data with each other to support delivery of qualifying benefits. This data sharing arrangement is required to assess eligibility for support, and prevent double payment where clients are entitled to both Carer Support Payment and any 'overlapping benefits' administered on behalf of the MoD.

### **HMRC**

The Scottish Government will share award data with HMRC for HMRC to ensure that carers receive the right amount of National Insurance credits and can be treated appropriately in relation to eligibility for other HMRC support such as Tax Credits and Tax-Free Childcare. The Scottish Government will also retrieve earnings data from HMRC on Carer Support Payment clients who are in employment to support assessment of the earnings of clients to apply the Carer Support Payment eligibility criteria.

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<sup>32</sup> [Scotland's Economic and Fiscal Forecasts – May 2023 – Scottish Fiscal Commission](#)

## **Local authorities**

The Scottish Government will share award data with Local Authorities to ensure the client receives appropriate support from the local authority areas in which they reside. This includes council tax reduction and changes to housing benefits.

## **Regulatory and EU Alignment Impacts**

### **Intra-UK Trade**

The introduction of Carer Support Payment is not expected to have impacts on intra-UK trade. However, it is worth noting that carers would not be able to receive Carer Support Payment if they are living outside of Scotland but elsewhere in the UK. People living elsewhere in the UK will get Carer's Allowance even if they have links to Scotland. This would include carers living in England and caring for someone who lives in Scotland. People who are receiving Carer Support Payment who move from Scotland to the rest of the UK can be paid a 13-week run on of Carer Support Payment to prevent gaps in support while they apply for Carer's Allowance elsewhere in the UK.

### **International Trade**

The introduction of Carer Support Payment is not expected to have impacts on international trade and investment. However, it is worth noting that the same rules around 'exportability' – eligibility to receive support outside the UK – are expected to apply for Carer Support Payment as they do for Child and Adult Disability Payments which are also provided by Social Security Scotland, and to Carer's Allowance. Carer Support Payment would need to be classified by the EU Administrative Commission as a cash sickness benefit for it to be exportable. This would mean that some carers may be able to receive Carer Support Payment outside of the UK if they are living in the European Economic Area, Switzerland, or Gibraltar, and they have a 'genuine and sufficient link' to Scotland<sup>33</sup>. They would need to be covered by agreements the UK Government has made with the European Union, Ireland, or Gibraltar<sup>34</sup>. To be covered by the European Union agreement, carers from the UK would need to have been living outside of the UK since before the UK left the European Union on the 1st of January 2021. This is to be agreed with the EU Admin Commission.

Carers may also receive support outside of the UK if they are a civil servant, serving member of the armed forces, aircraft worker, mariner or continental shelf worker, or

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<sup>33</sup> Carers may have a 'Genuine and sufficient link' if they do not live in Scotland but have links to the country. This may be because, they, or a family member have spent a significant part of their life in Scotland.

<sup>34</sup> Some carers will be able to get Carer Support Payment outside of the UK if they are covered by the Withdrawal Agreement the UK Government made with the European Union before leaving. Carers may be covered if they are a European Economic Area or Swiss national who moved to the UK before the 1st of January 2021, or a UK national who moved to a European Economic Area country or Switzerland before the 1st of January 2021, or if they are moving to join a family member who moved before this date. Ireland and Gibraltar have their own agreements with the UK Government. British or Irish nationals who have moved to Ireland from the UK may be able to get Carer Support Payment regardless of when they moved if they have a genuine and sufficient link to Scotland. People of any nationality living in Gibraltar who moved there from the UK may also be able to get Carer Support Payment regardless of when they moved if they have a genuine and sufficient link to Scotland.

their family member. In these cases, Carer Support Payment would continue to be paid by Social Security Scotland.

## **EU Alignment**

The introduction of Carer Support Payment is not expected to have any impacts on the Scottish Government's policy to maintain alignment with the EU though the same exportability rules outlined above are expected to apply.

## **Scottish Firms Impact Test**

Scottish businesses, including third sector organisations, were given the opportunity to respond to the public consultation on Carer Support Payment (formerly 'Scottish Carer's Assistance') earlier this year and to the 2016 consultation on Social Security in Scotland. A total of 41 third and public sector organisations responded to the consultation, from a range of local authority, welfare rights and advocacy advice services. The consultation proposals were generally well received by organisations, especially in relation to the proposed future changes.

A number of stakeholder events were also run alongside the consultation to increase its awareness and engagement, and for organisations to provide initial thoughts and increase their members' engagement with the consultation proposals. This included stakeholder groups such as the Coalition of Carers, Engender, Carers Scotland and ALLIANCE.

As noted previously, as with creating any new benefit, widening eligibility, and changing elements of how the benefit works, it is expected that there will likely be impacts to carer support services and welfare advice agencies, as carers adapt to Carer Support Payment and the widened eligibility requirements and consider applying for this new support. Similarly, it is expected that the transfer of benefits for some clients from Carer's Allowance to Carer Support Payment could cause some additional requests for information and support from existing advice services.

It should also be noted that third-sector welfare advice services may also still be feeling the impacts of the recent pandemic and an overall increase in demand for services<sup>35</sup>, so we will take proactive steps to alleviate these impacts. This will be achieved by continuing to work with stakeholders from a range of organisations to ensure that we provide clear information, communications and support in advance of the launch of Carer Support Payment, case transfer, and future changes. This work has included user research and testing of decision-making guidance with third sector organisations who provide welfare advice. As with the introduction of other new devolved forms of social security, a number of public 'roadshows' will also take place to inform carers and wider stakeholders about the new benefit, the case transfer process, and encourage eligible carers to apply. By transferring client awards automatically, this will reduce the administrative burden on carers and support organisations, while communications to case transfer clients will contain signposting to further support from Social Security Scotland, so individuals fully understand the transfer process.

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<sup>35</sup> [Evidence round up: Third sector impacts and looking ahead - Policy Scotland \(gla.ac.uk\)](https://www.gla.ac.uk/policy-scotland/evidence-round-up-third-sector-impacts-and-looking-ahead)

Following the launch of Carer Support Payment, an annual client evaluation is planned to monitor how the new benefit is working in practice, to identify any unintended consequences at an early stage, and to gauge any requirement for continuous improvement. The Scottish Government will also continue to ensure that carer voices and experiences are reflected in policy development by continuing to work with the Carer Benefits Advisory Group to monitor any arising issues raised by either group or in any Ministerial correspondence. This will be a continuous improvement process and where any unintended consequences are identified, steps will be taken to rectify them as early as possible.

The Scottish Government will also put in place a monitoring and evaluation plan for Carer Support Payment prior to implementation and will engage with stakeholder organisations in developing this plan. Our strategy for evaluating the initial policy impact of social security benefits devolved to Scotland were published in November 2019<sup>36</sup> and a separate strategy for devolved disability assistance in October 2021<sup>37</sup>. The approach set out in these strategies will allow us to consider the impact of key policy changes, maximising learning across the system.

## Competition Assessment

The Scottish Government does not believe that Carer Support Payment or the case transfer process will have an adverse impact on the competitiveness of Scottish companies or the third sector within Scotland, the UK, or elsewhere in Europe or the rest of the world. Carer Support Payment and case transfer will not directly or indirectly limit the number of suppliers, nor does it limit the ability of suppliers to compete or reduce suppliers' incentives to compete vigorously.

The Scottish Government does not expect there to be any significant impacts on the operational business of local authorities, welfare advice services or health boards because of the introduction of Carer Support Payment. As noted above, there may be some impacts on businesses and third sector organisations operating in Scotland in relation to the way Social Security Scotland delivers this new devolved benefit in comparison to Carer's Allowance – for example, with more carers accessing welfare advice and support organisations for information regarding the new benefit or the case transfer process, and also positive impacts including future changes to the earnings threshold meaning carers can work and earn more in personal income. These impacts could be both positive and negative and it is not possible to identify all possible impacts at this stage. As noted previously, the Scottish Government would also alleviate these impacts by providing clear communications and information to stakeholders.

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<sup>36</sup> [Devolved benefits: evaluating the policy impact - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/devolved-benefits-evaluating-the-policy-impact/pages/2.aspx)

<sup>37</sup> [Devolution of disability benefits: evaluation strategy - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/devolution-of-disability-benefits-evaluation-strategy/pages/2.aspx)

**Table: Overview of Competition Assessment for Carer Support Payment**

<b>Assessment question</b>	<b>Response</b>
<ul style="list-style-type: none"><li>• Will the measure directly or indirectly limit the number or range of suppliers?</li></ul>	No
<ul style="list-style-type: none"><li>• Will the measure limit the ability of suppliers to compete?</li></ul>	No
<ul style="list-style-type: none"><li>• Will the measure limit suppliers' incentives to compete vigorously?</li></ul>	No
<ul style="list-style-type: none"><li>• Will the measure limit the choices and information available to consumers?</li></ul>	No

## **Test run of business forms**

No new business forms will be brought in with the implementation of the proposed legislation. A new form for new applicants to the benefit will be introduced. This form will only be introduced after extensive user testing. It will be possible to make applications online, by post or by telephone. Support from Social Security Scotland with applications will also be available in all local authority areas.

## **Legal Aid Impact Test**

During the Carer Support Payment (formerly 'Scottish Carer's Assistance') consultation process, the Scottish Government also considered potential impacts on legal aid, and do not consider it is likely to increase the number of people requiring use of legal aid, given the likely rate of challenges to decisions about Carer Support Payment eligibility. Similarly, we anticipate there will be a very low rate of challenges to decisions as part of the case transfer process and therefore a minimal impact on legal aid.

## **Enforcement, sanctions and monitoring**

There are anticipated to be no new burdens for businesses, local government or the third sector generated by these Regulations.

## **Implementation and delivery plan**

Carer Support Payment Regulations will be introduced from the end of 2023 with a phased national roll-out from spring 2024. Carer Support Payment will launch initially

in pilot areas to allow for testing of systems and processes on smaller volumes of applications, to ensure safe and secure delivery. A communications strategy will be developed in advance of the launch of Carer Support Payment and the transfer process, which will ensure that eligible unpaid carers, the third sector, local government, education sectors and welfare advice organisations are aware of the benefit, understand the eligibility criteria, as well as understanding how and when their award will transfer (if relevant). Social Security Scotland will handle all aspects of the individual's transfer to minimise stress and anxiety.

Once Carer Support Payment has launched, we will continue to monitor take-up of the benefit and consider our approach to maximising this. Carer Support Payment acts as a key opportunity for the Scottish Government to improve support for carers and will help to achieve the Scottish Government's key aims for carers.

## **Post-implementation**

The Scottish Government will put in place a monitoring and evaluation process for Carer Support Payment prior to implementation. Once live, on-going stakeholder engagement with key stakeholders will also provide the Scottish Government with an opportunity to monitor the impact of the policy.

## **Summary and recommendation**

### **Option 3 – to introduce Carer Support Payment as recommended**

In summary, Carer Support Payment will provide the Scottish Government with an opportunity to recognise the role of unpaid carers by improving the support available in Scotland and widening eligibility so that more carers can receive support. Any investment in unpaid carers will also contribute to an additional investment to the Scottish economy. The safe and secure transfer of awards from Carer's Allowance to Carer Support Payment will ensure awards are transferred automatically and payments are protected.

The Scottish Government have worked closely with stakeholders to develop the policy and will continue to do so until the Carer Support Payment is implemented and beyond, monitoring the success of Carer Support Payment once live, initially in the pilot areas and later across the whole of Scotland. The consultation provided businesses and the third sector further opportunities to comment on any potential impacts of Carer Support Payment.

Any impacts on businesses of the Carer Support Payment Regulations are estimated to be either positive or neutral.



## Declaration and Publication

The Cabinet Secretary or Minister responsible for the policy (or the Chief Executive of non-departmental public bodies and other agencies if appropriate) is required to sign off all BRIAs prior to publication.

- Sign-off for Final BRIA:  
I have read the Business and Regulatory Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits, and impact of the policy, and (b) that the benefits justify the costs. I am satisfied that business impact has been assessed with the support of businesses in Scotland.

**Signed:** 

**Date:** 28 August 2023

**Minister's name:** Shirley-Anne Somerville MSP

**Minister's title:** Cabinet Secretary for Social Justice

**Scottish Government Contact point:** Lynn Shaw, Carer Benefits Policy Unit



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Any enquiries regarding this publication should be sent to us at

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