

Queen's Speech 2019:

What it means for carers

Summary

This briefing sets out the most relevant pieces of legislation in the Queen's Speech, what they would mean for carers and Carers UK's view.

Each year the Queen opens a new session of Parliament with a speech setting out the Government's legislative plans for the forthcoming session. This year's speech set out over 20 pieces of legislation or draft legislation for 2019-20. Alongside Bills relating to Brexit, there are proposed Bills on the NHS, domestic abuse and key mentions of reform such as social care and employment.

For more details about legislation and other measures in the Queen's Speech 2019 visit:

<https://www.gov.uk/government/publications/queens-speech-2019-background-briefing-notes>

Legislation

NHS Legislation

Government has said that, *"new laws will be taken forward to help implement the National Health Service's Long Term Plan in England"*.

Earlier in the year, the NHS consulted on new legislation that would help take the Long Term Plan forward. If these proposals are accepted by Government, this would include new legislation to support integration, for example. Government has said that this will be published as draft legislation in due course.

What this means for carers:

Carers UK responded to the NHS England consultation on proposed legislation in April 2019. Neither of our key points about carers were evident in NHS England's proposals submitted to Government in September for legislation. These two key points were:

- **Government should take the opportunity to place a duty on NHS bodies to identify carers and to promote their health and wellbeing.**

Carers UK has argued that this would help balance the legislative basis between health and social care and is essential for any basis going forward for integrated care. The rights in the Care Act 2014 give carers parity of esteem in social care i.e. similar rights to people needing care and are clearly codified. Yet NHS legislation barely refers to carers explicitly. Carers UK has long campaigned for the NHS to incorporate this duty for decades, working with Private Members' Bills and other mechanisms to see this introduced.

- **Explicit inclusion of carers where patients and the public engagement is mentioned/required in legislation:** Often the NHS refers to "patients and the public" without mentioning carers. Where there are committees, duties to consult, etc. the NHS legislation should include a specific reference to carers.

Carers UK believes that to ensure that the NHS reaches its' ambition to become 'carer-friendly', it must have the right legislative base to take this forward. We will be stressing to Government that this needs to be in primary legislation.

Carers UK's response in April 2019 to NHS England's proposals for legislation:
<https://www.carersuk.org/for-professionals/policy/policy-library/carers-uk-consultation-response-to-nhs-england-implementing-the-nhs-long-term-plan-proposals-for-possible-changes-to-legislation>

Adult Social Care

The Queen's Speech contained the proposal that the Government would, *"bring forward proposals to reform adult social care in England to ensure dignity in old age."*

This takes forward the pledge by the Prime Minister in his first speech on the steps of Downing Street to end the care crisis. The briefing from Government states, *"putting social care on a sustainable footing is one of the biggest long-term challenges facing society"*. It highlights the costs and risks to individuals, mainly older people, but also mentions the growing pressure on budgets to provide support for working age disabled people.

Government has pledged *"to bring forward substantive proposals to fix the crisis in social care to give everyone the dignity and security they deserve. This will include setting out legislative requirements."*

How would this affect carers? What's our view?

We are pleased that something as vital as funding social care has made it into the Queen's Speech. However, we are disappointed that in presenting social care reform, Government's

background briefing did not mention carers and the vast contribution that they make, as well as the impact that good quality social care can make on their lives, improving their ability to work, sustain good relationships and look after their health and wellbeing. How the proposals shape up, what they offer, will depend on how much carers are supported. Going forward, carers must be explicitly referred to in Government statements and proposals on social care.

In the medium and longer term, we need to see care free at the point of delivery under a system of pooled risk, funded through taxation. It needs to include working age disabled people as well as older people and it needs specific measures to support carers – funding for carers’ support and breaks, an increase in Carer’s Allowance and associated means-tested premia to match Scotland and new rights in the workplace to support paid care leave.

We also want to see action delivered urgently on these “substantive proposals”. Having waited so long for a Green Paper which has not yet materialised, it is vital that we see delivery quickly.

Employment Reform

Along with an Employment Bill to distribute tips fairly, the main reference to employment is around employment reform. *“Government will take steps to make work fairer, introducing measures that will support those working hard.”* This includes taking forward the Good Work Plan. The Government’s briefing states that, *“workers will have access to the rights and protections they deserve”* and that Government, *“will increase the fairness and flexibility in the labour market by stopping employers and workers experiencing significantly different outcomes from flexible forms of working.”*

How will this affect carers?

Carers UK has responded to the consultation on flexible working welcoming many provisions, but also setting out our clear message that “family” needs to be clearly and explicitly defined as also meaning care for adults who need support because of disability, illness or who are older, not just non-disabled children. The Government is consulting on whether employers with over 250 employees should be required to publish their policies on flexible working and leave, which Carers UK would also include the unpaid leave provisions for emergencies for dependents. It could improve the identification of and support for carers in the workplace if this was taken forward, reflecting growing needs with our ageing population.

However, we have also argued that proposals for employment reform need to include a right to paid care leave of between 5 and 10 days per year. Carers UK has good evidence from leading employers, such as Centrica, that this can deliver positive economic benefits.

Domestic Abuse Bill

There was a reference to legislation that would, *“transform the approach of the justice system and other agencies to victims of domestic abuse”*.

Having been published in draft form, this would now progress to a Bill through Parliament. It would create a new definition of domestic abuse including *“creating a statutory definition of domestic abuse, emphasising that domestic abuse is not just physical violence, but can also be emotional, coercive or controlling, and economic abuse”*. It would establish the new position of a Domestic Abuse Commissioner. The Bill would apply to England and Wales in the main, but with a single provision applying to England only.

How would this affect carers?

At times, coercive, controlling and economic abuse happens when there is a caring situation. Carers UK has emphasised that this is often the result of an underlying relationship issues, rather than being caused by caring itself. There are also instances of where this behaviour can be towards carers, as well as towards the person needing care.

Carers UK has been in discussions with other key voluntary sector organisations about the legislation.

Mental Health Reform

The Queen’s Speech pledged to work to reform the Mental Health Act to improve the respect for and care for those receiving treatment. This promises the publication of a White Paper by the end of the year.

What does this mean for carers?

This may affect carers supporting people with mental illness in a number of different ways. There will be new measures for advance statements, for example. Carers UK will provide further briefing when the Government has responded to the consultation.

Other mentions – National Living Wage Increase

The work under the employment reform section also refers to the rise in the National Living Wage, the details of which will be outlined in the next Budget. Whilst welcoming this provision overall, Carers UK has contacted the Department for Work and Pensions expressing our concern that this will further disadvantage carers unless the earnings limit for Carer’s Allowance is regularly increased and aligned with the equivalent of 16 hours of the National Living Wage.

What next?

Carers UK will be providing detailed briefings on the legislation with most relevance for carers and will be briefing Parliamentarians on the impact of legislation on carers and their families.

Contact us

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