

Queen's Speech December 2019: What it means for carers

Summary

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

The Queen's Speech opens a new session of Parliament, and sets out the legislative plans for the next session. This year's speech set out over 30 new bills. Alongside Bills relating to Brexit, there are proposed Bills on the NHS funding and to implement the NHS Long Term Plan an Employment Bill and a key mention of creating a cross party solution to reform of social care.

Carers UK welcomed the announcement of measures to introduce a new entitlement to one weeks leave for unpaid carers. We have tirelessly campaigned for the introduction of the right to care leave, which we believe this should be paid, to support the 5 million working carers.

Full the text of the full speech and background briefings on the proposals in the Queen's Speech December 2019 visit: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853886/Queen s Speech December 2019 - background briefing notes.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/853886/Queen_s_Speech_December_2019_-_background_briefing_notes.pdf)

Legislation

Employment Bill

The Government announced they will introduce an Employment Bill that *"will enhance workers' rights, supporting flexible working, extending unpaid carers' entitlement to leave and ensure workers keep their hard earned tips"*

Key measures to be included within the Bill will be introducing an entitlement to one weeks leave for unpaid carers; allowing parents to take extended leave for neonatal care; and creating a new, single enforcement body, offering greater protections for workers. The Government will also consult and consider making jobs flexible as the default.

How will this affect carers?

Carers UK has campaigned for the right to care leave, which we believe should be paid. We estimate there could be as many as 5 million people in the UK juggling working and unpaid caring – it can be a real challenge balancing both. For some an impossible one with 2.6 million

people already having to leave their job to care for a loved one. We believe this is beneficial for both carers and employers. Supporting more carers to stay in work by helping reduce tiredness, stress levels and enable them to look after the emotional and physical health, for employers helping to improve staff wellbeing which will help increase productivity and staff retention.

From our previous work we know the ability to work flexibly is hugely important to working carers. We welcomed the announcement to consult on offering jobs flexibly as a default, to encourage more employers to advertise and offer jobs flexibly. Carers UK also responded to the consultation earlier in the Autumn on flexible working, we would like to see the Bill include provisions to require all companies with over 250 employees to publish their policies on flexible working and leave.

This legislation would affect carers in England, Wales and Scotland. Northern Ireland normally has separate legislation which follows.

NHS Legislation

The Queen's Speech announced that the NHS's multi-year funding settlement, agreed earlier this year, will be enshrined in law. This will be the "*£33.9 billion increase in cash terms by 2023-24*" announced in the previous parliament.

Earlier in the year, the NHS consulted on new legislation that would help take the Long Term Plan forward. The Queen's Speech announced that the Government is reviewing the recommendations made by the NHS, following this they will bring forward draft legislation that will accelerate the Long Term Plan.

The Government also announced that it will provide free hospital parking for those in greatest need. These group will be carefully defined subject to a more detailed assessment of financial impact and those already identified in the NHS Car Parking Principles. This will include "*blue badge holders; frequent outpatient attendees; visitors with relatives who are gravely ill or have an extended stay in hospital, or carers of such where appropriate and; staff working shifts that mean public transport cannot be used.*"

What this means for carers:

Carers UK responded to the NHS England consultation on proposed legislation in April 2019. Overall, we believe that the NHS needs to do more to ensure that carers are routinely recognised and supported throughout the NHS, systematically and systemically. There were two key measures that we wanted to be included in the proposals. We believe this should be a duty on NHS bodies to identify carers and to promote their health and wellbeing. The rights

in the Care Act 2014 give carers parity of esteem in social care. Yet NHS legislation barely refers to carers explicitly. Carers UK has long campaigned for the NHS to incorporate this duty, and will continue to put forward the case for the NHS to recognise and identify carers.

The second area is explicit inclusion of carers where patients and the public engagement is required in legislation. Often committees and duties to consult refer to “patients and the public” without mentioning carers. We believe the NHS Long Term Plan legislation has the potential to include a specific reference to carers.

We know that hospital parking costs can be astronomically high and a huge source of stress for carers worrying about their loved one’s appointment, or visiting them in the hospital. Carers UK has campaigned to see hospital car parking charges abolished through Park the Charges campaign, so we welcomed the mention of carers of people needing care. But we will want to ensure that car parking fees is available to all unpaid carers, and the system is easy for them to navigate.

This would affect carers in England only.

Adult Social Care

The Queen’s Speech announced that the Government would, *“seek cross-party consensus on proposals for long term reform of social care. They will ensure that the social care system provides everyone with the dignity and security they deserve and that no one who needs care has to sell their home to pay for it.”* During the election campaign the Prime Minister pledged to start cross-party talks within his first 100 days of office.

The Government announced measures to double the funding for dementia research and to provide £74m over three years for additional capacity in community care settings for those with learning disabilities and autism.

The Government highlighted the election pledge to provide councils with an additional £1 billion for adults and children’s social care in every year of this Parliament. In addition, the government will consult on a 2 per cent precept that will enable councils to access a further £500 million for adult social care for 2020-21.

How would this affect carers?

Addressing this issue of social care reform would support millions of families in England, giving them a better quality of life and enhancing their ability to juggle work and care. Carers who provide a staggering £132 billion of care a year, should be at the heart of a reformed social care system. We want 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 and new rights in the workplace to support carers.

We also welcomed the additional £1 billion funding for adults and children’s social care for every year of this Parliament, but are clear that this will only prop up what is widely regarded as a underfunded system. Carers UK believes the social care system has been ignored for too long, and it is essential that the Government takes action and urgently addresses the question of social care reform.

Domestic Abuse Bill

There was legislation included a provision, *“that the courts work better for all those who engage with them, including victims of domestic abuse.”*

This was published in the previous 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 that the Government will continue to work on reforming Mental Health. They will look to modernise the Mental Health Act to improve the respect for and care for those receiving treatment.

There is currently an Independent Review of the Mental Health Act to look at rising rates of detention under the Act; the disproportionate number of people from black and minority ethnic groups detained under the Act; and processes that are out of step with a modern

mental health care system. The Government will respond to the Review's recommendations through a White Paper in the new 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 produces the White paper and will look to ensure that those caring for people with mental ill health's needs are understood and recognised.

National Disability Strategy

The Government committed to publishing a National Strategy for Disabled People in 2020 to *"ensure disabled people can lead a life of opportunity and fulfilment. Our strategy will be ambitious, supporting disabled people in all aspects and phases of their life."*

The benefits aspects of the National Disability Strategy will be considered in a Green Paper, and will consider how the Government can *"ensure the benefits system and wider DWP support can best help disabled people."*

What does this mean for carers?

This may affect carers supporting people with a disability in a number of different ways. Carers UK will look to work with the Government to ensure that carers' voices are heard and they are included within the strategy. We often hear of the worry and stress that poor support for disabled people has on their wider families. Good quality care, support, better employment opportunities and better assessments systems for benefits would also improve carers' lives.

Other mentions – National Living Wage Increase

To address cost of living the Government highlights its commitment to rising in the National Living Wage, to 2/3 medium earnings. Whilst welcoming this provision overall, Carers UK will continue to 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.

Other mentions – National Insurance Threshold Increase

There was a reference to raising the level of National Insurance Contributions Threshold – the point at which people start paying NICs. We are concerned that for some carers, however, they may be over the threshold to qualify for Carer's Allowance but under the threshold for payment of NICs. This means that they could have a gap in their NICs record. Carers UK is raising this with Government.

What next?

Carers UK will be providing detailed briefings on the legislation with most relevance for carers, and will be asking local organisations, employers and carers to get involved in our work. We will be working closely with Government and with Parliament to try to ensure that the legislation and other elements work in a way that supports carers and their families well.

Contact us

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