

A Survey on Carer Equality

June 2011 to June 2012

Caring Together Scotland's Carers and Young Carers Strategy 2010 recognises carers for the first time as 'Equal Partners in Care' and provides a commitment to develop a Carers Rights Charter.

'We will develop a Carers Rights Charter, consolidating existing legal rights and setting out key principles for carer support both now and in the future'

In light of this and the new Equality Act, the Coalition is keen to explore the idea of how 'equal' carers currently are, where they face discrimination in their lives and how we can begin to plan for a more 'equal' future.

We are asking our members to participate in a national survey, over the period from June 2011 until June 2012. The intention of this survey is to record instances where carers face inequality or discrimination, either in the workplace, in their local communities or in accessing services.

The Coalition, along with national and local partners, were instrumental in securing recognition for carers as 'equal partners' and in ensuring *Caring Together* had a focus on carers rights.

It is now imperative that this commitment is translated into action, so that carers can benefit from increased rights and recognition. We believe that in order for carers to achieve equality we must first examine the areas in which they are currently unequal.

This paper is intended to provide an outline of what we mean by equality and discrimination, using the new Equality Act 2010 as a framework. We also want to look beyond the Equality Act to define how carers encounter inequality in their everyday lives when we compare their experiences to those of other people who don't have a caring responsibility.

This evidence will be used in relation to the implementation of *Caring Together*, but also to highlight to national and local government any injustice or inequalities that exist across Scotland in relation to carer recognition and support.

The Equality Act 2010.

The Equality Act 2010 replaces the existing anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with. It also strengthens the law in important ways to help tackle discrimination and inequality.

The Equality Act 2010 aims to prevent discrimination and encourage equality. The act came into effect in October 2010, although some parts won't apply until a later date.

What does The Equality Act mean for carers?

Carers are already protected from discrimination and harassment in the workplace.

The Sharon Coleman case of 2008 ruled that adverse treatment of a carer could constitute unlawful discrimination. This is because carers are counted as being 'associated' with someone who is protected by the law because of their age or disability.

The Equality Act provides additional protection from discrimination or harassment to carers of disabled people and older people when they:

- shop for goods
- Request a service
- Receive a service
- Use facilities like public transport.

In relation to carers of older people, this aspect of the law will not come into effect until a later date.

The Equality Act: examples of discrimination and harassment

This Equality Act covers any incident where a carer is treated less favourably than someone else because of their caring responsibilities, or unwanted behaviour which creates an intimidating, degrading or offensive environment. Examples might include:

At work this could include an employer:

- refusing to offer someone a job because of their caring responsibilities
- treating someone less favourably than colleagues because of their caring responsibilities. For example, refusing to consider flexible working for a carer when other colleagues work flexibly, or allowing time off for a colleague to take a child to a doctor's appointment, but refusing a carer time off to take the person they care for to the doctors.

Outside work this could include:

- discouraging someone from using a service because they care for someone. For example, suggesting you might want to 'come back later' when accompanied by someone with a learning disability who is exhibiting challenging behaviour
- providing them with a worse service than someone else who isn't caring. For example, a local authority failing to provide a support services which a carer is assessed as needing, because 'budgets are tight' and they 'just need to get on with it'
- making it impossible for someone to use a facility because they look after someone who is disabled. For example, a health centre failing to offer an appointment at a convenient time to fit around a person's caring responsibilities.
- someone making rude or negative comments in your presence. For example, speaking in derogatory terms about someone who uses a wheelchair

Going Beyond The Equality Act. Are Carers Equal?

The Equality Act has brought welcome new rights to carers, however, apart from issues relating to employment, these new rights are limited to carers looking after someone with a disability or an older person. They also don't cover all aspects of everyday life, where carers can experience inequality.

We plan to look beyond The Equality Act in order to achieve a picture of how carers are disadvantaged by their caring role and how their situation can be compared to other groups within society.

At The Coalition of Carers in Scotland we are campaigning for increased recognition and rights for carers. We believe that until carers receive the same recognition and rights as the paid care workforce, they are not being treated equally.

Following, are some examples of where these differences are most apparent, with real life examples of how carers have been disadvantaged by their caring role.

Unequal Consideration of Health Services

'I had surgery but once home the wound got infected and required to be dressed daily, but my mother has dementia and I couldn't leave her alone to go to the surgery. I was told I wasn't eligible for a district nurse to visit me at home...'

Unequal Access to Flexible Working

'My new boss asked me why I had taken so much time off. When I explained about my son's needs, he said other people here have responsibilities too and they manage. I'm now really scared to take anymore time off in case I lose my job, but I have to...'

Unequal Consideration of Health and Safety

'My husband was very confused in hospital, which meant he was aggressive and tried to leave the ward. The nurses told me I would have to take him home as it took two nurses to handle him and they did not have enough staff. I am 87 years old and partially sighted, I wondered how they thought I would manage?'

Unequal Access to Information

'How can I help support my son when people working with him will not tell me what's going on. I need to know what's wrong with him, and how best to help him but they say they can't speak to me...'

Other areas where carers experience inequality might include:

- Access to Services. Additional barriers may exist due to:
 - Cultural and language needs
 - Transition periods
 - Transport needs, particularly in rural areas
 - Challenging behaviour of the cared-for person
 - Complex medical needs of the cared-for person
- Access to Training
- Access to Equipment
- Access to suitable housing
- Access to a break from caring
- Access to further education
- Unfair charging policies
- Having a life outside caring

What we are asking you to do

From June 2011 to June 2012 we are asking you to record all instances of discrimination, harassment or inequality, which you come across in your work with carers.

We are interested in hearing about the experiences of carers from across Scotland, regardless of their age, background, or who they look after.

We have designed a form to enable you to capture all the essential details. We will analyse returned forms and publish our findings. This will be used to build a case for working towards a future where carers are 'equal partners in care'

Forms can be completed online at: <http://www.surveymonkey.com/s/carerequality>

Or by visiting our Website at www.carersnet.org

Paper copies are also available.

We plan to produce an interim report as well as a final report. We would therefore ask that you send us back your completed forms by the end of the year and then again by the mid-July 2012. (Don't worry we will be sending out a reminder, along with a Freepost address) This only applies to paper copies of the survey, as we will receive online submissions automatically.

As always - thank you for your support.