

United Kingdom's Article 22 report on the non-accepted provisions of the European Social Charter

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European Social Charter 1961

[CETS 035 - European Social Charter \(coe.int\)](https://www.coe.int/t/UK/Convention/European_Social_Charter_1961.aspx)

The UK has accepted fifty-nine of the seventy-two paragraphs from the European Social Charter (ETS No. 035) and continues to support the work of the Council of Europe on social rights.

Table of accepted provisions											
1.1	1.2	1.3	1.4	2.1	2.2	2.3	2.4	2.5	3.1	3.2	3.3
4.1	4.2	4.3	4.4	4.5	5	6.1	6.2	6.3	6.4	7.1	7.2
7.3	7.4	7.5	7.6	7.7	7.8*	7.9	7.10	8.1	8.2	8.3	8.4*
9	10.1	10.2	10.3	10.4	11.1	11.2	11.3	12.1	12.2	12.3	12.4
13.1	13.2	13.3	13.4	14.1	14.2	15.1	15.2	16	17	18.1	18.2**
18.3	18.4	19.1	19.2	19.3	19.4	19.5	19.6	19.7	19.8	19.9	19.10
AP1	AP2	AP3	AP4	AP = Additional Protocol				Grey = Accepted Provisions			
*On 26/06/1987 the United Kingdom Denounced Article 8.4a. On the 21/08/1989 the United Kingdom denounced Article 7.8 and article 8.4b.											
**On the 12/07/2021, the United Kingdom denounced Article 18.2 with effect from 26/02/2022. The renunciation of the acceptance of Article 18.2 of the Chart shall extend to the Isle of Man.											

The UK continues to monitor its policies and keep them under review. The UK does not currently have plans to ratify further provisions.

We have set out the UK's laws and practices for the non-accepted provisions under the 1961 European Social Charter below.

Article 2 - The right to just conditions of work

With a view to ensuring the effective exercise of the right to just conditions of work, the Contracting Parties undertake:

Article 2.1 - to provide for reasonable daily and weekly working hours, the working week to be progressively reduced to the extent that the increase of productivity and other relevant factors permit.

UK policy

The UK has a flexible labour market with robust provisions in place which support workforce participation and provide workers with choice which is balanced against the need to ensure key services can be maintained.

The Working Time Regulations 1998 mean that workers do not have to work more than 48 hours per week on average, unless they choose to do so. Workers who want to work more than 48 hours per week can choose to opt out of the 48-hour limit; this could be for a certain period, or indefinitely. An employer cannot dismiss or unfairly treat a worker for refusing to sign an opt-out.

The UK has strict working time arrangements to protect employees from being forced to work more than 48 hours per week by their employer. The UK approach is to ensure that employees are not placed in positions where they are incentivised to work more hours which could pose a risk to the amount of rest they are taking as well as their health and safety.

Employees' average pay for the total hours worked must not fall below the National Minimum Wage. An employee's employment contract will usually include details of any overtime pay rates and how they are calculated, where appropriate.

Employees who work more than 6 hours a day have the right to one uninterrupted 20-minute rest break. Workers have the right to 11 hours rest between working days. Workers have the right to an uninterrupted 24 hour period without any work each week, or 48 hours each fortnight. A worker's employment contract may say they are entitled to more or different rights to breaks from work. Additionally, an employer is required to give an employee enough breaks to make sure their health and safety is not at risk if that work is 'monotonous' (e.g. work on a production line). There are some exemptions to the right to rest breaks, for example because continuous service is needed (such as in responses to major emergencies). In these situations, compensatory rest must usually be provided instead.

Greater protections apply for young workers, namely a maximum of a 40-hour working week or 8 hours per day. Employers are required by the Working Time Regulations 1998 to take all reasonable steps, in keeping with the need to protect the health and safety of workers, to ensure that these limits are complied with.

Article 4 - The right to a fair remuneration

With a view to ensuring the effective exercise of the right to a fair remuneration, the Contracting Parties undertake:

Article 4.3 - to recognise the right of men and women workers to equal pay for work of equal value.

UK policy

The Equal Pay provisions in the Equality Act 2010 prohibit less favourable treatment between men and women in terms of pay and conditions of employment. The 2010 Act requires employers to ensure that where men and women do the same or equal work, the terms of their employment contracts must be the same. This includes terms relating to pay and all other remuneration terms of their contracts of employment.

The purpose of these provisions is to prohibit discrimination in pay between men and women doing:

- like work;
- work rated as equivalent;
- work of equal value.

Furthermore, in 2017, the Government introduced world-leading regulations¹ requiring large employers to publish the differences in average salaries and bonuses for men and women every year. This has ensured that employers are aware of their gaps and are taking steps to close them. As a result, the gender pay gap has fallen significantly. Over the last decade it has fallen from 19.8% to 14.3% and the percentage of women in employment has gone from 67.1% to 72.1%².

¹ [The Equality Act 2010 \(Gender Pay Gap Information\) Regulations 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

² [Gender pay gap in the UK - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk)

Article 7 – The right of children and young persons to protection

With a view to ensuring the effective exercise of the right of children and young persons to protection, the Contracting Parties undertake:

Article 7.1 – to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education.

UK policy

Minimum school leaving age

Young persons can only start full-time work once they've reached the [minimum school leaving age](#). Minimum school leaving age is the following for the different devolved administrations:

- in **England**, young persons can leave school on the last Friday in June if they will be 16 by the end of the summer holidays. Section 2 of the Education and Skills Act 2008 places a statutory duty on young persons to participate in education or training until they turn 18. They must then do one of the following until they are 18:
 - stay in full-time education, for example at a college
 - start an apprenticeship
 - spend 20 hours or more a week working or volunteering, while in part-time education or training.
- in **Scotland**, if young persons turn 16 between 1 March and 30 September you can leave school after 31 May of that year. If they turn 16 between 1 October and the end of February you can leave at the start of the Christmas holidays in that school year.
- in **Wales**, young persons can leave school on the last Friday in June, as long as they will be 16 by the end of that school year's summer holidays.
- in **Northern Ireland**, if a young person turns 16 during the school year (between 1 September and 1 July) they can leave school after 30 June. If, however, they turn 16 between 2 July and 31 August they cannot leave school until 30 June the following year.

Other prohibitions on children's employment

In the UK children's employment is regulated through national and local legislation. In England the Children and Young Persons Act 1933, along with byelaws made by local authorities, prohibits the employment of children aged under 14 and places restrictions on the hours and types of work children aged 14 and over can undertake. Similar restrictions also exist separately in [Scotland](#), [Wales](#) and [Northern Ireland](#) (links to guidance provided).

Children aged 13 to 16 years can only engage in 'light work' which is defined as "work which, on account of the inherent nature of the tasks which it involves and the particular conditions under which they are performed - (a) is not likely to be harmful to the safety, health or development of children; and (b) is not such as to be harmful

to their attendance at school or to their participation in work experience or their capacity to benefit from the instruction received or the experience gained.”

Under health and safety legislation a child cannot be employed for work which is “beyond his or her physical or psychological capacity.”

Article 7.4 - to provide that the working hours of persons under 16 years of age shall be limited in accordance with the needs of their development, and particularly with their need for vocational training; to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education.

UK policy

In line with our response to Article 7.1 above about the restrictions on the type of work children can undertake, legislative restrictions apply in relation to the employment of children. These restrictions limit the working hours of persons under 18 years of age to ensure that the needs of their development and their need for vocational training are protected (e.g. younger persons working in apprenticeships having time to study).

There are different hours that a child can work, based on their age and if they are working during term time or school holidays.

The UK Government aims to allow children to take up opportunities for suitable part time work, whilst ensuring that proportionate safeguards are in place so that their education health and well-being are not jeopardised.

The UK provisions achieve the correct balance between enabling children to benefit from employment opportunities and protecting educational attainment.

Article 7.7 - to provide that employed persons of under 18 years of age shall be entitled to not less than three weeks' annual holiday with pay.

UK policy

Children are entitled to a two-week break from any employment in each year. However, children under the age of 18 who are still of compulsory school age do not have a right to paid annual leave because they are required to be in some form of education, including further education courses and apprenticeships. For more information, see the minimum school leaving age under Article 7.1 (see above, p. 7).

Article 7.8 - to provide that persons under 18 years of age shall not be employed in night work with the exception of certain occupations provided for by national laws or regulations.

UK policy

The UK has two different systems. One for children aged between 13 and 15 years and another for young people aged 16 or 17 years.

Children

Children between the ages of 13 and 15 are covered by Section 18(1)(c) Children and Young Persons Act 1933 (Amended by the Children and Young Persons Act 1963) states that 'no child shall be employed before seven o'clock in the morning or after seven o'clock in the evening.

This law therefore restricts the employment of children between the hours of 7pm and 7am, meaning that a child cannot be engaged in night work.

Young people

Young people aged 16 or 17 years of cannot work between midnight and 4am.

They usually cannot work between 10pm and 6am (this can be changed to not working between 11pm and 7am, by contract) but there are exceptions if they work in:

- agriculture
- cultural, sporting, artistic or advertising activities
- a hospital
- a hotel or catering
- retail
- post or newspaper delivery

Article 8 - The right of employed women to protection

With a view to ensuring the effective exercise of the right of employed women to protection, the Contracting Parties undertake:

Article 8.2 - to consider it as unlawful for an employer to give a woman notice of dismissal during her absence on maternity leave or to give her notice of dismissal at such a time that the notice would expire during such absence.

UK policy

In the UK a woman cannot be dismissed because she is pregnant or because she is on maternity leave.

Discriminating against women in the workplace because they are pregnant or new mothers is unlawful. There is legislation in place which every employer must follow.

Equalities legislation requires that employers must not discriminate based on gender or pregnancy and maternity in the workplace.

The Protection from Redundancy (Pregnancy and Family Leave) Act 2023 allows for the extension of existing redundancy protections whilst on Maternity Leave, Adoption Leave or Shared Parental Leave to cover pregnancy and a period of time after the individual has returned to work.

A Pregnancy and Maternity Discrimination Advisory Board, consisting of a broad set of key stakeholders has been set up to look at what improvements can be made to the information available to employers and families to address pregnancy and maternity discrimination in the workplace.

Article 8.3 - to provide that mothers who are nursing their infants shall be entitled to sufficient time off for this purpose.

UK policy

The UK Parental Leave and Pay policies support the participation and progression of parents, especially mothers, in the labour market, ensuring it is fair and works for parents.

All employed women in the UK are entitled to 52 weeks' Maternity Leave if they are pregnant or give birth. This is a statutory right and is therefore a term of employment contracts. It is a "day one" right and there are no qualifying conditions. Pregnant women or mothers may be entitled to Statutory Maternity Pay paid via their employer or Maternity Allowance paid by the State. There are qualifying requirements for pay.

By law, employers must provide somewhere suitable for their employee to rest if they're breastfeeding. These areas should:

- include somewhere to lie down if necessary;

- be hygienic and private so they can express milk if they choose to – toilets are not a suitable place for this; and
- include somewhere to store their milk, for example a fridge.

Some work presents an extra risk for breastfeeding mothers and their children. This includes working conditions that could expose them to organic mercury, radioactive material or lead.

The employer needs to consider these risks in the worker's individual risk assessment for as long as they wish to continue breastfeeding.

Article 8.4 – (a) to regulate the employment of women workers on night work in industrial employment. (b) to prohibit the employment of women workers in underground mining, and, as appropriate, on all other work which is unsuitable for them by reason of its dangerous, unhealthy, or arduous nature.

UK policy

The UK has provisions to protect work pregnant women and new mothers at work. These women can work nights, provided the work involved presents no risk to the health and safety of them or their child. Where a risk is identified or where there is a medical reason they cannot work nights, suitable alternative day work should be offered and if this is not possible, the worker should be placed on paid leave for as long as necessary to protect their health and safety and that of their child.

Employers in the UK are responsible for providing a safe working environment while effectively managing risks to the health and safety of all workers, including women of a childbearing age. Employers must carry out an individual risk assessment that covers the individual needs of a pregnant worker and put any necessary control measures in place. If a risk cannot be controlled or removed, an employer must adjust the working conditions or hours to remove the risk; give the worker suitable alternative work, and if that is not possible, place the worker on paid leave for as long as necessary to protect their health and safety and that of their child. Health and Safety Executive (HSE) guidance provides more detail: [Protecting pregnant workers and new mothers - Overview - HSE](#)

Article 12 - The right to social security

With a view to ensuring the effective exercise of the right to social security, the Contracting Parties undertake:

Article 12.2 - to maintain the social security system at a satisfactory level at least equal to that required for ratification of International Labour Convention (No. 102) Concerning Minimum Standards of Social Security.

UK policy

The UK has ratified both the International Labour Organisation's (ILO) Social Security (Minimum Standards) Convention (No. 102) and the Council of Europe's European Code of Social Security (ETS No. 048).

The ILO Committee of Experts on the applications of Conventions and recommendations (CEACR) conclusions are that the law and practice in the United Kingdom continue to give full effect to all accepted Parts of the Social Security (Minimum Standards) Convention.

Article 12.3 - to endeavour to raise progressively the system of social security to a higher level.

UK policy

The UK has a comprehensive welfare system. The UK government is committed to reducing poverty and supporting low-income families. We will spend around £276 billion through the welfare system in Great Britain in 2023-24 including around £124 billion on people of working age and children, and around £152 billion on pensioners. Of this, around £79 billion will be spent on benefits to support disabled people and people with health conditions.

In addition, the UK is focused on ensuring those of working age have access to a comprehensive employment package will focus on supporting inactive individuals aged 50+, disabled people, people with long-term health conditions, welfare claimants and parents. The UK Government's approach is based on clear evidence that employment, particularly where it is full-time, substantially reduces the risks of poverty. More details of the UK welfare system can be found on [gov.uk](https://www.gov.uk).

Social security and social assistance uprating

The Secretary of State for the Department for Work and Pensions is required by law to review benefit and pension rates each year to see if they have retained their value in relation to the general level of prices or earnings.

The Secretary of State's review is based on Consumer Price Index (CPI) in the year to September and on the Average Weekly Earnings (AWE) growth in the year to May-July.

Social security and social assistance benefits in the UK are uprated and adjusted annually to reflect changes in the cost of living. Working age benefits will be uprated by September 2023 CPI of 6.7% from April 2024. This is 3.6 percentage points higher than forecast earnings for 2024-25 and will help support the most vulnerable whilst inflation continues to fall.

Pensions

The Triple Lock is a UK commitment which applies to State Pensions. Under the Triple Lock, these pensions rise by the highest of the growth in: AWE, inflation measured by CPI or 2.5%.

From April 2023, the UK Government uprated the basic and new State pensions in line with CPI by 10.1%. It also extended CPI protection to those who rely on the Standard Minimum Guarantee in Pension Credit at a cost of £700 million above the statutory minimum requirement.

From April 2024, the basic and new State Pensions will be increased by 8.5%, in line with the increase in AWE in the year to May-July 2023. The Standard Minimum Guarantee in Pension Credit will also increase by 8.5%.

This delivers on our Triple Lock commitment to increase the basic and new State Pension in line with the highest of growth in prices, growth in earnings or 2.5%.

The uprating of the basic and new State Pension, Pension Credit Standard Minimum Guarantee and survivors' benefits in Industrial Death Benefit are linked, by law, to earnings growth.

¹²For more information about this, please see the UK's *ad hoc* report on the cost of living submitted in December 2023.

Cost of Living Payments.

The total support in 2022-23 and 2023-24 to help households with the cost of living is £94 billion – an average of £3,300 per UK household. More information about these and further measures are included in UK's *ad hoc* report on the Cost of Living submitted to the CoE in December 2023.

Scotland

Scottish Ministers annually review the rates of devolved Scottish social security payments with regards to inflation. They are then required by law to increase the amount of some payments to their inflation-adjusted level each financial year and have discretion to increase the amount of all payments if considered appropriate.

The Scottish Government intends to up-rate all Scottish social security payments by 6.7% in April 2024. This is the rate of the Consumer Prices Index (CPI) in the 12 months to September 2023. In April 2023, all Scottish social security payments were increased by 10.1% (September 2022 CPI), with the exception of the Scottish Child Payment which was up-rated early in November 2022 and increased by 25%.

The [2023 Scottish Programme for Government](#) included a commitment to continuing the Scottish Government's work with the independent [Minimum Income Guarantee Expert Group](#) to consider feasible steps towards delivering a Minimum Income Guarantee in Scotland. A Minimum Income Guarantee is an assurance that no one will fall below a set income level that allows them to live healthy, financially secure, fulfilling lives. The Expert Group will report on their recommendations in 2024.

Article 12.4 - to take steps, by the conclusion of appropriate bilateral and multilateral agreements, or by other means, and subject to the conditions laid down in such agreements, in order to ensure:

- a. equal treatment with their own nationals of the nationals of other Contracting Parties in respect of social security rights, including the retention of benefits arising out of social security legislation, whatever movements the persons protected may undertake between the territories of the Contracting Parties;*
- b. the granting, maintenance and resumption of social security rights by such means as the accumulation of insurance or employment periods completed under the legislation of each of the Contracting Parties.*

UK policy

The UK has a number of reciprocal social security agreements³ with Ireland, the EU, Iceland, Lichtenstein, Norway, Switzerland, the Republics of Bosnia-Herzegovina, North Macedonia, Serbia, Montenegro and Türkiye alongside other non-Council of Europe member States. These include measures:

- to enable periods of insurance in the countries party to the agreement to be aggregated to meet minimum qualifying conditions. This applies mostly to retirement and survivors benefits and enables these benefits to be paid at pro-rata rates; and
- to pay certain benefits in the other reciprocal agreement country.

UK national legislation enables retirement, survivors benefits and benefits for occupational accidents and prescribed diseases to be paid to recipients of these benefits when they leave the UK to reside abroad. Some other benefits are payable outside the UK only in cases of temporary absence of up to 4 weeks in most cases.

Scotland

The UK has signed several social security co-operation agreements which cover Scottish benefits. The agreements allow the individuals covered by them to move between countries and not be adversely affected by the application of different national social security systems.

³ [Reciprocal agreements - GOV.UK \(www.gov.uk\)](#)

Article 18 - The right to engage in a gainful occupation in the territory of other Contracting Parties

With a view to ensuring the effective exercise of the right to engage in a gainful occupation in the territory of any other Contracting Party, the Contracting Parties undertake:

Article 18.2 - to simplify existing formalities and to reduce or abolish chancery dues and other charges payable by foreign workers or their employers.

UK policy

UK visa fees are set to ensure that those who benefit from the immigration system contribute towards meeting the wider costs of running that system and to reduce the burden on general taxation. The Secretary of State's powers to set fees are set out in paragraph 68 of the Immigration Act 2014.

Paragraph 68(9) allows the Secretary of State to consider the following, when setting fees in Regulations:

- a. The costs of exercising the function;
- b. benefits that the Secretary of State thinks are likely to accrue to any person in connection with the exercise of the function;
- c. the costs of exercising any other function in connection with immigration or nationality;
- d. the promotion of economic growth;
- e. fees charged by or on behalf of governments of other countries in respect of comparable functions;
- f. any international agreement.

The fees charged reflect the benefits enjoyed by successful applicants and are broadly competitive when compared with the fees charged by comparative countries globally.

UK visa fees strike the right balance between providing the resources necessary to control migration for the benefit of the UK and ensuring that our fee structure does not inhibit the UK's ability to continue to attract migrants who make a valued contribution to the UK.

the UK Government's aim is to move towards a position where the Migration and Borders system is substantially self-funding.

European Social Charter (Revised) 1996

Summary

The UK signed the European Social Charter (revised) in November 1997.

The UK does not currently have plans to ratify the revised Charter. The UK's approach to the ratification of international treaties is to do so only when UK law and practice are compatible with obligations it would undertake.

Notwithstanding that we are not legally bound by the obligations in that Charter we have, in the sections that follow, provided information on UK provisions which are relevant to individual area of the revised Charter, save that:

- we have not commented on those articles of the Revised Charter that correspond with accepted provisions of the 1961 Charter, and
- we have not repeated comments on non-accepted provisions of the 1961 Charter where they also constitute provisions of the Revised Charter.

Article 2 - The right to just conditions of work

With a view to ensuring the effective exercise of the right to just conditions of work, the Contracting Parties undertake:

Article 2.6 - to ensure that workers are informed in written form, as soon as possible, and in any event not later than two months after the date of commencing their employment, of the essential aspects of the contract or employment relationship.

UK policy

In the UK, an employer must give employees and workers a document stating the main conditions of employment when they start work. This is known as a 'written statement of employment particulars'. The written statement is made up of the main document (known as a 'principal statement') and a wider written statement. The employer must provide the principal statement on the first day of employment and the wider written statement within 2 months of the start of employment. Employers must tell employees or workers about any changes to the written statement. They must do this within one month of making the change.

Article 2.7 - to ensure that workers performing night work benefit from measures which take account of the special nature of the work.

UK policy

Working hours, including working at night, are governed by the Working Time Regulations 1998 (WTR). These provide protections to nighttime workers, including by establishing the maximum working hours and minimum rest breaks workers are entitled to.

Employers must make sure that nighttime workers do not work more than an average of 8 hours in a 24-hour period.

Further protections are in place for night workers dealing with special hazards or whose work involves mental or physical strain.

Before someone starts working at night, they must be offered a free health assessment to see if they are fit to work nights before they become a night worker and on a regular basis after that.

A record of the health assessments and the dates when assessments were offered must be kept by the employer.

A nighttime worker must get a follow-up examination by a health professional when an employer is unsure if the worker is fit for night work. The employer must offer suitable other work where possible if a worker has a health problem.

Article 3 - The right to safe and healthy working conditions

With a view to ensuring the effective exercise of the right to safe and healthy working conditions, the Parties undertake, in consultation with employers' and workers' organisations:

Article 3.4 - to promote the progressive development of occupational health services for all workers with essentially preventive and advisory functions.

UK policy

Making sure people are fit and healthy to work is a priority for the UK Government. The Government's Occupational Health (OH) reform programme is focused on increasing private market coverage of employer led OH to help businesses support disabled employees and those with health conditions stay, succeed in, and return to work.

OH reform ambitions are a key part of the UK health and work agenda, which includes: stimulating innovation through a £1m fund which supported 10 projects focussing on new OH service models and better use of technology; designing a financial incentive and market navigation scheme to gather robust evidence on whether this helps SMEs and self-employed people to overcome their barriers to accessing OH; and, launching an Occupational Health Workforce Expansion scheme to fund Doctors and Nurses to undertake OH training and qualifications, alongside exploring longer-term options to build multidisciplinary workforce capability in work and health, aligned with NHS planning.

The 2023 consultation, Occupational Health working Better⁴, brought together employers, health and care sectors and local communities by consulting on ways to increase OH coverage, specifically by exploring new national workplace health and disability standards including a minimum framework for quality OH provision; applicable learning from best practice from other countries and other UK-based employer models that could enable employers to provide support for their employees and longer-term exploration of options to develop and support a multidisciplinary OH workforce to help meet increased employer demand.

The UK Government's consultation response⁵ published in November 2023 outlined plans to set up an expert group to support the development of a voluntary minimum framework for quality OH provision which employers could adopt to help improve employee health at work. The response also sets out that the Government would explore policy options for

- new voluntary national workplace health and disability standards,
- a potential SME group purchasing framework supported by a digital marketplace and using the learning, including from our existing Workforce Expansion scheme,

⁴ [Occupational Health: Working Better - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

⁵ [Occupational Health: Working Better - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

- to consider a long-term strategic OH workforce approach to a multidisciplinary work and health workforce for businesses and providers to improve support for their employees.

Article 8 - The right of employed women to protection of maternity

With a view to ensuring the effective exercise of the right of employed women to the protection of maternity, the Parties undertake.

Article 8.5 - to prohibit the employment of pregnant women, women who have recently given birth or who are nursing their infants in underground mining and all other work which is unsuitable by reason of its dangerous, unhealthy or arduous nature and to take appropriate measures to protect the employment rights of these women

UK policy

In the UK, employers are responsible for providing a safe working environment while effectively managing risks to the health and safety of all workers, including women of a childbearing age. Employers must carry out an individual risk assessment that covers the individual needs of a pregnant worker, and put any necessary control measures in place.

If a risk cannot be controlled or removed, an employer must adjust the working conditions or hours to remove the risk; give the worker suitable alternative work, and if that is not possible, suspend the worker on paid leave for as long as necessary to protect their health and safety and that of their child. Health and Safety Executive (HSE) guidance provides more detail: [Protecting pregnant workers and new mothers - Overview - HSE](#)

Article 10 - The right to vocational training

With a view to ensuring the effective exercise of the right to vocational training, the Parties undertake.

Article 10.5 - to encourage the full utilisation of the facilities provided by appropriate measures such as:

reducing or abolishing any fees or charges;

granting financial assistance in appropriate cases;

including in the normal working hours time spent on supplementary training taken by the worker, at the request of his employer, during employment;

ensuring, through adequate supervision, in consultation with the employers' and workers' organisations, the efficiency of apprenticeship and other training arrangements for young workers, and the adequate protection of young workers generally.

UK policy

The Skills for Jobs White Paper: Lifelong learning for opportunity and growth (January 2021)⁶ sets out the Government's policy objective: to ensure people can access training and learning flexibly throughout their lives and are well-informed about what is on offer through great careers support. As part of this, we fund programmes to support adult reskilling, including:

- Skills Bootcamps: free, flexible courses of up to 16 weeks, open to adults 19+ to support them to upskills and retrain in priority sectors.
- Apprenticeships: provide work-based routes into over 670 occupations and are available to everyone aged 16+ including adults looking to upskill and retrain.
- Free courses for jobs: give eligible adults the chance to access high value Level 3 qualifications (A Level equivalent) for free, which can support them to gain higher wages or a better job at whatever their stage in life.

The UK Government supports education and skills training for adults through the Adult Education Budget (AEB), worth £1.34bn in academic year 2023/24. The Adult Education Budget (AEB) supports adult learners by fully funding:

- English and maths, up to and including level 2, aged 19 and over;
- First full qualification at level 2 for young people aged 19-23;
- First full qualification at level 3 for young people aged 19-23;
- Specified digital qualifications for adults with no or low digital skills, aged 19 and over.

In the UK, we will provide a Lifelong Loan Entitlement, the equivalent of four years of post-18 education from 2025, and we will transform the funding system so it is just as easy to get a loan for a higher technical course as it is for a full-length university degree. Wherever people are in their careers, the Lifetime Skills Guarantee allows

⁶ [Skills for jobs: lifelong learning for opportunity and growth - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/white-papers/skills-for-jobs)

them to access the skills that they need to be successful. We will ensure everyone has access to education and training that will help them to get a great job, from our 12-16-week bootcamps to funding free qualifications for any adult without an existing full level 3 (A Level equivalent) qualification. Through our Lifetime Skills Guarantee we will invest in top-quality provision, funding upgrades to further education colleges across the country and improving our already successful apprenticeships. Through our Lifetime Skills Guarantee the UK will also improve how teaching is delivered so that it is more accessible, with the use of digital and blended learning.

Further information relating to career skills and training⁷ can be found on gov.uk, including information on apprenticeships and financial assistance.

Apprentices are protected by the National Minimum Wage legislation. Apprentices who are aged 19 or over and have completed the first year of their apprenticeship are entitled to the National Minimum Wage or National Living Wage rate for their age.

The Apprentice National Minimum Wage (ANMW) is designed and set at a rate that acknowledges the particular costs for employers and benefits for young people involved in the provision of apprenticeships and which does not adversely affect apprenticeship opportunities in the labour market.

Scotland

Apprenticeships help to deliver the Scottish Government's aims of supporting economic growth and addressing youth unemployment through work-based training opportunities. The dual purpose of the Modern Apprenticeship (MA) Programme is to support employers to recruit and train apprentices and to encourage economic growth across Scotland through increased employer participation. MAs do not pay for training, [Skills Development Scotland](#) provide funding contributions towards the cost of training MAs on behalf of the Scottish Government.

Funding contributions for MAs are weighted towards young people, particularly the 16-19 age group, with funding for individuals aged 25+ targeted toward key and supporting sectors. The Scottish Government also offer enhanced funding contributions for those who self-identify as disabled and/or are care experienced up to age 29. The MA is open to individuals of all ages providing them with a great opportunity to upskill and reskill and help them to progress within their chosen career path.

The Skills Development Scotland [Modern Apprenticeship Programme Specification](#) sets out clearly the key Scottish Government and Skills Development Scotland priorities for Modern Apprenticeships which include:

- encouraging greater participation from small and micro businesses
- encouraging delivery in island and rural communities
- to support inclusive growth promoting Fair Work Practices

⁷ [Career skills and training - GOV.UK \(www.gov.uk\)](#)

- increasing the participation of people from under-represented groups or groups who are known to have additional barriers to employment

Article 15 - The right of persons with disabilities to independence, social integration and participation in the life of the community

With a view to ensuring to persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community, the Parties undertake, in particular:

Article 15.3 - to promote their full social integration and participation in the life of the community in particular through measures, including technical aids, aiming to overcome barriers to communication and mobility and enabling access to transport, housing, cultural activities and leisure.

UK policy

General principles

The Equality Act 2010 provides protection against discrimination, harassment and victimisation across a number of grounds (protected characteristics), including disability. The Act's Public Sector Equality Duty (PSED) requires public authorities to have due regard to the need to foster good relations, promote equality of opportunity and eliminate unlawful discrimination. Public sector bodies must ensure that equality issues are proactively considered to remove or minimise disadvantage, meet the needs and encourage greater participation in public life by those with protected characteristics.

Furthermore, under the Equality Act 2010 all public bodies, service providers and employers are required to make reasonable adjustments to any element of a job or service which places a disabled person at a substantial disadvantage compared to a non-disabled person. This can include providing technical aids, information in alternative formats, or where appropriate, providing interpretation services. This also allows disabled passengers to access transport services and enables disabled people's access to cultural, leisure and sporting activities.

Access to transport

The Government remains committed to the ambition set out in the 2018 Inclusive Transport Strategy – that disabled people will be able to travel easily, confidently and without additional cost. The Department for Transport introduced the Public Service Vehicles (Accessible Information) Regulations 2023, which require the provision of audible and visible announcements onboard local bus and coach services across Great Britain.

To ensure transport policies reflect the needs of disabled people, the Department for Transport engages with the Disabled Persons Transport Advisory Committee (DPTAC) which was established by the Transport Act 1985.

Access to housing

With regard to housing accessibility, with a few exceptions, those who own or manage buildings open to the public are under a duty to make them accessible as part of the Equality Act 2010's reasonable adjustment's duty.

New building work is subject to Part M of the Building Regulations, which sets down minimum accessibility standards. The Disabled Facilities Grant can pay for some or all of the costs of adapting eligible disabled people's homes to support independent living.

Communication

To improve accessible communication, the Government supported the enactment of the British Sign Language Act (BSL) 2022 which promotes and facilitates the use of British Sign Language Act by providing legal recognition in England, Wales and Scotland, whilst preserving the architecture of the Equality Act 2010. The Government has appointed the BSL Advisory Board to guide the implementation of the Act from the perspective of people who use BSL.

Care

NHS organisations and publicly funded social care providers must comply with the Accessible Information Standard (AIS) to meet the communication needs of patients and carers with a disability, impairment or sensory loss. NHS England has completed a review of the AIS and a revised AIS will be published in due course.

The Care Act 2014 states that people whose needs are met by the local authority must receive a personal budget. Direct payments are one of the ways in which people can receive their personal budget, enabling people to commission their own care to meet their eligible needs - such as hiring a personal assistant.

Scotland

The Scottish Government's [Equality and Human Rights Fund](#) provides support for a range of community-led work focused on tackling inequality and discrimination, furthering equality, and advancing the realisation of human rights in Scotland. The [Independent Living Fund](#) currently supports nearly 2,000 disabled people, through an additional £9 million investment in 24/25, to provide up to 1,000 new recipients the ability to exercise greater choice and control over the care and support they receive. The intention is to ensure people can be better supported in their homes and within their local communities, allowing them to live more independently.

Housing

Regulations introduced under [section 37 of the Equality Act 2010](#) give disabled people the right to make necessary, reasonable adaptations to common areas of their property. (Amended regulations came into force Dec 2021).

The Scottish Government's approach to the planning and delivery of affordable housing is focussed on providing the right homes in the right places. It is the responsibility of local authorities through their [Development Plan](#) and [Local Housing Strategy](#) (LHS) to determine the appropriate housing required in their area, informed by their Housing Need and Demand Assessment.

Published guidance for Local Authorities on the setting of LHS targets support the delivery of more wheelchair accessible housing across all tenures. The guidance creates a requirement for targets across all tenures which local authorities will report against annually.

The [Scottish Government's Affordable Housing Supply Programme](#) includes flexible grant funding arrangements which ensure that specialist housing provision, which is identified by local authorities as a priority, can be supported. For new build projects, wherever possible, all affordable homes are built to Housing for Varying Needs accessibility standards.

Between 29 June and 21 December 2023 a formal consultation took place on proposals to update the Housing for Varying Needs design guide, and on proposals for introducing the [Scottish Accessible Homes Standard](#). A report will be published shortly.

Since 2014, [Integration Joint Boards](#) are responsible for the planning and delivery of adaptations using budgets created by delegation and for reviewing and developing services to improve outcomes for people who require adaptations.

Additionally the Scottish Government continues to provide separate funding directly to Registered Social Landlords to help them deliver housing adaptations for disabled tenants. Funding is also delivered to specialist housing strategic partners such as [Housing Options Scotland](#) and [Care and Repair Scotland](#).

The Scottish Government is taking forward an ambitious Human Rights Bill for Scotland. The Bill - which will be introduced in the Scottish Parliament before the end of the 2023-24 parliamentary year - will incorporate the following four international treaties into Scots Law within the limits of devolved competence: the International Covenant on Economic, Social and Cultural Rights (ICESCR); the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); the Convention on the Rights of Persons with Disabilities (CRPD); and the International Convention on the Elimination of all Forms of Racial Discrimination (ICERD). It will also recognise and include the right to a healthy environment as well as an equality provision to promote equal access to the substantive rights in the Bill.

The Bill will protect similar rights to those guaranteed by the European Social Charter. The Bill intends to build a multi-institutional approach that embeds a culture of human rights-based thinking across the public sector and puts human rights at the heart of decision-making, including by making economic, social and cultural rights, and the right to a healthy environment, justiciable. Specific rights for women, disabled people and people experiencing racism will also have to be considered in the delivery of public services like healthcare and housing.

British Sign Language

In 2023 the Scottish Government published a new [British Sign Language \(BSL\) National Plan for Scotland 2023-2029](#), which was developed with evidence and advice from the deaf, deafblind and BSL communities. This plan will strengthen the Scottish Government's ongoing commitment to advancing disability equality and is

aimed at tackling the systemic barriers that affect the daily lives of disabled people and impact on disability poverty. The Scottish Government has also committed to publishing and implementing a Disability Equality Immediate Priorities Plan that delivers actions to help meet the barriers faced by disabled people. The Scottish Government have also pledged to enhance their own disability competence within the civil service to strengthen policy development and decision-making and its impact on disabled people.

Article 17 - The right of children and young persons to social, legal and economic protection

With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed.

Article 17.2 - to provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools.

UK policy

Children's education is free between the school term after their 5th birthday and the last Friday in June in the school year they turn 16. Children under the age of 18 in England are required to be in some form of education, including further education courses and apprenticeships. This means that the three-week annual leave rule does not need to be applied. For more information, see the minimum school leaving age under Article 7.1 (see above, p. 7).

Parents or guardians will be contacted by either:

- the school – if their child is enrolled in school and does not turn up (even if they're only absent for a day)
- the council's education welfare officer – if they think their child is not getting a suitable education at home

Parents or guardians must seek permission for taking their child out of school during term-time. They can be fined up to £2,500, a community order or a prison sentence of up to 3 months for taking their child on holiday during term time without the school's permission.

Further information on school attendance can be found on gov.uk⁸.

Scotland

The Scottish Government '[Included, Engaged and Involved Part 1: Promoting and Managing School Attendance](#)' guidance sets out 6 guiding principles on the promotion of good attendance and the management of attendance in schools:

- All children and young people have a right to education and education authorities have a duty to provide education.
- All children and young people have the right to get the support they need to benefit fully from their education and fulfil their potential.
- All children and young people need to be included, engaged and involved in their learning. Children and young people should be given opportunities

⁸ [School attendance and absence: Overview - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

to fully engage and participate in the life of their school in order to encourage good attendance.

- Schools should actively engage with parents to try to ensure that any barriers to good attendance are removed.
- Schools and partners should work collaboratively to promote and support good attendance.
- The foundation for schools, learning establishments and education authorities is a focus on positive relationships and an inclusive ethos and culture that promotes good attendance. Attendance should not be considered in isolation.

The guidance promotes engagement and motivation, including among those who may be at risk of poor attendance, and sets out clear expectations on steps schools should take to follow up on absence.

In 2023, in response to concerns about the impact of the pandemic on attendance, the Cabinet Secretary for Education and Skills, Jenny Gilruth, asked [Education Scotland](#) to undertake work to better understand the current barriers and challenges experienced by schools, children and young people and their families, which influence school attendance. Education Scotland published a [report](#) on their findings. The Scottish Government are considering this report, alongside the findings from the [Behaviour in Scottish Schools Research](#) (BISSR), which provides evidence-based information on the extent to which pupils are disengaging from learning. The Scottish Government are currently considering the findings of BISSR and plan to publish an action plan in 2024.

Article 19 - The right of migrant workers and their families to protection and assistance

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

Article 19.11 - to promote and facilitate the teaching of the national language of the receiving state or, if there are several, one of these languages, to migrant workers and members of their families.

UK policy

English for Speakers of Other Languages (ESOL)

Language skills are crucial to help people integrate into life in England, as well as to break down barriers to work and career progression. In England we support all adults who are non-native speakers to access English for Speakers of Other Languages (ESOL) provision, funded through the Adult Education Budget (AEB).

The AEB is designated to Mayoral Combined Authorities (MCAs) and The Education and Skills Funding Agency (ESFA). Both make the budget available to colleges and training providers, who have the freedom and flexibility to determine how they use their AEB to meet the needs of their communities.

In ESFA area, individuals aged 19 and over can be fully funded or co-funded to study ESOL depending on their employment status and salary, and provided they meet the residency criteria set out in the AEB Funding and Performance Management Rules.

The Government also recognises that the ability to speak English is a key enabler for participation in society and is a necessary stepping stone for refugees. Adults who are granted refugee status or humanitarian protection by the Home Office are eligible for the same skills funding as any other English resident and are not subject to the normal 3-year qualifying period.

School age education

In the UK Schools are responsible for ensuring that all their pupils – including those who are classed as having a first language other than English – can access the full curriculum and have opportunity to achieve their potential. Schools are allocated funding, through the English as an additional language (EAL) factor in the national funding formula (NFF), for pupils who are classed as having EAL and who have started in the state-funded education system in England within the last 3 years. This equates to an additional £580 per eligible primary pupil and £1565 per eligible secondary pupil in 2023-24. Individual schools have flexibility over how they use their overall funding budget to meet the English language development requirements of their EAL pupils, as they are best placed to understand and respond to the particular needs of those pupils.

Scotland

The Scottish Government recognises the importance of English language learning in supporting the integration of New Scots. Language forms one of the seven themes of the second [New Scots Refugee Integration Strategy](#) and is fundamental to all areas of refugee integration, from understanding information from public services to gaining employment and participating in community activities.

The Scottish Government announced on 5 December 2023 a short and focused independent review of Community Learning and Development (CLD) in Scotland. The review will examine the extent to which CLD is delivering positive outcomes for some of Scotland's most vulnerable learners and marginalised groups.

The Scottish Government is committed to ensuring that everyone in Scotland whose first language is not English can contribute to Scotland's future and the society they live in. That includes support for high quality, relevant, appropriate and accessible English for Speakers of Other Languages provision, which is key for many refugees and asylum seekers to communicate, enter education, find employment, and access information on healthcare, housing and other services that they require.

Article 19.12 - to promote and facilitate, as far as practicable, the teaching of the migrant worker's mother tongue to the children of the migrant worker.

UK policy

The UK has no information to provide on this.

Article 20 - Right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex

With a view to ensuring the effective exercise of the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex, the Parties undertake to recognise that right and to take appropriate measures to ensure or promote its application in the following fields:

- a. access to employment, protection against dismissal and occupational reintegration;*
- b. vocational guidance, training, retraining and rehabilitation;*
- c. terms of employment and working conditions, including remuneration;*
- d. career development, including promotion*

UK policy

The UK takes the right to equal opportunities and equal treatment in matters of employment seriously. In March 2022, the UK [ratified](#) the ILO Violence and Harassment Convention (No. 190).

Everyone should be able to live without fear of harassment or violence, in the workplace as much as anywhere else. Strong laws against workplace harassment are set out in the Equality Act 2010.

Under the Equality Act 2010, sexual harassment is unlawful. Specifically, sexual harassment under this Act is unwanted conduct of a sexual nature which has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them.

Equality Ministers work closely with colleagues across Government to tackle violence against women and girls.

The Worker Protection (Amendment of Equality Act 2010) Act 2023 strengthens the protection for employees against workplace sexual harassment.

The Act contains a duty on employers to take 'reasonable steps' to prevent sexual harassment of their employees. 'Reasonable steps' depends on the specific circumstances of the employer, including its size and sector and other relevant facts. In most cases, the employer's practices and procedures (e.g. grievance and reporting procedures) for preventing and dealing with sexual harassment are likely to be relevant.

The employer duty will send a strong signal to employers that they must improve workplace practices and culture. The employer duty will come into force one year after the day on which the Act received Royal Assent (26 October 2024). This is to ensure that there is sufficient time for employers to be fully prepared for the change before they take effect.

A breach of the employer duty is enforceable in two ways:

- A standalone breach may be enforced by the Equality and Human Rights Commission under their existing enforcement powers, and;
- A breach may also be enforced by an employment tribunal where the tribunal has first found a breach of the Equality Act which involved, to any extent, sexual harassment. A breach of the employer duty will only be examined where a tribunal has found that sexual harassment has been established and ordered the employer to pay compensation. A breach of the employer duty may lead to an uplift in compensation by up to 25%. The amount awarded must reflect the gravity of the breach harassment.

Scotland

While employment law is reserved to the UK Parliament, the Scottish Government's [Fair Work First approach](#) asks employers in receipt of public sector funding to adopt their Fair Work First principles, which includes action to tackle the gender pay gap and create a more diverse and inclusive workplace, offering flexible and family friendly policies and providing channels for an effective voice, among others, that will support the retention and progression of women in the workplace. In addition, the Scottish Government are currently funding the promotion of advice and guidance on the benefits of flexible and hybrid working to support employers to adopt flexible workplaces which will be of real benefit to working women across Scotland.

The Scottish Government's vision is for Scotland to be a leading Fair Work Nation by 2025, where fair work drives success, wellbeing and prosperity for individuals, businesses, organisations and society. To achieve this, Scottish Ministers launched their refreshed [Fair Work Action Plan: Becoming a Leading Fair Work Nation by 2025](#) and their new [Anti-Racist Employment Strategy](#) in December 2022. The action plan and strategy focus on the intersectional structural barriers that women, disabled people and racialised minorities face in the labour market, and includes tools for employers.

Alongside the intersectional actions set out in the Fair Work Action Plan, the Scottish Government are providing funding up to £700,000 from 2021-2024 to [Close the Gap - an expert civil society organisation](#) on the barriers which affect women's participation in Scotland's labour market - to support employers address gender pay gaps.

Article 21 - Right to information and consultation

With a view to ensuring the effective exercise of the right of workers to be informed and consulted within the undertaking, the Parties undertake to adopt or encourage measures enabling workers or their representatives, in accordance with national legislation and practice:

- a. to be informed regularly or at the appropriate time and in a comprehensible way about the economic and financial situation of the undertaking employing them, on the understanding that the disclosure of certain information which could be prejudicial to the undertaking may be refused or subject to confidentiality; and*
- b. to be consulted in good time on proposed decisions which could substantially affect the interests of workers, particularly on those decisions which could have an important impact on the employment situation in the undertaking.*

UK policy

Under UK law, a trade union recognised by the employer has a range of collective rights, including but not limited to:

- A right to receive information from the employer without which the union would potentially be impeded in ongoing collective bargaining (section 181 of the Trade Union and Labour Relations (Consolidation) Act 1992 (TULRCA).
- A right to be informed and consulted in a collective redundancy situation (section 188 of the TULRCA).
- Where employees are affected by the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE Regulations), a right to be informed and consulted where, as a result of the transfer, there are likely to be measures impacting upon its members. In addition, when seeking to vary employees' contracts where there are 'relevant insolvency proceedings' under the TUPE Regulations, the transferor, transferee or insolvency practitioner may agree such changes with appropriate representatives.

Furthermore, the Information and Consultation of Employees Regulations (ICE) give employees the right to request a formal agreement to be informed and consulted on significant matters and decisions. As a minimum, this must include information about the undertaking's activities and economic situation; and information and consultation on employment prospects and decisions likely to lead to substantial changes in work organisation or contractual relations. The ICE regulations apply to undertakings with 50 or more employees, where at least 2% of employees, subject to a minimum of 15, request the arrangements.

Article 22 - Right to take part in the determination and improvement of the working conditions and working environment

With a view to ensuring the effective exercise of the right of workers to take part in the determination and improvement of the working conditions and working environment in the undertaking, the Parties undertake to adopt or encourage measures enabling workers or their representatives, in accordance with national legislation and practice, to contribute:

- a. to the determination and the improvement of the working conditions, work organisation and working environment;*
- b. to the protection of health and safety within the undertaking;*
- c. to the organisation of social and socio-cultural services and facilities within the undertaking;*
- d. to the supervision of the observance of regulations on these matters.*

UK policy

The Information and Consultation of Employees Regulations (ICE) give employees the right to request a formal agreement to be informed and consulted on significant matters and decisions. As a minimum, this must include information about the undertaking's activities and economic situation; and information and consultation on employment prospects and decisions likely to lead to substantial changes in work organisation or contractual relations. The ICE regulations apply to undertakings with 50 or more employees, where at least 2% of employees, subject to a minimum of 15, request the arrangements

In the UK, health and safety legislation requires employers to consult workers or their representatives on matters relating to their health and safety at work, including the introduction of relevant new measures or technologies. [Regulations](#) give workers representatives in both unionised and non – unionised workplaces, rights to facilities and information from employers to enable them to carry out their functions. Employers must also allow paid time for representatives to effectively perform their role, including to undertake appropriate training.

In the UK, all workers have the right to join a trade union and to be represented by that union in collective bargaining with employers, further information on collective bargaining can be found on gov.uk⁹.

⁹ [Working with trade unions: employers: Collective bargaining - GOV.UK \(www.gov.uk\)](#)

Article 23 - Right of elderly persons to social protection

With a view to ensuring the effective exercise of the right of elderly persons to social protection, the Parties undertake to adopt or encourage, either directly or in co-operation with public or private organisations, appropriate measures designed in particular:

- to enable elderly persons to remain full members of society for as long as possible, by means of:

- a. adequate resources enabling them to lead a decent life and play an active part in public, social and cultural life;*
- b. provision of information about services and facilities available for elderly persons and their opportunities to make use of them;*

to enable elderly persons to choose their life-style freely and to lead independent lives in their familiar surroundings for as long as they wish and are able, by means of:

- c. provision of housing suited to their needs and their state of health or of adequate support for adapting their housing;*
- d. the health care and the services necessitated by their state;*

to guarantee elderly persons living in institutions appropriate support, while respecting their privacy, and participation in decisions concerning living conditions in the institution.

UK policy

a. adequate resources enabling them to lead a decent life and play an active part in public, social and cultural life

England

State Pensions

The UK Government is committed to ensuring that older people can live with the dignity and respect they deserve by providing support through both pensions and income-related benefits for pensioners. In 2023/24, the Government will spend over £152 billion directly on the State Pension and benefits for pensioners in Great Britain.

The latest statistics for the UK show that in 2021/22, there were 200,000 fewer pensioners in absolute poverty after housing costs than in 2009/10. Average pensioner incomes have grown in real terms and in 2021/22, average net income of all pensioners was £349 per week after housing costs compared to £335 in 2009/10.

We have reformed the State Pension system, introducing the new State Pension in 2016 as a simpler, clearer system to be a sustainable foundation for private saving. The new State Pension is set at a level that encourages private saving.

Last year, the new State Pension saw its biggest ever rise, increasing by 10.1%. The full yearly rate of the new State Pension is now over £10,600 per year. In addition, the full yearly amount of the basic State Pension is over £3,050 higher, in cash terms, than in 2010.

The Government has announced plans to increase the [basic](#) and new State Pension by 8.5%, in April 2024 in line with the Triple Lock commitment, subject to parliamentary approval. This is a government commitment to up-rate the basic and new State Pension every year by the highest of earnings growth, inflation, or 2.5%.

34 Pension Credit

Around 1.4 million pensioners receive additional financial support through Pension Credit. Pension Credit is extra money - separate from the State Pension - to help with daily living costs for people over State Pension age and on a low income who are resident in Great Britain.

Pension Credit tops up a person's other income to a minimum of £201.05 per week for single pensioners (for couples, this is £306.85). People with a severe disability, carers and those who are responsible for a child or young person who lives with them can get more. Pension Credit can also include extra amounts for certain housing costs, such as ground rent or service charges.

People receiving any amount of Pension Credit can also get help with other costs including rent (via Housing Benefit), council tax and heating. Those over 75 also qualify for a free TV licence. Pension Credit can be claimed at any time after reaching state pension age and can be applied for online, by telephone or by post. Claims can be backdated for up to 3 months.

Attendance allowance

Attendance Allowance is intended to help those with a severe disability who have long term care or supervision needs where those needs arise after reaching State Pension age. Entitlement to Attendance Allowance is based on the on-going need for frequent personal care and attention, or supervision to ensure personal safety, rather than on the individual's medical condition. It is paid out of general taxation and is a tax-free, non-contributory, and non-means-tested benefit so is not affected by other income or savings.

Additional support

The UK Government provides additional support to older people, which includes the provision of free bus passes, free prescriptions, Winter Fuel Payments, and Cold Weather Payments. The Government also provides targeted financial support to address the UK's increased cost of living pressures. 8.9 million pensioner households received a £300 Pensioner Cost of Living Payment as a top up to their

Winter Fuel Payment from November 2023. Pensioners in receipt of Pension Credit received additional support, worth up to £900 in 2023/24.

Private Pension savings - Automatic Enrolment

Automatic enrolment into workplace pensions was introduced in 2012 to help more people to save for their retirement – over 11 million employees have already been automatically enrolled into a workplace pension. Together, the new State Pension and automatic enrolment into workplace pensions provide a robust system for retirement provision for decades to come.

Housing

In **England**, Local Authorities (LAs) have a duty under the Care Act 2014 to meet the eligible care and support needs of individuals in their local population, subject to a financial assessment. Guidance for the implementation of the Care Act states that the core purpose of adult care and support is to help people to achieve the outcomes that matter to them in their life. Local authorities must promote wellbeing when carrying out any of their care and support functions in respect of a person.

Direct payments (DP) are one of the ways in which adults receiving local authority support with their social care costs can receive their personal budget. Direct payments are intended to provide those needing care and support with independence, choice and control to lead a decent life by enabling them or their nominated representative(s) to commission their own care in order to meet their eligible personal care and support needs.

In terms of information about care and support services, LAs have a duty to establish and maintain information and advice about services relating to care and support for all people in their area.

Scotland

The Scottish Government published [A Fairer Scotland for Older People: A Framework for Action](#) in 2019, which was developed to challenge the inequalities older people face as they age and to celebrate older people in Scotland. Data shows that people over 75 are one of the groups who are the most at risk of social isolation and loneliness, as such in 2023 the Scottish Government published [Social Isolation and Loneliness: Recovering our Connections](#). This action plan implements “A Connected Scotland”, the Scottish Government’s strategy for tackling social isolation and loneliness and building stronger social connections. This is a holistic plan which complements the [A Fairer Scotland for Older People: A Framework for Action](#). The four strategic priorities for action are: to empower communities and build shared ownership; to foster positive attitudes and tackle stigma; to create opportunities for people to connect; and to support an infrastructure that fosters connection. The

Older People's Framework is broken into three themes: Communities, Accessing Services and Financial Security.

These include actions to:

- Deliver a new Dementia Strategy in Scotland which was published in 2023.
- Work to increase employer participation in the Carer Positive scheme to extend carer-friendly employment practices so that more carers can balance work and caring.

The Scottish Government established the [Social Isolation and Loneliness Fund](#) in 2023 which will provide funding over the next three years for 53 projects working to tackle social isolation and loneliness across Scotland. The funding will enable a range of activities helping people to re-connect in their communities, such as lunch clubs, social group activities, community development, digital connection, creative arts and befriending.

The Scottish Government provides certain forms of social security support within a broader framework of law determined by the UK Parliament. The relevant devolved forms of assistance for older people include heating expenses, top-up of reserved benefits, discretionary housing payments and welfare foods. In addition, [Scotland's Winter Heating Payment](#) provides a stable, reliable annual payment of £55.05 which will help around 400,000 households, including those older people in receipt of Pension Credit, this winter with their heating expenses. The Scottish Government also intend to deliver the [Pension Age Winter Heating Payment](#), on a like-for-like basis in Winter 2024-25, ensuring a safe and secure transfer, providing continued support to around 1 million older people who have reached the state pension age. It will be an investment of £180 million in the first year. This will ensure no one will lose out and older people will continue to receive the support they need to heat their homes in winter.

Wales

Launched in 2021, the **Welsh Government's Strategy for an Ageing Society** aims to put structures in place to support people of all ages to live healthy and active lives for as long as possible. Prevention is central to the Strategy. To support its implementation, funding of £1.1million has allocated to LAs (£50,000 each) for a post to take forward the age friendly programme. Each LA has a local councillor to act as an age friendly champion. The funding is seeding the development of a broad range of activities that support older people to remain active, access information about local services and have their voices heard.

LAs in Wales provide statutory duties to their communities, including social care services and information and advice about services. As well as providing commissioned services to individuals, LAs in Wales, as in England, LA's can also offer Discretionary Payments (DPs), which allow an individual greater control over what services might meet their need for care and support, or a carer's need for

support, and allow them to arrange it for themselves. Individuals can work with LAs to decide how their care and support needs will be met using direct payments. DPs can be used to employ an individual to act as a Personal Assistant to provide person-centred care.

Northern Ireland

The Department of Health in Northern Ireland had a number of actions within the Department for Communities “Active Ageing” Strategy 2016-2022 with the aim of improving the wellbeing of older people. There has been progress against many of the actions included in the Strategy as originally published, including:

- a statistically significant improvement in the confidence of people over 60 years old as measured by self-efficacy (draft Programme for Government Indicator 49); and
- action to promote and support the adoption of age friendly measures across our 11 council districts, including the launch of an Age Friendly Network.
- The Northern Ireland Department of Health continues to seek opportunities to consider the needs of an ageing population, to promote positive attitudes to older people and tailor support to enable them to enjoy better health and active lifestyles.

b. provision of information about services and facilities available for elderly persons and their opportunities to make use of them

Pensions advice

Free and impartial pension guidance is provided through the Money and Pensions Service to ensure that older people are aware of their rights and entitlements.

Digital Inclusion

For digitally excluded working age out-of-work and in-work UC claimants, work coaches can use the Flexible Support Fund (FSF) to procure devices, dongle, talk time, and 6 months superfast broadband in the home where the work coach believes this will support labour market progression.

DWP has also developed an Application Programme Interface (API) service, which allows internet service providers to verify, with the customers’ permission, if they are in receipt of an eligible benefit for the broadband social tariffs.

DWP is working with Ofcom to raise awareness of this important Help for Households initiative amongst claimants and staff in Jobcentres, UC Service Centres, and Pensions Centres.

Appointee Process

DWP's role for older people protection against violence, neglect and abuse relates to financial abuse through our Appointee Process. The Appointee Process was

designed to stop older people being the subject of abuse whilst ensuring flexibility for friends and close family members handling their benefit affairs when they become incapable of doing so.

Where a claimant is incapable of managing their benefit affairs e.g. their State Pension (in the main this would be due to mental health), the Secretary of State can appoint someone to act on their behalf in managing those affairs.

This person can be an individual e.g. a friend or relative, or an organisation. The appointee can make a claim for benefit, collect and receive benefit and report any change of circumstances.

Employment for older people

One of the challenges we see older people facing is being able to return to work. We find that many older people face barriers with returning to work and achieving gainful fulfilment from their jobs.

We are working to maximise employment for older people. Currently, the employment rate for those aged 50-64 is 70.7% and the unemployment rate is 2.7%. With us all living longer, planning for later life and ensuring financial resilience is essential. In the UK we are committed to delivering a comprehensive package of support to help older workers to remain and return to work and to build their future financial resilience and wellbeing.

We have introduced a digital Midlife MOT which is a review for workers in their 40s, 50s and 60s that helps them take stock of their finances, skills and health, and acts as a review by enabling them to get access to the best possible financial, health and career guidance. As part of the Spring Budget, the Chancellor announced an expansion of the Jobcentre Plus Midlife MOT offer, with an ambition to reach up to 40,000 50+ customers. We are also testing a private sector Midlife MOT.

There are 83,000 more over 50s in work compared to this time last year. The DWP is supporting older jobseekers, with Midlife MOTs both online and in Jobcentres, helping people assess their skills and, make long-term plans for their work, wealth and wellbeing.

c. provision of housing suited to their needs and their state of health or of adequate support for adapting their housing;

England

Local Authorities (LAs) have a duty under the Care Act 2014 to meet the eligible care and support needs of individuals in their local population, subject to a financial assessment. Guidance for the implementation of the Care Act states that the core purpose of adult care and support is to help people to achieve the outcomes that matter to them in their life. Local authorities must promote wellbeing when carrying out any of their care and support functions in respect of a person.

Direct payments (DP) are one of the ways in which adults receiving local authority support with their social care costs can receive their personal budget. Direct payments are intended to provide those needing care and support with independence, choice and control to lead a decent life by enabling them or their nominated representative(s) to commission their own care in order to meet their eligible personal care and support needs.

We know that high quality, safe, and suitable homes can help people stay independent and healthy for longer and reduce the need to draw on health and social care provision. This is why the UK Government has established an independent taskforce to look at housing options for older people, continues to support and fund home adaptations through the Disabled Facilities Grant, and has supported the delivery of new supported housing.

In terms of information about care and support services, LAs have a duty to establish and maintain information and advice about services relating to care and support for all people in their area.

In terms of appropriate support for people in care homes, individuals with eligible care and support needs must be genuinely involved and influential throughout the development of their care and support plan. They should be given every opportunity to take joint ownership of the plan with the LA if they wish, and the LA agrees.

Scotland

[My Health, My Care, My Home](#) is the healthcare framework for adults living in care homes and seeks to improve outcomes for people living in care homes by increasing their access and parity of care and ensuring they are at the centre of their own care and decision making.

In 2018 the [Health and Social Care Standards](#) came into effect in Scotland. They set out what Scotland's population should expect when using health, social care or social work services and ensure that basic human rights are upheld. The objectives of the Standards are to drive improvement, promote flexibility and encourage innovation in how people are cared for and supported. The standards are underpinned by five principles; dignity and respect that includes privacy being respected, compassion, to be included, responsive care and support and wellbeing. The five headlines are:

- I am fully involved in all decisions about my care and support;
- I experience high quality care and support that is right for me;
- I have confidence in the people who support and care for me;
- I have confidence in the organisation providing my care and support; and

- I experience a high quality environment if the organisation provides the premises.

In April 2022 two new standards were published which set out the expectation that people living in care homes can expect to see someone who is dear to them, even during a Covid-19 outbreak, and be able to name a person or persons who can directly participate in meeting their care needs.

Wales

In Wales, the Regulation and Inspection of Social Care (Wales) Act 2016 sets out the regulatory framework for the social care sector in Wales, including the care home sector. Regulations and statutory guidance made under the Act place requirements on providers of regulated services including treating individuals in their care with dignity and respect, respecting their privacy, ensuring they can participate in decisions which impact them, and ensuring the environment and surroundings (including individuals' rooms) are safe, suitable and meet specific requirements.

Northern Ireland

In Northern Ireland, all multi-disciplinary assessments that indicate a need for permanent care are co-ordinated by a care manager who supports the service user and family. They in partnership with the service user/family and care provider ensure that the care needs are specific to the individual needs and care plans are developed and reviewed in accordance with each Trusts care managements arrangements. The Regulation and Quality Improvement Authority (RQIA) has established an inspection methodology improvement programme. The aims of this programme include ensuring a clear focus on the experience of people who receive care and those who are important to them. This will include work to strengthen RQIA's direct engagement with service users and those important to them as well as care home staff, alongside ensuring that RQIA make better use of the information that they receive relating to experience in care settings.

d. the health care and the services necessitated by their state

England

In terms of health care, anyone can register with a GP service to access NHS services. GP surgeries are usually the first contact for health problems, and can treat many conditions, give health advice, and make referrals to other NHS services. All GP practices are required to assign to all their registered patients a named, accountable GP. This GP must lead on ensuring that any general practice services which they are contracted to provide, and are necessary to meet the patient's needs, are coordinated and delivered to that patient. For registered patients aged 75 and over, the named accountable GP has additional responsibilities, including ensuring that these patients receive an annual health check on request.

Scotland

The [Self-directed Support \(Scotland\) Act 2013](#) makes legislative provisions relating to the arranging of care and support to provide a range of choices to people for how they're provided with support. [My Health, My Care, My Home - healthcare framework for adults living in care homes](#) seeks to improve outcomes for people living in care homes by increasing their access and parity of care and ensuring they are at the centre of their own care and decision making. [Equipment and adaptations: guidance on provision](#) aims to give professionals, service users and carers a better understanding of local health and social care services' responsibilities to support people to live well in their own home, including care homes. [Hospital at Home : Older People and Acute Adults](#) provides hospital-level care by healthcare professionals in the patient's home for a range of conditions that would otherwise require the person to be admitted to hospital.

The Scottish Government are working to improve discharge planning through their Discharge Without Delay approach. This approach aims to improve the patient journey, from the initial point of admission, preventing any delays through early and effective planning. The Scottish Government have put in place a Delayed Discharge and Hospital Occupancy Action Plan, an internal document that has been developed using near time management information, that seeks to support systems to create the necessary capacity to deal with emerging pressures.

[The Health and Social Care Winter Preparedness Plan 2023/24](#) for the health and social care system in Scotland was jointly published by Scottish Government and [Convention of Scottish Local Authorities](#) (COSLA) on 24 October 2023. Whilst the Plan focuses on forthcoming winter pressures, many of the actions it sets out are ongoing and longer-term. Many of the actions set out in Priorities One, Two, Four, Five and Eight focus on the provision of health and social care at home or in a home setting, particularly for older, frailer and/or more vulnerable people in Scotland's communities. The Plan also commits to involving people, their families and their carers in decisions that relate to their care to enhance choice and control over their support.

The Scottish Government are currently co-designing Getting it Right For Everyone (GIRFE). GIRFE is about providing a more personalised way to access help and support, across health and social care, when it is needed. It places the person at the centre of all decision making that affects them to achieve the best outcomes, with a joined-up, coherent and consistent multi-agency approach regardless of the support needed at any stage of life. GIRFE's initial prototyping focus is on the 'team around the person' and older people and frailty is one of the areas being explored in-depth by the GIRFE pathfinders.

Benefits to support this

The Scottish Government intend to deliver Pension Age Disability Payment, with a pilot and phased approach in Autumn 2024 and national launch in 2025. Pension Age Disability Payment will be awarded to help with extra costs if a person has a disability severe enough that they need someone to help look after them. The Scottish Government priority is the safe and secure transfer to Pension Age Disability Payment, which means they will not make fundamental changes to the existing benefit structure or rules. However, the Scottish Government are making changes to Pension Age Disability Payment that will greatly improve the experience of people accessing this form of assistance. These include a choice of inclusive application channels, including in-person support from their local delivery service, and streamlining routes to set up a third party representative. These changes will help disabled older people receive the support they are entitled to.

The Scottish Government's commitment to remove non-residential care charges will allow people to access social care support they have been assessed as requiring in their homes. [Free Personal Nursing Care](#) provides a financial contribution towards residential care costs for all those who need it (including those under 65 in residential care).

Independent Living

[Home First](#) is one of the six principles detailed in the Discharge without Delay discussion guidance. It is Scottish Government policy that Home First principles be applied in all areas of pathways between hospitals and home as detailed in the Discharge without Delay guidance. Home First supports that when a patient's need for clinical treatment is complete, the best place to recover is at home. Home First brings together the different strands of support to allow this to happen and helps maintain a patient's independence.

Wales

In Wales, the Social Services and Well-being (Wales) Act 2014 places individuals at the heart of the delivery of social services, providing them with a voice and greater control in the assessment and decisions about the care and support they need to live independent lives.

In terms of housing and health, LAs and health boards work together in a new statutory partnership to drive integration, innovation and service change. The Welsh Government's Health and Social Care - Regional Integration Fund (RIF) has committed £145m per year for 5 years. The six national models of care established under the RIF, are all aimed at preventing poor health and wellbeing from the outset. One of the six models of integrated Health and Social Care is focused on Accommodation Based Solutions including work to develop accommodation that can support people's independent living and meet their care and support needs in a domestic or residential environment.

Northern Ireland

In Northern Ireland, to enable independence, Health and Social Care Trusts, when conducting assessments of need of older people, will consider the full range of needs so that they are supported to lead their best quality life. This includes access to the right support at the right time, with an aim of prevention and early intervention from the right service. Older people who require community care provision can have their needs met via the re-ablement service or a range of services delivered under the Self-Directed Support option. We recognise the need for people to be equipped throughout life to improve their health and wellbeing.

It is widely recognised that we have an ageing population and we need to ensure that we provide the best quality service for them – whether it is a health care or a social care need. We recognise the need for people to be “equipped throughout life” to improve their health and wellbeing – including in the later stages of life.

Article 24 - the right to protection in cases of termination of employment

With a view to ensuring the effective exercise of the right of workers to protection in cases of termination of employment, the Parties undertake to recognise:

- a. the right of all workers not to have their employment terminated without valid reasons for such termination connected with their capacity or conduct or based on the operational requirements of the undertaking, establishment or service;*
- b. the right of workers whose employment is terminated without a valid reason to adequate compensation or other appropriate relief.*

To this end the Parties undertake to ensure that a worker who considers that his employment has been terminated without a valid reason shall have the right to appeal to an impartial body.

UK policy

In the UK, when an employer dismisses an employee, they must show they have a valid reason that they can justify and that they have acted reasonably in the circumstances. They must also be consistent: for example, employers cannot dismiss an employee for doing something that they let other employees do and the employer must have investigated the situation fully before dismissing the employee.

Unfair dismissal

A dismissal must follow a fair and reasonable procedure. A dismissal could be an unfair dismissal if an employee worked for their employer for at least 2 years and any of the following apply:

- there was no [fair reason](#) for the dismissal
- the reason was not enough to justify dismissing them
- the employer did not follow a fair procedure

The fair procedure must follow the [Acas Code of Practice on disciplinary and grievance procedures](#), if it's to do with:

- unacceptable or inappropriate behaviour ('misconduct')
- performance ('capability'), unless it's about illness

Constructive dismissal

If an employee feels they have no choice but to resign because of something their employer has done, they might be able to claim for 'constructive dismissal' or 'constructive unfair dismissal'.

An employee can make a constructive dismissal claim if they resign because they think their employer has seriously breached their employment contract.

Examples could include:

- regularly not being paid the agreed amount without a good reason

- being bullied or discriminated against
- raising a grievance that the employer refuses to look into
- making unreasonable changes to working patterns or place of work without agreement

It could be because of one serious incident or a series of things.

Appeal and access to remedy

If the employee believes that they have been dismissed unfairly or subject to a constructive dismissal, they can consult with a union or the independent Advisory, Conciliation and Arbitration Service (Acas). Acas play an important role in providing employees and employers with free, impartial advice on workplace rights, rules and best practice.

Employees who consider their dismissal was unlawful can, subject to qualifying periods in some cases, take [a claim to an employment tribunal](#)

Article 25 - the right of workers to the protection of their claims in the event of the insolvency of their employer

With a view to ensuring the effective exercise of the right of workers to the protection of their claims in the event of the insolvency of their employer, the Parties undertake to provide that workers' claims arising from contracts of employment or employment relationships be guaranteed by a guarantee institution or by any other effective form of protection.

UK policy

In the UK employees have several options for securing payment in the event of the insolvency of their employer.

The effect of section 386 and Schedule 6 of the Insolvency Act 1986 is that employees are treated as preferential creditors in respect of unpaid wages for work done in the four months prior to insolvency (subject to a statutory cap), and in respect of unpaid holiday pay.

Employees may (in addition or alternatively, as applicable) seek payment from the State. The main State guarantees are set out below.

Firstly, sections 166(1) and 182 of the Employment Rights Act 1996 allow employees who are owed certain debts to apply to the State for payment. The debts covered include (but are not limited to):

- Unpaid statutory redundancy payments;
- Arrears of pay (up to a maximum of eight weeks);
- Unpaid statutory notice pay (up to a maximum of 12 weeks); and
- Unpaid holiday pay (up to a maximum of six weeks).

All of the above payments are subject to statutory caps.

Secondly, HM Revenue and Customs becomes liable to make the following payments in the event of employer insolvency:

- statutory sick pay;
- statutory maternity pay;
- statutory paternity pay;

Thirdly, section 124(1) of the Pension Schemes Act 1993 allows applications to the State to pay occupational or personal pension contributions which have not been paid by employers in the 12 months prior to insolvency.

Fourthly, the Pension Protection Fund (established by the Pensions Act 2004) compensates members of eligible defined benefit pension schemes (subject to certain other conditions being met).

Article 26 - the right to dignity at work

With a view to ensuring the effective exercise of the right of all workers to protection of their dignity at work, the Parties undertake, in consultation with employers' and workers' organisations.

Article 26.1 - to promote awareness, information and prevention of sexual harassment in the workplace or in relation to work and to take all appropriate measures to protect workers from such conduct

Article 26.2 - To promote awareness, information and prevention of recurrent reprehensible or distinctly negative and offensive actions directed against individual workers in the workplace or in relation to work and to take all appropriate measures to protect workers from such conduct

UK policy

The UK takes the right to dignity at work seriously. In March 2022, the UK [ratified](#) the ILO Violence and Harassment Convention (No. 190).

In the UK, employers have a duty of care to ensure that the working environment is safe. This includes both mental and physical health. They should have robust policies and procedures in place to try and eliminate both bullying and harassment.

The UK Government provides guidance which sets out the steps that employees can take if they are experiencing bullying or harassment at work. We also fund the Advisory, Conciliation and Arbitration Service (Acas), whose remit is to promote good employment relations, advise employers and employees on workplace matters, and resolve individual and collective workplace disputes.

Should bullying amount to harassment, there are laws against this set out in the Equality Act 2010. This covers harassment on the grounds of gender, race, disability, religion or belief, sexual orientation, or age. The Equality Act 2010 also covers victimisation, where someone is subject to a detriment because they have taken a protected action, such as making a complaint of discrimination or harassment.

The Protection from Harassment Act 1997 criminalises a course of conduct amounting to harassment and section 4A of the Public Order Act 1986 makes intentional harassment a criminal offence.

The Employment Rights Act 1996 provides protection for those who suffer detrimental treatment by their employer, which can take the form of bullying, after asserting a protected employment right, such as 'blowing the whistle' or taking part in trade union activities.

The Worker Protection (Amendment of Equality Act 2010) Act 2023

The Worker Protection (Amendment of Equality Act 2010) Act 2023 strengthens the protection for employees against workplace sexual harassment.

The Act contains a duty on employers to take 'reasonable steps' to prevent sexual harassment of their employees. 'Reasonable steps' depends on the specific circumstances of the employer, including its size and sector and other relevant facts.

In most cases, the employer's practices and procedures (e.g. grievance and reporting procedures) for preventing and dealing with sexual harassment are likely to be relevant.

The employer duty will send a strong signal to employers that they must improve workplace practices and culture. The employer duty will come into force one year after the day on which the Act received Royal Assent (26 October 2024). This is to ensure that there is sufficient time for employers to be fully prepared for the change before they take effect.

A breach of the employer duty is enforceable in two ways:

- A standalone breach may be enforced by the Equality and Human Rights Commission under their existing enforcement powers, and;
- A breach may also be enforced by an employment tribunal where the tribunal has first found a breach of the Equality Act which involved, to any extent, sexual harassment. A breach of the employer duty will only be examined where a tribunal has found that sexual harassment has been established and ordered the employer to pay compensation. A breach of the employer duty may lead to an uplift in compensation by up to 25%. The amount awarded must reflect the gravity of the breach harassment.

Article 27 - the right of workers with family responsibilities to equal opportunities and treatment

With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake.

Article 27.1 - To take appropriate measures:

- a. to enable workers with family responsibilities to enter and remain in employment, as well as to re-enter employment after an absence due to those responsibilities, including measures in the field of vocational guidance and training;*
- b. to take account of their needs in terms of conditions of employment and social security;*
- c. to develop or promote services, public or private, in particular child daycare services and other childcare arrangements.*

UK policy

Workers with families

The UK has a range of measures available to enable workers with family responsibilities to enter and remain in employment, including:

Employees with parental responsibility can take up to 18 weeks of Unpaid Parental Leave (up to four weeks of which can be taken a year) before their child's 18th birthday. The entitlement is per parent, per child.

In addition to the maternity provisions mentioned above, working parents who are eligible for Shared Parental Leave and Pay can share up to 50 weeks of leave and up to 37 weeks of pay in the first year with their child. Leave and pay may also be available when an individual takes time off to adopt a child or have a child through a surrogacy arrangement, or because their partner is having a baby, adopting a child or having a baby through a surrogacy arrangement.

The right to emergency leave ("time off for dependants") provides all employees with a right to a reasonable amount of unpaid time off work to deal with an unexpected or sudden emergency involving a child or dependant and to put care arrangements in place.

The Carer's Leave Regulations (which will come into force on 6 April 2024) will entitle employees to be absent from work on leave to provide or arrange care for a dependant with a long-term care need for one week of unpaid leave. Employees do not have to provide evidence in relation to a request for Carer's Leave.

There is statutory provision to enable employees with 26 weeks continuous service to formally request flexible working arrangements. From 6 April 2024, this right will be available from day one of employment.

The Workers (Predictable Terms and Conditions) Act 2023, expected to commence in Autumn 2024, will give workers the right to make a request to their employer for a more predictable working pattern.

Social Security

For decades, the UK State Pension has recognised periods of unemployment due to family responsibilities. The new State Pension is based on a person's National Insurance record. Qualifying Years can be made up of National Insurance Contributions and National Insurance Credits. There are a wide range of National Insurance credits available, including for periods people spend out of work or providing care for children, enabling families to maximise their State Pension entitlement. Under the new State Pension, Qualifying Years of contributions and credits have equal value, providing access to the same level of entitlement for all.

State Pension outcomes will equalise for men and women by the early 2040s, over a decade earlier than they would have done under the previous system. On average, women receiving the new State Pension now receive 97% of the rates that men receive, and this is expected to rise to 100% in the near future.

Childcare

The UK also recognises that high childcare costs can affect parents' decisions to take up paid work or increase their working hours which is why the recent changes to the Universal Credit¹⁰ childcare element provide generous additional financial support to parents moving into work and/or increasing their working hours.

The UK is investing billions in additional childcare support for parents of toddlers, investing in wraparound childcare in schools, increasing financial support for and expectations of parents claiming Universal Credit (UC)

On 28 June 2023, we increased UC childcare maximum costs, allowing parents to claim back over £300 more for one child or over £500 for two or more children from their monthly childcare costs.

From April 2024, eligible working parents of 2-year-olds will be able to access 15 hours of free childcare per week (38 weeks a year) from the school term after the 2nd birthday. Between September 2024 and September 2025, this will gradually be extended to eligible working parents of children aged between the 9 months-old and school age (between 4 and 5-years old).

This childcare offer means that for many claimants, childcare costs should not present a barrier to entering work in the future.

The UC childcare policy aligns with the wider government childcare offer in England and there are similar funded early learning offers in Devolved Nations. The free childcare offer currently provides 15 hours a week of free childcare in England for all 3- and 4-year-olds and disadvantaged 2 year olds, doubling for working parents of 3 and 4 year olds to 30 hours a week.

Flexible working

¹⁰ Universal Credit is social assistance provided for those who have limited means.

Flexible working is a way of working that suits an employee's needs, for example having flexible start and finish times, or working from home. These measures can support people with childcare responsibilities.

All employees have the legal right to request flexible working. Employees can request a change to:

- the number of hours they work
- when they start or finish work
- the days they work
- where they work

There are different ways of working flexibly:

- **Job sharing:** Two people do one job and split the hours.
- **Remote working and working from home:** Working from anywhere other than the employee's usual workplace. It can include working from home.
- **Hybrid working:** A combination of working remotely and working in the employee's usual workplace.
- **Part time:** Working less than full-time hours (usually by working fewer days).
- **Compressed hours:** Working full-time hours but over fewer days - for example a 9-day fortnight.
- **Flexitime:** The employee chooses when to start and end work (within agreed limits) but works certain 'core hours', for example 10am to 4pm every day.
- **Annualised hours:** The employee has to work a certain number of hours over the year but they have some flexibility about when they work. There are sometimes 'core hours' which the employee regularly works each week, and they work the rest of their hours flexibly or when there's extra demand at work.
- **Staggered hours:** The employee has different start, finish and break times from other workers.
- **Phased retirement:** Default retirement age has been phased out and older workers can choose when they want to retire. This means they can reduce their hours and work part time.

Scotland

The Scottish Government endorse the Fair Work Convention's Fair Work Framework, which sets out the five dimensions of Fair Work: Effective Voice, Opportunity, Security, Fulfilment and Respect. Security can be supported by building stability in contractual arrangements, adopting at least the Living Wage, giving opportunities for hours of work that can align with family life and caring commitments, employment security agreements, fair opportunities for pay progressing, sick pay and pension arrangements. The Scottish Government's Fair Work First approach asks employers in receipt of public sector funding to adopt their Fair Work First principles, by asking employers to offer flexible and family friendly working practices from day one of employment.

The Scottish Government provides five family payments, including [Scottish Child Payment](#), [Best Start Foods and the three Best Start Grants](#). These support families on a low income and help contribute to reducing child poverty in Scotland. The Scottish Government five family payments could be worth around £10,000 by the time an eligible child turns six - compared to less than £2,000 for families in England and Wales - and over £20,000 by the time an eligible child turns 16.

The Scottish Government's interim [evaluation](#) of Scottish Child Payment was published in July 2022. This utilised commissioned qualitative research and management information to provide information on the payment. A limited amount of evidence gathered in the interim evaluation indicates that Scottish Child Payment can reduce parents' barriers to education and the labour market e.g. by funding transport to job interviews or work. The Scottish Government continue to assess the available evidence of the impact of Scottish Child Payment on people's interaction with the labour market and note that the Scottish Government will conduct a full evaluation of the five family payments, including Scottish Child Payment, later this year.

The Scottish Government provides 1140 hours of high quality funded Early Learning and Childcare (ELC) to all three and four-year-olds and eligible two-year-olds. This entitlement is regardless of the working status of parents or carers and puts children first. If families paid for this offer themselves, it would cost them around £5,000 per eligible child per year.

The Scottish Government's [Strategic Childcare Plan](#) sets out that for parents and carers, international research suggests that affordable and flexible ELC can improve standards of living and address child poverty through reducing pressures on family income and enabling parents and carers, particularly women, to participate in work, education or training. It is important for equal opportunities in employment between women and men. This also has important benefits for a child's own wellbeing, which is negatively impacted by living in poverty. That is why expanding access to high quality, funded ELC remains a Scottish Government priority, particularly in the context of the current cost of living crisis.

The Scottish Government's [National Strategy for Economic Transformation](#) emphasises that childcare is a vital element of Scotland's economic infrastructure. The Strategy makes clear the importance of childcare offers in enabling parents and carers to return to work, or increase their working hours. The international evidence indicates that ELC provision can help to address gender inequality in pay, as well as supporting parents and carers to combine caring for their children with seeking or returning to work, or taking part in education or training. The literature has focused on the links between maternal employment and children taking part in ELC, suggesting that the existence of ELC provision helps to support mothers to work.

The research literature also suggests that affordable and accessible school age childcare allows some parents or carers, especially single parents and those who are not currently in work, to find or remain in good jobs, increase their working hours or undertake further education or training. As The Scottish Government develop their ambition to build a system of school age childcare, they will also work to assemble

more evidence about the ways in which it can support parents and carers with their aspirations to enter and sustain employment, training or studying and to ultimately increase their household income.

Article 27.2 - to provide a possibility for either parent to obtain, during a period after maternity leave, parental leave to take care of a child, the duration and conditions of which should be determined by national legislation, collective agreements or practice

UK policy

Shared Parental Leave gives both parents the opportunity to spend time with their children in those important early months, and to balance this with their careers and working lives. It enables working parents to share up to 50 weeks of leave and up to 37 weeks of pay in the first year of the child's life.

We have launched an online tool, hosted on gov.uk, to make it easier for parents to check if they are eligible for Shared Parental Leave and to plan their leave.

Also see response for Article 8.3 of the European Social Charter 1961.

Article 27.3 - to ensure that family responsibilities shall not, as such, constitute a valid reason for termination of employment.

UK policy

An employer must use a fair and reasonable procedure to decide whether to dismiss someone. An employer must put the reasons in writing for an employee who's pregnant or on maternity leave, regardless of how long they have been employed.

Being pregnant or on maternity leave, wanting to take family leave (for example parental, paternity or adoption leave) and making a flexible working request would automatically qualify as unfair reasons for dismissal.

Article 28 - The right of workers' representatives to protection in the undertaking and facilities to be accorded to them

With a view to ensuring the effective exercise of the right of workers' representatives to carry out their functions, the Parties undertake to ensure that in the undertaking:

- a) they enjoy effective protection against acts prejudicial to them, including dismissal, based on their status or activities as workers' representatives within the undertaking;*
- b) they are afforded such facilities as may be appropriate in order to enable them to carry out their functions promptly and efficiently, account being taken of the industrial relations system of the country and the needs, size and capabilities of the undertaking concerned.*

UK policy

The Trade Union and Labour Relations (Consolidation) Act 1992 (TULRCA) provides individual workers with the rights which allow them to join a trade union and to participate in trade union activities.

Under TULRCA, it is automatically unfair for an employer to dismiss an employee on the grounds of trade union membership or for participating in union activities. It is also unlawful to refuse to recruit a person because he or she is a member of a trade union. Employers cannot subject a worker to detriment for the purposes of preventing, deterring or penalising trade union membership or participation in union activities at an appropriate time.

Where an independent union has been recognised by an employer for collective bargaining purposes, TULRCA requires that:

- the employer to provide facility time to union representatives and their members;
- union representatives are entitled to paid time off to carry out their union duties as well as paid time off for training; and
- union members are also entitled to unpaid time off during working hours to participate in union activities, for example attending union meetings.

Union representatives do not have a statutory right of access to an employer's facilities (e.g. meeting rooms). The Advisory, Conciliation and Arbitration Service Code of Practice on time off for trade union duties and activities states that employers should, where practical, make facilities available to union representatives. The provisions of the Code are admissible in evidence in proceedings before an Employment Tribunal.

Article 29 - The right to information and consultation in collective redundancy procedures

With a view to ensuring the effective exercise of the right of workers to be informed and consulted in situations of collective redundancies, the Parties undertake to ensure that employers shall inform and consult workers' representatives, in good time prior to such collective redundancies, on ways and means of avoiding collective redundancies or limiting their occurrence and mitigating their consequences, for example by recourse to accompanying social measures aimed, in particular, at aid for the redeployment or retraining of the workers concerned.

UK policy

Any large-scale redundancies proposed at an establishment over a 90-day period need to be subject to a consultation exercise to identify if there are alternatives to job losses. The minimum length of time for consultation will vary with the number of employees at that establishment. Where there are more than 20 but fewer than 100 potential losses that period is 30 days. For 100 or more employees the minimum consultation period is 45 days.

There is a requirement to notify the Secretary of State for Business and Trade of the proposed collective redundancies prior to the start of statutory consultation.

Throughout the redundancy process employers still have obligations to their employees and should be thinking about the help they can offer. Employees with 2 years' service under notice of redundancy have the right to reasonable paid time off to look for a new job or arrange training.

The Government helps affected parties through the Rapid Response Service. This is a service designed to give support and advice to employers and their employees when faced with redundancy.

Article 30 - The right to protection against poverty and social exclusion

With a view to ensuring the effective exercise of the right to protection against poverty and social exclusion, the Parties undertake:

- a) to take measures within the framework of an overall and co-ordinated approach to promote the effective access of persons who live or risk living in a situation of social exclusion or poverty, as well as their families, to, in particular, employment, housing, training, education, culture and social and medical assistance;*
- b) to review these measures with a view to their adaptation if necessary.*

UK policy

The UK Government is committed to a sustainable, long-term approach to tackling poverty. We will spend £276 billion through the welfare system in Great Britain in 2023/24, including around £125 billion on people of working age and their children.

In 2023/24 the UK Government uprated all benefit rates and State Pensions by 10.1% and from April 2024, working age benefits will rise by 6.7%, in line with inflation. To further support low-income households with increasing rent costs, the UK Government will raise Local Housing Allowance rates to the 30th percentile of local market rents in April 2024. This will benefit 1.6 million low-income households by on average £800 a year in 24/25.

The UK Government has set out a clear approach to tackling poverty based on evidence about the important role of employment, particularly where it is full-time, in reducing the risk of poverty. In 2022/23, children living in workless households were over 6 times more likely to be in absolute poverty, after housing costs, than those where all adults work. Compared to 2010, there are over 1 million fewer workless households and more than 680,000 fewer children in workless households in the UK. This is why, with over 900 thousand vacancies across the UK, the UK Government's focus is firmly on supporting people into and to progress in work.

In 2022/23, there were 1.1 million fewer people in absolute poverty after housing costs than in 2009/10, including 100,000 fewer children.

To help people into work, our core Jobcentre offer provides a range of options, including face-to-face time with Work Coaches and targeted employment support.

Following recent changes in Jobcentre appointment frequency and work-related activity expectations, families are benefiting from more support to increase their chances of securing work when their child gets older and to increase their hours or earnings by taking advantage of the childcare support that is available to them.

To help parents on Universal Credit who are moving into work or increasing their hours, the UK Government will provide additional support with upfront childcare costs. Also from April 2024, UK Government, we will increase the childcare costs that parents on Universal Credit can claim back to over £1,000 a month for one child and to over £1,700 a month for two or more children – a further increase of 6.7% when compared with late June 2023 when they increased by 47%.

To further support people in work, the voluntary in-work progression offer is now available in all Jobcentres across Great Britain, providing an estimated 1.6 million low paid workers on Universal Credit access to personalised work coach support to help them increase their earnings. The UK Government have also increased the National Living Wage by 9.7 per cent to £10.42 an hour from April 2023 and on 1 April 2024, the UK Government will increase the National Living Wage for workers aged 21 years and over by 9.8% to £11.44 representing an increase of over £1,800 to the gross annual earnings of a full-time worker on the NLW.

For those who require extra support, £500 million of additional funding has enabled the extension of the Household Support Fund, including funding for the Devolved Administrations through the Barnett formula to be spent at their discretion. This means that Local Authorities in England will receive an additional £421 million to support those in need locally through the Household Support Fund. This brings the total funding to £3 billion, including Barnett impact, since the start of the Household Support Fund in October 2021.

The UK has accepted Article 13 The right to social and medical assistance and believes it meets all associated obligations.

UK Government continues to monitor the impact of its policies and keeps them under review.

Support for disadvantaged children

The Government in England is committed to improving outcomes for disadvantaged children and young people, including narrowing the attainment gap between disadvantaged pupils and their peers.

The Schools White Paper, published March 2022, sets out how our education system in England will deliver the government's priority to improve pupil attainment. The White Paper vision is for a school system that helps every child to fulfil their potential by ensuring that they have the right support, in the right place, at the right time – founded on achieving world-class literacy and numeracy.

Schools in England continue to receive the Pupil Premium to enable them to provide extra support to improve disadvantaged pupils' academic and personal achievements. Pupil premium funding will rise to over £2.9 billion in 2024-25, an increase of £80 million from 2023-24. Also, the National Funding Formula (NFF) targets funding to schools in England which have the greatest numbers of pupils with additional needs. In 2024-25, we are targeting a greater proportion of schools NFF funding towards deprived pupils than ever before – over £4.4billion (10.2%) of the formula has been allocated according to deprivation, and over £7.8bn (17.8%) will be allocated for additional needs overall.

Also, the Government in England has extended free school meals to more groups of children than any other Government over the past half a century, with over £1billion spent per annum delivering free lunches to the greatest ever proportion of school children, over one third of pupils. This includes two million pupils who are eligible for benefits-related free school meals, an additional c1.3 million infants following the

introduction of universal infant free school meals in 2014, and 90,000 disadvantaged pupils in further education who receive a free meal at lunch time. The government has also permanently extended eligibility for free school meals to children from all families with no recourse to public funds (NRPF), subject to income thresholds. This came into effect following the Easter school holidays 2022. There is also a generous protections policy in place, which means that eligible pupils currently keep their FSM entitlement even if their circumstances change. These protections have been extended to March 2025.

Further wider support for disadvantage children in England is available through several different programmes, including the Holiday Activities and Food (HAF) programme which provides healthy meals, enriching activities, and free childcare places to children from low-income families. Since 2022, the HAF programme has provided 10.7 million HAF days to children and young people in England. The National School Breakfast Programme (NSBP) has been operating since 2018 to set up or improve breakfast clubs in deprived areas. We are currently investing up to £30million until the end of the summer term in 2024. Over 2,690 schools are participating in the programme, and Family Action estimates that over 350,000 children are receiving a breakfast from the NSBP on an average school day.

Civil society

Civil society (also known as the third or voluntary sector) provides vital support to a range of beneficiaries, including those who are living in or at risk of poverty, those who are socially excluded, migrants, and young people. The services the sector provides, such as food banks, financial advice or assistance, homelessness provision, youth activities and befriending groups, help to meet a number of the Charter's aims.

Whilst many government departments have strong relationships with civil society organisations, leading in their policy areas, the Department for Culture, Media and Sport (DCMS) is responsible for civil society policy overall across England. DCMS aims to enable a healthy and thriving civil society sector via a variety of means, including regulation, funding and supporting volunteers and charitable organisations to come together.

A few examples are given below of recent DCMS work which are pertinent to the Charter's aims.

Community Organisations Cost of Living Fund (CCLF)

Recent cost of living pressures have meant organisations which deliver frontline services (e.g. those which supply food, shelter or advice) have seen sharp increases in demand for their services from low income households in particular. DCMS is delivering a £76m grant fund to support these frontline organisations with their crucial delivery over the winter months (2023/24). More information can be found on the [Community Organisations Cost of Living Fund](#) webpage.

Tackling Loneliness

Since 2018, government has invested almost £80 million in tackling loneliness, and has published the first ever government Strategy for Tackling Loneliness and appointed the world's first Minister for Loneliness. We inspire non-government action through our Tackling Loneliness Network; improve the evidence base on loneliness by coordinating academics and publishing research; and reach millions of people through our annual communications campaigns which aim to reduce the stigma associated with loneliness.

Know Your Neighbourhood fund (KYN)

KYN is investing up-to £30 million to widen participation in volunteering and tackle loneliness in 27 disadvantaged areas across England by March 2025. It aims to reduce the proportion of chronically lonely people in these targeted areas who lack desired level of social connections, and to build sustainable systems and processes which encourage volunteering and tackling loneliness. More information can be found on the [About the Know Your Neighbourhood Fund](#) webpage.

Volunteering Futures Fund

Since 2021, government has invested £7.4 million through the Volunteering Futures Fund, to support people to overcome barriers to volunteering, with projects running until March 2024. This has opened up volunteering opportunities for thousands of young people, people with disabilities, and those experiencing loneliness.

Youth Investment Fund (YIF)

The YIF is creating youth facilities to level up opportunity in some of the less advantaged areas of England, giving young people access to support from youth workers and enabling them to engage in beneficial activities. YIF will fund the construction or redevelopment of up to 300 youth facilities, with over £160 million granted to 87 organisations to build, renovate and expand youth provision. Further announcements will be made until the funding is fully committed, and more information can be found on the [Youth Investment Fund Phase 2: Allocations of awards to beneficiaries - GOV.UK \(www.gov.uk\)](#) webpage.

Housing

The approach to housing is explained under Article 31 below.

Scotland

Human rights is a subject devolved to Scotland. The Scottish Parliament also has competence to observe and implement international human rights treaties.

Tackling poverty and protecting people from harm is [one of three critical and interdependent missions for the Scottish Government](#). The Human Rights Bill for Scotland will help to provide a structural framework to help lift people out of poverty. The legislation will mean that people in Scotland will have enforceable economic, social and cultural rights, including the right to an adequate standard of living. Duty bearers will have to demonstrate how they are both meeting minimum standards of rights and also how they are improving access over time within their maximum available resources.

Income via social security benefits is a key driver in tackling poverty in Scotland. Ensuring that people access all of the social security support they are entitled to is a fundamental priority for the Scottish Government. The [Social Security \(Scotland\) Act 2018](#) establishes a legal duty on the Scottish Government to promote the take-up of benefits across the Scottish social security system. As part of that, the Scottish Government are also required to periodically prepare a Benefit Take-up Strategy. The [current strategy](#) focuses on removing social barriers to people accessing Scottish benefits; addressing complex or costly access; and improving access to information.

The Scottish Government are delivering a number of take-up initiatives, including funding for advice-providers, taking their services to locations most accessible to people through, for example, their Local Delivery service, running targeted marketing campaigns and funding a free and independent advocacy service which supports disabled people in accessing Social Security Scotland assistance. In addition to periodically publishing a new benefit take-up strategy, the Scottish Government also produces an [annual publication](#) of updated estimates of take-up for relevant benefits, as well as setting out policy progress and future directions.

In December 2021, the Scottish Government published [Tackling fuel poverty in Scotland: a strategic approach](#) which outlines a comprehensive range of actions designed to tackle the four drivers of fuel poverty and help meet the ambitious targets for 2040 as set out in the [Fuel Poverty \(Targets, Definition and Strategy\) \(Scotland\) Act 2019](#). The statutory independent [Scottish Fuel Poverty Advisory Panel](#) oversees the implementation of the Scottish Government's Fuel Poverty Strategy, providing external scrutiny on the Scottish Government's progress towards meeting statutory targets and collectively holding the Scottish Government to account on its delivery.

As part of the Scottish Government's duty within the 2019 Fuel Poverty Act, they have recently consulted with the Scottish Fuel Poverty Advisory Panel in respect of next steps with their strategy, resulting in a set of [published recommendations](#). The Scottish Government will set out their actions, including the development of an outcomes focused monitoring and evaluation framework, working in close collaboration with the Panel, as they progress delivery of their statutory targets.

In relation to child poverty, [The Child Poverty \(Scotland\) Act 2017](#) (the 2017 Act) sets in statute income-based targets to significantly reduce child poverty by 2030-31, with interim targets to be met in 2023-24. Under the 2017 Act, Scottish Ministers are required to publish Tackling Child Poverty Delivery Plans outlining actions to drive progress towards the child poverty targets, and to publish annual reports on progress made towards meeting the child poverty targets and in implementing the relevant Delivery Plan. The first Plan, [Every Child, Every Chance](#), was published in March 2018, setting out action across 2018-22. The second Plan, [Best Start, Bright Futures](#), was published in March 2022, setting out action across 2022-26. The final Plan is due for publication by the end of March 2026 and will outline action for the period 2026-2031 inclusive.

The [latest annual report](#) was published in June 2023, covering the period 2022-23, with the annual report published in June 2022 summarising key action taken across 2018-22 inclusive. Alongside official statistics, data from policy evaluations and the [Child Poverty Measurement Framework](#) enable timely and relevant assessments of policy impact, demonstrating the Scottish Government's progress toward the targets. This information will support decision making around the effectiveness of different policies to tackle child poverty and support policy alterations as required.

Article 31 - The right to housing

With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed:

Article 31.1 - to promote access to housing of an adequate standard.

UK policy

The UK Government considers that everyone deserves to live in a safe and decent home. The Levelling Up white paper (February 2022)¹¹ set out our ambition to reduce the levels of non-decency in rented homes by 50% by 2030. As housing policy is devolved to nations in the UK, the detail below covers policy in England only.

A number of legislative quality standards apply to rented housing in England. All rented homes must be free from dangerous health and safety hazards, be fit for human habitation and be fitted with smoke and carbon monoxide detectors. Rented housing with gas must have these installations inspected every year to ensure they are safe. Private rented housing must have its electrical installations inspected every 5 years, and we are introducing a similar requirement for social housing.

All social rented homes are also required to meet the Decent Homes Standard. The Decent Homes Standard defines the features of a decent home, including effective heating and insulation, the facilities that should be available, and the general state of repair. The government has committed to reviewing the Decent Homes Standard and to extending it to the private rented sector for the first time. This will ensure tenants across both tenures can be secure in the knowledge that they are living in safe and decent homes.

Following Royal Assent of the Social Housing (Regulation) Act in July 2023, from April 2024 the Regulator of Social Housing will proactively regulate social landlords on its consumer standards (including the Decent Homes Standard and other standards of physical decency) and will be able to make use of strengthened enforcement powers when landlords do not meet the standards.

The Government is also introducing new requirements on social landlords to address hazards within fixed timeframes. This promotes the rights of social housing tenants to live in safe homes and empowers them to take legal action against their landlords if they fail to address hazards quickly enough.

We are committed to reducing overcrowding by increasing the supply of affordable housing and enabling councils and other social landlords to make better use of their existing stock. People who live in overcrowded, unsanitary or unsatisfactory housing and who apply for social housing, must by law be given reasonable preference for an allocation of social housing. Statutory guidance recommends local authorities also consider giving additional preference to families in severe overcrowding which poses a serious health hazard.

¹¹ [Levelling Up the United Kingdom - GOV.UK \(www.gov.uk\)](https://www.gov.uk/levelling-up-the-united-kingdom)

The Government strongly believes in the importance of housing stability for those who rent. The Regulator of Social Housing's Tenancy Standard requires social landlords to develop and provide services that will support tenants to maintain their tenancy and prevent unnecessary evictions.

Scotland

The proposed Human Rights Bill for Scotland will incorporate ICESCR, which includes the right to adequate housing as set out in Article 9. This is intended to drive transformative positive change in public service delivery, including by enabling people to claim their rights and hold public authorities to account for respecting, protecting and fulfilling that right.

Scotland's overarching housing strategy, [Housing to 2040](#), sets out a vision where homes are affordable for everyone, where standards are the same across all tenures, where homes have easy access to green space and essential services, and where homelessness, child poverty and fuel poverty have been eradicated. All homes in Scotland are required by law to meet the minimum [Tolerable Standard \(TS\)](#).

In order to comply with the statutory TS, all housing in Scotland must:

- Be structurally stable;
- Be substantially free from damp;
- Have satisfactory provision for lighting, ventilation and heating;
- Have satisfactory thermal insulation;
- Have an adequate piped supply of wholesome water;
- Have a sink with a satisfactory supply of both hot and cold water;
- Have a toilet for the exclusive use of the occupants;
- Have a bath or shower and a wash-hand basin;
- Have effective drainage;
- Have a safe electrical installation;
- Have satisfactory facilities for cooking food;
- Have satisfactory access to all external doors and outbuildings; and
- Have interlinked fire detectors and (unlinked) carbon monoxide detectors.

TS applies to all homes except mobile homes – there are additional standards for private rented ([the Repairing Standard](#)) and social rented homes ([Scottish Housing Quality Standard](#)).

Local Authority landlords and registered social landlords are required to meet the [Scottish Housing Quality Standard](#), which includes compliance with the Tolerable Standard. [The Housing \(Scotland\) Act 2006](#) sets out the duties placed on private landlords by the [Repairing Standard](#) to ensure that a privately let property meets a minimum physical standard.

Wales

The Welsh Government is increasing the number of affordable homes available to meet the needs of everyone in housing need. This involves investing more money

than previously to build new homes for social rent. Helping people to move out of temporary accommodation into longer term homes is also a focus of the Welsh Government. A new fund has been created to buy and refurbish homes and use modern methods of house building to help reduce the time people spend in temporary accommodation.

The Welsh Government recognises the importance of having homes that are warm, safe, and modern, and to this end has an ongoing programme of investment to improve and maintain homes in Wales.

In 2023, the Welsh Government issued a Green Paper on [Securing a path towards adequate housing including fair rents and affordability](#), and brought forward proposals for reforming homeless support services in the [White Paper on ending homelessness in Wales](#).

The Welsh Government reviews its policies and practices through the Integrated Impact Assessment process, which has been applied to key policies and initiatives across Housing and Regeneration. Work is also under way to reform the way housing data is collected and published.

Specific programmes implemented in 2023/24 include the following investments:

- £330m in our **Social Housing Grant**, providing capital grants to Local Authorities (LAs) for the provision of affordable housing. The grant is used to fund housing schemes that meet local housing need and priorities, as identified by LAs in Wales.
- £60m in our **Housing with Care fund**. The fund is designed to support independent living in the community for people with care and support needs, and to provide intermediate care settings in the community so that people who need care, support and rehabilitation can return to living independently or maintain their existing independence.
- £19.5m invested in our **Rapid Response Adaptations Programme**. This funds physical adaptations to homes for children and adults who are disabled.

Article 31.2 - to prevent and reduce homelessness with a view to its gradual elimination.

UK policy

Homelessness and rough sleeping is devolved to nations in the UK:

England

the UK Government has made the unprecedented commitment to end rough sleeping within this Parliament and to fully enforce the Homelessness Reduction Act 2017 (HRA 2017).

The HRA 2017 is the most ambitious reform to homelessness legislation in decades. Over 675,000 households have been prevented from becoming homeless or supported into settled accommodation since 2018 through the HRA, including greater support for single adults who previously received little or no help. For those who find themselves at risk of homelessness, we are investing over £1 billion in the Homelessness Prevention Grant (HPG) over three years (including a £109m top-up to the Homelessness Prevention Grant this year, 2023-24). The HPG funds local authorities to provide temporary accommodation (TA) for families, help individuals at risk of becoming homeless pay rental deposits for new homes and mediate with landlords to avoid evictions. Homelessness case-level data collection was introduced at the same time as the HRA in 2018 and produces quarterly statistics to monitor homelessness in England.

TA is an important way of ensuring no family is without a roof over their head. The £1.2 billion Local Authority Housing Fund enables councils in England to buy or create housing stock to accommodate Ukrainian and Afghan families at risk of homelessness, and to obtain better quality TA for those owed a homelessness duty, providing a lasting affordable housing asset for the future. Local authorities must ensure TA is suitable and should keep the suitability of accommodation under review.

Government's 'Ending Rough Sleeping for Good' strategy, published in September 2022, sets out a prevention first approach, including bringing forward investment so that nobody leaves a public institution to rough sleeping. Our strategy sets out how we are investing over £2 billion over three years to tackle homelessness and rough sleeping. As set out in the strategy, we have developed a data-led framework to measure progress of local areas ensuring rough sleeping is prevented where possible, and where it does occur, is rare, brief and non-recurring.

The Rough Sleeping Initiative (our flagship rough sleeping funding for English local authorities) funds a variety of services from accommodation, Housing First, outreach staff and specialist services covering areas such as physical and mental health, supporting prison leavers, training to widen employment opportunities and immigration advice. We are investing over £547m in Rough Sleeping Initiative funding to local authorities across England from 2022 to 2025. This multi-year funding provides local authorities certainty and the ability to plan to end rough sleeping.

Scotland

The Scottish Government's [Ending Homelessness Together Action Plan](#) sets out how its strategy preventing and tackling homelessness will be implemented. Actions include: prevention; prioritising settled homes; rapid response to homelessness; join up planning and resourcing to tackle homelessness.

The [Scottish Government's Ending Homelessness Together annual report](#), published in October 2021 highlighted that Rapid Rehousing and Housing First are

instrumental in achieving a long-term, systematic change at both national and local level. To support delivery of the action plan, in addition to the funding provided through the local government settlement, the Scottish Government are providing a total of £100 million from the Scottish Government's Ending Homelessness Together Fund to transform the homelessness system.

The Scottish Government are prioritising work to improve outcomes for women and children experiencing domestic abuse and to support people leaving prison. This includes making it a legal requirement for social landlords to develop and implement a domestic abuse housing policy as part of the prevention of homelessness duties and reviewing the implementation of the [Sustainable Housing on Release for Everyone \(SHORE\) Standards](#) to ensure that the housing needs of people leaving prison are managed consistently across Scotland.

The Scottish Government will introduce draft legislation providing for new prevention of homelessness duties this parliamentary year. The legislation will be based on the principles of shared public responsibility and earlier intervention to prevent homelessness. However, when homelessness does occur, the Scottish Government adopts a housing-led response, supported by funding for local authorities to provide settled homes. The duties will include the requirement for specified public bodies to ask about housing situations to identify a risk of homelessness and then act on that information alongside changes to existing legislation so local authorities act sooner to prevent homelessness. In addition, all 32 councils have [Rapid Rehousing Transition Plans](#) in place and have been implementing these since April 2019.

The Homelessness Prevention and Strategy Group, co-chaired by members of [Crisis](#), and [Cyrenians](#), completed its consideration of what groundwork is needed to ensure successful implementation of Scotland's homelessness prevention legislation and [published its report](#) in August 2023. The Scottish Government [responded in December 2023](#), supporting the key messages that came out of the group's report and reinforcing the Scottish Government's commitment to work with its stakeholders to get the legislation, guidance and training for the new duties right. [The Ministerial Oversight Group on Homelessness](#) brings together ministers from a range of portfolios across the Scottish Government to identify the actions required across portfolios to prevent and end homelessness and then to collectively ensure delivery of these actions.

Wales

See information provided under 31.1 above.

Article 31.3 - to make the price of housing accessible to those without adequate resources.

UK policy

Housing is also a devolved matter.

England.

Affordability may be an issue for some private renters who may require additional support.

From April 2024 the Government will be investing £1.2 billion restoring Local Housing Allowance (LHA) rates to the 30th percentile of local market rents. This substantial investment will mean 1.6 million low-income households gain, on average, nearly £800 per year in additional help towards their rental costs in 2024/25.

For those most in need, significant support has been made available to help meet a shortfall in housing costs, including through Discretionary Housing Payments. This funding can be awarded to those entitled to Housing Benefit or the housing element of Universal Credit to help with a rent deposit, rent in advance, a shortfall in rent or other lump sum costs associated with a housing need, such as removal costs.

Local authorities have broad discretion to spend in line with their local priorities, supported by non-statutory guidance which provides a list of priority groups to assist with their decision making. Since 2011, nearly £1.7 billion of such funding has been made available to local authorities.

Since 2010, over 696,100 new affordable homes have been delivered, including over 475,500 affordable homes for rent, of which over 172,600 homes for social rent. Our £11.5 billion Affordable Homes Programme will continue to deliver thousands more affordable homes for both rent and to buy right across the country. Alongside this we support dedicated housing programmes for refugees.

The Government has also welcomed new institutional investment in the private rented sector, which could also help to improve affordability and drive-up standards and has made several interventions to support the Build to Rent sector. Build to Rent boosts housing supply, diversifies the private rental sector, and increases quality and choice for renters in cities and towns across England.

Scotland

In 2023/24 the Scottish Government made £83.7 million available to local authorities to spend on Discretionary Housing Payments (DHPs), this includes:

- £69.7 million to help over 92,000 households in Scotland sustain their tenancies
- £6.2 million to support over 2,500 families and over 8,900 children.

In 2024/25 the Scottish Government is increasing the DHP budget to £90.5 million, an increase of £6.8 million.

Wales

See information provided under 31.1 above.

The Additional Protocol to the European Social Charter providing for a system of collective complaints (ETS No. 158)

The UK has not signed the Additional Protocol providing for a system of collective complaints.

The UK Government considers that the existing supervisory mechanisms of the European Social Charter 1961 are sufficient and is not convinced that additional monitoring is required. Additional monitoring would also result in unnecessary additional administrative burdens.