



## BRIEFING PAPER

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# Briefing on Hospital Parking Charges (Exemption for Carers) Bill

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## Summary

On 24 June 2015, Julie Cooper presented the [Hospital Parking Charges \(Exemption for Carers\) Bill](#), having come fourth in the Private Members' Bill Ballot.

This briefing has been prepared in advance of the Bill's Second Reading in the House of Commons on 30 October 2015.

The Bill makes provision for exempting "qualifying" carers from hospital car parking charges. It would place a duty on health authorities to exempt carers who are currently in receipt of, or have an underlying entitlement for, Carer's Allowance from paying car parking charges at healthcare facilities in England.

The Bill also provides for exempting "eligible" carers from hospital car parking charges. Eligible carers would include those who have been assessed by their local authority as eligible for free hospital car parking charges. Eligible carers may also be those who have been certified as providing or intending to provide substantial care on a regular basis.

These duties would apply to NHS hospitals, walk-in centres and GP practices, as well as private hospitals.

Speaking about the Bill, Julie Cooper said:

Hospital car parking charges place an unfair burden on carers. Carers have told us that the emotional and financial impact of hospital parking charges seriously undermines their ability to continue caring well for their loved ones and themselves. This could be catastrophic for the NHS which, without carers, wouldn't survive. The cost of providing carers with free hospital parking in England is negligible when compared with these potential consequences.

With the huge demographic and financial challenges facing the NHS, it has never been more important to support carers. That is why I have put forward this Bill, urging politicians and health bosses alike to listen to what carers are telling them and park the charges for carers.<sup>1</sup>

The Bill extends to England only.

Hospital parking charges in Scotland and Wales were abolished in 2008. Three car parks in Scotland, operated under Private Finance Initiative (PFI) contracts still have charges<sup>2</sup>, and four hospitals in Wales continue to charge, but have been told to abolish charges once contracts with private parking firms end.<sup>3</sup> Car parking charges have also been abolished in most hospitals in Northern Ireland, and for those that remain, many patients with cancer and other long-term conditions are exempt.<sup>4</sup>

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<sup>1</sup> Carers UK, [Scrap hospital parking charges for carers or risk serious impact on NHS – warns campaign](#), 16 October 2015

<sup>2</sup> ["NHS car parking savings 'pass £13m'"](#), BBC, 21 April 2013

<sup>3</sup> ["Hospital car parking guidance to reduce some charges"](#), BBC, 23 August 2014

<sup>4</sup> [Car parking charges in the health and social care sector](#), Northern Ireland Assembly, 28 November 2011

# 1. The Bill

The *Hospital Parking Charges (Exemption for Carers) Bill* makes provision for exempting carers from car parking charges at healthcare sites.

It would place a duty on healthcare bodies to exempt qualifying and eligible carers from charges at hospitals and other healthcare facilities.

## 1.1 Duty to exempt qualifying carers from hospital car parking charges

**Clause 1** of the Bill provides that bodies which provide healthcare must make arrangements to exempt qualifying carers engaged in “qualifying activities” (see Clause 2) from car parking charges at hospitals and other healthcare facilities.

The duty applies to any NHS hospital, walk-in centre, GP practice or health care facility to which patients are admitted or which they attend for diagnosis, testing, treatment or appointments relating to health. The duty also applies to private hospitals.

It applies to car parking spaces provided directly or indirectly by, or on behalf of, the healthcare provider for patients and other users to whom car parking charges would normally apply.

These arrangements should be implemented within 12 months of the date the Act comes into force.

## 1.2 Qualifying carers

**Clause 2** provides that a qualifying carer is a person who:

- Receives Carer’s Allowance, or
- Has an underlying entitlement to Carer’s Allowance

The “qualifying activities” which carers must be engaged in to be exempt from car parking charges are:

Transporting, visiting or otherwise accompanying or facilitating a person to whom the care relevant to subsection (1) is provided and who has been admitted to, or is attending, a health care facility for diagnosis, testing, treatment or other appointment relating to their health.

## 1.3 Guidance on the exemption of qualifying carers

**Clause 3** provides that the Secretary of State shall, after public consultation, issue guidance to health care providers on the implementation of the duty to exempt carers from car parking charges.

The Clause also provides that the Secretary of State may also make regulations about the implementation of this duty. A statutory instrument would need to be laid in draft before each House of Parliament and approved by a resolution of each House.

## 1.4 How many “qualifying carers” are there?

It is estimated that 720,970 people currently claim Carer’s Allowance and a further 408,400 people are entitled to the benefit.<sup>5</sup>

The Department for Work and Pensions provided the number of people entitled to, or receiving, Carer’s Allowance per region, in February 2015:

	Caseload (thousands)		Total (thousands)
	Entitled to Carer’s Allowance	Receiving Carer’s Allowance	
North East	25.17	42.6	<b>67.77</b>
North West	60.8	101.93	<b>162.73</b>
Yorkshire and the Humber	35.74	68.54	<b>104.28</b>
East Midlands	32.17	53.98	<b>86.15</b>
West Midlands	44.38	76.44	<b>120.82</b>
East of England	35.05	57.47	<b>92.52</b>
London	24.28	85.49	<b>109.77</b>
South East	38.72	75.24	<b>113.95</b>
South West	34.96	51.12	<b>86.08</b>
Wales	32.41	44.95	<b>77.37</b>
Scotland	44.28	62.87	<b>107.15</b>
Claimants living abroad	0.42	0.35	<b>0.78</b>
Unknown	0.01	0.01	<b>0.02</b>
<b>Total</b>	<b>408.40</b>	<b>720.97</b>	<b>1129.37</b>

<sup>5</sup> DWP, [Carer's Allowance - all entitled cases Caseload \(Thousands\)](#), February 2015

[DWP, [Carer's Allowance – all entitled cases, Caseload \(Thousands\): region by Entitled/Receiving payment](#), February 2015]

## 1.5 Duty to establish a scheme for exempting eligible carers from hospital car parking charges

The “eligible carer” category is intended to be broader than the “qualifying carer” category.

**Clause 5** provides that an eligible carer is a person who:

- Has been assessed as eligible for free hospital car parking by a local authority under section 10 (5) (f) of the *Care Act 2014*, or
- Provides or intends to provide substantial care on a regular basis, other than under or by virtue of a contract or as voluntary work, and has been certified as such by an appropriate clinician.

Clause 5 amends the *Care Act 2014* by inserting a new clause relating to eligibility for exemption from hospital car parking charges.

The Bill provides that healthcare bodies shall establish schemes to exempt “eligible” carers engaged in any of the qualifying activities (see section 1.2).

Healthcare must submit such schemes to the Secretary of State within 12 months of the Act coming into force.

Such schemes should subsequently be implemented within 18 months after the Act comes into force – later than the implementation of the “qualifying carer” duty.

**Clause 6** provides that the Secretary of State shall, after public consultation, issue guidance to health care providers, including private hospitals, on the implementation of this duty. The Secretary of State may also, after public consultation, make regulations about the implementation of this duty. A statutory instrument would need to be laid in draft and approved by a resolution of each House.

## 1.6 Potential costs

There are no officially published estimates on the cost of exempting carers from hospital car parking charges.

The Department of Health has however provided an estimate of the revenue from hospital car parking charges as a whole, which reported that parking revenue from NHS patients and visitors was in the range from £140 million to £180 million per annum.<sup>6</sup>

There are also no officially published estimates on the cost of the free hospital parking policies in Scotland and Wales but media reports, from around the time that parking charges were abolished, suggested that

<sup>6</sup> Department of Health, [NHS Car Parking Impact Assessment](#), December 2009

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the cost in terms of lost revenue would be around £5.5 million per year in [Scotland](#) and around £5.4 million in [Wales](#).

## 2. NHS car parking policies

NHS Hospital Trusts and Foundation Trusts are responsible for setting their own car parking policies and schemes for patients, visitors and staff. They are not currently required under law to make exemptions.

Results from the 2015 Patient-Led Assessments of the Care Environment collection showed that over 75% of sites that charge for car parking currently operate a concessions scheme and display it prominently.<sup>7</sup>

In response to a PQ, the Government provided details of hospital sites that charge for car parking, but do not offer concessions, or that offer them but do not prominently display that information. The information supplied was collected from NHS organisations.<sup>8</sup>

The Department of Health published non-mandatory guidelines on [NHS patient, visitor and staff car parking principles](#) in August 2014. The principles recommend the provision of concessions to groups that need them, such as disabled people, frequent outpatient attenders and visitors with relatives who are gravely ill:

Concessions, including free or reduced charges or caps, should be available for the following groups:

- people with disabilities (people with temporary disabilities as well as Blue Badge holders)
- frequent outpatient attenders
- visitors with relatives who are gravely ill
- visitors to relatives who have an extended stay in hospital
- staff working shifts that mean public transport cannot be used

Other concessions, eg for volunteers or staff who car-share, should be considered locally.<sup>9</sup>

To help NHS organisations deliver the *NHS patient, visitor and staff car parking principles*, the Government published [NHS Car Parking Management: Environment and Sustainability](#) on 25 March 2015. The guidance provides ground rules that are intended to help manage NHS car-parking provision and help to improve patient experience.

The guidance offers case studies of NHS hospitals that have demonstrated good practice related to car-parking charges and concessions, including to parents and carers of seriously ill children, for example:

### *Addenbrooke's Hospital*

The trust offers a number of concessions including:

- out-patients, day surgery and emergency patients;

<sup>7</sup> [PO 8440 \[on Hospitals: Parking\], 14 September 2015](#)

<sup>8</sup> [See PQ 10846 \[on Hospitals: Parking\], 14 October 2015](#)

<sup>9</sup> Department of Health, [NHS patient, visitor and staff car parking principles](#), 23 August 2014



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- seven-day ticket for patients receiving treatment for two or more consecutive days;
- frequent visitors up to 7 days and 14 days;
- blue badge holders.

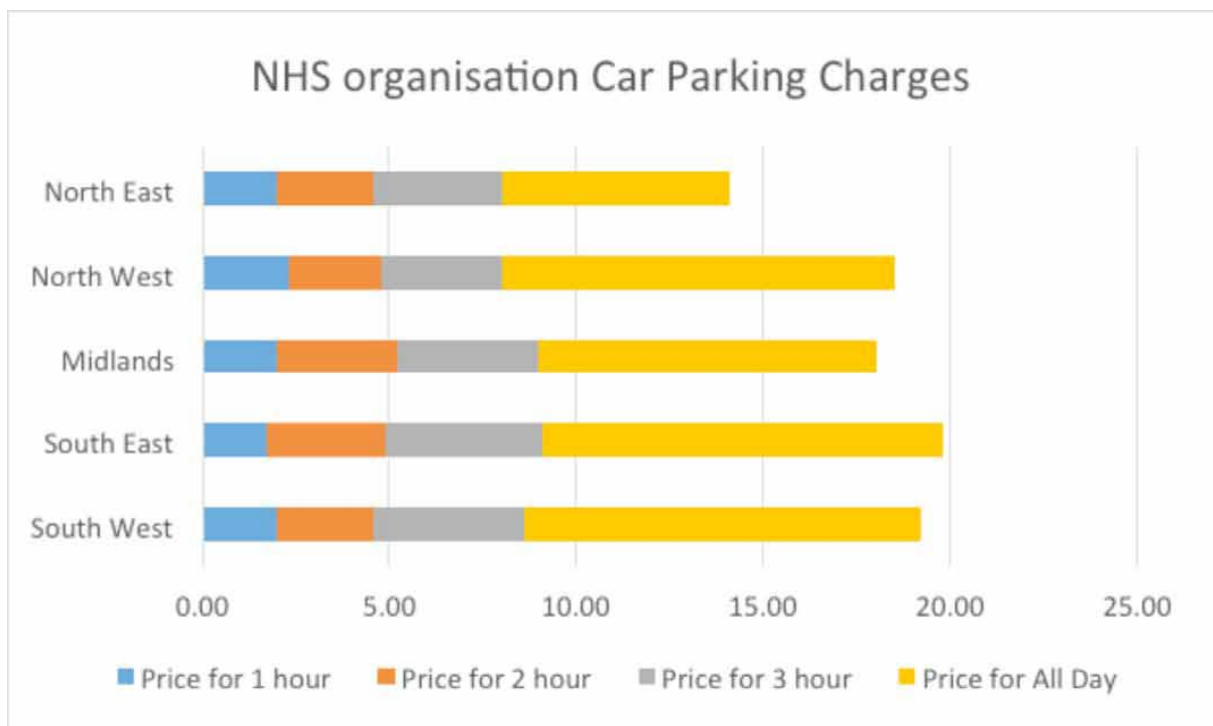
[...]

### *Leeds Teaching Hospitals NHS Trust*

The trust offers a number of concessions, including those for:

- blue badge holders;
- volunteers;
- patients receiving cancer treatment;
- patients receiving renal treatment and dialysis;
- patients receiving cystic fibrosis treatment;
- close relatives of patients who are receiving end-of-life care;
- parents and carers of seriously ill children;
- relatives of terminally ill patients;
- relatives of major trauma patients requiring critical care.<sup>10</sup>

The [NHS Car Parking Management Guidance](#) also provides a comparison of how parking charges vary across NHS sites in England<sup>11</sup>:



<sup>10</sup> Department of Health, [Health Technical Memorandum 07-03, NHS car-parking management: environment and sustainability](#), March 2015 page 34-35

<sup>11</sup> Department of Health, [Health Technical Memorandum 07-03, NHS car-parking management: environment and sustainability](#), March 2015, Appendix A

### 3. NHS Income Generation schemes

Charging for car parking on healthcare sites is a common example of an income generation scheme.

NHS bodies are allowed to charge for car parking and to raise revenue from it as an income generated activity as long as certain rules are followed. Income generation activities must not interfere to a significant degree with the provision of NHS core services. They must be profitable, as it would be unacceptable for monies provided for the benefit of NHS patients to be used to support commercial activities, and this profit must be used to improve health services.<sup>12</sup>

The Department of Health's guidance on [Income Generation in the NHS](#) provides that income generation activities must be profitable and must not use NHS funding to subsidise their costs:

For a scheme to be classed as an Income Generation scheme, the following conditions need to be met:

- the scheme must be profitable and provide a level of income that exceeds total costs. If the scheme ran at a loss it would mean that commercial activities were being subsidised from NHS funds, thereby diverting funds away from NHS patient care. However, each case will need to be assessed individually. For example, if a scheme is making a substantial loss then it should be stopped immediately.<sup>13</sup>

As income generation schemes must be profitable, any parking concessions that are provided for certain groups - such as disabled patients or frequent visitors - must be taken into consideration when calculating the estimated annual revenue. As the guidance above explains, NHS funds must not be diverted from patient care to subsidise a loss making scheme.

NHS Confederation says:

The income generation rules should not be seen as a requirement to maximise profit, however. NHS principles and Government policy are clear that healthcare is funded through taxation, not through patient charges. Surpluses from parking charges should only be a by-product of covering costs and managing space fairly. In practice, NHS trusts can plan minimal surpluses or break even.<sup>14</sup>

Where car parking schemes make a surplus, this is often invested in improvements to car parks. Providing car parking services will incur overheads, such as maintenance costs, which must be paid for – if no charges were imposed, maintenance costs would have to be sourced

<sup>12</sup> Department of Health, [Income Generation: Car parking charges – Best practice for implementation](#), December 2006

<sup>13</sup> Department of Health, [Revised guidance on income generation in the NHS](#), February 2006

<sup>14</sup> NHS Confederation, [Fair for all, not free-for-all: Principles for sustainable hospital car parking](#), 2009

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from elsewhere at the risk of diverting funds from patient services. Charging for car parking allows revenue to be raised which can be used to maintain car parking services.<sup>15</sup>

Profits after maintenance costs have been paid for must be used to improve local health services.<sup>16</sup>

Foundation Trusts (FTs) are not covered by the Department of Health guidance on income generation, as they are independent bodies. For FTs, non-NHS income is governed by a board of Governors who are drawn from NHS patients, the public, staff and stakeholders. Non-NHS income streams need to concretely demonstrate how new revenue from sources outside the NHS will support the principal purpose of an FT, which is to provide goods and services for the NHS. Governors can, for example, reject increasing parking charges in order to best serve NHS patients.<sup>17</sup>

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<sup>15</sup> Department of Health, [Income Generation: Car parking charges – Best practice for implementation](#), December 2006, page 7

<sup>16</sup> Department of Health, [Income Generation: Car parking charges – Best practice for implementation](#), December 2006, page 7

<sup>17</sup> Foundation Trust Network, [How NHS providers use non-NHS income to improve patient services](#), August 2014, page



## 4. Parliamentary debate

In a debate on hospital car parking charges in September 2014, then Health Minister, Dr Dan Poulter, stated that the Government wished to see greater clarity for patients, friends and relatives over hospital car parking concessions:

40% of hospitals that provide car parking do not charge and of those that do, 88% provide concessions to patients. However, I am aware that there are 40 hospital sites—which is 3.6% of hospitals in acute and mental health trusts—that have charges and do not allow concessions to patients who need to access services. As a Government, we want to see greater clarity and consistency for patients and their friends and relatives about which groups of patients and members of staff should receive concessions and get a fairer deal when it comes to car parking.<sup>18</sup>

In response to a PQ, Dan Poulter also reiterated that relatives of people who are gravely ill and those who require a long stay in hospital, *should* also be exempt from car parking charges:

**Dan Poulter:** The Department published new National Health Service patient, visitor and staff car parking principles on 23 August 2014. These principles, widely welcomed by a range of charities and organisations representing patients' interests, made it clear that NHS trusts should provide concessions, including free or reduced charges or caps, to the following groups:

- people with disabilities;
- frequent outpatient attenders;
- visitors with relatives who are gravely ill;
- visitors to relatives who have an extended stay in hospital; and
- staff working shifts that mean public transport cannot be used.

Therefore, families of long-term hospital patients should be able to take advantage of the concessions for visitors to relatives who have an extended stay in hospital.<sup>19</sup>

However, as noted above, each hospital sets its own parking policies and is not required under law to make exemptions.

Dan Poulter also outlined the powers that the Care Quality Commission (CQC) has to make recommendations and raise concerns to Trusts if car parking charges are seen as prohibitive:

He also asked what role the CQC could play in addressing the issue if parking charges were prohibitive. Of course there is a role for the CQC. If concerns were raised about patients being prevented from accessing the NHS care they needed as a result of prohibitive car parking charges, the CQC could of course make recommendations and raise that with the trust as part of its inspection regime. The power for the CQC to do that exists at the

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<sup>18</sup> [HC Deb 1 September 2014 c89](#)

<sup>19</sup> [PQ 212468 \[on Hospitals: Parking\], 5 November 2014](#)

moment, and I am sure the chief inspector of hospitals will be mindful of that as part of the inspection regime.<sup>20</sup>

In 2014, Robert Halfon launched an investigation into parking charges in NHS Hospitals across England. He said he was “appalled at how many hospitals charge people excessive amounts to access essential services”.<sup>21</sup> He also said that “hospital parking has become a stealth tax on the vulnerable”.<sup>22</sup> Mr Halfon sponsored a number of Early Day Motions on hospital car parking, in which he asked the Government to consider scrapping hospital car parking fees across England.<sup>23</sup> He argued that the cost of abolishing car parking charges in England is estimated to be £200 million which, according to research, could be offset through prescribing more generic drugs.

The [\*Hospital Car Parking Charges \(Abolition\) Bill 2014-15\*](#) - a Bill to prohibit charging for car parking at NHS hospitals for patients and visitors - was introduced by Peter Bone in July 2014, but did not make any progress past First Reading.

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<sup>20</sup> [HC Deb 1 September 2014 c89](#)

<sup>21</sup> Conservative Home, [Robert Halfon MP: Hospital parking charges are a stealth tax on the sick and vulnerable](#), 10 June 2014

<sup>22</sup> *ibid*

<sup>23</sup> See [Early day motion 72, \[Hospital Car Parking\]](#), 11 June 2014

## 5. Reaction to the Hospital Parking Charges (Exemption for Carers) Bill

### Carers UK

Julie Cooper MP and Carers UK launched a campaign to support the Bill: [Park the Charges for Carers](#). The campaign aims to drive public and political support for the *Hospital Parking Charges (Exemption for Carers) Bill*.

Carers UK outlined the savings that carers make to the NHS through providing unpaid care, and the financial hardship that they can face:

The 5.4 million people in England who provide unpaid care for a disabled, older or seriously-ill loved one save the State £96.5bn every year; close to the total amount spent annually on running the NHS. Without carers, the NHS would collapse. Yet the health service is penalising the very people who are propping it up by charging anywhere between an average of £11-£131.50 per week in parking charges when their loved ones go in to hospital.

Car parking charges can add to the financial hardship that many of the country's carers already face. When people take on a caring role, they often face a steep drop in income if they have to leave work or reduce their hours to care; this is then coupled with a steep rise in expenditure as a result of the additional costs of caring and disability. Almost half of carers (48%) who responded to Carers UK's annual State of Caring survey struggle to make ends meet and of these carers, almost 1 in 3 (30%) have had to use their savings to survive.<sup>24</sup>

The Chief Executive of Carers UK, Heléna Herklots, said:

We know that many people who care for a loved one end up in financial hardship because of their caring role. Visiting the hospital with someone you care for, perhaps during a crisis or a serious illness, can be a worrying, emotional and often exhausting time. As well as hospital parking charges having a clear financial impact on carers, the emotional impact should not be underestimated.

Free hospital car parking is just one of the many ways that hospitals in England can better support carers. This issue is incredibly important to carers, without whom the health service would collapse. With the public's support and backing from cross-party MPs, we can make a meaningful difference to the lives of carers and their loved ones.<sup>25</sup>

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<sup>24</sup> Carers UK, [Scrap hospital parking charges for carers or risk serious impact on NHS – warns campaign](#), 16 October 2015

<sup>25</sup> Carers UK, [Scrap hospital parking charges for carers or risk serious impact on NHS – warns campaign](#), 16 October 2015

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