

Consultation Questionnaire

Draft Statutory Guidance on Care and Support

Consultation Questions

Section 2 : Values and Principles

Question 1a: Was this section of the guidance clear and easy to understand?
(please tick)

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Question 1b: How useful did you find this section of the guidance?
(please tick)

Very useful	Quite Useful	Not very useful	Not at all useful
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Question 1c: Do you have any further comments on this section of the guidance?

Some advice to help you to answer this question – Please provide your suggestions for improvements or additions to this section. Are there any further topics that you would like to see included, any changes that should be made or any other comments you'd like to make?

Comments I DO TAKE ISSUE WITH THE 'PRIMARILY NONE OF THE CAREER IS TO PROVIDE CARE & SUPPORT'. THIS IMPLIES NO CHOICE IN THE MATTER.

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Consultation Questions

Section 3: Values and Principles

Question 2a: Was this section of the guidance clear and easy to understand?
(please tick)

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Question 2b: How useful did you find this section of the guidance?
(please tick)

Very useful	Quite Useful	Not very useful	Not at all useful
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Question 4a: Was this section of the guidance clear and easy to understand?
(please tick)

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Question 4b: How useful did you find this section of the guidance?
(please tick)

Very useful <input checked="" type="checkbox"/>	Quite Useful <input type="checkbox"/>	Not very useful <input type="checkbox"/>	Not at all useful <input type="checkbox"/>
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Question 4c: Do you have any further comments on this section of the guidance?

Please provide your suggestions for improvements or additions to this section. Are there any further topics that you would like to see included, any changes that should be made or any other comments you'd like to make?

Comments THOUGH I AGREE WITH THE SENTIMENT OF NO⁰ 47, I QUESTION WHETHER THE SOCIETAL INFRASTRUCTURE IS THERE TO SUPPORT SDS. AGAIN, THIS READS AS ASPIRATIONAL BUT I UNDERSTAND THE NEED TO LESSEN STATE DEPENDENCY. MORE DETAILED GUIDANCE ON THIS WOULD BE WELCOMED.

Consultation Questions

Section 6 : Monitoring and Review

Question 5a: Was this section of the guidance clear and easy to understand?
(please tick)

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Question 5b: How useful did you find this section of the guidance?
(please tick)

Very useful <input type="checkbox"/>	Quite Useful <input checked="" type="checkbox"/>	Not very useful <input type="checkbox"/>	Not at all useful <input type="checkbox"/>
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Question 5c: Do you have any further comments on this section of the guidance?

Please provide your suggestions for improvements or additions to this section. Are there any further topics that you would like to see included, any changes that should be made or any other comments you'd like to make?

Comments 

Question 7c: Do you have any further comments on this section of the guidance?

Please provide your suggestions for improvements or additions to this section. Are there any further topics that you would like to see included, any changes that should be made or any other comments you'd like to make?
that are more appropriate for statutory guidance rather than Regulations?

Comments THIS PROVIDES CLEAR OPTIONS UNDER A JOINT APPROACH. IS THE NHS FULLY AWARE OF ITS LEGAL DUTIES UNDER SDS THROUGH? I IMAGINE JOINTLY FUNDED PACKAGES ARE DIFFICULT TO OBTAIN.
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Consultation Questions

Section 9.1 : Children and Families

Question 8a: Was this section of the guidance clear and easy to understand? (please tick)

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Question 8b: How useful did you find this section of the guidance? (please tick)

Very useful <input checked="" type="checkbox"/>	Quite Useful <input type="checkbox"/>	Not very useful <input type="checkbox"/>	Not at all useful <input type="checkbox"/>
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Question 8c: Do you have any further comments on this section of the guidance?

Please provide your suggestions for improvements or additions to this section. Are there any further topics that you would like to see included, any changes that should be made or any other comments you'd like to make?

Comments CLEARER GUIDANCE ON LOOKED AFTER & ACCOMMODATED CHILDREN; JUST A PARAGRAPH TO OUTLINE THE APPROACH TO BE TAKEN.
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Consultation Questions

Section 9.2 : Supported decision-making and circles of support

Question 9a: Was this section of the guidance clear and easy to understand? (please tick)

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Consultation Questions

Section 9.4: Direct payments

Question 11a: Was this section of the guidance clear and easy to understand? (please tick)

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Question 11b: How useful did you find this section of the guidance? (please tick)

Very useful <input type="checkbox"/>	Quite Useful <input checked="" type="checkbox"/>	Not very useful <input type="checkbox"/>	Not at all useful <input type="checkbox"/>
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Question 11c: Do you have any further comments on this section of the guidance?

Please provide your suggestions for improvements or additions to this section. Are there any further topics that you would like to see included, any changes that should be made or any other comments you'd like to make?

Comments

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Section 9.5: Wider legal duties and strategic responsibilities

Question 12a: Was this section of the guidance clear and easy to understand? (please tick)

Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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Question 12b: How useful did you find this section of the guidance? (please

Very useful <input checked="" type="checkbox"/>	Quite Useful <input type="checkbox"/>	Not very useful <input type="checkbox"/>	Not at all useful <input type="checkbox"/>
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Question 12c: Do you have any further comments on this section of the guidance?

Please provide your suggestions for improvements or additions to this section. Are there any further topics that you would like to see included, any changes that should be made or any other comments you'd like to make?

Comments

I DO AGREE THE OPTIONS UNDER SDS SHOULD BE OFFERED AFTER THE 6 WEEK PERIOD WHERE ON-GOING SUPPORT IS NEEDED. YES, SDS OPTIONS SHOULD BE OFFERED TO ALL CLIENT GROUPS BUT ON THE BASIS OF ASSESSED RISK IN MANAGING FINANCES (EG: SUBSTANCE/ALCOHOL MISUSE).

Question 15 (b): Do you have any views on the impact of the guidance on human rights?

For more information about human rights please see the Scottish Human Rights Commission's website at:

<http://www.scottishhumanrights.com/abouthumanrights/whatarehumanrights>

Comments THE LEGAL PRINCIPLES FIT WELL HERE (DJS PRINCIPLES) BUT ARE SUITABLY BROAD.

Consultation Questionnaire

Draft Regulations

Consultation Questions

Question 1: What are your views on Part 2 of the draft Regulations (calculation, payment and termination of direct payments)?

Comments CHANGING FOR SDS OPTIONS INCLUDING A DP SHOULD BE STANDARDISED IN RELATION TO EACH OPTION.

Question 2: What are your views on Part 3 of the draft Regulations (appropriate/inappropriate circumstances for the employment of close relatives)?

Comments I THINK THIS SHOULD REMAIN IN EXCEPTIONAL CIRCUMSTANCES

Question 3: What are your views on Regulation 11 which deems individuals who are placed under a variety of criminal justice orders to be ineligible to receive direct payments?

For example, is it appropriate to impose the exclusions listed in Regulation 11? Are there any persons not listed in regulation 11 to whom it would be inappropriate to offer the option of a direct payment?

Comments I WOULD LIKE TO SEE PEOPLE GIVEN THE CHOICE BUT BASED ON INDIVIDUAL CIRCUMSTANCES, RISK & THIRD PARTY MANAGING

Question 4: What are your views on restricting access to direct payments for those who are homeless, those who are fleeing domestic abuse or those who require support in relation to drug or alcohol addiction?

Comments I THINK THE RESTRICTION SHOULD BE LIFTED. SOCIAL WELFARE IS BROAD AND THE ACT RELATES TO CHOICE. IT WOULD BE WRONG TO RESTRICT CHOICE TO CERTAIN GROUPS. FOR REASONS RELATING TO RISK, DPs MIGHT NOT BE AN OPTION BUT THE CHOICE SHOULD BE THERE AND OPTIONS FOR MANAGING A DP IN THE BEST INTERESTS OF THE CLIENT SHOULD BE EXPONED.

The equality and human rights impacts of the regulations

Question 9 (a): Do you have any views on the impact of the Regulations on any or all of the following equality categories:

- i) age;**
- ii) disability**
- iii) gender;**
- iv) lesbian, gay, bisexual and transgender;**
- v) race, and;**
- vi) religion and belief**

By "equality impacts" we mean whether or not, and in what ways, the Regulations will affect certain groups, and whether they will impact on those groups in a positive or a negative way. In considering the impacts you may wish to consult the Equality Impact Assessment published for the Social Care (Self-directed Support) (Scotland) Act 2013, available at the following hyperlink:

<http://www.scotland.gov.uk/Publications/2012/03/9876>

We plan to update the Equality Impact Assessment in light of this consultation.

Comments

Question 9 (b): Do you have any views on the impact of the Regulations on human rights?

For more information about human rights please see the Scottish Human Rights Commission's website at:

<http://www.scottishhumanrights.com/abouthumanrights/whatarehumanrights>

Comments

FOR 'HIGH RISK' GROUPS CHOICE SHOULD BE/ REMAIN AN OPTION. THE KEY TO THIS DP CHOICE IS IN ASSESSING AND MANAGING THE RISK BUT I CANNOT SEE THAT OPENING UP THE OPTION FOR PEOPLE ON CTO'S IS FAIR IF NOT OFFERED TO CLIENTS IN EQUALLY 'HIGH RISK' GROUPS. THE VALUES AND PRINCIPLES OF THE ACT ARE KEY HERE IN ADMINISTERING SOCIAL WELFARE WITH ALL THE NUANCES THIS HOLDS.