

Consultation Questions

Question 1(a): Is paragraph 9 clear and easy to understand? (please tick)

Yes	No
	x

Question 1(b): Do you agree with the waiving of charging circumstances as set out in paragraph 9? (please tick)

Yes	No
	x

Question 1(c): If you do not agree with the waiving of charging circumstances as set out in paragraph 9, please state your reasons below:

Feel that the description of service responses to assessed need is contradictory to the spirit of the SDS 2013 Act and leads individuals down a more traditional route rather than the creative opportunities that might be appropriate.

Local authorities are not allowed to charge service users anymore than appears practicable for him or her to pay, this isn't directly related to carers. This concept needs further clarity.

The status of the carers allowance and the requirement of eligibility, that the carer fulfils 35 hours of care needs to be made explicit within the guidance and the assessment of need. This is in excess of £3000 per year. Consideration should be given to the relationship between the care provided through the carers allowance and the assessed level of care and the allocation of resources to the individual that would be charged on affordability.

At what point is the assessed level of need for the carer such that the carer is defined as a supported person in their own right?

Paragraph 9, line 3, this problematic as holidays are chosen with regard to the particular assessed needs of the supported person and therefore maybe more expensive than a similar holiday chosen by somebody without those needs.

Paragraph 9 is confusing.

Should the regulations be agreed the costs could result in the local authority having to reduce other services to fund respite.

Line 5 doesn't make explicit the need for assessment. Whilst informal care may be provided it may not meet the eligibility threshold for access to resources.

Question 2(a): Are you content with the examples of support to carers and young carers, as set out in paragraph 10, where charges will be waived? (please tick)

no

Question 2(b): If you are not content, please state your reasons below:

The funding of transport needs careful consideration and the links between the purpose of the transport and the access the carer may have to transport available through the supported person. DLA, mobility cars.

Assistance with transport costs only refer to driving lessons and taxi fares, does this not exclude high cost of public transport in rural areas?

The categories are narrow and prescriptive, This may lead assessment and allocation of resources down a service led model of support planning, restricting creativity and person centered responses.

We would wish to support the best use of community assets.

Question 2(c): Are there further examples that you would like to add? (please tick)

Yes	No
x	

Question 2(d): If there are further examples that you would like to include in the list, please state these below and also set out your reasons for suggesting their inclusion.

Transport costs in general, older carers, younger carers and people with disabilities who are carers, who do not drive.

Question 3(a): Do you agree with the exceptional circumstances set out in paragraphs 12 (with examples) and 13 about support to carers to help pay for driving lessons and taxi fares? (please tick)

Yes	No
	x

Question 3(b): If you do not agree, please state your reasons below:

This feels prescriptive and while it's a good opportunity to consider it is only partial in its response to the needs of carers.

Question 4(a): Do you agree with the waiving of charges as set out in paragraphs 14 and 15 with regard to short breaks? (please tick)

Yes	No
	x

Question 4(b): If you do not agree, please set out your reasons below:

Feel that the description of service responses to assessed need is contradictory to the spirit of the SDS 2013 Act and leads individuals down a more traditional route rather than the creative opportunities that might be appropriate for both the care and the supported person.

It would encourage people to have traditional forms of respite opposed to creative use of the budget that would equally provide respite for which the supported person may be subject to charging.

The needs of the carer may drive the support planning of the supported person irrespective of the supported person's desired outcomes.

The concept of respite needs to include outcomes of the work of the Short Break Services across Scotland. Respite is much more than an overnight break away from home and can include day opportunities and much shorter periods of time. These are often factored in to the supported persons support plan and this again raises the issue of inequity on charging.

Question 5(a): Do you agree with the position set out in paragraph 16 that when the carer and cared-for person take a break together, then as well as waiving the cost of the break for the carer, the additional costs of the break to enable the break to take place will also be met by the local authority? (please tick)

Yes	No
	x

Question 5(b): If you do not agree, please state your reasons below:

There are issues of inequity. This could be resolved through the carers needs being assessed separately but at the same time as the supported person and the whole support plan for both the supported person and the needs of the carer, to enable them to continue caring for the supported person, could be determined in the allocation of resources to the supported person. This would avoid duplication of support planning and reduce issues of conflict in relation to who is responsible for what. The East Lothian RAS mirrors this approach whilst allocating specific resources into the indicative budget to respond to assessed carer need it gives a more holist approach to the challenge.

Question 6(a): Do you agree with the position set out in paragraphs 17 and 18 that local authorities will waive the cost of replacement care when they provide or commission replacement care in circumstances when others cannot provide replacement care free of charge? (please tick)

Yes	No
x	

Question 6(b): If you do not agree with the position, please set out your reasons below:

We may wish to agree that the costs of replacement care should be waived, we would query the concept of volunteers provide care for people with more complex needs.

Question 7: Do you have any additional comments? If so, please use the space below to provide these further comments. Local authorities may wish to comment on any financial consequences arising from the Regulations. If so, please set out estimates of anticipated support to be provided to carers and cost estimates.

Comments

Question 8: Do you have any comments on the draft Regulations as set out in this Annex A? If so, please use the space below to set out these comments:

Thank you for completing this consultation. Please return your completed 'Respondent Information Form' and this 'Consultation Response Form' to alun.ellis@scotland.gsi.gov.uk by **Wednesday 10th July 2013**.