

Consultation Questions

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

Yes	No

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

Yes	No
YES	

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:

Comments

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:

<p>The example of Short Breaks is problematic as it lacks definition under Self Directed Support.</p> <p>For some people who have received services for a considerable period, there may be an understanding that a “part” of the support the individual gets is “respite” and the carer gets a benefit for this.</p> <p>For others who get care for the first time under a “self directed support” regime, there will be no clear definition like this. If a person goes for a swimming lesson – is it a short break and not chargeable or is it a day alternative and chargeable to the individual. What about riding lessons – or pottery classes? What if a person goes to a building based day service one day a week or 3 mornings a week is that a short break - what if they go for swimming lessons when at the day centre– what about 5 days a week?</p> <p>The guidance makes the turning point whether it is in the carer’s assessment or in the supported person’s assessment.</p> <p>Since many unpaid carers and supported people live in a co-dependent relationship where all the money coming into the household is treated jointly to charge the individual would effectively be the same as charging the carer.</p>

It feels that what is being proposed is very much a service led approach to charging. The main statutory guidance makes clear that charging (where it takes place) should no longer be led by such service definitions as once people get an individual budget they can choose to spend it in various ways.

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

Yes	No
YES	

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.

Should alternative day services be included as one of the examples in this section that could be treated as non chargeable. ?

Carers can benefit from these in the same way as a short break. In fact in some cases this is the only respite break that some carers get.

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
YES	

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

Comments

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
	NO

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

See our comments about short breaks and charging. To re-emphasise the point, the guidance says that where a “Carer’s Assessment” calls for a short break it is not chargeable. By implication, where a short break is provided under the supported person’s assessment it is chargeable.

Given that carer’s assessments are poorly provided currently and that the SDS Act is unlikely to change the take up of carers’ assessment then most short breaks will be provided under the supported person’s assessment.

The real result of this will be a net financial charge on many households where the carer and the supported person are co dependent. This was not the will of the Scottish Parliament when it passed the Act.

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
YES	

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

Comments

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
YES	

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

Comments

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:

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**.