

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

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)

Comments

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

Comments

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

Yes	No

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.

Comments

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

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

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

Comments

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

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

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:

RNIB Scotland is the leading charity working with blind and partially sighted people in Scotland. As a membership organisation we are dedicated to delivering services our members need and campaigning for their civil and welfare rights. We support children and adults with sight loss to live full and independent lives.

At present, around 36,000 people in Scotland are formally registered as blind or partially sighted, with up to 188,000 living with significant sight loss. However, the number of Scottish people with sight loss could almost double to 400,000 between now and 2030 due to our ageing population and the persistently poor health that continues to disadvantage many of our communities.

We are grateful for the opportunity to respond to the Scottish Government's consultation on Draft Carers (Waiving of Charges for Support) (Scotland) Regulations 2014. Rather than answering each question on the consultation questionnaire we have opted to produce a single response so as to highlight our concerns.

RNIB Scotland welcomes the waiving of charges for support for carers foreseen by the draft regulations.

This is a positive step for carers who often go unsupported until crisis point. The power to provide support in a flexible way will probably be welcomed by carers. It gives power to a carer's assessment and smaller interventions (often requiring less funding than crisis intervention) can have a positive impact on a carer's health and wellbeing. The financial contribution of unpaid carers to society (as well as their individual value) is huge. The University of Leeds/Carers UK study, Valuing Carers 2011: Calculating the Value of Unpaid Care, estimated that unpaid care saves the health and social care system in Scotland over an estimated £10 billion each year.

However, there are some issues to consider:

There is no fixed eligibility criterion in place for providing assistance to carers meaning that decisions may be made on a case-by-case basis. In the case of service users, according to the Self-Directed Support (SDS): Draft Statutory Guidance on Care and Support, “once it has decided that the individual’s needs are such that they call for the provision of services they cannot then refuse to meet those needs because of budgetary constraints”. However, carers do not seem to have the same protection from decisions based on financial constraints as service users. RNIB Scotland urges Local Authorities to see the power to offer SDS to carers as an opportunity to support a sustainable caring relationship, rather than as a last resort for families in crisis.

Paragraph 17 of the consultation document makes assumptions around replacement care which enables the cared-for person to remain at home without the carer:

“The expectation is that the replacement care will normally be provided by friends, relatives or neighbours.”

Carers are often socially isolated, and it follows that if someone is eligible for a short break due to the strain of caring, that this caring role may not be so quickly covered by someone local.

Paragraph 21 of the consultation documents relates to circumstances “where individuals who are carers can be charged but these circumstances are not related to their role as carers”. Although this is in place due to other legislation, RNIB Scotland regrets the failure of this document to make exceptions. Scotland has an aging population that includes disabled people who are living longer with elderly parents that may have cared for them their entire lives. This may be a particularly punitive situation for carers who care for their spouses/partners, whose income will be taken into account for the cared-for-person’s client contribution.

RNIB Scotland urges that in these circumstances, a distinction could be made between needs derived directly from the strain of caring and individual support needs. Support that is clearly needed to reduce the strain of caring should remain un-charged.

However, in conclusion, the regulation should be seen in the overall context of the caring situation, ensuring that there is enough support for

the cared-for-person. This consultation complements a shift towards preventative work to value and support the contribution of carers.

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**.