

## 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:

We remain concerned about the additional financial burden this will place on Local Authorities. At present WDC respite generates an annual income in the region of £185K

Loss of the income generated from charges to the cared for person for replacement care, when a carer takes a short break, will amount to a significant budget cut for local authorities unless funding is allocated from Government for implementation. When this is added to the requirement to fund the whole cost of the carer's break it increases the financial burden on the local authority. We suggest that this could lead to greater prioritisation of eligible support for carers to those who are most at risk, with less emphasis on prevention for carers who may be at risk in the future.

### 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:

Again where budgets are allocated for carer support the flexibility around how the funds are spent will be associated with meeting outcomes. Additional funding is unlikely to be provided for transport. Where the cared for person is in receipt of mobility benefits they should fund their own transport. Transport for NHS appointments will be the responsibility of the NHS.

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

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

When a budget is allocated to provide support for the carer how the funds are spent, as long as it meets the agreed outcomes, will be their decision. If transport is part of this it will be an individual decision.

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

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

As previously stated in response to question 1, these regulations will place additional financial burden on WDC in the region of £185K

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

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

Again there is too much that is prescriptive about this paragraph and not enough emphasis on the flexible use of budgets to meet agreed outcomes.

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

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

. As previously stated in response to question 1, these regulations will place additional financial burden on WDC in the region of £185K

**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.**

As previously stated in the Statutory Guidance-

We remain concerned that there will be additional costs to LA's/CHCP's. In particular, there is likely to be an increased administrative burden to manage the new scheme. We are also concerned about the possibility of additional resource requirements in relation to assessment and care management.

Having reviewed the final Business and Regulatory Impact Assessment (BRIA) we feel that the costs and budgets contained therein may not be adequate to meet the additional financial burdens placed on LA's.

We do not believe that the funds available reflect the very difficult situation LA's are experiencing. In particular, we are concerned that the costs associated with SDS do not take account of the uncertainties surrounding the closure of the independent fund (ILF) and the subsequent transfer of monies and responsibilities to LA's.

Overall, LA's will incur additional costs in administration of DP's whilst the increase in external payments will increase the demand on creditor functions. They will require to continue to reassess models of service delivery beyond the 2015 stage where transitional funding ends. We would ask that consideration is given to extending the period for this funding.'

WDC feels that the Scottish Government should consider a 'Bridging Fund' to support this new legislation.

**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](mailto:alun.ellis@scotland.gsi.gov.uk) by Wednesday 10<sup>th</sup> July 2013.