

## CONSULTATION QUESTIONS

### The Carer's Assessment: Carer's Support Plan

Question 1: Should we change the name of the carer's assessment to the Carer's Support Plan?

Yes

No

Comments: We believe this will help remove the stigma that currently exists regarding Carer's Assessments and will make carers feel the process is there to support them as opposed to assessing their capabilities to provide care. Also, for many carers and professionals, the current process is viewed as a tick box exercise. Hopefully, a Carer Support Plan will have improved outputs and outcomes for the carer.

Question 2: Should we remove the substantial and regular test so that all carers will be eligible for the Carer's Support Plan?

Yes

No

Comments: The substantial and regular test has been a barrier to carers accessing services for many years and has given local authorities a way out of the duty to carry out Carer's Assessments. Even when a carer receives an assessment there is no duty on the local authority to offer services, irrespective of the regular or substantial element of the caring role. If a carer is offered support as a result of their assessment that consists of a direct service for the cared-for person, it can only be provided if the cared-for person agrees to accept the offer. If the cared-for person refuses, the carer is left to cope without any help despite the need being identified through the Carer's Assessment. In this situation, mediation should be offered to support the carer's rights. In addition, we feel services should be preventative as well as responsive to crisis.

Question 3: Should we remove that part of the existing carer assessment process whereby the cared-for person is a person for whom the local authority must or may provide community care services/children's services?

Yes

No

Comments: Many cared-for people are unwilling to accept community care services and prefer to be supported by family even when they have been identified as being eligible for services through Community Care Assessments. In these circumstances, it is the carers who are left to provide support and fill the gap. Subsequently, there is a significant need to support carers who find themselves in this situation as they are left to cope with substantial caring roles.

Question 4: Should we introduce two routes through to the Carer's Support Plan – at the carer's request and by the local authority making an offer?

Yes

No

Comments: Carers can currently request an assessment independently or they can be offered one by local authority. Many carers will be prompted to request an assessment by third sector organisations.

Question 5: Should we remove from statute the wording about the carer's ability to provide care?

Yes

No

Comments: Yes. A Carer's Assessment should not be about ability to provide care. It should be based on the carer's choice to provide care and identifying ways and services to support people who choose to take on a caring role.

Question 6: Should we introduce a duty for local authorities to inform the carer of the length of time it is likely to take to receive the Carer's Support Plan and if it exceeds this time, to be advised of the reasons?

Yes

No

Comments: Carers are currently waiting for a variable amount of time to receive their assessment. This ranges from weeks to years across local authorities. Carers should receive their Carer Support Plan within a certain timeframe and informed of the reasons if this cannot be met.

Question 7: How significant an issue is portability of assessment for service users and carers?

Comments: This is a significant issue as the Carer's Assessment process varies across local authorities. For carers who support somebody in a different local authority from their own, they may experience difficulties in accessing an assessment or services to support their caring role. Even within the same local authority carers may experience difficulties, particularly if the cared-for person is experiencing transition, i.e. from children's services to adult services. The Carer Support Plan should take these issues into account.

Question 8: Should the Scottish Government and COSLA with relevant interests work together to take forward improvements to the portability of assessment?

Yes

No

Comments: Yes. Improvements to portability issues across local authority boundaries and between services would be welcomed.

## Information and Advice

Question 9: Should we introduce a duty for local authorities to establish and maintain a service for providing people with information and advice relating to the Carer's Support Plan and support for carers and young carers?

Yes

No

Comments: The duty should be based on working with existing and established carer organisations and projects rather than commencing a new information and advice service which would increase cost for local authorities. Local authorities should be identifying and engaging with carers in order to signpost them to the relevant service. This duty should extend to GPs and health services. Carers are currently accessing support through leaflets and posters but would benefit from having a discussion and referral from their local authority or health provider.

Question 10: Should we repeal section 12 of the Community Care and Health (Scotland) Act 2002 about the submission of Carer information Strategies to Scottish Ministers, subject to reassurances, which are subject in turn to Spending Review

decisions, about the continuation of funding to Health Boards for support to carers and young carers?

Yes

No

Comments: The repeal of section 12 may result in ring fenced funding no longer being available to support carer support projects across the country. Many of these projects have become established and integrated within local authorities and health boards. Within Carers of West Lothian, the CIS has funded the Carer Support Service for St John's Hospital (1200 carers supported directly through CIS funding since 2010). The Young Carers Project has also been partly funded through the CIS and has supported 78 young carers in 2012/13 and 99 young carers between April 2013 and Feb 2014. We are concerned that the potential withdrawal of the CIS will result in local authorities absorbing funding in other ways rather than continuing to fund successful and established projects.

### **Support to Carers (other than information and advice)**

Question 11: Should we introduce a duty to support carers and young carers, linked to an eligibility framework?

Yes

No

Comments: We feel a clear and concise eligibility framework will create a more consistent and uniform approach to supporting carers and subsequently improve outcomes for carers.

Question 12: Alternatively, should we retain the existing discretionary power to support carers and young carers?

Yes

No

Comments: Retaining the discretionary power will lead to further crisis for carers and inequality in accessing services.

Question 13: Should we introduce a duty to provide short breaks?

Yes

No

Comments: Breaks from care should be a duty and a priority with regards to supporting carers. Many services that provide respite have stretched resources and long waiting lists. Some respite services are means tested and many remain unaffordable for the carer. A clear and concise eligibility criteria for short breaks defined through the Carer Support Plan would be beneficial for carers.

## Stages and Transitions

Question 14: Should we issue statutory guidance on the Carer's Support Plan which will include guidance for those undertaking the Carer's Support Plan on managing stages of caring? This would apply to adult carers only. (For young carers, practice guidance will be developed to support management of a Child's Plan through the stages of caring).

Yes

No

Comments: Stages of caring should be covered as part of the Carer Support Plan and is necessary to identify changing needs within the caring role i.e. transition between services, geographical changes, palliative care, etc.

Question 15: Should new carers' legislation provide for young carers to have a Carer's Support Plan if they seem likely to become an adult carer? Any agreed support recorded in the Carer's Support Plan would be put in place after the young carer becomes a (young) adult carer.

Yes

No

Comments: Young carers should be supported via the Carer Support Plan when making the transition to an adult caring role. The plan should be agreed with the carer prior to making the transition. The current Carer's Assessment process does not work for young carers as very few assessments take place. Also, the caring role does not change because the carer turns 18 years old.

## Carer Involvement

Question 16: Should there be carer involvement in the planning, shaping and delivery of services for the people they care for and support for carers in areas outwith the scope of integration?

Yes

No

Comments: Carers provide more hours of support than received through community care services and know the cared-for person better than health and social care practitioners. Therefore, they should be involved in every stage as equal partners.

Question 17: Should we make provision for the involvement of carers' organisations in the planning, shaping and delivery of services and support falling outwith the scope of integration?

Yes

No

Comments: Carers' organisations have invaluable knowledge and experience in

supporting carers and understanding the issues relevant to carers. They have a key role to play as partners in the planning, shaping and delivery of services.

Question 18: Should we establish a principle about carer and young carer involvement in care planning for service users (subject to consent) and support for themselves in areas not covered in existing legislation?

Yes

No

Comments: The principle should extend to a duty. Existing legislation needs to be realised as standards of practice. Hopefully, this will be achieved through the development of the Carers Rights Charter. New legislation should account for areas currently not covered by existing legislation.

Question 19: What are your views on making provision for young carer involvement in the planning, shaping and delivery of services for cared-for people and support for young carers?

Comments: Young carers should be involved. We have feedback that shows young carers are often left out and marginalised from the planning process. When a young carer does express their view they are often not taken seriously or responded to.

## Planning and Delivery

Question 20: Should we introduce statutory provision to the effect that a local authority and each relevant Health Board must collaborate and involve relevant organisations and carers in the development of local carers' strategies which must be kept under review and updated every three years?

Yes

No

Comments: This should be a statutory provision for all local authorities and work alongside the Carer Information Strategy (West Lothian has already devised such a strategy in collaboration with carers, Carers of West Lothian, local authority, NHS and other third sector carer organisations and groups).

Question 21: Should we introduce statutory provision to the effect that local authorities with Health Boards must take steps to ensure, in so far as is reasonably practicable, that a sufficient range of services is available for meeting the needs for support to carers and young carers in the area?

Yes

No

Comments: The impact of a caring role can be detrimental to the carer: 75% of carers experience health problems which affects their ability to care; 50% of carers suffer from backache or depression; and 90% suffer from stress and anxiety (Carers Scotland, 2006 Survey). However, carers save the Scottish economy

£10.3b each year so there are strong economical and ethical arguments for having a statutory provision to meet the needs of carers.

## Identification

Question 22: Should there be no legislative provision for GPs or local authorities to maintain a Carers Register in order to support the identification of carers?

Yes

No

Comments: There should be a legislative requirement for local authorities or GPs to maintain a carers' register which can be used to identify and offer support to carers as well as data collection purposes or statistical analysis.

Question 23: Should the Scottish Government ensure that good practice is widely spread amongst Health Boards about the proactive use of Registers of Carers within GP practices?

Yes

No

Comments: GPs are well positioned to identify carers of their patients and respond to their needs. GPs are often the first and only point of contact for carers and can play an integral role in identifying 'hidden' carers and offering support. The Scottish Government should ensure Health Boards are taking a pro-active approach with this issue.

Question 24: Should the Scottish Government ask Health Boards to monitor compliance with the core contractual elements of the GP contract?

Yes

No

Comments: The monitoring of compliance by Health Boards would be a useful means in promoting accountability in terms of GPs having a duty to support carers.

## Carer and Cared-for Person(s) in Different Local Authority Areas

Question 25: What are the views of respondents on the lead local authority for undertaking the Carer's Support Plan and agreeing support to the carer where the carer lives in a different local authority area to the cared-for person(s)?

Comments: Currently the cared-for person's local authority would take the lead in offering the Carer's Assessment (services such as respite or breaks from care would be provided for the cared-for person by their local authority). However, the carer would be entitled to local carer centre support within their own area. There would need to be clear responsibility and accountability in terms of cross boundary issues. We feel it would be beneficial for the carer to receive their Carer Support Plan within their own local authority where they can access support and guidance from their local carer centre.

Question 26: What are the views of respondents on which local authority should cover the costs of support to the carer in these circumstances?

Comments: If a service is provided in order to meet the needs of service user and carer then the costs should be shared between local authorities.

Question 27: Should the Scottish Government with COSLA produce guidance for local authorities?

Yes

No

Comments: Not all local authorities in Scotland are members of COSLA so it is unclear how this would be implemented. However, formal guidance and a set of standards for local authorities would be beneficial for carers.