

## 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 acknowledge that the use of the term Carers' Assessment could be perceived as having negative connotations however, we would have concerns about changing the name of Carers Support Plan.

Our key concerns include:

- The proposed change in name of the document not reflecting its function, an assessment would still be required as the Council will still have a duty to assess
- The name would appear to predetermine the outcome, i.e. that support will be provided when in fact the completion of a Carers Support Plan as described in the consultation document would still be an assessment and part of this process would have to be to determine eligibility.

Rather than changing the name of the document we would suggest that priority should be given to finding ways to engage with carers to discuss with them the purpose of assessment and to undertake this in partnership. In West Lothian we have recently adopted an outcomes focused approach to assessment in which we seek work in partnership with the people who use our services with a view to assessing and identifying their own needs and outcomes. .

West Lothian remains committed to supporting carers and finding ways to promote access to services and support in their caring role.

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:

We believed that the substantial and regular test should not be removed to ensure that all carers eligible for the Carers' Support Plan.

West Lothian Carers' Strategy currently uses broad criteria to determine whether carers are eligible for a Carers' Support Plan. These have been developed in consultation with carers, health and voluntary sector colleagues and include the following:

- Are you the main or only carer?
- Is the cared for person at risk if you were unable to provide the support?
- Do you have regular (daily/weekly) contact with the person you care for?
- Do you require support to sustain your caring role?
- Do you live with/care for a vulnerable adult. A vulnerable adult is a person who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or explanation.

It is anticipated that the worker would discuss these indicators/criteria with the carer and that the carer would be able to discern their own eligibility for an assessment. This would hopefully encourage a greater level of involvement and flexibility for carers.

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:

In West Lothian, in line with the National Carers' Strategy, we recognise the important role that carers undertake and are committed to ensuring that there is an opportunity for all carers to access suitable resources and support.

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:

From a West Lothian perspective this is not applicable as there are currently two routes through to the Carer's Assessment/Support Plan – at the carer's request and by Council making an offer.

The West Lothian Carers Strategy 2013-2015 highlights Council's commitment to improving the uptake of carer assessments/ support plans and working to ensure that health and social care staff understand the purpose and value of a carers assessment/ support plan, eligibility, barriers to uptake and the local referral process.

As part of the Revised Shared Assessment, there is an option to refer carers to Carers Of West Lothian for information and support

It is hoped this initiative should lead to an uptake in the number of carers' assessments/support plans.

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

Yes

No

Comments:

We believe that the wording about the carer's ability to provide care should not be removed from the statute. West Lothian Council's performance management indicator is defined as "is the carer willing and able to continue caring?" This terminology is used to determine the carer's wellbeing not their capability and focuses on ensuring that the carers is both mentally and physically able to continue caring.

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:

In West Lothian we do not believe that there needs to be a duty imposed on local authorities to inform carers of the length of time it is likely to take to receive the Carers' Assessment/ Support Plan.

It is currently custom and practice that carers are informed of the length of time it is likely to take to receive carers' support.

It should be noted that there is no additional resource provision to cover this and if the uptake was considerable, this would have a direct effect on resources and would make it difficult to determine the lead time to assessment.

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

Comments:

We acknowledge that the portability of assessment could be an issue for service users and carers. We would suggest that there should be consistency across all authorities in relation to this matter.

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, we agree that the Scottish Government and COSLA should work together to give guidance on how to improve the portability of assessment.

## 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:

We do not agree that a duty should be placed on local authorities to establish and maintain a service for providing people with information and advice relating to the Carers Assessment/Support Plan and support for carers and young carers.

We recognise the importance of ensuring that carers have access to the appropriate information and commission Carers of West Lothian to deliver this service. Council is also committed to the development and endorsement of the Carers Rights Charter is part of the West Lothian Carers Strategy.

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:

We expect that this issue will be resolved by the integration of health and social care.

## 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 accept that there is a responsibility on local authorities to support carers and young carers linked to an eligibility framework, however we do not believe that this should be a duty to be placed on Local Authorities.

There is already an eligibility framework in place for carers linked to The West Lothian Carers Strategy and the Young Carers Strategy, which was developed by a multi-agency partnership which represented the interests of carers and young carers.

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

Yes

No

Comments:

We believe that the existing discretionary powers to support carers and young carers should be retained.

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

Yes

No

Comments:

We recognise that short breaks from caring can be part of the overall support that families and carers need to help them care for a family member, partner or friend. Following a consultation with carers of people with dementia, a flexible short breaks scheme has been implemented, providing a mechanism for allowing carers to arrange short breaks which best suit their needs as well as those for the person they care for. It should be noted that not all carers sought to access short breaks from care instead finding that other intervention provided them with the appropriate support.

However we do not believe that there should be a duty to provide short breaks but that it should be part of a menu of support available to 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:

This practice is already in place in West Lothian.

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:

This practice is already in place in West Lothian.

## 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:

This is the current practice in West Lothian.

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:

This is the current practice in West Lothian

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:

Carer and young carer involvement in care planning for service users is a principle already imbedded in practice in West Lothian.

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:

We believe that this is essential and is therefore the current practice in West Lothian.

## 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:

West Lothian Council already works collaboratively with relevant organisations and carers in the development of our local carers strategies – this is evidence in the development of both the Carers and Young Carers Strategy. We therefore believe that this does not need to be a statutory provision.

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:

We recognise that Carers and Young Carers require a range of support to meet their individual needs and strive to ensure that this is available however we do not agreed that a statutory provision should be made in this instance.

## 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:

West Lothian Council already maintains a Carers Register and will continue to do so.

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:

N/A

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

Yes

No

Comments:

N/A

### **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:

We believe that this lead local authority should be that in which the cared for person(s) lives.

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:

We believe that the lead local authority should meet the costs of the support to the carer.

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

Yes

No

Comments:

West Lothian Council would welcome the production of guidance.