

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 support changes that help to de-stigmatise the assessment process such as this subtle name change, and believe this would reinforce the legislation's aim to improve carers' rights in Scotland. We are encouraged that there will be a 'light touch' option of the assessment, making the Support Plan more appropriate for carers who require low-level support and we hope these changes do not detract from the function of the assessment.

In principle we agree with some aims of the legislation, however we are concerned by many of the areas that remain unclear.

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:

In principle we think this is a positive change and we welcome steps toward preventative support rather than crisis intervention, but in practical terms we have concerns of how this can be resourced.

The implementation of the new legislation will increase the number of carers eligible for a Support Plan and we expect there to be a major impact on resources. We feel this will need to be addressed by the Scottish Government so that carers' expectations can be met. We also have concerns that resources may in the end not be used in the most effective way.

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 principle we agree that carers should be identified in their own right and recognise the benefit there is of having their needs assessed as such. However, we think the role of the NHS needs to be clarified in such instances where the cared-for person has medical needs only. We are concerned how this legislation will impact on our resources.

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:

We support changes to increase the access for carers to assessment. By introducing two routes to the Carer's Support Plan we expect the take-up for assessment to increase, but we also have concerns of the risk of duplication.

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

Yes

No

Comments:

We believe this changing of the wording is positive, as is an outcome based assessment.

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:

We think it is appropriate to have standards, targets and timescales in place for carers, but we believe these are part of good practice and question whether this needs to be legislated.

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

Comments:

We recognise there can be issues for carers and their cared-for person who live in different areas but have no tangible evidence to support changes in processes. We welcome changes that will improve the experience of the assessment process.

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:

We agree this needs to investigated further and support improvements in communications and protocols to make this easier for service users and carers.

Information and Advice

Question 7: 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 have well developed local arrangements for providing information. We query the need for this to be legislated.

Question 8: 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 see this as a duplication of effort, in terms of the ongoing integration of Social Care and Health, where we see opportunities to streamline much of the work.

Support to Carers (other than information and advice)

Question 9: Should we introduce a duty to support carers and young carers, linked to an eligibility framework?

Yes

No

Comments:

There is already existing eligibility criteria; therefore we question whether there is a need for an additional framework. National clarity is needed to ensure consistency and also to help with the management of resources.

Question 10: Alternatively, should we retain the existing discretionary power to support carers and young carers?

Yes

No

Comments: Yes.

Question 11: Should we introduce a duty to provide short breaks?

Yes

No

Comments:

This should be linked to the assessed needs and identified outcomes in the Carer's Support Plan and based on eligibility criteria.

Stages and Transitions

Question 12: 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:

Guidance is welcomed, but we query whether this needs to be statutory.

Question 13: 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 is already carried out as good practice and is covered in transitions planning.

Carer Involvement

Question 14: 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:

We seek service users and carers' views as a matter of course.

Question 15: 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:

We think it is important to involve carers' organisations in the planning of services, but do not anticipate the need for this to be a statutory obligation.

Question 16: 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:

We are unsure what this 'principle' will entail and if in fact there is a need.

Question 17: 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:

This is already recognised good practice.

Planning and Delivery

Question 18: 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:

There is an opportunity for carers' needs to be taken into account, however we feel this will be covered as part of the integration of Social Care & Health.

Question 19: 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 feel there is no need for statutory provision.

Identification

Question 20: 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:

If this was continued to be part of the GP contract, this would not need to be a legislative requirement.

Question 21: 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:

Yes.

Question 22: Should the Scottish Government ask Health Boards to monitor compliance with the core contractual elements of the GP contract?

Yes

No

Comments:

We expect this to be standard monitoring.

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

Question 23: 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:

This is a complex area. It is our opinion that the lead local authority should carry out the assessment on behalf of the other local authority, through discussions with the other authority due to the resource implications. We are also concerned about cross border issues and resource / funding differences.

Question 24: What are the views of respondents on which local authority should cover the costs of support to the carer in these circumstances?

Comments:

We are fully aware of funding differences in different local authorities, but believe the decision to support the carer should be funded by the local authority of the cared-for person.

Question 25: Should the Scottish Government with COSLA produce guidance for local authorities?

Yes

No

Comments:

Should there be changes, guidance is important. We feel some consideration should be given to ordinary residence.