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Submission to Consultation on Proposals for Carers Legislation

This submission has been prepared by The National Carer Organisations. It outlines our position on the government's proposals for carers legislation and is supported by the following third sector organisations:





Carers Assessments / Carers Support Plans

In relation to the government's proposals on carers assessments. Our position is:

- We support the removal of the regular and substantial test and for the name to change from Carers Assessments to Carers Support Plan
- We support separating the carers assessment from the assessment of the cared for person, so that a carer can access an assessment even if the person they care for is not in receipt of any services
- We support the option to devolve the process for undertaking Carers Support Plans to the third sector. However, our position is that there needs to be an understanding that the duty still sits with the local authority and there must be a clear process for picking up on needs identified through the assessment. In terms of best practice this should include identified workers from the local authority linking with the third sector organisation

In addition:

- The review process should be clearly outlined in guidance. The carer should be offered the opportunity for a yearly review, as a minimum, however they

- should not be obliged to take this up. Otherwise carers should be able to trigger a review at any point to take account of changed circumstances
- Timescale – There should be a defined timescale for Local Authorities to undertake an assessment and also to provide services that carers are eligible for.

Information and Advice

In relation to the government's proposals on Information and Advice. Our position is:

- We support the proposal to place a duty on LAs to establish and maintain an information service. However we have concerns that Local Authorities may try to establish their own services, rather than resourcing existing carer support services. Our position is that there needs to be a universal standard for carer information services and carers must play a central role in deciding who provides the information service in their area, taking account of existing services.
- In relation to the proposal to repeal the requirement for Health Boards to produce a Carer Information Strategy. Our view is that if this duty is repealed there needs to be a continued focus from health in identifying, informing and supporting carers, including directing resources to carer support as a continuation of CIS funding. The mechanisms for directing resources to carer support need to be nationally agreed and embedded within the new integrated partnerships

The Duty to Support Carers and Provide and Promote Short Breaks

In relation to the government's proposals on support for carers, including short breaks. Our position is

- We support the proposal to introduce a duty on local authorities to provide support to carers and to provide and promote short breaks, according to an eligibility framework

In relation to the development of an eligibility framework, our position is as follows:

- Eligibility criteria must be co-produced by carers and specific to the needs of carers, rather being adapted from existing eligibility criteria for other care groups
- The eligibility criteria must be linked to the needs of the cared- for person, but this should not be the only criteria determining a carer's eligibility. Additional factors must be considered, such as carer's health, employment status, additional responsibilities outside the caring role, life outside caring etc.
- Eligibility criteria must have a preventative aspect to it.

In addition, our position is that the duty to support must have resources attached to it for it to be successfully implemented.

Additional Proposals

In addition to the proposals outlined by the government, we believe that legislation could be strengthened by the addition of the following proposals:

Hospital Discharge – We propose a Duty on health to inform and involve carers in hospital discharge procedures. Where the care provided by an unpaid carer is included within a hospital discharge plan, they should be able to specify how much care they are willing and able to provide.

Best practice example: Stirling Carers Centre employs two Carer Support Officers based within the Allied Health Professional team at their local hospital. They work in partnership with NHS professionals to identify hidden carers at all stages of their hospital journey, helping them to navigate their way through the system from admission to discharge. The Carer Support Officers work with carers to enable them to be equal partners in care and therefore play an active role in the discharge planning process. This ensures that the patients and their carers leave hospital with the appropriate support in place to retain as much independence as possible in their communities.

Emergency and Anticipatory Care Planning – We propose that the Carers Support Plan should include a duty to incorporate anticipatory care planning.

Best practice example: ENABLE Scotland has produced the research report 'Picking Up the Pieces' This sets forward a set of recommendations for establishing the provision of support to carers with emergency planning across all local authority areas.

Carers, especially lifelong carers, need to have peace of mind by knowing what arrangements will be put in place in the event of a planned emergency, such as the carer going into hospital for planned treatment, or an unplanned emergency, such as the carer becoming ill suddenly. The recommendations include an emphasis on early intervention and prevention to avoid crisis situations and embedding consideration of emergency planning within the carer's assessment process. This will also assist with future planning for a time when the carer can no longer provide support.

Carer Identification – We propose that the GP register should be linked to actions to support the carer, such as referral to a local carer support

organisation and there should be a named person within each practice grouping to lead on carer support

Best practice example In West Lothian the local carer centre works closely with GP practices in the area to identify and support carers. For example in one practice they have a named member of staff who is the lead person for carers and they collaborate with the carers centre to ensure their carer register is up to date. They are pro-active in offering carers support and signposting them to other services. They also have a dedicated carers notice board.

For further information contact

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The National Carer Organisations – April 2014

The National Carer Organisations are Carers Scotland, the Coalition of Carers in Scotland, Minority Ethnic Carers of Older People Project (MECOPP), Crossroads Caring Scotland, Shared Care Scotland, Scottish Young Carers Services Alliance and Carers Trust Scotland