

## 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:**

From a carers organisation point of view the rationale for a change in terminology set out in the consultation document is compelling. However, the view from statutory services is that a focus on engagement and an outcomes-focused dialogue with carers is more important than changing the term used. There is also a view that there should be a separation between the concepts of assessment and care and support planning. On balance the response from East Renfrewshire is that the terminology should remain as is.

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:**

Partners in East Renfrewshire are supportive of the preventative aspect associated with the removal of the substantial and regular criteria detailed in the consultation document. It is felt that there is flexibility in practice around these criteria at present, linked to impact and risk and that the terms substantial and regular have not been sufficiently well defined to be helpful in this context. There is, however, a need for some qualification here regarding prioritisation of resources given current resourcing context. It may be helpful to link this to the impact of caring and risk.

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:**

From both a carers organisation and statutory sector perspective the separation of carers assessment from provision of services to the cared-for person makes recognition of carers in their own right more robust. It is felt that this reflects the flexibility of approach within current local practice.

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:

This reflects current practice.

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

Yes

No

Comments:

Partners in East Renfrewshire feel that this reflects good practice locally. Again the point is that meaningful engagement and dialogue should be the cornerstone here and that the dialogue should be outcome and carer focused covering the whole caring role, life outwith caring rather than the practical ability to provide care implied in the current term.

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:

From a carers organisation viewpoint this fits with feedback from carers regarding communication. However, the points made above (Q2) relating to impact and risk based prioritisation complicate the issue subject to consultation. Local practice is that carers will be informed of timescales for assessment but there is concern that this consultation provision could lead to the codification of standard timescales and the emergence of bureaucratic scheduling and monitoring mechanisms which cut across impact and risk based prioritisation. This would require additional resourcing.

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

Comments:

Not recognised as an issue locally. This is dealt with through appropriate liaison and transfer.

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:

See above 7.

### 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:

There is mixed opinion on this locally. Services providing information and advice for carers are already commissioned and there are broad general duties regarding information provision within guidance issued under existing legislation. This is recognised as good practice however the precise nature of this provision requires local flexibility in providing and/or commissioning.

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:

Existing resources would be required to be at least maintained to continue provision under previous direction. The provisions contained in the legislation referred to could be incorporated into carers' strategies locally.

### 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:

Any proposed provision would require to be wider than the Fair Access to Care type of eligibility criteria that has tended to be taken as models for assessing this will vary under SDS implementation. Tightly defined criteria can run the risk of cutting across the preventative approaches and low level support described earlier in the consultation document (Q2) whether supports are commissioned or directly provided.

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

Yes

No

Comments:

With comments re 11 taken into account.

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

Yes

No

Comments:

This would not fit with SDS and prioritisation/risk frameworks articulated elsewhere. Best practice resources would be helpful to encourage innovation and good practice being scaled up and spread.

## 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:

The provision of good practice examples would be useful, however, the need for statutory guidance on this is questionable and would be more appropriately dealt with through local awareness raising or training.

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 applies to quite small numbers locally and should dovetail with transition planning. This is taken forward locally without legislative requirement and respondents would question the need for this to be codified.

## 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:

Yes but the response to the consultation question is that this does not require legislative provision as this is already covered through principle of carers as partners in care and in practical representation of carers through participation and involvement fora.

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:

Consultation respondents would query whether (given the response to 16 above) there is not already sufficient provision in principle and in statute including the Equalities Act 2010.

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:

There is agreement with establishing this as a principle, subject to consent. Further work would be required on this where there is actual or potential conflict between cared for and carer, e.g., advocacy.

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 actively encouraged to be involved however this should be in a range of ways that interest them and not tokenistic representation on planning groups.

## 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 is viewed as an extension to the expectations under the national strategies.

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:

From Carers' Organisation perspective this ensures appropriate recognition of carers in the provision of local services and their range and flexibility. The practicalities of this would need to be governed by local needs assessment and gap analysis. The operation of commissioning is changing with the development of more outcome-focused and personalised development. Any guidance would need to recognise this in line with the 'programme of reform – other legislation' section of the consultation paper and link to co-production and co-design approaches.

## 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 not be legislative provision on GPs. Section 17c contracts and flexibility for meeting local priorities makes such a provision problematic. Local practice includes informing GPs, with consent, and recording unpaid carers on information systems.

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:

See above.

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

Yes

No

Comments:

This is checked at quality of practice visits in relation to protocols but development of management information systems to monitor is not required.

### **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:

Not seen as significant issue locally. Where this does arise there is flexibility according to the needs of the carer. Information, advice and support will be provided as well as signposting and this has tended not to be resource intensive. This may become more of an issue with proposals contained in the consultation regarding breaking the cared for carer link as an unintended consequence.

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:

Depends on conclusion of consultation on legislative provision, e.g., short-break duty. 'Ordinary residence' or demonstration of local connection rules or similar should apply.

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

Yes

No

Comments:

Further guidance would be helpful and welcome regardless of outcome of consultation. This could form part of a wider national level conversation on carers and carers support.