

CONSULTATION QUESTIONS

Additional comments:

NHS Ayrshire and Arran welcomes this proposed Carers Legislation.

The Board has worked in partnership with stakeholders to ensure carers are identified, involved in care and supported in their role as carers at point of care whatever service. While significant progress has been made, legislation will support efforts further. As we move into the shadow year for the partnerships the Board is working local authority and third sector partners to ensure the carer voice is heard and listened too as integrated support and services develop.

The Board recognises the need for flexible support for carers and the need for health services to be sensitive and proactive in addressing the health needs of carers, to support them continuing in their role.

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 would support the change of name as it reflects the ongoing process of support according to need. 'Carers assessment' has antibodies attached to it, given the experiences of some carers.

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: Yes, this should be a universal right for all carers. While resources will always be an issue the principle should be universal.

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: Yes, as above – given that support will increasingly come from the assets within the community e.g. peer support, third sector etc

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: Yes, LA's and health should be proactive in making the offer as well as Carers having the right to self-refer.

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

Yes

No

Comments: Outcomes based approach far more person centred. Ability to care should be removed.

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: Yes, it would be helpful if LA's had some form of triage process to ensure those in greatest need are supported first. Each LA should publish standards and performance measured against same.

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

Comments: It is essential that there is portability – wherever possible the carers should have information to take with them, as well as liaison between LA area.

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, this is essential. The development of minimum standards of service, protocols, memorandums of understanding etc between bodies is essential.

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: Yes – Health Boards also ensure that robust arrangements remain in place. Consideration should also be given to the partnerships

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: Yes – this funding should be directed to the partnerships in the future

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: No. In practice the framework will not be sensitive enough to ensure a needs based approach.

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

Yes

No

Comments: Yes – LA's should have the power to provide an appropriate support intervention according to need.

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

Yes

No

Comments: Yes – this is crucial to carer wellbeing and maintaining them in their role. It is essential that short breaks are flexible and according to need.

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: Yes, makes sense

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: Yes, flexible approach to this welcome

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:

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:

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: Yes, this is essential

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: Carers across the spectrum of caring should be involved.

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: Yes, important that services out with partnerships are covered in a joined up way.

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: Yes – although I think equalities legislation covers this.

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 legislation. Despite contractual agreement – carers registers are not always maintained.

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:

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

Yes

No

Comments: Yes, robustly

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: The authority in which the carer lives should take the lead.

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: Authority of looked after person should cover the costs

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

Yes

No

Comments: