

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: Children in Scotland believes that the change of terminology conveys to carers a clearer commitment to provide support. Though there may be no difference to actual entitlement, it would be important to carers and to those they care for if this change was reflected in actual provision.

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 would expect that a process of assessment would precede any allocation of support provision. The removal of the 'substantial and regular' test would allow for the needs of carers who would not meet this test (such as non-custodial parents who might share care arrangements) to be considered and a proportionate and appropriate service to be provided.

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 stated in the consultation document, some people who are cared for, including significant numbers of children, may receive services entirely through the NHS, or may have chosen not to use local authority provision.

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:

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

Yes

No

Comments:

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 believe it is important that assessments, and the concomitant provision of service, should take place timeously, efficiently, and in a coordinated way.

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

Comments: Among other relevant activities and experience, Children in Scotland has, since 2012, carried out engagement work with parents/carers of disabled children. This is a significant problem for many families due to the substantial variability of level and type of service provided by different local authorities and NHS boards. Parents/carers have indicated that they have been unwilling to consider, for example, moving house to a neighbouring authority area or applying for work elsewhere, as their care packages may not be transferred. Other parents/carers have experienced a significant loss of, or variation in, service after moving from one authority to another.

There are also issues that arise when children are placed outwith their local authority area, for example, if they attend residential school or use respite care. Portability of assessment would minimise 'boundary disputes in such circumstances. It would also be helpful in situations where local authority and NHS Board boundaries are not co-terminous, for example where an NHS Board covers more than one local authority 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:

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 agree that there should be a duty to provide information and advice, however our feedback from parent/carers indicates that it would be far more practical and accessible if this provision were combined with provision of information/advice about resources to support the cared-for person.

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 would be concerned about the loss of a statutory requirement to have in place an information strategy unless the 'reassurances' have equivalent status in law.

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 agree with the introduction of a duty but have concerns about what an 'eligibility framework' might mean in practice. Several parent/carers have reported that they have been denied services identified as needed through a formal assessment because they did not meet the 'eligibility criteria' established by local authorities.

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

Yes

No

Comments: We believe that a statutory duty would achieve better service, thus better outcomes, for carers and the people they look after.

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

Yes

No

Comments: We are currently carrying out an online survey of parents/carers of disabled children, and asked a specific question on whether a duty to provide short breaks (as is the case in England) should be introduced. 92% of respondents believed that such a duty should be introduced.

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: We are, in principle, in favour of this being included in statutory guidance, so long as the guidance adequately reflects the needs of the carer and the person cared for. Children in Scotland and the Scottish Transitions Forum recently held an event on transitions to adult services for young people with disabilities and additional support needs. It was attended by a number of parents and carers whose general experience was that transition planning did not begin at a sufficiently early stage, service provision was discontinuous, and that levels of services were not protected. Our current online survey asked respondents whether transition planning had been adequate. 84% of respondents indicated that it had not.

For young carers, their own transition to adulthood as well as adequate provision and support for managing changes in the condition of the person they care for, are critically important issues. Guidance that accompanies the Children and Young People Act, in terms of the implementation of GIRFEC, should ensure that issues relating to this are effectively addressed in the each young carer's Child's Plan.

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: And the supports should be provided seamlessly and continuously.

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: Not only would this be good practice, it would add a wealth of pertinent and informed knowledge to effective service planning. Provision should also be made for the cared-for person to be involved and for their views to be taken seriously. It will, however, be important that practical support is provided to enable effective communication. Even young children, including those with complex needs or communication difficulties, will have experiences and opinions that can help shape effective services, and it is important that efforts are made to ensure that this potentially valuable information is adequately captured and appropriately utilised.

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: Carers organisations, and indeed those organisations who work with people who are cared for (such as disability organisations) have a wealth of knowledge and a 'closeness to the customer' that provides an invaluable resource to service planning as well as the experience and skill to support individual carers in effectively participating.

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: Again there would be significant value to the planning process as well as potential benefits in terms of capacity building and development of confidence among carers and young carers themselves.

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 intrinsically desirable from the perspective of young carers themselves, for the reasons articulated in response to the previous question. However, we also believe that services will be more effective and responsive if the real experiences and circumstances of those who use them informs their planning and delivery. Where a young carer may need support to help them articulate their views in service planning settings, this should be

provided.

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: But it is essential that their involvement is meaningfully reflected in the structures, systems, procedures and services delivered by NHS Boards.

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: Though explicit definition of what constitutes sufficiency, and of how needs are assessed, will be needed.

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: We understand that many people who care for a family member prefer not to be identified as 'carers' and would thus be reluctant to be placed on a register. Parents caring for a disabled child often do not identify themselves as 'carers' and many young carers also do not choose to be identified, for example, at school, in this way. What is important is that there is some mechanism for ensuring that, when their caring role is known about, that they receive the best and most suitable advice, help and support. If GIRFEC functions effectively, both young carers and parents of disabled children should thereby be enabled to get the help they need. As guidance accompanying the Children and Young People Act is being developed it will be important to ensure that all agencies who may have contact with people carrying out caring duties are clear what their responsibilities are, and what procedures they should follow.

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: Any dissemination of good practice is likely to be helpful.

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

Yes

No

Comments: In principle, Children in Scotland would support this, however the burden of reporting should be minimised in order that NHS resources are not diverted from direct service.

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 from the cared-for person(s)?

Comments: If there is portability of assessment this should not be an issue, assuming that there is consistency of quality among those carrying out the assessment.

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: Children in Scotland does not have a view on this matter, so long as guidance to local authorities is unambiguous.

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

Yes

No

Comments: If clear guidance is not provided, frequent, costly and time-consuming 'boundary disputes' are likely to occur.