

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 believe that renaming 'Carers Assessment' to 'Carers Support Plan' does away with the distinction between assessment and plan; the term assessment considers need, whilst the terminology 'support plan' assumes it. Our view is that a focus on outcomes-focussed engagement with carers is more important than changing the terminology used.

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: It is essential that carers are supported, the proposal, however, whilst well intentioned, raises a number of concerns, local authorities have to manage a wide presentation of need with finite resources and, therefore, have a responsibility to ensure maximum benefit from available finances.

We believe that the early identification of carers and signposting them to appropriate support will potentially avoid more costly intervention at a later stage. However to undertake assessments irrespective of need would be an irresponsible use of resources and would likely create unrealistic expectations of what can be provided. Social work has to respond to different levels of need and should not be seen as, and can never be a universal service. Within this context we believe that the emphasis should be on enhancing the quality of the assessment process.

There is also a need for qualification regarding the prioritisation of resources given the current economic climate and there is no single definition of 'Regular and Substantial', as such it would be more beneficial to look at the impact of caring on the individual and the associated level of risk.

Furthermore, consideration needs to be given to the workforce implications associated with an increased eligibility for a carers support plan.

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: We welcome this proposal and believe that the separation of a carers assessment from the provision of services to the cared for person recognises carers in their own right more fully. We also believe that this reflects the approach adopted within our current 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: The introduction of two routes for a Carers support Plan will remove any ambiguity caused by existing legislation and also reflects our current practice.

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

Yes

No

Comments: The dialogue between the carer and the assessor should be outcome and focussed and cover the whole of the caring role rather than focus solely on the carers' practical ability to provide care. The terminology 'ability to provide care' is restrictive and places barriers to carers accessing support and we therefore feel that removal of this wording will support the move towards a greater focus on achieving outcomes for carers.

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: Whilst this ties in with a number of the outcomes in the EPIC core principles, feedback received from carers and the need to ensure that carers are recognised and valued as equal partners in the delivery of care. Our concern is that placing the above duty on local authorities could lead to standardised timescales, bureaucratic arrangements and monitoring mechanisms, which take no account of impact and risk. Introducing the same would also require additional resources.

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

Comments: This is not an issue for us locally.

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

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: Both Stirling and Clackmannanshire Councils commission services, which provide information and advice to carers and this provision, is considered good practice. Whilst we whole-heartedly support the provision of information and advice we believe that the nature of this provision should be determined locally.

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: In order to continue provision under previous direction existing resources would have to be maintained. Provisions referred to within the legislation could be incorporated in to local carers strategies.

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: There is a danger that national eligibility thresholds could polarise how resources are used and that legislation will make it more difficult to support carers flexibly. This could also impact on the provision of low-level support and undermine preventative approaches.

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

Yes

No

Comments: See response to Q11. We believe that many of the decisions within this consultation are for local determination rather than regulation. We do not feel that a legislative route is necessary at this time and are of the view that resources would be better utilised looking at how we can support and improve the health and well-being of carers with the type of support provided being flexible and determined through collaboration between the carer and professional in order to meet the needs and outcomes of the carer.

In addition changing the power from a discretionary one to a duty is likely to have financial and workforce implications. It is unrealistic to expect local authorities to meet this proposal without additional funding from central government.

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

Yes

No

Comments: We do not believe that a duty to provide short breaks or the provision of a specified list of services is in line with Self Directed Support. Complying with this duty could be costly, and is likely to generate a significant cost pressure for local authorities, particularly if the eligibility framework is set quite widely.

There needs to be a flexible definition of short breaks, however creating a legal right would increase the likelihood of legal challenge by carers who are disappointed by an authority's refusal to provide a particular type of short break. Ultimately it could lead to a narrowing of choice for carers and create an inequality with those individuals who do not have a carer.

Furthermore it creates unrealistic expectations about how far the public purse can go to support carers' choices and may in practice result in the local authorities having a much narrower conversation about what type of short break can be supported.

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: Some respondents believe that statutory guidance would assist with The achievement of consistent good practice and welcome the above proposal. Others felt that whilst examples of good practice are helpful they do not see a need for statutory guidance and believe this would be dealt with more appropriately through 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: As a matter of course this should be part of transition planning and is already happening locally without a legislative requirement.

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, however, we do not believe that this requires legislative provision

as this is already covered through the principle of carers as partners in care and by the practical representation of carers through participation and involvement.

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: Stirling and Clackmannanshire Councils welcome effective partnership with all relevant stakeholders, as in our response to question 16, we feel there is already sufficient provision both in principle and in statute, including the Equalities Act 2010, which ensures the involvement of carer's organisations in the planning, shaping and delivery of services.

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: Subject to consent, we agree with this in principle, however further work would be required on this where there is actual or potential conflict between the cared for and the carer. We need to strike a balance that ensures young carers are involved in a way that is appropriate to their age and involvement must be meaningful. Workforce development and training will play a key role in supporting this aim.

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 and are encouraged to participate in the planning, shaping and delivery of services, however the means by which this is done will vary to that for adult carers. Any arrangements must be age appropriate and address potential barriers, which prevent young people from becoming 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: It is debatable whether legislative measures are required to deliver the above, both the national and local carers strategies carry this expectation.

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: We recognise the importance of investing in and supporting carers, and this would ensure carers are appropriately recognised and provided for within local services. However we believe that policy already allows for carers and young carers to be involved in care planning and that carers are already involved determining the types of support and services that should be available in their community.

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: GP's should be required and trained to refer carers for assessments. There is limited value in getting local authorities to do the same, as many carers do not come in to contact with their social work services, however those that do are recorded on internal information systems and with the carers consent, information is shared with their GP.

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: As 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: We do not believe this is 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: Where this situation has arisen there is flexibility according to the needs of the carer, and information and advice has been provided regardless of where the carer resides.

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: The local authority in which the carer resides should undertake the assessment and look to recoup the costs from the local authority in which the cared for person lives.

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

Yes

No

Comments: Further guidance would be welcomed.