

**DIRECTIONS UNDER SECTION 52 OF THE PUBLIC BODIES (JOINT WORKING)
(SCOTLAND) ACT 2014 (DIRECTIONS TO INTEGRATION AUTHORITIES TO
ISSUE OFFERS UNDER SECTIONS 6 and 12 OF THE CARERS (SCOTLAND)
ACT 2016)**

The Scottish Ministers, in exercise of their functions under section 52 of the Public Bodies (Joint Working) (Scotland) Act 2014, and all other powers enabling them to do so, hereby DIRECT that-

Offers issued to relevant adult carers

1. A responsible integration authority must offer a relevant adult carer an adult carer support plan within a period of two working days, beginning with the applicable date.
2. Where a responsible integration authority is, due to any unforeseen circumstances, unable to offer a relevant adult carer an adult carer support plan in the timescales set out in paragraph (1), that authority must make this offer as soon as is reasonably practicable after those timescales have expired.

Offers issued to relevant young carers

3. A responsible integration authority must offer a relevant young carer a young carer statement within a period of two working days, beginning with the specified date.
4. Where a responsible integration authority is, due to any unforeseen circumstances, unable to offer a relevant young carer a young carer statement in the timescales set out in paragraph (3), that integration authority must make this offer as soon as is reasonably practicable after those timescales have expired.

Interpretation and commencement

5. In these Directions—

“applicable date” is the date on which a responsible integration authority identifies a person as a relevant adult carer in accordance with section 6 of the 2016 Act,

“integration authority” has the meaning given by section 59 of the 2014 Act,

“integration scheme” has the meaning given by section 68(1) of the 2014 Act,

“relevant adult carer” means an adult carer of a cared-for person who is terminally ill,

“relevant responsible authority” means a local authority who exercises the functions of a responsible authority under section 19(1)(b) of the 2016 Act,

“relevant young carer” means a young carer who—
(a) cares for another person who is terminally ill, and
(b) is a young carer which an integration authority is a responsible integration authority for,

“responsible integration authority” means an integration authority which exercises the functions of—

- (a) a responsible local authority,
- (b) a relevant responsible authority, or
- (c) both,

under sections 6 or 12 of the 2016 Act in relation to a relevant adult carer or a relevant young carer but only insofar as those functions have been delegated to that integration authority by virtue of an integration scheme made under the 2014 Act,

“responsible local authority” has the meaning given by section 41 of the 2016 Act,

“specified date” is the date on which a responsible integration authority identifies a person as a relevant young carer in accordance with section 12 of the 2016 Act,

“the 2014 Act” means the Public Bodies (Joint Working) (Scotland) Act 2014,

“the 2016 Act” means the Carers (Scotland) Act 2016, and

“working day” means any day other than a Saturday, a Sunday or a day which, under the Banking and Financial Dealings Act 1971, is a bank holiday in Scotland.

6. Any expressions or definitions used in these Directions, where relevant and unless otherwise specified, take the meaning which they have in section 41 of the 2016 Act.

7. These Directions will come into force on 31 July 2021. They will remain in force, unless varied or revoked by a further Direction of the Scottish Ministers made under section 52 of the 2014 Act.

Signed by

A handwritten signature in black ink, appearing to read 'Kevin Stewart', with a stylized flourish extending to the right.

Kevin Stewart MSP
Minister for Mental Wellbeing and Social Care
30th July 2021