

**DIRECTIONS UNDER SECTION 5(1A) OF THE SOCIAL WORK (SCOTLAND)  
ACT 1968 (DIRECTIONS TO LOCAL 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 5(1A) of the Social Work (Scotland) Act 1968, and all other powers enabling them to do so, hereby DIRECT that:-

**Issuing offers to relevant adult carers**

1. A responsible local 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 local 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.

**Issuing offers to relevant young carers**

3. A relevant local 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 relevant local 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 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 relevant local authority identifies a person as a relevant adult carer in accordance with section 6 of the 2016 Act,

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

“relevant local authority” means a local authority who is a responsible authority as defined by section 41 of the 2016 Act,

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

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

“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 5(1A) of the Social Work (Scotland) Act 1968.

Signed by

A handwritten signature in black ink, appearing to read 'Kevin Stewart', with a long horizontal stroke extending to the right.

Kevin Stewart MSP  
Minister for Mental Wellbeing and Social Care  
30<sup>th</sup> July 2021