Carers (Scotland) Bill

East Renfrewshire Community Health and Care Partnership

1. Do you support the Bill?

- The East Renfrewshire partnership recognises the invaluable role carers play across Scotland, and support legislation that is geared towards supporting positive health and wellbeing for carers.

- There is apprehension that additional funding may not be available to meet the new duties to support carers as well as to ensure appropriate resources are available to meet the expected expansion in duties around the assessment and support plan.

- The resulting loss of income to local authorities from charging at a time when there are system wide budget pressures may impact on successful implementation of the legislation.

- There could be further resource implications arising from formalisation of the Carer Assessment and Support Plan, which would be helpful to be reflected in a Financial Memorandum.

- There are challenges on how to best support family carers who are also paid to provide support under Self Directed Support legislation Option 1. It would be helpful to clarify how this could be managed within accompanying guidance.

- There is the potential to raise expectations amongst carers through the change of title from ‘assessment’ to ‘support plan’ – particularly for those who may go through assessment but may not be ultimately deemed as eligible for support.

2. What do you feel would be the benefits of the provisions set out in the Bill?

- The East Renfrewshire partnership recognises the important role unpaid carers have in supporting family members, friends and neighbours. The partnership supports drives to improve the identification of carers requiring support, improved provision of support as well as plans to ensure carers are fully engaged in the decisions which affect their lives and those for whom they provide care for.

3. How do you feel the Bill could be amended or strengthened?

- It would be helpful for explicit mention in each instance on whether the support is intended to benefit the carer of cared for person.

- The responsible authority for meeting costs for carer support could potentially be different from the authority which is assessing and providing for the supported person’s needs.
• For example, when the cared for individual and the carer resides in different areas. There is recognition that the responsible local authority would be the one where the carer resides. This however may impact on local authorities’ ability to agree flexible arrangements.

• Clarity would be helpful on whether there is potential for one local authority area to make independent decisions about another’s expenditure in such cases.

4. Is there anything that you would add to the Bill?

• It may be helpful for a clearer definition of ‘carer’ as the current one used as ‘someone who provides regular and substantial care’ may broaden scope of what we mean by carers. For example, parents of children with mild behavioural difficulties may be considered within this current definition, which does not take into consideration the care required simply because of their age and stage of development.

• It may be helpful for a specific reference to the role of health professionals in identifying and signposting carers to appropriate resources, as this requirement on Health Boards is understood to be ceasing following the withdrawal of Carer Information Strategies. As an Integrated Partnership we recognise this is a principle we would apply to all our health and social care staff, to support improved health and wellbeing in our communities.

5. Is there anything that you would remove from the Bill?

• There are apprehensions on the stated duty to provide an Adult Carer Support Plan for all carers irrespective of the level of care they provide.

• The Bill proposes a duty to support carers which will be framed within the context of locally determined eligibility criteria - to be developed with regard to matters set out in subsequent regulations, for example equalities issues. However, there is also a Ministerial power to establish national eligibility criteria via subsequent regulation. Further clarity is required on this power as assurance is sought that it will not extend beyond criteria and involve an ability to set eligibility thresholds.

• The Bill includes a prescribed form and content for assessment, support plans and reviews, defines carer ‘personal outcomes’ as outcomes which would support continuation of caring role and establishes a Ministerial power to re-define personal outcomes in regulations. This may be limit local partnership flexibility in developing processes for carers in line with local arrangements for Self Directed Support.

• There is the potential that the Ministerial power to re-define personal outcomes could effectively result in a duty for partnerships to consider any outcome, including those not related to the caring role at all, in carers’ assessments and support plans. This may adversely raise
expectations and potentially cause tensions with eligibility criteria. For example, carers may expect access to services and support to pursue their own life aims, where those types of needs may not meet eligibility criteria.

- The Bill includes a duty on partnerships to develop and publish a Young Carer Statement. We express a similar apprehension to those outlined on Adult Carer Support Plans. Also, there is a proposal such a statement will remain in place after an individual turns 18 years until the point the adult carer support plan is implemented. This could effectively extend eligibility for children/young person’s services in a manner that is difficult to forecast and place pressure on partnership budgets.

- The partnership supports the principle to involve carers in service planning however this is has already been a stated expectation in the Public Bodies (Joint Working) (Scotland) Act and Self Directed Support Acts and supporting regulations.

- Local carer issues require to be considered flexible and through an integrated approach across strategic planning as opposed to silo activities. This needs to be dynamic and evolve over time in response to the most up to date knowledge on best practice and evidence informed views, it may be helpful to therefore include an overview of carer strategic direction as opposed to a high level of detail on carer strategies in primary legislation.

- Where the duty regarding the establishment and maintain of information and advice services for carers, it would be helpful for a greater level of emphasis on supporting resourcing existing local carer support services and organisations and establishing services only when necessary.

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