Carers (Scotland) Bill
The Scottish Council for Voluntary Organisations (SCVO)

Introduction

SCVO welcomes the opportunity to submit this briefing on the Carers (Scotland) Bill. At a time when carers and their families face a “double whammy” of service and welfare cuts, there are too many people facing crisis situations.

Key points:

- SCVO welcomes the Bill but seeks detailed consideration to the wider context in which the Bill is being introduced. The provisions in the Bill will need to connect with Self-Directed Support, integration of care, UK welfare reform, tackling inequalities, mental health, childcare, care charging and the employability agenda. The Bill must also be viewed through a devolution lens – how can the Bill and planned new powers for the Parliament work together to create more holistic support for carers?

- SCVO supports the work being done by carers groups and other third sector organisations to help shape and strengthen this Bill. SCVO is a signatory to the joint third sector statement on the Bill, led by the National Carers’ Organisations.

- The Bill needs to take specific account of the ‘preventative’ role of the third sector in supporting carers. As the ring-fenced funding for carers within the Change Fund comes to an end (outlined in Bill Financial memorandum¹), there are wider risks for third sector organisations that will be at the heart of implementing this Bill.

Recognising the wider context

We expect many third sector organisations will welcome the Carers (Scotland) Bill. It has one clear strength in that it aims to secure a clear, legal recognition for unpaid carers.

However, the Bill could be viewed as a sticking plaster on a broken social care system. The Bill must be viewed in the wider context of current, complex challenges which include:

- The roll out of Self-Directed Support which is masking cuts to care packages – in some cases, families’ choice and control over care and support is limited rather than being expanded. ² It can also place an additional burden on families who are left to identify provision sometimes without support to identify what will meet agreed outcomes.

- The inequity and unfairness of care charging has been highlighted by Carers’ and disability organisations, particularly for those families who may already be in poverty.³ Families are paying for care services, equipment and adaptations⁴ even where the state is responsible for providing these. Where people are receiving self-directed support, families have to supplement packages as allocated budgets do not fully meet their needs.⁵
Carers are increasingly facing crisis situations and breaking point battling bureaucratic and unresponsive systems. Research from a range of third sector organisations highlights that carers do not get anywhere near enough support\(^{x}\) to help them to stay well, to care safely and to maintain a life of their own outside of caring.

There is an expectation that families can pick up the increasing gap in social care which is misplaced.\(^{xii}\) Indeed Scottish Government analysis highlights an impending care gap. For many communities, these challenges exist alongside existing ill health or isolation. The current raft of devastating welfare reforms is perhaps the biggest risk in this regard.\(^{viii}\) \(^{ix}\)

Disabled people and their families are affected by a range of cuts and have become more isolated as a result. Policy decisions are leading to increased inequality amongst key groups.\(^{x}\) \(^{xi}\)

Given these challenges, as Carers Organisations and carers themselves highlight, the Bill will not on its own, and as it stands, fully deliver the government’s aims or make a genuine difference to their lives\(^{xii}\).

However, there are opportunities to make the Bill stronger, if it is considered in conjunction with other policy and legislative developments:

- A wider debate on child care and access to childcare,
- An examination of how self-directed support strategies connect with support for carers
- A commitment to look more deeply at care charging and its longer-term impact
- Holistic support for carers to both remain in and find employment.

**Joint third sector statement**

Many organisations across the third sector have co-signed a joint statement on the Carers Bill which recognises the challenges above but which also seeks ways in which the Bill could be strengthened. This will have been submitted to the Committee by the National Carers’ Organisations.

The statement seeks changes around eligibility criteria, emergency planning for carers, personal outcomes and supporting carers to have a life outside of - not alongside - caring. In addition, the statement calls for a clear equality statement and action plan – with a specific focus on gender equality issues.

There is also a strong call for the Bill to include a duty on hospital discharge.

SCVO also supports Enable Scotland’s proposals for better emergency planning for carers, and Marie Curie’s call for better identification and support for families experiencing terminal illness a well as automatic eligibility for family/care support\(^{xiii}\). We also support calls to ensure the Bill reflects the principles which underpin the Self-Directed Support Act.
Ensuring prevention drives Carers Bill

Effectively tackling the issues outlined above requires us to go beyond the provision of specific services to people in need. Genuine prevention is critical to reducing demand for formal and more costly statutory interventions. The Christie Commission highlighted the importance of prevention and a focus on this and on tackling inequality formed the Commission’s road map for public service reform.xiv

We believe the Bill’s driving principles should focus on tackling the inequality faced by carers and their families.

There is an increasing evidence base which shows the economic and social value of support to unpaid carers, demonstrating that it can prevent or delay statutory interventions and admission to institutional care.xv The third sector often acts as an important channel for preventative community-based support, so SCVO would welcome a clear focus on prevention at the heart of this Bill.

The third sector as an equal partner

The joint third sector statement mentioned above demonstrates concern about the impact of the Bill on voluntary and community organisations. It says:

“Increased identification of carers and a duty to provide support to carers will mean that the third sector will experience additional demand on their services. We do not feel that third sector services, particularly dedicated carers’ services, have been recognised sufficiently as part of the duty to provide support to carers”.

As with other financial memoranda, the impact on the third sector is not fully recognised, nor is it effectively funded. Whilst funding will help build the capacity of some in the frontline, it is not directed at supporting carers – the very reason many of these third sector organisations exist.

As outlined by the National Carers’ Organisations, local carers groups, condition specific groups and other relevant third sector organisations already operate in a challenging environment. SCVO’s own research shows that third sector funding from the public sector is down, and third sector organisations are adopting increasingly complex funding models and chasing multiple income streams in order to stay afloat.xvi

The Carers Bill may see previously hidden carers looking for support. Add this to the emphasis on local eligibility criteria and it is possible that many carers will be screened out of statutory support and will turn to the third sector. The changes affecting statutory services as a result of this Bill affect the third sector in equal measure but it is not supported to weather those changes and respond to increased demand in the same way.

We would encourage the Committee to explore this impact further with the third sector.
Conclusion

SCVO welcomes the Carers Bill but the context in which it is being introduced is challenging and complex, especially for the very families the Bill seeks to support.

We ask the Committee to consider these wider, contextual issues as it moves through Stage 1. This needs to take into account the impact of social care cuts, integration of health and care, Self-Directed Support and welfare reform. These represent an increasingly complex array of policy which can add to the bureaucracy faced by carers, their families and the third sector organisations that support them.

Looking at the Bill in isolation from other policy and legislative changes, including competencies that may be devolved to Scotland, would be a missed opportunity to join up public policy – in ways suggested by the Expert Working Group on Welfare in its second report. SCVO would be happy to work with the Committee to explore the broader context and case for supporting carers and the organisations that support them can be reviewed.

Scottish Council for Voluntary Organisations
About us

The Scottish Council for Voluntary Organisations (SCVO) is the national body representing the third sector. There are over 45,000 voluntary organisations in Scotland involving around 138,000 paid staff and approximately 1.3 million volunteers. The sector manages an income of £4.9 billion.

SCVO works in partnership with the third sector in Scotland to advance our shared values and interests. We have over 1,600 members who range from individuals and grassroots groups, to Scotland-wide organisations and intermediary bodies.

As the only inclusive representative umbrella organisation for the sector SCVO:

- has the largest Scotland-wide membership from the sector – our 1,600 members include charities, community groups, social enterprises and voluntary organisations of all shapes and sizes
- our governance and membership structures are democratic and accountable - with an elected board and policy committee from the sector, we are managed by the sector, for the sector
- brings together organisations and networks connecting across the whole of Scotland

SCVO works to support people to take voluntary action to help themselves and others, and to bring about social change.

Further details about SCVO can be found at [www.scvo.org.uk](http://www.scvo.org.uk).

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1. Explanatory notes and other documents, page 30
9. [http://www.gla.ac.uk/media/media_296141_en.pdf](http://www.gla.ac.uk/media/media_296141_en.pdf)
12. Joint third sector position statement on Carers Bill.
13. Carers (Scotland) Bill – Call for Views. Marie Curie, April 2015