

# **Alzheimer Scotland**

## **Scottish Government – Carers (Scotland) Act 2016 Regulations**

### **Introduction**

Alzheimer Scotland is Scotland’s leading dementia voluntary organisation. We work to improve the lives of everyone affected by dementia through our campaigning work nationally and locally, including facilitating the involvement of people living with dementia in getting their views and experiences heard. We provide specialist and personalised services to people living with dementia, their families and carers in over 60 locations and offer information and support through our 24 hour freephone Dementia Helpline, our website ([www.alzscot.org](http://www.alzscot.org)) and our wide range of publications.

Alzheimer Scotland welcomes the opportunity to contribute to this consultation on Regulations relating to the Carers (Scotland) Act 2016.

### **Review of Adult Care Support Plans**

Alzheimer Scotland believes that the circumstances for review of Adult Carer Support Plans included in the Regulations cover most of the key times when it will be important for the Plans to be reviewed. Whilst understanding the rationale behind allowing Local Authorities some degree of flexibility to make their own determinations as to when a ‘material impact’ on a person’s caring responsibility has taken place (regulation 2(1)(d)), this may result in different interpretations of the meaning of what is a ‘material impact’. This has the potential to create additional variations in practice and availability of support for carers across Scotland, with different thresholds for triggering reviews in different local authorities.

In addition to the formal provisions, we believe that carers’ themselves or professionals (such as a health or social care professional) with knowledge of the carer or cared-for person should be able to initiate a review of their plan through a request to the relevant professional, if they believe that there has been a material change in circumstances which alters their need for support. Just as carers are eligible to request and receive an Adult Carer Support Plan, so too should they be able initiate its review. Whilst it may be the case that such circumstances are already provided for under 2(1)(d), we are concerned that the current wording, allows sole discretion on the part of the local authorities which disempowers carers; clarification of this would be helpful. We agree that the inclusion of hospital admissions/discharges may be inappropriate because of the potential frequency, however, there must be provision to ensure that carers are given the option of having their plan reviewed, if they wish.

Alzheimer Scotland believes it may be helpful for the inclusion of a specific provision for the review of an Adult Carer Support Plans where a carer takes on proxy-decision making powers, such as Power of Attorney or Guardianship. Such instances are likely to be indicators of a significant increase in the support a carer is providing for the cared-for person and accordingly, the support the carer requires. This must include instances where a Guardianship order is required to move someone from an acute setting.

Although beyond the scope of the regulations, Alzheimer Scotland believes that this approach would best be implemented where a social worker has ongoing involvement in supporting the carer and/or cared for person, similar the Dementia Practice Co-ordinator in our 8 Pillars Model of Community Support. Establishing this continuity of care and support would create better outcomes for people with dementia, their families and carers, avoiding repetitive processes at each intervention. Unfortunately, Alzheimer Scotland is aware that in a number of areas, social work services are beginning to take a task-based approach to supports, immediately closing cases after a service or support has been arranged. This can result in multiple social workers working with an individual, their family and carers, creating disruption to the continuity of the care received. We are concerned that such an approach will not deliver on the intentions behind the Carers (Scotland) Act 2016 and will not meaningfully improve the lives of carers.

### **Short Breaks Services Statements**

Alzheimer Scotland broadly supports the Regulations about Short Breaks Services Statements. However, we suggest that the Regulations should also require the inclusion of information about where to direct enquiries for information on how to access support for Short Breaks, as this is likely to be the most relevant information for a person reading the Statement. In addition we support the proposals for the statutory guidance to be issued encouraging local authorities to include case studies or vignettes of how short breaks may work in practice.

Alzheimer Scotland supports the Regulations requiring local authorities to include and consult with local carers organisations in the development of the Short Breaks Services Statements, however, the quality and scope of engagement and involvement is often variable. As with the requirement for involvement and engagement in the development of IJB Strategic Plans, it is our experience that some areas are committed to co-producing and meaningful involvement of people, whilst others are tokenistic in nature. If organisations are to be truly accountable for the decisions taken and support delivered, it is crucial that organisations understand the importance of meaningfully involving people who will be affected.

#### Breaks from Caring – Section 24 and 25

Alzheimer Scotland agrees that Regulations setting out the types of support which may be included under section 24 (which may have been considered as a break from caring) are unnecessary; we believe that this may sufficiently be addressed through statutory guidance. However, in order to avoid ambiguity, we suggest that Regulations should set out that a carer's need or potential to benefit from a short break under section 25(2), should be assessed by the local authority regardless of any support identified under section 24(4).

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