# Carers' Legislation – Consultation on proposals

The Western Isles Community Care Forum is an umbrella group of the voluntary care organisations in the Western Isles who also maintain a register of carers.
We would like you to consider the views of our members on your proposed legislation, which are as follows:

- We are in agreement with changing the name of a Carers Assessment to a Carer Support Plan as it seems this is what carers wish. It should be based on an outcomes focussed approach and not just a single assessment that is not consistently reviewed or updated.

- There should be a duty on local authorities to offer ALL carers a carer support plan, regardless of levels of support. Carers have different capacities, health issues and what seems a low level of support for one carer could be a burden on another. Those who do not need support will decline the offer. The aspect of self-assessment is an important one as long as carers receive the right support to achieve this.

- We agree with the proposal to have different levels/depths of Carer Support Plans as long as this does not put unnecessary pressure on Social Care Departments who are already overstretched. The Self-assessment process could possibly inform this, but carers need support to achieve this. Support plans framework should be standardised across all LAs to avoid the current post-code lottery. All carer assessors need to be trained to the same level.

- We would hope statutory guidance on the content of Carer Support Plans is sufficient, although in the past no action has taken place due to the fact that action is not enshrined in legislation. It needs to be made accessible to carers via local media, community support groups, GPs etc.

- If the Government legislates to provide a minimum standard for issues to be considered in the Carer Support Plans this could inhibit other issues being raised. If it becomes legislation, it should be as with National Care Standards so that we do not end up with a 'post-code lottery' situation.

- We agree in removing the need for the person you care for to be receiving community care or children's services. Many carers who choose to look after their loved ones, without Social Work help, tend to folk who are very vulnerable and dependent and they, as carers, are under immense pressure, physically and emotionally. Sometimes the only support in place is from the Third Sector.

- The majority of our members do not agree with the Government's proposal to remove wording in existing law that the carer's ability to care is being assessed. It is important that the carer's health, for example, is taken into account when discussing a care package. This issue does require to be dealt with sensitively, however, and we can see why it would be considered negative. We still need to protect the carer and cared for and not leave either in a situation that is potentially harmful. 'Ability' could be replaced with 'capacity' as there could be socio-economic demands on an individual out with their caring role.

- If the carer lives in a different LA area to the person cared for - that means the mainland in the Western Isles context - the carer would not be doing any hands on care. If the Islands LA were responsible it would involve someone going to the mainland to do the assessment and having to purchase the support from the other local authority. The Support Plan should be done by the Local Authority in which the carer lives. This is where his/her GP and any other services he/she is accessing will be situated. It is also the LA to whom he/she pays Council Tax and therefore they should be providing any services required.

- There should be a duty on local authorities to establish and maintain a service for providing carers with information and advice on their rights, support, and access to a Carer Support Plan. However, Government needs to ensure that sufficient resources are made available to local authorities to enable them to carry out this duty. With an ageing population, particularly in the Western Isles, the demand for community care is rising steeply and additional resources are urgently required if the elderly are to receive the care they deserve. This service could be out-sourced to a Third Sector carer support organisation.

- Carer Information Strategies should not be scrapped. We would be concerned that the funding may not then be channelled to carers. It is useful to have Health, Social Care and Third Sector around a table working together for the benefit of carers. Strategies need more local carer and cared for representation.

- Should there be a duty on local authorities to support carers and young carers, according to an eligibility framework? There should be flexibility and every case taken on its merits rather than an eligibility framework. Process needs to be normalised through school environment and curriculum.

- There should be a duty on local authorities to provide and promote short breaks but again resources must be made available to carry out this duty. Carers and cared for should have a range of short break options and involve third sector in the process. Respite care, at least, should be provided for carers

- Regarding the introduction of eligibility criteria for support for carers, every carer is different and has different thresholds, health, personalities. We would prefer each case to be taken on its merits. Young carers need to be supported out with the home through educational environment and community support groups to remove any stigma. Preventative support to carers should be included.

- Local authorities should publish and keep under review a Short Breaks Statement and include carers, cared for, third sector and community groups involvement.

- The Government should issue guidance on managing stages of caring so that Carer Support Plans always take into account the effect that these different stages may have on carers.

- Young carers who are likely to become adult carers should have a Carer Support Plan agreed before they reach 18, so that support can be put in place as soon as they become an adult carer and a date it will become effective. A support plan could go in place as early as 15, depending on what their education plans are ie. do they wish to continue at their local school, leave education at 16, move away to a College? Level of support required could vary significantly.

- Local authorities should have to produce a local carers strategy and young carers should be included in this. More local carer and cared for representation is required. However, strategies are only effective if they are implemented!

- Local authorities should be required to ensure there are sufficient services in their local area to meet the needs of carers but again, resources must be made available. This should be irrespective of geographical location.

- The Government should introduce a duty on GP practices and local authorities to develop and maintain a carers register to support the identification of carers. GPs may not be the best group to maintain that register though. Third sector organisations should be considered as they are better at ‘joint working’. Consideration should be given to one central data base that all partner agencies can also access and update.

- The Government should place a duty on health boards to monitor compliance with the requirement to identify carers and refer for an assessment as the voluntary route has not worked.

- The Scottish Government should definitely introduce a duty on health boards to involve carers in hospital discharge planning.

- There are two issues which are always high on the carers list of priorities – respite and finance. We think this would be an appropriate time for the Government to review the Carers Allowance.

A survey which took place between September 2010 and July 2011 of over 4,000 carers by Carers UK has found that almost 47% were being made ill by money worries.

The financial toll of caring was stark, with almost half (45%) of carers cutting back on essentials like food and heating to make ends meet; and nearly a third (31%) of carers were living on their overdraft.

Carers struggle to work and care, and an estimated one million have given up work or reduced their hours, losing an average of £11,000 a year.

Debt looms for carers and over 4 in 10 surveyed (45 per cent) said caring had pushed them into the red. On top of lost earnings, illness and disability also bring increased costs, higher household bills, for specialist equipment, foods, medicines, additional care and extra transport.

Money worries cause stress, and almost half of the carers who responded to the survey (47 per cent) said they were suffering from anxiety and depression because of concern about finances.

The isolation and stress of caring can cause mental health problems but debt exacerbates this. Of the 4,250 carers surveyed, 76 per cent said they had suffered mental health problems, and that figure rose to 85 per cent when the carers had been in debt.

We would like the Government to review not only the sum paid but entitlement to the Carers Allowance. Carers who receive a pension are not entitled to a Carers Allowance but their caring role does not stop because they can claim their pension. The cared for (especially when elderly) require heating to be on all day in the house, putting extra strain upon finances. This at a time when everybody in the country is struggling with energy bills.

There are many inequalities around this benefit. For example, a married couple care for the husband's Father. If the husband is working, his wife can claim Carers Allowance but if he is in receipt of JSA, she is not entitled to Carers Allowance.

The JSA rate is higher than the Carers Allowance. The person in receipt of JSA can be idle all week but a carer can be on duty 24/7! At the very least, the benefits should be the same rate, but ideally Carers Allowance should be higher.