

## **Cross Party Group on Carers**

**Tuesday 2 June 2015, 1:00pm**

### **Attending:**

Claudia Beamish MSP  
Rhoda Grant MSP  
Graeme Dey MSP  
Jamie Hepburn MSP  
Louise Morgan, Scottish Young Carers Services Alliance  
Lorraine Keith, Support in Mind Scotland  
Christine Farquhar  
Catriona McRoberts  
Sarah McDermott, Health and Social Care Alliance  
Marion McGowan, Alzheimer Scotland/NDCAN  
Katla Helgason, NDCAN  
Chrys Muirhead  
Jude Clarke, Division of Clinical Psychology in Scotland  
Martin Armstrong-Prior, CNHC  
Gillian Reid, Enable Scotland  
Rebecca Marek, Scottish Youth Parliament  
Rose Aitcheson, Scottish Youth Parliament  
Lorraine Allan  
Cath Purdie, PASDA  
Angela McLeod, Stroke Association  
Claire Cairns, Coalition of Carers in Scotland  
Clare Lally  
Gillian Fergusson, Health and Social Care Alliance  
Danuta Szerzynska, PASDA  
Claire Bews  
Lindsay Clydesdale, Carers Trust Scotland  
Moirra Oliphant, Scottish Government  
Lynn Lavery, Scottish Government  
Gorden Percy, Carers Scotland  
John Bissett  
Ian Hood, Learning Disability Alliance Scotland  
Eleana Kazakeou, office of Jim Hume MSP  
Sheena Cleland, office of Roseanna Cunningham MSP  
Beth Malcolm, office of Roseanna Cunningham MSP  
Lesley McLaren, PAMIS  
Derek Steele  
Tom Wightman, Autism Rights  
Eva Kestner, office of Rhoda Grant MSP  
Ruth Callaghan, office of Joan McAlpine MSP

**Apologies:** Jackie Baillie MSP, Mark McDonald MSP, Mig Coupe (Mindroom) Gill Westwood (Citizens Advice Scotland)

Claudia Beamish chaired the meeting and thanked everyone for attending. The minutes of the previous meeting on 11 March 2015 were moved by Cath Purdie and seconded by Ian Hood. Key issues arising from the Carers (Scotland) Bill were discussed; it was highlighted that specific inclusion

of young carers issues in the Bill had been well received. There was a discussion about duties and other aspects of the Bill that seemed to be missing. Items that were raised were the inclusion of a duty to record unmet need of carers, a duty to inform people about becoming a carer & their right to not provide care, lack of accountability and/or a complaints procedure, and how young carer statements will be kept confidentially if the young person does not want their Named Person to know about their caring situation. Attendees also discussed how investment in preventative, long-term and holistic carer support will be managed, how carers should have a choice about how many hours of care they provide, how the funding identified in the Financial Memorandum of the Bill will be protected when it is transferred to local authority budgets, the need to look at the Carers Bill alongside other legislation such as the Mental Health (Scotland) Bill, the need to continue services that have been funded by streams such as the Change Fund which is coming to an end, and the need to focus on support for the cared-for person as well.

Jamie Hepburn MSP, Minister for Sport, Health Improvement and Mental Health, spoke about the provisions of the Bill and the Scottish Government's commitment to carers over the past few years. The Bill looks at changing carers' assessments to Adult Carer Support Plans, removing the 'regular and substantial' test so that all carers can access a support plan, the requirement that the person being cared for must have a community care service provided to them will be removed, local authorities will have a duty to prepare and publish a short breaks statement, local authorities will have a duty to support carers who meet eligibility criteria and a power to support carers in a preventative way, there will be a duty on local authorities to involve carers and carers' services in planning and delivery of local support, and local authorities will have to publish local carers' strategies.

Louise Morgan asked about the Named Person for young carers and the requirement for sensitivity if young people did not want their school (and therefore the named person) to know if they were a young carer. Mr Hepburn said that he appreciated the need for sensitivity and it was difficult to balance the need to share information with those who needed it alongside young carers' wishes, and that this showed the importance of considering legislation within the context of other legislation such as the Children and Young People's Act. The key thing is to make sure that young carers will always be supported.

Discussion moved to eligibility criteria. Ian Hood said that some local authorities had already tightened their eligibility criteria in order to save money. Catriona McRoberts said that locally-developed criteria made it difficult to hold local authorities to account or to get support if complaining about locally-made decisions. Mr Hepburn stated that the intention was to introduce local eligibility criteria under a national framework, and reminded the group that local authorities are elected bodies and are therefore accountable to their elected members, but indicated that he was willing to explore options for national eligibility criteria. In all cases, local authorities will be in control of their own budgets anyway so criteria will not affect this. There are a range of options for people to hold services to account, and there will be even more options when the Bill becomes law.

Clare Lally asked about accountability in the wider context – there is nothing on the face of the Bill that mentions accountability, and having to go through the channels and processes can be very difficult for carers, as it is time-consuming and draining. People who are looking after someone with palliative care needs or with a terminal illness have even more need of a right of recourse. Fiona Collie told the group that working groups had been formed to address this issue as it was right that there should be a clear route for social care complaints as there is for health care complaints.

Claire Cairns spoke further about national eligibility criteria, stating that some of the arguments about using criteria to direct resources actually referred to eligibility thresholds and not to criteria.

Carers need to know what their entitlements to support are, and there is no need to vary this locally. The National Carer Organisations have been developing a national eligibility framework that is holistic and looks at the carer's whole life, and Mr Hepburn indicated that he and the Bill team would be interested to see the framework when it was finished.

Tom Wightman asked about the Carers Rights Charter. Moira Oliphant confirmed that the introduction of the Bill had delayed progress on this piece of work but that it will continue very soon. She also highlighted provisions under Section 31 of the Bill that would place a duty on local authorities to offer information and advice to carers about their rights.

Rhoda Grant took over the chair.

Short breaks funding was discussed. It was noted that the local authority will have to make a short breaks statement available, but that actual funding available for the breaks might not be realised. The need for holistic support was reiterated – an example was given of cuts to transport services allowing people to go to college. The service (college) is still there but it is not accessible, and this makes people isolated. Mr Hepburn stated that although there was no specific duty to provide short breaks, support given to carers would consider the need for one. Widening access to support via an adult carer support plan would also hopefully mean that breaks would be available to all carers.

Mr Hepburn had to leave the meeting at 2pm but stated that following up these issues and any others that were yet to be discussed could be done in writing. Scottish Government officials remained at the meeting to answer further questions.

The recording of unmet need was discussed again. It was noted that this could particularly affect mental health carers as the need for support was not always consistent and support services were not always useful for this group of carers. Moira Oliphant stated that a well-completed adult carer support plan would be able to record unmet need and that good practice would be able to identify solutions.

Gillian Reid spoke about emergency planning and how several evidence submissions to the Health and Sport Committee had called for inclusion of emergency planning on the face of the Bill as a key aspect of all adult carer support plans and young carer statements. Lynn Lavery stated that the Government felt emergency planning was more usefully placed in regulations that accompanied the Bill and that there needed to be clarity around what was meant by emergency planning.

Jude Clarke spoke about difficulties with information and advice service provision in a particular local area and enquired how the quality of information and advice would be monitored. Lorraine Keith added that carers sometimes needed to be supported to access information and advice. Moira Oliphant stated that the Bill is clear that existing resources should be used and that local authorities should not replicate services. The Bill team are considering changing the wording of the Bill to add clarity in this regard. It was also assured that face-to-face advice would be provided, and there was funding allocated in the Financial Memorandum for advice workers.

Lorraine Allan discussed how accessing regular breaks provided by the voluntary sector could be difficult, and that more funding was needed for these kinds of services as not everybody required information and advice. Tom Wightman reiterated that there should be increased focus on the choice to provide care and the choice to provide a certain number of hours of care (or none at all). Moira Oliphant confirmed that provisions in the Bill meant that local authorities must take into account a carer's willingness and ability to provide care, and there would be further provisions in the

guidance accompanying the Bill. It was suggested that self-directed support could be used to access alternative and complementary therapies if required.

Rhoda Grant thanked everyone for attending and contributing to the meeting, and confirmed that the Minister would be contacted in writing with a record of the discussion points.

**The next meeting of the CPG on Carers will take place on Wednesday 23 September at 5:30pm in Committee Room 5.**