



Briefing: The Carers (Scotland) Bill - Eligibility Criteria

*"It is obvious that a national eligibility framework is needed. It is very clear that carers receive services based on a myriad of different criteria's, thresholds and at present these vary staggeringly and can change daily based on LA budgets."*¹

Purpose: To provide MSPs with a briefing on the proposed amendment to the Carers (Scotland) Bill to change the eligibility criteria for carer support from local eligibility criteria to national eligibility criteria.

Background: As the Bill currently stands it includes the provision for a duty on local authorities, that they *'must provide support to the carer to meet the carer's eligible needs'*. In relation to eligibility, it states *'each local authority must set the local eligibility criteria which it is to apply to its area'*

The Health and Sport Committee in its response said *'The Committee requests the Scottish Government give further consideration to whether the balance of eligibility criteria between Government and local authorities is appropriate'*

The Government has not been persuaded to amend the Bill from local eligibility criteria to national. They have said they will look at introducing national matters in guidance, such as requiring local authorities to adopt a preventative approach. The Minister said in his response *'I believe the balance of local eligibility criteria combined with national matters to be appropriate.'*

We believe the Bill requires further amendment and the solution we are proposing provides a better balance between national consistency and local autonomy.

Carers' Views: Carers have clearly expressed the view that they want the government to introduce **national** eligibility criteria for carer support. In advance of the Bill being introduced to Parliament, we consulted with carers on this matter and over 97% favoured this approach.

Carers have said that The Carers Bill will only be viewed as successful if it delivers real change in the form of a right to support and resources to assist carers in their caring role and if it does so in a consistent way.

The introduction of local eligibility criteria would lead to a postcode lottery of 32 different systems and processes for determining a carer's eligibility for support.

¹ NCO Survey, on the National Framework for Eligibility Thresholds, August 2015

National Eligibility and Local Autonomy:

“National minimum standards would be good - aligned with tailored provision for local needs.”²

We fully support the concept of best local practice and scope for local variation to meet varying needs and caring trends. Services which are suitable for carers in Glasgow may not be suitable for carers living in remote and island communities where transport and accessibility are a greater concern.

However, we do not believe there is any justification for a variation in the **levels of need which trigger an entitlement to support**.

There is no justification for not defining national criteria for eligibility so that carers have the same **right** to support where they have a similar level of impact and intensity of caring role.

It is the **trigger** that would be decided by eligibility criteria not the **level** of service or the **type** of service the carer chooses to access

The National Carer Organisations National Eligibility Framework:

“It is simply structured, clearly defined and jargon free. It is transparent to all.”³

In response to carers calling for national eligibility criteria the National Carer Organisations developed a Framework for National Eligibility Thresholds, which sets out the circumstances in which a carer would meet the threshold for eligibility.

The framework identifies core principles, and proposes a model which is outcome focused and preventative in approach. [A copy of the framework can be downloaded here](#)

This framework has been developed in partnership with carers and has been endorsed by them. It builds on best practice and existing carer assessment models. We believe it provides a useful starting point in developing national eligibility criteria

Amendment: We propose an amendment to Section 19 of the Bill - **Duty to set local eligibility criteria**.

We propose that the duty on local authorities to set local eligibility criteria is changed to a **Duty on local authorities to establish a carer’s eligible needs using national eligibility criteria**

The National Carer Organisations, October 2015

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² NCO Survey, on the National Framework for Eligibility Thresholds, August 2015

³ NCO Survey, on the National Framework for Eligibility Thresholds, August 2015