



# **An Introduction to the Carers (Scotland) Act 2016**



## Acknowledgements

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## Introduction

Do you look after someone because they have a physical or mental illness, disability or health problems because of substance misuse or their age? You may be a parent, husband or wife, partner, son or daughter, brother or sister or a good friend or neighbour. If the answer is yes – you are also a carer.

Caring for someone else can be physically and emotionally stressful. It can affect your health, your finances and your relationships. But it can also be rewarding if you receive the right help and support when you need it.

This basic guide is for adult carers only.

## What is the Carers Act?

The Carers Act is a new piece of Scottish legislation. It means that from 1st April 2018 carers have new rights under Scots law.

These rights are there to help all carers in Scotland feel more supported and able to continue caring for as long as they want to.

## What does it mean for carers?

The support you receive as a carer should be based on what is important to you. You now have more choice and control over how you want your support needs to be met. If support is provided early, it can make you feel more in control of your caring situation.

The new rights that you have as a carer are:

1. The right to have an adult carer support plan (ACSP): this used to be known as a carers' assessment. For young carers, this is called a 'Young Carer Statement' (YCS). This is a record of your needs and how they will be met. You can ask your local authority (Council) to have one completed. It can also be offered to you if they know or think you might be a carer. All carers have this right but it does not mean that the local authority has to provide social care services.
2. The right to support as a carer if you meet the threshold set by your local authority: the ACSP will help the local authority to find out whether you meet the level (threshold they have set) they have before you can get support. If you meet this level (threshold), they must provide you with support. This support can be provided in a number of ways which you will be able to choose from. If you do not meet this level (threshold), the local authority can still support you by helping you to access resources and information in your local community. For example, putting you in touch with a local support organisation.

Your adult carer support plan should also contain information on what plans are in place for the person you look after if there is an emergency. This may be because you have to be admitted to hospital or have a personal emergency. Writing down these arrangements is the 'emergency plan'. It is a record of what needs to be done when you are not available.

3. The right to be involved in hospital discharge: If the person you are looking after is admitted to hospital, they may need support when they return home. As their carer, you have a right to be involved in their discharge so that suitable arrangements are made. Medical staff will need to know that you are the carer as soon as possible so that they can take reasonable and practical steps to speak to you.
4. The right to advice and information: local authorities must make sure that carers in their area have access to advice and information services. Good quality advice and information is vital to supporting carers. Carers have a right to get information in a way which is suitable to their needs. For example, in a different language. Local authorities must also provide information on short break services in their area.
5. The right to be involved in planning: Local authorities have to make a plan setting out how they will support carers in their area. They will do this by developing a local carer strategy. Local authorities and health boards must involve carers in planning the services they provide. Carers and organisations that support carers are encouraged to take part in the planning of services to make sure they are what carers want and need. Where possible, local authorities must also think about the views of carers and those organisations that support carers when they are developing a Short Breaks Services Statement.
6. The right to be involved in deciding what help you need as a carer: This will be done through your adult carer support plan. Local authorities must also consider your views about the support provided to the person you look after where it is possible to do so.

## Adult Carer Support Plan

### What is an Adult Carer Support Plan?

An adult carer support plan helps you to talk about the support you give to the person you look after and what is important to you. This might include practical help, support to carry on working, to see your friends or take up new interests. It helps you to decide what support is needed to achieve these goals. The adult carer support plan will also include details of your emergency plan so that other professionals, family members and any others who may be involved in caring for the person know what to do if you are not available.

### Why is an Adult Carer Support Plan important?

Carers need support if they choose to continue caring. An adult carer support plan can help you to identify what type of support you need as a carer. It is a record of your needs and how they will be met.

To help local authorities decide if they have to provide you with support, each local authority will assess your needs against a threshold they have set. If you meet this level, you have a right to support from the local authority. Support can be provided in different ways. You should be provided with information on the choices you have to meet your support needs.

If you do not meet this level, you still have a right to have information and advice and you can also access other services in your local community. Your local carers' centre will be able to advise and support you.



## **How do you make an Adult Carer Support Plan?**

An adult carer support plan will contain information not just on what support you provide as a carer but also what other things are important to you. For example, you may want to return to work or to take up a new hobby. These are known as 'outcomes'. They are important because they can help you achieve a better quality of life.

To help you prepare for the adult carer support plan, it can be useful to think about what you do each day for the person you look after. This can include helping them to wash and dress, preparing meals, giving them medicine, taking them to appointments and helping them to keep in touch with family and friends. What you do as a carer can vary from day to day depending on how well the person is. In this situation, it can be useful to think of what a 'good' day and a 'bad' day looks like. You should also think about the type of support that would help you to cope with caring.

This information will be written down as well as the actions that will be taken to help you. This is your adult carer support plan. You have a right to have a copy of this. If you do not read English, you can ask for this in a language of your choice. If you wish, a copy can also be given to any other person you choose.

## **How can I find out more about having an Adult Carer Support Plan?**

Different local authorities will have different arrangements in place across Scotland. Your local carer centre can advise you or you can contact your local authority for more information.

## **Support for Carers**

If you meet the threshold for support set by your local authority, they have a legal responsibility to support you. Support can be provided in a number of ways. You should be given information to help you decide what you want and how you want it provided.

If you do not meet the threshold, this does not mean that you will not get any support. The local authority must make sure that carers are able to get accurate and good quality information in their area which can help them.

Your local authority or carer centre will be able to advise you.

## **Emergency Planning**

### **What is an Emergency Plan?**

It is a written record of the arrangements that are in place for the person you look after if you have an emergency. For example, you may have to go into hospital or you may be unwell and unable to care until you have recovered.

### **Why is an Emergency Plan important?**

Emergencies can happen to all of us but when you are a carer, you may be worried about what will happen to the person you look after until the emergency is over. This is where emergency planning can help. Making a plan in case of an emergency can help you feel more confident that the person you look after will continue to be supported. Information on what to do in case of an emergency should be discussed as part of your adult carer support plan.

## **Who should I involve in the Emergency Plan?**

Who you involve is up to you. Completing an emergency plan can be a good way to discuss with family and friends any support they could give in an emergency. Involving family and friends can help to reduce any disruption to the routine of the person you look after.

You should discuss the emergency plan with the person you look after to make sure they are happy with the arrangements that are being suggested.

## **What can I include in an Emergency Plan?**

You should include information about the type of care and support you provide as well as emergency contacts such as their doctor. You should also include information on their health needs and how they like things to be done. It is also important to think about who should have a copy of your plan. This might include your social worker, anyone else who is involved in your support or a family member.

## **How do I find out more about making an Emergency Plan?**

Your local authority or local carer centre will be able to advise you.

## **Hospital Discharge**

### **What is a Hospital Discharge?**

When a person leaves hospital, they may need care and support to make sure they can return home safely. Hospital discharge helps to identify what support will be provided and who will provide that support. Different health and social work professionals may become involved in the hospital discharge to make sure the right support is provided.

### **Why is it important to be involved in the Hospital Discharge?**

When a person comes home from hospital, it can be a stressful time for any carer. You may have to get used to doing new things such as giving medicine or using equipment you are not used to. The person you look after may need more support than before. You may want to think about how this will affect you as their carer.

Being part of the discussions on planning the hospital discharge will help you to prepare for when the person comes home. You can get information on when they are likely to come home and what help will be provided. You can also tell hospital staff about how you think you will manage and what extra support you might need as their carer. You can ask questions about any medication they have or what community health professionals will be involved.

It is important that you let hospital staff know you are the carer as soon as possible. Tell them that you would like to be involved. If they do not know, they may not be able to take your views into account.



## **Who should I involve?**

You should speak to the person you care for to make sure they are happy for you to discuss their care needs and discharge from hospital. If you do not have their permission, hospital staff will not be able to talk to you about the person. This is because of patient confidentiality. It may still be possible to get some general information on what to expect.

## **How do I find out more about Hospital Discharge?**

You can ask staff on the hospital ward about arrangements for hospital discharge. If the person you look after has a social worker or care manager, they will be able to help you. You can also contact your local carer centre for information and advice.

## **Advice and Information for carers**

Local authorities must make sure that carers have access to accurate and up to date information. Most local authorities will already support a local carer centre and this will generally be the first point of contact you are given. Where there is no local carer centre, the local authority may choose to provide advice and information themselves.

You have a right to get this information in a way that you can understand. For example, if you do not speak English, you can ask for an interpreter or to have it given to you in a language of your choice.

## **Involving Carers in Planning**

There are several ways in which you can become involved in planning local carer services. Local authorities must produce a plan for their local area on how they will support carers. This is known as a local Carer Strategy.

## **What is a Local Carer Strategy?**

A local carer strategy sets out how the local authority, the health board and other carer support organisations will identify and support carers. It will be based on what is known about carers in the local area. Carers and organisations which support carers will have a chance to give their views before the strategy is finalised.

The local carer strategy must be published by the local authority. You can ask for a copy of the strategy and it may also be available on your local authority website.

## **Why should I become involved?**

The local carer strategy is an important document. It sets out what services will be provided locally. If information is missing about particular groups of carers, this can mean that their needs are not included or prioritised in the strategy.

## **How can I become involved?**

Your local carer centre will be able to give you information on how you can get involved.

## Short Breaks for Carers

Local authorities must now produce a statement about the type of short break services that are available in their areas. Where it is possible, they must try to get the views of carers and organisations that support carers in producing the statement.

### What is a short break?

Short breaks are there to give you a break from your usual caring responsibilities.

There are different types of short breaks. The type of short break that is suitable for you will depend on your own needs and circumstances. Examples of short breaks can include:

- A holiday (with or without the person you look after);
- A stay in a care home for the person you look after;
- Someone else supporting the person you look after for a few hours; or,
- Funding so that you can do something you want to do such as a hobby or going out with friends.

### Why is a Short Break important?

Short breaks can help to improve your physical and emotional health. They can help to support family relationships and make sure you have time to yourself.

### How can I find out more about Short Breaks?

The local authority has to publish a short breaks services statement which will tell you what is available in your local area.

You may have to complete an adult carer support plan to find out if you can get a short break.

## The Carers' Charter

The Scottish Government has produced a document called the Carers' Charter which sets out the rights you have as an adult or young carer in Scotland. If you would like to have a copy of the Carers' Charter, your local carer centre will be able to help you.

