

SIAA Response

Call for views on the Carers (Scotland) Bill

April 2015

The Scottish Independent Advocacy Alliance is the national membership body for Scottish advocacy organisations. The SIAA promotes, supports and defends independent advocacy in Scotland. A number of our members provide advocacy to carers.

The SIAA supports the Bill; we believe that it will be an important step in ensuring recognition for the many unpaid adult and young carers across Scotland. It should establish their rights to the kind of supports they might need in their caring role.

We believe that the removal of the test which currently restricts access to an Adult Carer Support Plan is to be welcomed. This is of particular importance in relation to carers of adults with mental health problems as the often fluctuating nature of mental ill health can mean that such carers cannot currently fit into the 'regular and substantial' criteria. We also welcome the introduction of the twofold route to assessment along with the duty to support carers meeting eligibility criteria and the power to support carers in a preventative manner where they do not meet the criteria. We believe that it will be important that Local Authorities will be required to demonstrate how they plan to support carers in a preventative manner.

The inclusion of the duty to involve adult carers and young carers in the planning, shaping, delivery and review of services is to be welcomed; as is the duty on Local Authorities to develop and publish local carers' strategies and to involve carers in the development of review of strategies. It will however be important to ensure that there are adequate mechanisms in place to ensure accessible and meaningful opportunities for adult and young carers to be so involved.

We understand from information provided by members in varying parts of Scotland that responsibilities on Local Authorities to set local eligibility criteria in relation to Self-directed Support has led to somewhat of a 'postcode lottery' in relation to access to services. We are concerned that the inclusion in the Bill of a similar requirement on Local Authorities to set eligibility criteria locally rather than setting national criteria will lead to a similar situation for carers.

We believe that the Bill should include a right of access to individual and collective independent advocacy. Collective advocacy would ensure adequate support mechanisms to help groups of adult carers and young carers to be effectively involved in strategic and operational planning, design, delivery and review of services. Individual advocacy will enable carers to find out about their rights, understand legislation and navigate their way through official processes such as assessment, planning for the

future and Self-directed Support. It is important in considering advocacy provision to be aware of the potential for actual or perceived conflict of interest when advocating for carers. Therefore advocacy for carers should be separate from other services such as counselling, advice

Case Study - Jean

Jean, who is in her 70s, is the main carer for her husband Derek. He has dementia and recently his condition has begun to deteriorate. Jean was finding it difficult to get some of the help she needed such as additional hours of day care and occasional respite breaks. Her health was suffering and she was concerned that she was not going to be able to continue to care for Derek. She did not want him to have to go into nursing care, they had been together for 55 years and she wanted to be able to continue to care for him at home for as long as possible. She felt however that her ability to continue to care for Derek was being affected by her worsening health and levels of stress.

Derek had been referred to the local independent advocacy organisation and when his advocate visited he realised that Jean also needed advocacy support for herself. He discussed this with her and then referred her to the Carers' advocate in his organisation. When Sue, the Carers' advocate visited Jean explained that she really wanted Derek to stay at home with her for as long as possible and discussed what she felt she needed to make that happen.

Sue now goes to meetings with Jean and with her support Jean has been able to access more support to care for Derek. Jean feels that the additional hours of day care and respite breaks have led to a reduction in her levels of stress and believes that she will be able to maintain her caring role.

We also feel that the Bill should make provision for emergency planning. This would provide carers and the individual being cared for reassurance and peace of mind regarding any emergency arising where the carer was unable to give the care they normally provide. In addition we believe that the Bill should also make provision for future planning, this would enable the person being cared for and their carer to be able to consider the future, discuss their changing needs and make appropriate arrangements. A future plan would also be a useful tool for statutory services as it would cover issues around the services that individuals and their carers have a right to as well as the specific needs regarding the situation, the unique needs of the individual and their carer.

The Scottish Independent Advocacy Alliance (SIAA) is Scotland's national membership body for advocacy organisations. The SIAA promotes, supports and defends independent advocacy in Scotland. It aims to ensure that independent advocacy is available to any person who needs it in Scotland.

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