

This paper relates to
Agenda Item 15.



Title/Subject: Carers (Scotland) Act Update
Meeting: Integration Joint Board
Date: 5th August 2016
Submitted By: Kathy O'Neil, General Manager, Community Services Directorate
Action: For noting

1. INTRODUCTION

- 1.1 The purpose of this report is to provide a progress report on implementation of the Carers Act 2016 and the steps being taken to ensure it is implemented effectively in the Falkirk area.

2. RECOMMENDATION

The Integration Joint Board is asked to note:

- 2.1. The commencement date for the Carers (Scotland) Act 2016 ("the Carers Act") has now been confirmed as 1st April 2018.
- 2.2. That work streams have already been identified at a national level including the identification of carers, carer involvement in discharge and the resource implications for implementation of the Act.
- 2.3. That a short life working group is being established to take forward activity in the Falkirk area.
- 2.4. A workshop will be held to scope out the implications and implementation of the Act and ensure wider stakeholder involvement.

3. BACKGROUND

- 3.1 The Carers (Scotland) Bill completed its passage through Parliament with stage 3 concluding on 4 February 2016. Subsequent discussions between the Scottish Government and COSLA have identified issues around the complexity of implementing the Act, and requirement to review associated legislation and a number of regulations. The date for full commencement of the Act has now been confirmed as the 1st April 2018.

4. IMPLEMENTATION OF THE CARERS ACT

- 4.1 The Carers agenda has also been recognised as a priority by the British –Irish Council, an inter governmental forum for addressing issues of common interest. The Council identified four areas of activity and a lead:
- carer identification (SG lead)
 - young carers (Welsh Govt lead)
 - carers of older people (Northern Ireland and Ireland as joint leads)
 - telecare, telehealth and assistive technology (UK lead)
- 4.2 The Scottish Government has prioritised identification of carers linked to hospital discharge with a national group established to consider how this could be taken forward prior to 2018.
- 4.3 Ongoing work has also been identified between COSLA and the Scottish Government on the resource implications in relation to the implementation of the Act. This has also been linked to consideration of creating carer specific benefits under the recently devolved powers to the Scottish Parliament in this area.
- 4.4 As well as these areas the Scottish Government has agreed to extend the life of the current National Carers and Young Carers Strategy and is actively considering the continuation of associated funding streams such as, Carers Information Strategy, respite and short breaks funds etc until 2018. The development of a new National Carers Strategy/Implementation Plan is under consideration.
- 4.5 To manage the period of transition, preparation for implementation of the Act and to ensure that the Falkirk area is well placed to take advantage of any further funding opportunities, the implementation process will be expected to address the following areas:
- Mapping of current services, plans and resources
 - Technical issues in relation to implementation
 - Transitional arrangements
 - Stakeholder engagement
 - Implementation arrangements for full enactment
 - Identification of carers
 - Carers assessment, levels, input and triggers
 - Links to specialist and community services
 - Reporting mechanisms
- 4.6 This should be seen in the context that a significant amount of carer activity and infrastructure is already in place in the Falkirk area.
- 4.7 A stakeholder event is proposed for the end of October so that organisations in the Falkirk area are fully briefed and can consider how we manage this process moving forward.

5. CONCLUSIONS

- 5.1 The stakeholder event will allow for fuller discussion with stakeholders to ensure that the main issues are fully identified for the implementation process.
- 5.2 There are a number of initiatives already in place that will allow for further development of support for carers in the Falkirk Partnership area for example, Integrated Care Fund, Carers Forum, existing support for carers provided by the Third Sector etc.
- 5.3 Preparation for implementation of the Act will allow the IJB time to consider the issues in more detail. This should ensure that services are in a position to meet the statutory requirements identified in the Act and development of the carers agenda in Falkirk area.
- 5.6 Partners will have to discuss further what duties can be delegated to the IJB to ensure that the requirements of the Act are met.

Resource Implications

The initial areas of activity identified in this paper are expected to be managed within existing resources. The outcomes are expected to provide a more detailed overview of resources that are currently in place and those that will be available over the transition period until 1st April 2018 and beyond.

Impact on IJB Outcomes and Priorities

The implementation of the Carers Act 2016 supports the delivery of the Partnership outcomes and priorities.

Legal & Risk Implications

The legal and risk implications will be evaluated as further regulation and guidance is published.

Consultation

The expectation is that further regulations and guidance will be published. It is anticipated that further engagement will be required during the local development process and implementation phase.

Equalities Assessment

An EQIA should be carried out on the Carers Strategy and associated steps being taken in relation to the delivery of the Carers Act 2016 within the Partnership area.

Approved for Submission by: Patricia Cassidy, Chief Officer

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Date: 22th July 2016