

Timescales for Adult Carer Support Plans and Young Carer Statements for carers of people who are terminally ill – Regulations 2021 (SSI 133/2021)

Background

Carers (Scotland) Act 2016 - Part 2

Provision 7 – The Scottish ministers must by regulations prescribe timescales for the preparation of adult carer support plans in relation to adult carers of terminally ill cared-for persons.

For the purpose of this section and section 13, a cared-for person is terminally ill at any time if at that time the person suffers from a progressive disease and death in consequence of that disease can reasonably be expected within 6 months.

Provision 13 – The Scottish Ministers must by regulations prescribe timescales for the preparation of young carer statements in relation to young carers of terminally ill cared-for persons.

The Act gives all carers the right to request or be offered an Adult Carer Support Plan or Young Carer Statement (*as appropriate see note¹*). Once a carer requests or accepts the offer of assessment, the HSCP has a duty to prepare one.

The HSCP is responsible for offering and preparing adult carer support plans, and in North Ayrshire, Education Services offer and prepare young carer statements unless it is identified that need is substantial or critical and a request for assistance is progressed through the named person to the appropriate HSCP team.

The adult carer support plan or young carer statement records the impact of caring, carer's personal outcomes and identifies any support required to achieve these outcomes.

Existing statutory guidance explains there is no timescales set out in the Act for offering, preparing and completing individual adult carer support plans or young carer statements. It is expected that all carers who want one should be able to benefit in an efficient and timely manner and 'ought to be offered and prepared within reasonable timescales taking into account the urgency of need for support and any fluctuation in those needs'.

Due to the urgency of supporting carers looking after someone who is terminally ill, the Act sets out time limits for preparing plans of support. Many carers will have already been identified and have an adult carer support plan or young carer statement before the 6-month expected time. Priority is already given to carers and the cared-for person for

¹ Young carer is classified as up to 18 years old or having reached 18 years and still in further education. Adult carers are classified as 18+ years and not in further education.

assessment of need and support to meet that need as a result of local eligibility criteria. The timescales now set out in the Act will strengthen this practice.

North Ayrshire Carer Strategy Review is a top priority for the HSCP. The Act requires the Strategy to state the intended timescales for offering and preparing adult carer support plans and young carer statements to give carers collectively an indication of how and when they will be supported. It is expected some will take less time and some more dependent upon individual circumstances. The Strategy will also include the timescales directed for carers caring for a person with a terminal illness in line with regulations and directions. In the absence of a current Strategy this brief provides information and direction.

Additions to Practice

[The Carers \(Scotland\) Act 2016 \(Adult Carers and Young Carers of Terminally Ill Persons: Timescales for Adult Carer Support Plans and Young Carer Statements etc.\) Regulations 2021](#) was passed by the Scottish Parliament and came into force on 31st July 2021.

Directions have also been issued to reinforce the overall outcome and associated support of carers of people who are terminally ill. These work alongside the Regulations. They recognise the urgency of assisting carers but take into consideration some carers may not be willing or able to engage in the preparation of an adult carer support plan or young carer statement within days of being identified and offered one.

Diagnosis of a terminal illness affects the person and their family or friends who support or intend to support them in very different ways. Carers in this situation often do not have time to think about and discuss their own needs or are ready to recognise their role of becoming a carer.

Many carers are already known to HSCP services and can approach the team already involved with the person they care for. Alternatively, carers can contact their local area office Service Access Team as the route to all formal assessment and support. Carers may also ask for a referral from Hospital, GP, District Nurse, Carer Centre, hospice care or other sources through our local office Service Access Team.

The Directions require all carers of people who are terminally ill to be offered an adult carer support plan or young carer statement within **2 days of them being identified as a carer**, if this is not possible, as soon as is practical thereafter, and as soon as an authority becomes aware the person is caring for someone with a terminal illness. The Regulations then ensure when the carer is ready, the adult carer support plan or young carer statement process can begin, and the accelerated time limits are actioned for preparing a plan and receipt of support.

As a matter of good practice and courtesy, individual carers should be given an indicative timescale for support and kept informed of any delay and the reasons for the delay.

It is also essential to offer all adult carers a referral to Money Matters to ensure carers and/ or their family income is maximised.

There are different timescales for steps in the process, to ensure that it is flexible enough to meet the needs of each carer.

Step 1 – Substantive (first) conversation

This conversation should cover immediate or urgent outcomes and need for support and should be had **within 5 working days of the carer accepting the offer** to complete an adult carer support plan or young carer statement. If the carer does not want or is unable to have this conversation within the 5 working day timeframe, the carer can request a different date which will alter the 'normal' timeframe.

Step 2 – Light touch adult carer support plan or young carer statement

Based on the substantive conversation a light touch adult carer support plan or young carer statement is completed. If the conversation takes place within 5 working days, mentioned above, then the **adult carer support plan or young carer statement must be completed within 10 working days of the date when the carer originally requested or accepted the offer** of the plan/ statement.

If the conversation takes place at a later date, requested by the carer, the adult carer support plan or young carer statement must be prepared within 10 'qualifying working days' from the original request or acceptance. The timeframe is paused so that any working days between the delayed date and the conversation actually taking place are not counted as qualifying days and still allows for 10 working days.

Step 3 – Review date for completion of full adult carer support plan

The light touch adult carer support plan or young carer statement addresses immediate and urgent carer need and support but does not cover all information required under the Act. The terminal illness regulations require the carer and HSCP team or Education staff to agree when the plan should be reviewed to include full carer information and a plan/ statement finalised with direction on when all identified carer needs will be met.

Recording Light Touch Plans/ Statements

There is no new or different light touch adult carer support plan/ young carer statement or eligibility criteria documentation for supporting carers of people with terminal illness. Current carer assessment paperwork should be used proportionately and recorded on CareFirst (adult carer support plan) or (young carer statement with substantial or critical identified need) or Seemis (young carer statement).

The light touch plan/ statement should include: -

- Carers personal circumstances
- Is the carer able and willing to provide care?
- Appropriateness of caring role/ tasks (young carers only)

- Carers personal outcomes
- Carers identified needs
- Carer support to be provided
- Eligibility criteria level

It should also be identified on the carer plan/ statement that this is a Terminal Illness carer and timescales will be accelerated. Both assessment forms have been amended to record this.

NAHSCP are working on a specific carer resource allocation and funding panel similar to ARG/ CARG/ RAF. More detail on this will be shared as it is progressed. Access to immediate/ urgent funds or support need should continue to be prioritised similar to fulfilling palliative or end of life critical support.

Reviewing Light Touch Plans/ Statements

Adult carer support plans and young carer statements must be reviewed by the responsible authority when:

- a) the carer moves to reside in a different local authority area.
- b) when the cared-for person becomes resident in accommodation provided under in. Part 2 of the Social Work (Scotland) 1968 Act; or ii. Section 25 of the Mental Health (Care and Treatment) (Scotland) Act 2003; or iii. Part 2 of the Children (Scotland) Act 1995, or
- c) any other change in the carer or cared-for person's circumstances where it is viewed as having a material impact on the care provided by the carer.

It is expected that the review would be proportionate to the carer's circumstances. Where there is a terminal illness diagnosis it may require more regular contact, communication and review of support provision.

Support for carers - Pathway to support for people caring for someone with a terminal illness

Carer Identified

Many carers are already known to services.

Carers can:

- Speak to the team who already support the person they care for
- Contact their local office through service access
- All carers will be offered an Adult Carer Support Plan or Young Carers Statement within 2 days of being identified

Substantive Conversation

The first conversation will occur within 5 days from accepting the offer to complete an Adult Carer Support Plan or Young Carers Statement. Alternatively, the carers can set their preferred date to explore their caring role and identify help and support.

Light touch Carer Support

Support the carer to complete a light touch Adult Carer Support Plan or Young Carers Statement within 5 days of the first conversation. This will include:

- Maximising income
- Personal circumstances and caring tasks
- Personal outcomes and needs
- Type and level of support to be provided
- Ability and willingness to continue to care

Review or complete Adult Carer Support Plan or Young Carers Statement

Set a date to complete a full Adult Carer Support Plan or Young Carer Support Plan. Explore with the carer if the support they are receiving is working and make adjustments to the support plan as required. Due to the nature of terminal illness reviews should be more regular.