

*These notes relate to the Social Care (Self-directed Support)(Scotland)
Act 2013 (asp 1) which received Royal Assent on 10 January 2013*

SOCIAL CARE (SELF-DIRECTED SUPPORT)(SCOTLAND) ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Sections 4 to 14 – Options for self-directed support

Section 13 – Further choice of options on material change of circumstances

42. **Section 13** places a duty on the local authority to offer the supported person the opportunity to change their choice of the options set out in section 4. This duty applies after an individual has made a choice and where the local authority becomes aware of a material change in the person's circumstances after the choice has been made. This could, for example, cover the situation where someone has received a direct payment, has managed the direct payment with assistance from a family carer, but where the carer is no longer able to provide this assistance. In such circumstances the individual must then be offered a choice once again (subsection (2)). Subsection (3) provides that the authority and the person may agree additional circumstances under which the opportunity to review might apply (for example, by agreeing to an annual review).