

CARERS (SCOTLAND) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON PARTS

Part 2

– Adult Carer Support Plans and Young Carer Statements

Chapter 1

– Adult carer support plans

Duty to prepare adult carer support plan

Section 8

– Adult carers: identification of outcomes and needs for support

24. Under this section, the Scottish Ministers may make regulations about the identification of adult carers' personal outcomes and need for support. Such regulations could include provision about—
- how personal outcomes and needs for support are to be identified;
 - the process for doing so (including arrangements for the involvement of adult carers and cared-for persons);
 - who may carry out identification;
 - the sharing of information about adult carers and cared-for persons for the purpose of identifying personal outcomes and needs for support;
 - the factors to be taken into account in identifying adult carers' personal outcomes and needs for support; and
 - the circumstances in which adult carers' personal outcomes and needs for support should be reviewed.
25. Regulations under this section will be subject to the affirmative procedure (see section 42(2)).
26. Subsection (2) also requires the local authority to consider the impact on the adult carer of having one or more protected characteristics (within the meaning of section 149(7) of the Equality Act 2010) when assessing an adult carer's personal outcomes and needs for support. The protected characteristics in section 149(7) of the Equality Act 2010 are age, disability, gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation. Content and review of adult carer support plan