

## **POLICY NOTE**

### **THE SELF-DIRECTED SUPPORT (DIRECT PAYMENTS) (SCOTLAND) AMENDMENT REGULATIONS 2018**

#### **SSI 2018/29**

1. The Self-directed Support (Direct Payments) (Scotland) Amendment Regulations 2018 are made in exercise of the powers conferred by sections 15 and 22(1) of the Social Care (Self-directed Support) (Scotland) Act 2013. The instrument is subject to negative procedure.

#### **Policy Objective**

2. The Self-directed Support (Direct Payments) (Scotland) Regulations 2014 (“the 2014 Regulations”) prohibit local authorities from means testing or requiring a contribution from a carer where carer support is being delivered by way of a direct payment.
3. From 1 April 2018, support for carers will be provided under section 24 of the Carers (Scotland) Act 2016 (“the Act”).
4. These Regulations therefore update the 2014 Regulations from 1 April to refer to support under the Act, to maintain the requirement that local authorities cannot means test or require a contribution from a carer where carer support is being delivered by way of a direct payment.

#### **Consultation**

5. The Scottish Government has not consulted on these Regulations as they are required as a direct consequence of the Act to maintain existing policy in respect of waiving of charges for carer support.

#### **Impact Assessments**

6. An Equality Impact Assessment, Privacy Impact Assessment, and Children’s Rights and Wellbeing Impact Assessment for the Act have been partially reviewed and updated to take account of the above instrument. These are available on request. These are expected to be finalised and published before 1 April 2018.

#### **Financial Effects**

7. The Business and Regulatory Impact Assessment for the Act has also been partially reviewed to take account of the above instrument. This is also available on request and is expected to be published before 1 April 2018.

Scottish Government  
Health and Social Care Integration Directorate  
Carers Branch