

POLICY NOTE

THE CARERS (SCOTLAND) ACT 2016 (REVIEW OF ADULT CARER SUPPORT PLAN AND YOUNG CARER STATEMENT) REGULATIONS 2018

SSI 2018/33

1. The Carers (Scotland) Act 2016 (Review of Adult Carer Support Plan and Young Carer Statement) Regulations 2018 are made in exercise of the powers conferred by section 10(a) and section 16(a) of the Carers (Scotland) Act 2016 (“the Act”). The instrument is subject to negative procedure.

Policy Objective

2. Section 10(a) and section 16(a) of the Act are intended to be used to set out in detail for the responsible local authority and the responsible authority, the specific circumstances in which an adult carer support plan (ACSP) or young carer statement (YCS) must be reviewed.
3. The requirement to review will ensure that the information contained in the ACSP or YCS is kept up to date and the carer’s needs for support and personal outcomes are still relevant.
4. The regulation requires a review of the ACSP or YCS to take place where there has been a material change in circumstance which affects the care provided by the carer.

Consultation

5. The Scottish Government consulted on draft Regulations from 31 July 2017 to 24 September 2017. The majority of respondents were supportive of our approach to these Regulations.
6. These regulations have been adjusted from the draft in response to the consultation and a number of the issues raised through the consultation process are also helping to inform the development of statutory guidance accompanying the Act.

Impact Assessments

7. 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

8. 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.