



# Carers (Scotland) Act 2016

## 2016 asp 9

### PART 5

#### LOCAL CARER STRATEGIES

#### **31 Duty to prepare local carer strategy**

- (1) Each local authority and relevant health board must jointly prepare a local carer strategy.
- (2) A local carer strategy means a document setting out—
  - (a) plans for identifying relevant carers and obtaining information about the care they provide or intend to provide to cared-for persons in the local authority's area,
  - (b) an assessment of the demand for support to relevant carers,
  - (c) the support available to relevant carers in the authority's area from—
    - (i) the authority,
    - (ii) the relevant health board,
    - (iii) such other persons and bodies as the authority and relevant health board consider appropriate,
  - (d) an assessment of the extent to which demand for support to relevant carers is currently not being met,
  - (e) plans for supporting relevant carers,
  - (f) plans for helping relevant carers put arrangements in place for the provision of care to cared-for persons in emergencies,
  - (g) an assessment of the extent to which plans for supporting relevant carers may reduce any impact of caring on relevant carers' health and wellbeing,
  - (h) the intended timescales for preparing adult carer support plans and young carer statements,
  - (i) such other information as the authority and relevant health board consider appropriate.
- (3) A local carer strategy must contain information relating to the particular needs and circumstances of young carers.

*Status: Point in time view as at 01/04/2018.*

*Changes to legislation: There are currently no known outstanding effects for the Carers (Scotland) Act 2016, PART 5. (See end of Document for details)*

- (4) Before preparing a local carer strategy, the local authority and the relevant health board must jointly—
- (a) consult such persons and bodies representative of carers as they consider appropriate, and
  - (b) take such steps as they consider appropriate to involve relevant carers.
- (5) In this section “relevant carers” means—
- (a) carers who reside in the area of a local authority (whether or not they provide or intend to provide care for cared-for persons in that area), and
  - (b) carers who do not reside in the authority's area but who provide or intend to provide care to cared-for persons in that area.
- (6) In this Part “relevant health board”, in relation to a local authority, means—
- (a) if the area of the local authority is the same as that of a health board, that health board,
  - (b) if the area of the local authority is not the same as that of a health board, the health board within whose area the area of the local authority falls.

**Commencement Information**

**I1** [S. 31](#) in force at 1.4.2018 by [S.S.I. 2017/152](#), [reg. 4](#)

### 32 Preparation of local carer strategy

In preparing a local carer strategy, the local authority and the relevant health board must have regard among other things to—

- (a) any plans for the provision of services relevant to young carers which are set out in the children's services plan prepared for the area of the local authority under section 8 of the 2014 Act,
- (b) the aims set out in section 9(2) of the 2014 Act,
- (c) the criteria for assessing the wellbeing of children and young people set out in section 96 of the 2014 Act,
- (d) any national health and wellbeing outcomes prescribed under section 5 of the Public Bodies (Joint Working) (Scotland) Act 2014,
- (e) any arrangements for the carrying out of integration functions relevant to carers which are set out in the strategic plan prepared for the area of the local authority under section 29 of the Public Bodies (Joint Working) (Scotland) Act 2014,
- (f) any other local or national plans relating to the provision of social work services and health services as the authority and relevant health board consider appropriate.

**Commencement Information**

**I2** [S. 32](#) in force at 1.4.2018 by [S.S.I. 2017/152](#), [reg. 4](#)

### 33 Publication and review of local carer strategy

- (1) Each local authority and relevant health board must jointly publish their local carer strategy.

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*Status: Point in time view as at 01/04/2018.*

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- (2) The first local carer strategy is to be published before the end of the relevant period (within the meaning of section 37(10) of the Public Bodies (Joint Working) (Scotland) Act 2014) during which section 31 comes into force.
- (3) Each local authority and relevant health board—
  - (a) must jointly review their strategy before the end of the period mentioned in subsection (4),
  - (b) may from time to time carry out such a review.
- (4) That period is the period of 3 years beginning with whichever is the later of the day on which the local authority and relevant health board last published—
  - (a) their local carer strategy, or
  - (b) a statement under subsection (6)(b).
- (5) In reviewing their local carer strategy, section 31(4) applies.
- (6) Following a review under subsection (3), the local authority and relevant health board—
  - (a) may prepare a revised local carer strategy,
  - (b) must, where they do not prepare a revised strategy, publish a statement to that effect.
- (7) Subsection (1) and section 32 apply to a revised local carer strategy prepared under this section as they apply to a local carer strategy prepared under section 31.

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**Commencement Information**

**I3** S. 33 in force at 1.4.2018 by S.S.I. 2017/152, reg. 4

**Status:**

Point in time view as at 01/04/2018.

**Changes to legislation:**

There are currently no known outstanding effects for the Carers (Scotland) Act 2016, PART 5.