Carers (Scotland) Act 2016

2016 asp 9

PART 3

PROVISION OF SUPPORT TO CARERS

CHAPTER 2

DUTY TO PROVIDE SUPPORT TO CARERS

25 Provision of support to carers: breaks from caring

(1) A local authority, in determining which support to provide to a carer under section 24(4), must consider in particular whether the support should take the form of or include a break from caring.

(2) The Scottish Ministers may by regulations make provision—

(a) about the form of support that may be provided as a break from caring,

(b) where the regulations provide for a break from caring to take the form of the provision of care for the cared-for person, about the role of the cared-for person in relation to how that care is provided.

(3) Support provided by virtue of subsection (1) may be provided on a regular basis or on a temporary basis and may be provided for varying periods of time.

(4) In providing support by virtue of subsection (1), a local authority must have regard to the desirability of breaks from caring being provided on a planned basis.

(5) Section 19(2) of the Social Care (Self-directed Support) (Scotland) Act 2013 applies in relation to support provided as a break from caring as it applies in relation to any other support.

Commencement Information

I1 S. 25(1)(2)(b)(3)-(5) in force at 1.4.2018 by S.S.I. 2017/152, **reg. 4**

I2 S. 25(2)(a) in force at 31.5.2017 for specified purposes by S.S.I. 2017/152, reg. 2, **sch.**

I3 S. 25(2)(a) in force at 1.4.2018 in so far as not already in force by S.S.I. 2017/152, **reg. 4**

Changes to legislation:
There are currently no known outstanding effects for the Carers (Scotland) Act 2016, Section 25.