

Carers (Scotland) Bill

2nd Groupings of Amendments for Stage 2

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- a list of any amendments already debated;
- the text of amendments to be debated on the second day of Stage 2 consideration, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

Groupings of amendments

Responsibility for preparation of local carer strategy

25, 26, 27, 30, 33, 34, 35, 37, 39, 40, 41, 42, 43, 44, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57

Notes on amendments in this group

Amendment 39 is pre-empted by amendment 83 in group “Timescales for preparation of adult carer support plan and young carer statement” (debated on Day 1)

Content of local carer strategy

82, 104, 105, 106

Local carer strategy: duty to consult post-16 education bodies

84, 85

Information and advice service for carers

58

Carers’ charter

86, 88

Information and advice service – bereavement support

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Register of carers

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Guidance and directions to health boards and directing authorities

62

Procedure for regulations under section 1(3)

65

Amendments already debated

Identity of responsible local authority where carer and cared-for person in different areas

With 4 - 28, 29, 31, 32, 36, 38, 45, 46, 59, 61, 63

Timescales for preparation of adult carer support plan and young carer statement

With 70 - 83, 64, 89, 66, 67

Emergency and future care planning

With 6 - 60

Referral of carers to appropriate authority

With 78 - 90

Provision of support to carer: breaks from caring

With 17 - 68

Eligibility for support: review

With 80 - 91

Functions of the Care Inspectorate

With 81 - 69

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Amendments in debating order

Responsibility for preparation of local carer strategy

Jamie Hepburn

- 25 In section 28, page 14, line 4, leave out <must> and insert <and relevant health board must jointly>

Jamie Hepburn

- 26 In section 28, page 14, line 5, leave out <prepared by a local authority>

Jamie Hepburn

- 27 In section 28, page 14, line 6, leave out <the authority's>

Jamie Hepburn

- 30 In section 28, page 14, line 8, leave out <the authority's> and insert <an>

Jamie Hepburn

- 33 In section 28, page 14, line 10, leave out <itself>

Jamie Hepburn

- 34 In section 28, page 14, line 12, leave out <local authority considers> and insert <authority and relevant health board consider>

Jamie Hepburn

- 35 In section 28, page 14, line 13, leave out <the authority's> and insert <an>

Jamie Hepburn

- 37 In section 28, page 14, line 15, leave out <the authority's>

Jamie Hepburn

- 39 In section 28, page 14, line 16, leave out <authority's>

Jamie Hepburn

- 40 In section 28, page 14, line 18, leave out <considers> and insert <and relevant health board consider>

Jamie Hepburn

- 41 In section 28, page 14, line 21, leave out <its local carer strategy, a local authority must> and insert <a local carer strategy, the local authority and the relevant health board must jointly>

Jamie Hepburn

- 42 In section 28, page 14, leave out line 23

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Jamie Hepburn

- 43 In section 28, page 14, line 24, leave out <the local authority considers> and insert <they consider>

Jamie Hepburn

- 44 In section 28, page 14, line 26, leave out <it considers> and insert <they consider>

Jamie Hepburn

- 47 In section 28, page 14, line 27, after <board"> insert <, in relation to a local authority,>

Jamie Hepburn

- 48 In section 29, page 14, line 33, leave out <its local carer strategy, a local authority> and insert <a local carer strategy, the local authority and the relevant health board>

Jamie Hepburn

- 49 In section 29, page 15, line 9, leave out <considers> and insert <and relevant health board consider>

Jamie Hepburn

- 50 In section 30, page 15, line 11, leave out <must publish its> and insert <and relevant health board must jointly publish their>

Jamie Hepburn

- 51 In section 30, page 15, line 15, after <authority> insert <and relevant health board>

Jamie Hepburn

- 52 In section 30, page 15, line 16, leave out <review its> and insert <jointly review their>

Jamie Hepburn

- 53 In section 30, page 15, line 19, after <authority> insert <and relevant health board>

Jamie Hepburn

- 54 In section 30, page 15, line 20, leave out <its> and insert <their>

Jamie Hepburn

- 55 In section 30, page 15, line 22, leave out <its> and insert <their>

Jamie Hepburn

- 56 In section 30, page 15, line 23, after <authority> insert <and relevant health board>

Jamie Hepburn

- 57 In section 30, page 15, line 25, leave out <it does> and insert <they do>

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Content of local carer strategy

Rhoda Grant

82 In section 28, page 14, line 15, at end insert—

<() plans for—

- (i) contributing towards preventing or delaying the development by relevant carers of needs for support,
- (ii) reducing the needs for support of relevant carers,>

Rhoda Grant

104 In section 28, page 14, line 15, at end insert—

<() plans for meeting the equality duty in making provision for relevant carers, including in assessing the needs of relevant carers who share a relevant protected characteristic,>

Rhoda Grant

105 In section 28, page 14, line 27, after <Part> insert <—

“the equality duty” means the duty of a local authority and a health board to have, in the exercise of its functions, due regard to the needs mentioned in section 149(1) of the Equality Act 2010.>

Rhoda Grant

106 In section 28, page 14, line 31, at end insert—

“relevant protected characteristic” is to be construed in accordance with section 149(7) of the Equality Act 2010.>

Local carer strategy: duty to consult post-16 education bodies

Rhoda Grant

84 In section 28, page 14, line 23, at end insert—

<() a relevant post-16 education body,>

Rhoda Grant

85 In section 28, page 14, line 31, at end insert—

<“relevant post-16 education body” means a body within the area of the local authority which is a “post-16 education body” for the purposes of the Further and Higher Education (Scotland) Act 2005.>

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Information and advice service for carers

Jamie Hepburn

- 58** In section 31, page 15, line 33, after <maintain> insert <, or ensure the establishment and maintenance of,>

Carers' charter

Rhoda Grant

- 86** In section 31, page 15, line 36, at beginning insert <the carers' charter, including>

Rhoda Grant

- 88** After section 32, insert—

<Carers' charter

Carers' charter

- (1) The Scottish Ministers must prepare a carers' charter.
- (2) A carers' charter is a document setting out the rights of carers as provided for—
 - (a) in or under this Act,
 - (b) under any other enactment.
- (3) The Scottish Ministers may from time to time revise the charter prepared under subsection (1).
- (4) The Scottish Ministers must—
 - (a) before preparing the charter under subsection (1) or revising it under subsection (3)—
 - (i) consult such persons and bodies representative of carers as the Scottish Ministers consider appropriate,
 - (ii) take such steps as they consider appropriate to involve carers,
 - (b) lay the charter or revised charter before the Scottish Parliament, and
 - (c) publish the charter or revised charter in such manner as they consider appropriate.>

Information and advice service – bereavement support

Rhoda Grant

- 87** In section 31, page 16, line 3, at end insert—
<() bereavement support for carers.>

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Register of carers

Rhoda Grant

107 After section 32, insert—

<Register of carers

Register of carers

Each health board must make arrangements for—

- (a) the development and maintenance of a register of carers in its area, and
- (b) the offer and provision of an annual health check to each carer listed on the register.>

Guidance and directions to health boards and directing authorities

Jamie Hepburn

62 After section 33, insert—

<Guidance and directions to health boards and directing authorities

- (1) Each health board and each directing authority must have regard to any guidance issued by the Scottish Ministers about the exercise of functions conferred by this Act.
- (2) The Scottish Ministers may issue directions to health boards and directing authorities, either individually or collectively, about the exercise of functions conferred by this Act.
- (3) Each health board must comply with any direction issued to it under this section.
- (4) Each directing authority must comply with any direction issued to it under this section.>

Procedure for regulations under section 1(3)

Jamie Hepburn

65 In section 37, page 18, line 7, at end insert—

<() section 1(3),>

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