

CARERS (SCOTLAND) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON PARTS

Part 1 – Key Definitions

Meanings of “personal outcomes” etc.

Section 4 – Meaning of “personal outcomes”

12. Subsection (1) defines “personal outcomes”, in relation to carers, as including outcomes which would, if achieved, enable carers to provide or continue to provide care for the cared-for persons. Personal outcomes are relevant to the identification of a carer’s needs for support under Part 2 of the Act.
13. Under subsection (2), the Scottish Ministers have power to make further provision in regulations about personal outcomes, including about the things that the relevant authority is to have regard to in deciding which outcomes may count as personal outcomes for the purposes of the Act. Regulations under this subsection will be subject to the negative procedure (see section 42).

Section 5 - Meaning of “identified personal outcomes” and “identified needs”

14. Subsection (1) defines “identified personal outcomes”, in relation to a carer, as the personal outcomes identified by virtue of the adult carer support plan or young carer statement process in Part 2 of the Act and which are relevant to the carer.
15. Subsection (2) defines “identified needs”, in relation to carer, as the needs for support (if any) which are identified by virtue of the adult carer support plan or young carer statement process in Part 2 of the Act in order to meet the carer’s identified personal outcomes.
16. Subsection (3) defines “identified” with reference to sections 8 and 14 (under which the Scottish Ministers have powers to regulate the processes for identifying carers’ personal outcomes and needs for support).