

2018 No. 32

SOCIAL CARE

The Carers (Scotland) Act 2016 (Short Breaks Services Statements) Regulations 2018

Made - - - - *31st January 2018*

Laid before the Scottish Parliament *2nd February 2018*

Coming into force - - *1st April 2018*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 35(4) of the Carers (Scotland) Act 2016(a) and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Carers (Scotland) Act 2016 (Short Breaks Services Statements) Regulations 2018 and come into force on 1st April 2018.

(2) In these Regulations, “the Act” means the Carers (Scotland) Act 2016.

Preparation and review of short breaks services statements

2. In preparing and reviewing a short breaks services statement, the local authority must have regard to—

- (a) the purpose of a short breaks service statement; and
- (b) the views of relevant carers(b) and such bodies representative of carers as the local authority considers appropriate.

Publication of short breaks services statements

3.—(1) When publishing their short breaks services statement, each local authority must provide contact details of the department or organisation responsible for the short breaks services statement.

(2) Each local authority must publish its first short breaks services statement by 31st December 2018.

AILEEN CAMPBELL

Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
31st January 2018

(a) 2016 asp 9.

(b) “relevant carers” has the meaning set out in section 31(5) of the Act.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under the Carers (Scotland) Act 2016 (“the Act”) and come into force on 1st April 2018.

Section 35 of the Act requires each local authority to prepare and publish a short breaks services statement. This is a statement of the short breaks services that are available in Scotland for carers and cared-for persons. Whilst section 35(3) requires that the information contained in the short breaks services statement is both accessible and proportionate to the needs of persons to whom it is provided, Scottish Ministers can, by regulations under section 35(4) of the Act, make further provision about the preparation, publication and review of short breaks services statements.

Regulation 2 provides that in preparing and reviewing a short breaks services statement each local authority must have regard to its purpose as well as the views of relevant carers and such bodies representative of carers as the local authority considers appropriate.

Regulation 3 provides that each local authority must publish its first short breaks services statement by 31st December 2018 and further that when publishing their short breaks services statement, each local authority must provide contact details of the department or organisation responsible for it.

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