

# All SDS Handbook

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The information does not, and is not intended to, amount to legal advice. You are strongly advised to obtain specific, personal and professional advice from a lawyer about employment law matters, or an accountant/ tax specialist about taxation matters, and from HMRC and your insurers. You should not rely solely on the information in this Handbook. Support organisations listed in this Handbook can help you find appropriate sources of advice.

# All SDS Handbook

## Adult Carer Support Plan/ Young Carer Statement

If you are reading this, it is because you are helping to care for a family member or friend who could not cope without your support.

This makes you an unpaid carer (or if you are under 18, a young carer).

You have probably already been involved in arranging social care support for the person you care for.

As part of these discussions, your caring role should be recognised. You should be able to access support for yourself as an unpaid carer or young carer.

The process of getting support starts with making an Adult Carer Support Plan or Young Carer Statement.

### **What is an Adult Carer Support Plan/ Young Carer Statement?**

An Adult Carer Support Plan is for anyone performing a caring role who is over the age of 18. It is known as an ACSP for short.

A Young Carer Statement is for anyone aged under 18, or who is 18 but still in school, and has a caring role. Often this is a sibling or other family member of the young person who needs support.

A Young Carer Statement is sometimes called YCS for short.

You can get an Adult Carer Support Plan or Young Carer Statement even if the person you care for is not eligible themselves for social care support through the council.

### **What is the purpose of an Adult Carer Support Plan/ Young Carer Statement?**

The purpose of the Plan or Statement is to recognise the effects of your caring role and to find out what you need to enable you to have a life outside your caring role.

You may not feel like you want to go through the process of getting a Plan or Statement, but it can have several benefits.

It may mean you can access a small budget to enable you to get support for yourself.

It may also be helpful to have as evidence that if the person you care for uses a respite service, this is to give you a break from caring, and so there should be no charge for this.

### **What is involved in getting an Adult Carer Support Plan/ Young Carer Statement?**

The Adult Carer Support Plan or Young Carer Statement is usually created at the same time as the person you care for is being assessed for their own support needs.

Creating the Plan or Statement will usually be done by a Social Worker. It may also be done by a worker from your local Carers' Centre, Young Carers' group or someone from school.

Creating the Plan or Statement will usually take place where the person you care for lives.

The purpose of the Plan or Statement is to detail your needs as a carer.

This will involve looking at:

- areas of your life where you are doing many more tasks than a person who is not a carer
- areas where you have a higher level of need than someone who is not caring for someone else
- the effect that caring is having on your physical and emotional wellbeing
- whether caring means you are isolated from family and friends
- whether caring makes it difficult for you to work or go to school/ college/ university
- whether caring stops you making plans for the future.

The purpose of asking these questions and making a Plan or Statement is to recognise the effects of your caring role and to find out what you need to enable you to have a life outside your caring role.

As part of creating the Plan or Statement, the worker will ask if you are willing to undertake your caring role and if you are happy to undertake that role. You do not need to take on the role of being a carer or young carer if you do not want to.

They will also ask you about emergency planning. For example, what happens if you cannot do your usual caring role for some reason?

They will also ask you about the future. For example, what do you want to do with your life now and in the future?

### **How long does it take to get an Adult Carer Support Plan/ Young Carer Statement?**

Unfortunately, there are often long waiting times to get a Plan or Statement in place.

The law does not say that a Plan or Statement should be created within a certain time.

One exception is if the person you care for has a terminal illness and is expected to pass away within the next six months. In this case, your Carer Assessment should be offered within two

working days and an Adult Carer Support Plan or Young Carer Statement completed within ten working days.

### **What happens after I have got an Adult Carer Support Plan/ Young Carer Statement?**

When the Plan or Statement is completed, the worker will pass a copy to you and check it is accurate.

If you do not think it has accurately reflected your situation or needs, you can ask for changes to be made to it.

If your Plan or Statement recognises that you need support in your own right, it may give you access to a small budget to enable you to get this support.

Your Plan or Statement should be reviewed at least once a year to see if your circumstances or needs have changed.

### **Where can I get help with this?**

It can be a good idea to get help from a local Carers' Centre. They can help you understand the process and prepare for the assessment that will lead to you getting an Adult Carer Support Plan or Young Carer Statement.

Find the details of your local Carers' Centre [here](#).

### **Next steps**

**Find out more about whether it is likely you will be able to access support on the next page:** [Eligibility for carers to access support for themselves](#)

### **What should happen**

The Scottish Government have published the Carers' Charter, to help carers understand their rights under the law.

[You can read the Charter here](#).

### **What the law says**

The law about support for unpaid carers and young carers is called the Carers Act (Scotland) 2016.

It says:

- if your council identifies you as a carer or young carer, they must offer you an Adult Carer Support Plan or Young Carer Statement

- you must be given a copy of your Adult Carer Support Plan or Young Carer Statement, unless your local council considers this would not be appropriate. You can also request for the Plan or Statement to be shared with someone else.

[You can find the full text of the law here.](#)

The Carers Act Statutory Guidance is legal guidance written for local councils to tell them how support for carers and young carers should work.

The guidance sets out what councils are expected to do around Adult Carer Support Plans and Young Carer Statements, including:

- their duties to offer and to prepare an Adult Carer Support Plan or Young Carer Statement, and carers' right to request a plan
- timescales for creating a Plan or Statement for a carer or young carer who cares for someone who is terminally ill
- identifying the needs and outcomes of carers and young carers
- the minimum information that an Adult Carer Support Plan or Young Carer Statement must contain
- how Adult Carer Support Plans and Young Carer Statements should be reviewed
- what information carers and young carers should get about their Plan.

[You can see the part of the Statutory Guidance that talks about these things here.](#)

## Resources

Find details of your local Carers' Centre

A link to a list of Carers' Centres on the Coalition of Carers in Scotland website  
<https://www.carersnet.org/what-support-can-i-access/>

Factsheet on caring for someone with a terminal illness

From the Coalition of Carers

<https://www.carersnet.org/wp-content/uploads/2023/09/What-to-Expect-When-Caring-for-Someone-with-a-Terminal-Illness-.pdf>

## Assessment of needs

An assessment of needs is a discussion between you and anyone who helps you, and your council, to understand your current situation and what you need support with.

Sometimes it is just called an 'assessment'.

You have the legal right to request an assessment, even if you are not sure if you would qualify for social care support through your council.

It is the responsibility of the local authority (council) to carry out the assessment. This is usually the social work department, although in some areas, they will organise for another organisation to do this, for example a Carers' Centre.

### **What does a good assessment look like?**

A good assessment should focus on what is important to you, and what you need support to help you achieve. This is known as your personal outcomes.

Some examples of personal outcomes could be things like:

- staying safe
- improving your health
- getting out and about
- being able to carry on going to college.

An assessment should not just focus on what you cannot do.

It should be about finding out what you need support with, and what a good life looks like for you.

The person doing the assessment should ask you about what is working well in your life, and any supports you already have.

As assessment usually takes place in person in your home, or in hospital if you are in hospital. It might take place over the phone or on a video call.

The person doing the assessment should take your preferences about where and how the assessment takes place into account, but they may prefer to meet you in person to help them understand your circumstances.

### **Can I get help with the assessment?**

It is a good idea to get someone to help you with the assessment, like a family member or friend.

If a friend or family member usually supports you in your life, they have the right to be involved in the assessment too.

If there is no one who can help you, you can ask for help from an advocacy organisation who can support you to make your views known. You can search for a local advocacy organisation [here](#).

## When will an assessment take place?

Unfortunately, there can be long waiting times for an assessment. There is currently no law that says how quickly someone should get an assessment.

When you ask for an assessment, your council should tell you how long you will have to wait.

If you have been waiting a longer than the time they say, contact your council to chase them up.

If your needs are urgent, make sure you tell your council.

It is a good idea to contact an Independent Support Organisation, who can help you when it comes to speaking with the council.

Find contact information for your local Independent Support Organisation using the [Find Help](#) search tool.

## How do I prepare for an assessment?

It is important to prepare for the assessment. This will help the person doing your assessment understand your situation and everything you need support with.

There are local organisations called Independent Support Organisations who can help you prepare for an assessment. It is a good idea to speak to them before you have your assessment so they can help you prepare for what you want to say.

You can find the details for your local Independent Organisation using the [Find Help](#) search tool.

It is also a good idea to gather information from other people, for example, people like your doctor, to help explain what you need support with.

You also might find it helpful to read the next article: [Thinking about what you need support with](#)

## How do I request an assessment?

You should contact your local council's social work department and ask for an assessment of needs.

You can find the contact details for your local social work department using the [Find Help](#) search tool.

You can contact your council yourself, or ask a family member, friend, or someone else to do this for you.

## What happens after assessment?

When the assessment has been completed, you should get a copy of what has been written down.

Your council will decide if you are eligible for formal social care support through them, based on rules they use to decide who can get support.

Find out more about this on the page: [Can I get social care support?](#)

If you are eligible for support, the next step is to work with them to create a support plan.

## Next steps

Find out more about preparing for an assessment on the next page: [Thinking about what you need support with](#)

## Problems with this stage?

Lots of people have a good experience of the assessment process but we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

## I don't feel my assessment captured what is important to me and what I need support with

If this happens, it can be a good idea to get help from someone who can support you to speak to your council about it.

Independent Support Organisations and advocacy services can help you:

- prepare for an assessment
- ask your council for more information
- challenge an assessment if you feel it was not carried out appropriately.

Find contact information for your local Independent Support Organisation using the [Find Help](#) search tool.

Find a local advocacy service [here](#).

You can also make a formal complain to your council. Find out more in this article: [How to challenge decisions](#)

## The person doing my assessment was not interested in me, they just asked questions about what I cannot do

An assessor is supposed to take enough time to fully understand you, your situation, and what is

important to you.

Sometimes assessments can feel rushed, or feel like just going through a 'tick box exercise'.

It is a good idea to get support with the assessment from a family member, friend, advocate or someone from an Independent Support Organisation.

You can also explain what the law and guidance for councils says about doing an assessment. This is in the **What should happen** and **What the law says** sections below.

### **I have been waiting a long time for an assessment**

Unfortunately, there is currently no law that says how quickly someone should get an assessment.

When you ask for an assessment, your council should tell you how long you will have to wait.

If you have been waiting longer than they said it would be, contact your council to chase them up.

If your needs are urgent, make sure you tell the council.

It is a good idea to contact an Independent Support Organisation, who can help you when it comes to speaking with the council.

Find contact information for your local Independent Support Organisation using the [Find Help](#) search tool.

### **I have been told I can't get an assessment**

You have the legal right to an assessment. Your council can only say 'no' if you have recently had an assessment, and your needs have not changed since.

You can refer to the law about assessments — see the **What the law says** section below for more information on this.

It is a good idea to contact an Independent Support Organisation, who can help you when it comes to requesting an assessment.

Find contact information for your local Independent Support Organisation using the [Find Help](#) search tool.

### **What should happen**

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

These SDS Standards are not laws, but all councils have signed up to them. Councils should work to these standards.

When it comes to assessments, here is what the Standards say:

- Assessments should be based on trust-based relationships and good conversations between you, anyone who helps you, and the person doing the assessment (3.1)
- The assessment should look at your strengths, what you have that helps you in your life already, and your human rights (3.2)
- What matters to you is the most important part of agreeing what your outcomes are, which are then recorded in your support plan (3.3)

You can find a link to the Standards [here](#).

### What the law says

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says:

- you have the right to be as involved as you want to be in the assessment
- your local authority (council) must collaborate with you when it comes to your assessment.Â

You can find a link to the parts that talk about assessment [here](#).

Another law, called the Social Work (Scotland) Act 1968, says:

- you have the right to request an assessment of your needs.

You can find a link to part of the law that talks about the right to request an assessment [here](#).

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says:

- Social workers should consider your whole experience when carrying out an assessment
- The assessment should consider your needs and the outcomes you want to achieve — these are the things that are important to you
- The assessment processes should recognise your strengths and the supports you already have in your life
- The assessment should lead to agreeing outcomes — these are the things that are important to you that you need support to help you achieve
- You have the right to question and challenge decisions throughout the assessment process.

You can find a link to the relevant part of the Statutory Guidance [here](#).

### Resources

Factsheet about the assessment process (In Control Scotland)

[http://s557941885.websitehome.co.uk/wp-content/uploads/2017/06/03-Fact-Sheet.pub\\_.pdf](http://s557941885.websitehome.co.uk/wp-content/uploads/2017/06/03-Fact-Sheet.pub_.pdf)

Social Care Assessment — Being Prepared (LCIL)

<https://hub.careinspectorate.com/media/2514/lcil-social-care-assessment-being-prepared-2016.docx>

## Assessment of your child's needs

If your child has a disability, long-term health condition or other needs, then you are likely to require additional help with family life.

To find out if your family can get formal support through your local council, the social work department will do an assessment of your child's needs.

This is sometimes called a Section 23 Assessment, because this is the name that is used in the law about support for children in Scotland.

### What does an assessment involve?

A social worker will meet with you and your child and ask questions about what they need support with.

The assessment does not have to be face to face or in your home. It may be over the phone or in a private place where your child feels comfortable.

If your child has capacity (if they can understand the questions asked) they will be included in all discussions, and their opinions must be taken into account.

If they cannot understand the questions asked, the social worker may ask to use some other methods of communication to try to get their input and opinions. An example of other methods might be Augmented Alternative Communication (AAC).

At all stages, you and your child must be included, and your opinions should feel valued.

The person doing the assessment will ask you about your child, what life is like for them and your family, and what they need support with.

It can be difficult talking about this, especially with someone you do not know.

It is important to be honest with the social worker about your child and your family's needs.

The social worker will only be able to get you the help you are looking for if they have a full understanding of what difficulties you may be facing.

## How can my child and I prepare for an assessment?

In an assessment, you might be asked what support you are looking for, for your child and family. This is a difficult question if you do not know what is available.

It is really useful to prepare for an assessment by thinking beforehand about what your child needs support with.

Every child is different so the things they need support with will be different. But, it may include things like:

- having difficulties at school — for example, preparing for school in the morning, in the classroom, at break times, doing homework, or at home after school
- difficulties moving
- difficulties at home if your home is not set up well for their needs
- difficulties in social settings
- feeling isolated.

It is helpful to discuss with your child, your family and anyone else involved in your child's life about what they need support with. Find more tips and advice on this page: [Working out what your child needs support with](#)

## What happens after an assessment?

After the assessment, the social worker will write a report summarising what they have heard and ask you to check it.

If you do not agree with what has been written in the assessment, you can ask for it to be reviewed.

The council will use the assessment document to decide if your child is eligible for formal, funded support through them.

Whether your child is eligible or not, your council should also signpost you to other services that may be of use to you.

If your child is eligible for support, the next step is to create a plan. Find out more here: [Your Child's Plan](#)

## Support for you

Caring for a child who has additional needs can be tiring and stressful. It can also be hard on other members of the family.

When doing the assessment, the social worker will also ask about your home life and who is

involved in supporting your child. They are not being nosy — they are asking to see if you might benefit from support yourself.

It is likely that the social worker (or someone else) will do an assessment of your needs as a carer. If there are any other children at home who support your child they will do an assessment of their needs as a young carer too.

These assessments are called an Adult Carer Support Plan and a Young Carer Statement. You can find out more about this process here: [Adult Carer Support Plan/ Young Carer Statement](#)

## Next steps

**Have a look at the next page to help you prepare for the assessment: [Working out what your child needs support with](#)**

You may find it helpful to speak to a local Independent Support Organisation or Carers' Centre. They can help you think about what you and your child need support with, and through the assessment process.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local Carers' Centre [here](#).

## Problems with this stage?

Many families are able to get an assessment for their child.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

## I was told my child could not get an assessment

When you contact your local social work department, you may be asked some initial questions about your child.

The person you speak to may be doing this to try to work out if your child is likely to be eligible for support, before they complete a full assessment.

The law says children under 18 who need additional support have the right to an assessment.

Your council cannot make a decision about whether your child is eligible for support until they have completed an assessment. Your child also does not need a formal diagnosis to ask for an assessment.

You can remind the person you are speaking to about this and explain that your child has the right to an assessment.

Find out more about what the law says in the section: **What the law says** below.

### **I have been waiting a long time for an assessment**

Unfortunately, social work services are very stretched and it is likely that you will have to wait a long time for an assessment.

When you first contact the social work department, ask how long the current waiting time is. Follow up if you have not heard anything by this time.

You may also find it helpful to speak to a local Independent Support Organisation. They can help you think about what your child and family needs support with, while you wait for the assessment.

You can find details of your local Independent Support Organisation using the [Find Help](#) search tool.

### **I find it really hard to talk about the difficulties my child has**

Going through an assessment can be a difficult process for many families. No one likes to think about the difficulties their child has, or the impact on their family.

A good assessment process should focus on what your child can do. It should help you think about what a good life looks like for your child and what support they may need to achieve that.

It can be tempting to play down the difficulties your child is facing. But it is important to be honest during the assessment.

It is really important to look after your own health and wellbeing during this process. It can be really helpful to speak to a Carers' Centre, or join a peer support group, where you can meet others going through the same thing.

If you have other children they may also find it helpful to contact a Young Carers' group.

You can find details of local Carers' Centres and Young Carers' services [here](#).

### **What the law says**

The law about support for children is called the Children (Scotland) Act 1995.

It says children who are described as 'in need', under the age of 18, **have the right to an assessment of their needs**.

'In need' means:

- they are unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development unless they are provided services by a local authority (council)

- their health or development is likely significantly to be impaired, unless they are provided services by a local authority (council)
- they are disabled
- they are affected adversely by the disability of any other person within their family.

You can find the full text of the law [here](#).

## Resources

Scottish Government guidance on supporting disabled children, young people and their families (November 2023)

<https://www.gov.scot/publications/supporting-disabled-children-young-people-and-their-families/pages/health-and-social-care/#Social%20Services%20and%20support%20in%20my%20local%20community>

## Before you start

### **You can decide how much choice, control and responsibility you want in how your support is provided**

If you are eligible for formal social care support, you should be offered different options for how this is provided.

These options are designed to give you the level of responsibility you would like.

Some people want to be responsible for all aspects of their support, including employing their own support staff.

Some people feel comfortable to take on the additional responsibilities this brings. They feel that this option offers the most control, choice and input for how they receive their own support and who delivers it.

Some people prefer someone else to organise their support for them, while taking their views into account.

Some people are in the middle, and want some responsibility, but would like someone else to handle organising other parts of their support.

To enable you to have as much or as little responsibility as you want, your social worker must ask you how involved you want to be in organising your support. They will give you four options to choose from.

## What option is best for me?

To help you decide, you can find out more about each of the four options in the articles linked at the bottom of this page.

You can get help to think about what option is best for you from a local Independent Support Organisation.

You can find their details using the [Find Help](#) search tool.

This video was produced by the Scottish Borders SDS Forum to show examples of how people who use the different Options. Although it features local stories, the information about how the Options work is true for all parts of Scotland.

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## When you might not be offered the options

By law, your council must offer most people all four options for how to organise your support.

However, there are some exceptions when they do not have to offer you all options.

Option 1 is the option with most responsibility, where the council give you money to purchase your own support.

Your council can say that Option 1 is not suitable if:

- your safety would be put at risk by being given money directly
- you need long term residential care or nursing care
- you have had Option 1 in the past and it had to be stopped for some reason.

If your council decides they are not going to offer you Option 1, they should explain clearly to you why this is.

## Sometimes not all options are available

As a person eligible for support, you are usually legally entitled to be offered all four options.

But, in some parts of Scotland, not every option is available. This might be because there are no care organisations that provide the type of support you need.

If this is the case, your social worker should still explain what the options are and whether each one of them is available.

Regardless of what options are available locally to you, your social worker should still ask you how much control and responsibility you want to have in arranging your support.

They should work with you to help you get as close to the level of responsibility that you want. This is working within what is possible from the available options.

### **If I am an unpaid carer, do I also get a choice about how my own support is provided?**

Yes, if you are an unpaid carer and you are eligible for support in your own right, you should be offered the same four options for how that care is provided.

The information in the next articles about each of the four Options also applies to unpaid carers.

### **Next steps**

Read more about each of the Options, and how they work, in the next articles:

[Option 1](#)

[Option 2](#)

[Option 3](#)

[Option 4](#)

### **Problems with this stage?**

Lots of people are given the information they need to make an informed choice about their options.

But we know that some common issues come up for people. Here is what do to if any of these things happen to you.

### **I did not get told about the options I have for arranging my support**

If this happens you can ask your social worker about the four options and ask why they were not explained to you.

You can show them this page and talk to them about the level of responsibility you want to have when it comes to your support.

You can explain that you have the legal right to be told about the four options.

If you already have support in place, you can ask for a review to explore if a different option would suit you better.

## The option I want to use isn't available in my area

If this is the case, your social worker should still ask you how much control and responsibility you want to have in arranging your support.

They should work with you to help you to have as close to the level of responsibility you want, as is possible.

A local Independent Support Organisation can help you work out how you can get the support you need with the options that are available.

You can find the contact details for your local organisation using the [Find Help](#) search tool.

## What should happen

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

The Standards are not laws, but all councils have signed up to them so should work to uphold these standards.

When it comes to the options you have around social care support, here is what the Standards say:

- You should get information you can understand about the different options available, including honest information about any reasons it is difficult to use certain options in your area (5.3)
- The decision you make about which Option you want to use should be clearly recorded by your council worker (9.4)

You can find the full Standards online [here](#)

## What the law says

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says:

- If you are eligible for formal social care support, the council has to tell you about the four Options for how much control and responsibility you want to have over your support arrangements.
- Councils, by law, have to explain what each of the Options mean and how they work.
- Councils also have to tell you about other people who can help you decide which Option you want to use.
- If you need help to make a decision about which option is best for you, and you don't have another adult who is legally allowed to make decisions for you, the council has to take reasonable steps to help you make a decision.
- The council has to allow you to make a choice about which Option you prefer, even if making a choice is difficult for you.

You can find the full text of the law [here](#).

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says:

- Councils and social workers should not consider any of the four Options is better or preferable to the others.
- You should be empowered to choose the Option that works best for you.
- Your wishes and needs are the most important, even if you cannot make or understand decisions.

You can find the link to the part of the Guidance that talks about this [here](#).

## Before you start (adults)

If you are reading this, it is because you are looking for care or support to help you live the life you want to live.

Sorting out support can be an intimidating process. It can sometimes be challenging and stressful.

You are not on your own here. Please be reassured, there is lots of help available.

There are local organisations who can give you help, advice, and practical support. These are known as Independent Support Organisations.

It will be helpful to speak to your local Independent Support Organisation as soon as you feel ready. They can give you help right from the beginning.

You can find the details of your local Independent Support Organisation using the [Find Help](#) search tool.

Getting formal social care support through your council is only one of the ways that you can get help to live your life.

There are lots of other types of support out there that can help. These include things like community groups, peer support and charitable services.

Your local Independent Support organisation can help you find out about what is available in your area that might be suitable.

## Next steps

Find out who your local Independent Support Organisation is using the [Find Help](#) search tool.

Read the next page: [Can I get social care support?](#)

## Resources

Search for a local organisation using Find Help  
<https://handbook.scot/sds-handbook/find-help/>

## Before you start (children and young people)

If you are reading this, it is because you are looking for support for your child to help them live a good life.

Sorting out support for a child or loved one can be an intimidating process.

It can sometimes be challenging and stressful.

You are not on your own here. Please be reassured, there is lots of help available.

There are local organisations who can give you help, advice, and practical support. These are Independent Support Organisations and Carers' Centres.

It will be helpful to speak to your local Independent Support Organisation or Carers' Centre as soon as you feel ready. They can give you help right from the beginning.

You can find the details of your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local Carers' Centre [here](#).

Getting formal support for your child through your council is only one of the ways that you can get the help they need.

There are lots of other types of support out there that can help. These include things like community groups, peer support groups and charitable services.

Your local Independent Support Organisation or Carers' Centre can help you find out about what is available in your area that might be suitable.

## Next steps

Contact your local Independent Support Organisation or Carers' Centre using the links in **Resources** section below.

Read the next page: [Eligibility for formal support \(children and young people\)](#)

## Resources

Search for a local organisation using Find Help  
<https://handbook.scot/sds-handbook/find-help/>

Find details of your local Carers' Centre

A link to a list of Carers' Centres on the Coalition of Carers in Scotland website  
<https://www.carersnet.org/what-support-can-i-access/>

## Before you start (unpaid carers and young carers)

If you are reading this, it is because you are helping to care for a family member or friend who could not manage without your support.

This makes you an unpaid carer (or if you are under 18, a young carer).

You may be on this website because you are helping to arrange and manage support for someone else.

The law says you also have the right to access support in your own right, to give you a break from your caring role.

The next pages in this section of the website talk you through the process of getting support as an unpaid carer or young carer.

We know that trying to access support for yourself can sometimes be a challenging and stressful process.

You are not on your own here. Please be reassured, there is lots of help available.

There are organisations across Scotland who can give help, advice and practical support to unpaid carers and young carers. These are called Carers' Centres.

It will be helpful to speak to your local Carers' Centre as soon as you feel ready. They can give you help right from the beginning.

You can find the details of your local Carers' Centre [here](#).

Getting formal support for yourself through your council is only one of the ways that you can get the help you need.

There are lots of other types of support out there that can help. These include things like community groups, peer support and charitable services.

Your local Carers' Centre can help you find out about what is available in your area that might be suitable.

## Next steps

Take a look at the next page to find out how you start the process of getting support for yourself: [Adult Carer Support Plan/ Young Carer Statement](#)

## Can I get social care support?

If you need support to live your life, there are lots of different types of support you can get.

Local authorities (councils) provide certain types of support. Each council in Scotland sets their own rules for who can access this support. This is known as their eligibility criteria.

When you contact your council to ask about social care support, they will ask you questions to find out what you need support with — this is known as an assessment.

You can find out more about the assessment and how to prepare for it in the next article: [Assessment of needs](#)

After they have done the assessment, the council will decide if you meet their criteria to get support through them.

Each council has different rules, but as a guide, they may look something like this:

### Critical risk or urgent need

- If you are at critical risk or in urgent need, this means there may be an immediate risk to your safety.
- You may not be able to look after yourself without support, or do things like go to work or college, which limits your independence.
- You might rely on a family member or carer for help, but this is putting their health and wellbeing at risk.

- If you are at critical risk or in urgent need, you are likely to be eligible for formal social care support through your council.

### **Substantial risk or high level of need**

- If you are at substantial risk, this means there may be a significant risk to your safety.
- You might be able to do some things to look after yourself, but not everything you need to be able to do.
- If you are at substantial risk, you are likely to be eligible for formal social care support through your council, but it might take longer to put in place.

### **Moderate risk or moderate level of need**

- If you are at moderate risk, this means there is probably not any risk to your safety.
- You may struggle to do some things to look after yourself, but can manage other things.
- If you are at this level, it is unlikely you will be eligible for formal social care support through your council.

### **Low risk or low level of need**

- If you are at low risk, there may be one or two things you cannot do to look after yourself, or that you find difficult to manage.
- If you are at this level, it is very unlikely you will be eligible for formal social care support through your council.

Most councils publish their eligibility criteria for adult social care support on their website.

You can find contact details and the website for your local council [here](#).

## What if I am not eligible?

If your council thinks you are not eligible for social care support through them, they should still tell you about other types of support you could get, for example from community groups or charities.

## Next steps

It is important to understand more about the assessment process, and how to prepare for it.

**Read the next article to find out more:** [Assessment of needs](#)

Your local Independent Support Organisation can help you understand if you are likely to meet the eligibility criteria in your area. They can also help you to find out about what other support you can get if you do not meet the eligibility criteria to get formal support through your council.

You can look for a local Independent Support Organisation using the [Find Help](#) search tool.

## Problems with this stage?

When you contact your local council to ask about getting support, they may want to work out if you meet their eligibility criteria first, before doing a full assessment.

You have the right to request a proper assessment to help them understand all the things you need support with, before they decide if you are eligible.

Find out more about requesting an assessment in the next article: [Assessment of needs](#)

Because eligibility criteria are different in every part of Scotland, you may find that you are not eligible for support through your council, but someone in another area with similar needs, is eligible in their area.

## Resources

Search for a local organisation using Find Help

<https://handbook.scot/sds-handbook/find-help/>

## Carer's budget for support

If you are eligible for formal support for yourself as an unpaid carer, you may be allocated a budget to pay for the support.

Every council in Scotland has a different approach to how it allocates budgets to carers. Your experience of this is likely to depend on where you live.

You may find it helpful to speak to your local Carers' Centre. They can tell you what to expect about carer budgets in your local area, and help you understand how they work.

You can find details of your local Carers' Centre [here](#).

### **I have been allocated a budget, how does it work?**

If you are allocated a budget to pay for your support, you can decide how much control and responsibility you want to have for managing the budget. This is called Self-directed Support.

You may want to take the budget as a cash payment, and be responsible for choosing how it is spent and keeping track of spending.

Or, you may want to decide how it should be spent, but ask someone else to manage the budget on your behalf.

Find out more about how this works and the options you have in the next article: [Deciding how much control and responsibility you want to have around your support \(carers\)](#)

### **What can I spend a carer support budget on?**

You can use your budget for any of the needs that have been identified in your Adult Carer Support Plan.

For example, you could choose to spend the budget on gym membership to help you keep healthy, counselling to support your wellbeing, or transport to make it easier for you to stay in work.

These are just examples and every person's needs will be different. No two people will spend their budget in the same way.

Your local Carers' Centre can help you think about how best to spend your budget to meet your needs.

### **Can I be asked to pay towards my own support?**

Adults who need support may be asked to contribute towards that support, depending on their financial circumstances. See the article: [Paying towards your social care support \(care charging\)](#)

This is not the case if you are a carer.

If you have been allocated a support budget as a carer, you cannot be asked to make a contribution from your own money towards the cost of your support.

## Next steps

If you have been allocated a budget, you can decide how much control and responsibility you want to have for managing it.

Find out more on the next page: [Deciding how much control and responsibility you want to have around your support \(carers\)](#)

## Problems with this stage?

Some people are able to get a carer's budget in place and decide how best to use it without any issues.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

### **I have been told I cannot get a budget as a carer, or my budget is very low**

Unfortunately, there are no national rules that say councils must give carers a certain level of budget to pay for their support. This can and does vary quite a lot from area to area.

If you have been told you cannot get a budget, you could speak to your local Carers' Centre for advice. They can tell you about other types of support that might help, or could support you to challenge the decision.

You can find details of your local Carers' Centre [here](#).

### **I have been allocated a carer's budget, but I am finding it hard to be able to spend it**

Unfortunately, we know that even if carers can access a budget, it is sometimes not easy to be able to spend it in the way that they would like. This could be because of the lack of available services in your area.

The rules around Self-directed Support say that you should be able to spend your budget flexibly to meet your needs.

If you are having trouble spending your budget on a certain thing, you should be able to explore different ways of spending it that will still help you meet your needs.

If you are not able to spend all your budget, the same guidance applies to adults who need support as it does to carers. Find out more here: [What happens if you do not spend all your budget?](#)

You may find it helpful to speak to your local Carers' Centre for advice if you are finding it hard to spend your budget.

You can find details of your local Carers' Centre [here](#).

## Case study: Examples of carers who use different options to manage their support

There are lots of examples of carers who have taken different levels of control and responsibility when it comes to managing their support.

Read on to see some examples, to help you think about how much control and responsibility you want to take.

### Examples of support to carers

#### 2013 Act option Example

**Option 1 Direct payment Example 1** An adult carer who lives in a remote rural area is feeling increasingly isolated and depressed. She has no friends or family living nearby and her nearest carer centre is miles away. The carer uses a direct payment to pay for the installation of broadband and for a tablet computer. This means she can keep in touch with her family and friends through video-calls and email, particularly her grandchildren who live overseas. She has also made friends with other carers on an online forum and now feels more connected and supported.

**Example 2** A young carer who cares for his mother expresses that he has not been able to have the same opportunities as his peers. Whilst all his friends are learning to drive, he cannot because his mother cannot afford the cost and because of his caring role he cannot take on a part-time job in order to earn extra money. He thinks that having a driving licence would be useful as the family could get a Motability car, which would help with a lot of the tasks around his caring role such as shopping and taking his mum to places. He also thinks that being able to drive would open up more job opportunities. The young carer uses his direct payment to pay for several driving lessons and the cost of the driving tests.

**Example 3** A carer lives in a rural area with a cared-for person who attends a day centre twice a week. The carer, who can't drive and isn't on a bus route uses her direct payment for a regular taxi to visit her nearest swimming pool, to make the most of her time away from her caring role.

**Option 2 Directing the available support Example 1** A carer has never had a break from caring. He would like to have a break of an afternoon each week to have a rest where he doesn't have to worry about the safety of the person he cares for. The carer receives a carer's short break voucher [\[82\]](#) and he uses this to purchase a short break.

**Example 2** The authority arranges for an individual service fund (ISF) to be set up to support the carer. This carer has always been very house-proud, but her husband has had a stroke and the level of care that she has to provide means that she is falling behind with housework and laundry, which is making her feel increasingly tired and depressed. The carer uses the individual service fund to purchase domestic help from an agency so that someone can come in and help with cleaning, ironing and other domestic tasks. The carer also uses the ISF to pay for a fortnightly visit from a care worker so that she can meet her daughter for lunch and have a break from caring.

**Option 3 Arranged services Example 1** After the death of his father, a carer is finding caring for his mother, who has dementia, emotionally draining and he is becoming very depressed. He is on a waiting list for NHS counselling services but has been told it may take a long time and his local carer centre does not offer this service. The authority arranges for the carer to attend a private counsellor to help him manage issues of bereavement and caring.

**Example 2** A carer talks about missing out on making new friends as she never has time because of her caring role. She expresses an interest in attending an art class in a local authority community

centre. The authority arranges for the carer to attend the class and arranges replacement care for the person she cares for once a week.

NB: The art class would be categorised under the Carers Act as general services and enabling the carer to attend this class would be providing general services. The provision of replacement care would be either under the power or duty to support the carer (depending on whether her needs met the local eligibility criteria) and would be non-chargeable.

These examples are taken from the Statutory Guidance accompanying the Carers (Scotland) Act 2016.

You can read the full statutory guidance [here](#).

## Case Study: Examples of people who use Option 1 to direct their support

There are lots of examples of people who have chosen Option 1 to have maximum control and responsibility over their support.

Check out these video links below to see how it works for different people and what types of support they purchase with their Direct Payment:

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```

## Case Study: Examples of people who use Option 2 to choose and arrange their

There are lots of examples of people who use Option 2 to choose and arrange their support.

Check out these video links below to see how it works for different people:

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```

### Case study: Gemma's story

Gemma was 14 and lived with her great grandmother as her mother was not able to care for her. Gemma was not attending school.

There were significant concerns about her behaviour in the local community. She was staying out very late and there were concerns that she was starting fires.

Her great grandmother's health was not good and there were concerns that she may not be able to continue to care for Gemma.

A family meeting was held to explore who within the network may be able to care for Gemma and what needed to happen to make sure that Gemma was safe. The family agreed that Gemma would go to live with her Granny.

One of the outcomes that the family wished to achieve was to make sure that the room that Gemma was to move to at her Granny's was freshly decorated and had all the necessary furniture. The family also identified that Gemma needed support to help her manage her feelings.

Gemma's aunty had a boxing bag. Gemma was interested in trying this sport and asked if she could

have some boxing gloves.

Following the family meeting the social worker agreed a Self-directed Support (SDS) budget to ensure Gemma's new bedroom was furnished and decorated. An SDS budget was also agreed to pay for boxing gloves and Gemma's Aunt took Gemma shopping for these.

This SDS payment was part of a range of support that was offered to the family to ensure Gemma continued to be cared for by her family.

## Changes to a support budget

Once you have a support budget in place, it is not likely to stay the same forever.

People's needs change, and there may be times when your budget goes up or down.

This article explains how your support budget may change, and where you can get help if you do not agree with the change.

### When a support budget may change

Once you have a support plan, your council should review this on a regular basis to make sure it is working well.

Some councils do reviews every six months, some do reviews every year. Sometimes it is hard to get a regular review of your support because social work services are very stretched.

Find out more about reviews in the article: [Reviewing your support](#)

Your budget may change after a review. It might go up if you need more support. It might go down if you need less support.

Your council should not change your budget without discussing it with you first.

If you have not been able to spend all your budget, your council should not use this as a reason to reduce your budget in future.

Any changes to your budget should be based on a review of your support.

### Where to get help if your budget changes

If you do not agree with a decision about your budget, there are organisations who can help you speak with your council.

These types of organisation can help you understand more about the decision and challenge the decision if you want to.

Find your local Independent Support Organisation using the [Find Help](#) search tool.

Find your local Advocacy Service [here](#).

### **Problems with this stage?**

Many people get the support they need to deal with any changes to their budget.

But we know that some common issues come up for people. Here is what do to if any of these things happen to you.

### **My council told me my budget is being cut**

Your council should not change your budget without discussing it with you first.

Any changes to your budget should only come after a review where you discuss your support and whether your current support is meeting your needs.

It can be helpful to speak to an Independent Support Organisation or Advocacy Service for help if you feel your budget has been reduced too much.

Find your local Independent Support Organisation using the [Find Help](#) search tool.

Find your local Advocacy Service [here](#).

### **What should happen**

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

These SDS Standards are not laws, but all councils have signed up to them. Councils should work to these standards.

When it comes to information about your support budget, here is what the Standards say:

- All decisions that affect your choices, support, and personal budget should be recorded and shared with you.
- You should have maximum flexibility to use your budget in the way that you choose to achieve the outcomes you have agreed.
- The way your council decides who gets what in their budget should be transparent and fair, for everyone.
- You and the people who support you should have as much involvement as you wish, and as much help as you need through the budget process.
- You also have the right to choose not to be involved in discussions about your budget, if you don't want to.
- Your council should make it easy for you to see and understand how your budget has been calculated.

- You should be involved in decisions about what you can and cannot spend your budget on.
- Your budget will be reviewed as part of the process of reviewing your support. This will make sure you are using it to meet your outcomes and to find out if your budget needs to go up or down.

You can find the full SDS Standards [here](#).

## Deciding how much control and responsibility you and your child want around th

Once you have decided what your child needs support with, you can decide how much direct control and responsibility you want to take for arranging the support. This is known as Self-directed Support

The choice you make about how much control you want to have will depend on:

- what you and your child would prefer to do
- what you think will work for you and your child
- the amount of responsibility you feel you can take on
- what services are available where you live.

### How does it work?

Once you have agreed what your child's outcomes are that they need support to help them achieve, the next step is to think about how best this can happen.

There are four Options to choose from. These options are designed to give you the level of responsibility you would like.

Some people want to be responsible for all aspects of their child's support, even employing dedicated staff to support their child, and they feel able to take on the responsibilities this brings.

Some people prefer someone else to organise the support for their child, while taking their views into account.

Some people are in the middle, and want some responsibility, but would like someone else to handle organising other parts of their child's support.

To enable you to have as much or as little responsibility as you want, your social worker must ask you and your child how involved you want to be in organising their support.

You can find out more about each of the options on these pages:

[Option 1](#)

[Option 2](#)

[Option 3](#)

[Option 4](#)

### **What option is best for me and my child?**

You can get help to think about what option is best for you from a local Independent Support Organisation. You can find their details using the [Find Help](#) search tool.

### **Sometimes not all options are available**

In some parts of Scotland, not every option is available. This might be because there are no care organisations that provide the type of support your child needs.

If this is the case, the social worker should still explain what the options are and whether each one of them is available.

Your social worker should still ask you how much control and responsibility you and your child want to have in arranging and managing their support. They should work with you to enable you to have as close to the level of responsibility you want, as possible.

### **Next steps**

Read more about each of the Options, and how they work, in the next articles:

[Option 1](#)

[Option 2](#)

[Option 3](#)

[Option 4](#)

### **Problems with this stage?**

Lots of people are given the information they need to make an informed choice about their options.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

### **I want to have maximum control over my child's support but I am not sure I can take on the responsibility**

Choosing Option 1, where you are able to employ Personal Assistants to support your child, gives you maximum control. It brings you the freedom to decide who comes into your child's life.

However, your success with this option will depend on your confidence, skills and time to be an employer. There is lots of help available to support you to do this, if you want to choose this Option.

There are many local Independent Support Organisations in Scotland who can advise and support you about being an employer. There are peer support groups in some parts of Scotland that can help too. You can search for these organisations using the [Find Help](#) search tool.

You might also want to explore the PA Employer Handbook for more advice and information: [PA Employer Handbook](#).

## **I want to change how much control and responsibility I have for arranging my child's support**

If whatever option you have chosen is not working well for you, you can have a conversation with your social worker to look at changing the way your child's support is arranged.

Again and Independent Support Organisation can help you when it comes to deciding how you want to arrange your child's support, and how to make any changes. You can find details of your local organisation using the [Find Help](#) search tool.

### **What should happen**

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

The Standards are not law, but all councils have signed up to them so should work to uphold these standards.

When it comes to the options you have around social care support, here is what the Standards say:

- You should get information you can understand about the different options available, including honest information about any reasons it is difficult to use certain options in your area (5.3)
- The decision you and your child make about which Option you want to use should be clearly recorded by your council worker (9.4)

You can find the full Standards online [here](#).

### **What the law says**

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says:

- If your child is eligible for formal social care support, the council has to tell you about the four

Options for how much control and responsibility you want to have over their support arrangements

- Councils, by law, have to explain what each of the Options mean and how they work
- Councils also have to tell you about other people who can help you decide which Option you want to use
- If you need help to make a decision about which option is best for you, and you don't have another adult who is legally allowed to make decisions for you, the council has to take reasonable steps to help you make a decision
- The council has to allow you to make a choice about which Option you prefer, even if making a choice is difficult for you.

You can find a link to the law [here](#).

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says:

- Councils and social workers should not consider any of the four Options is better or preferable to the others.
- You and your child should be empowered to choose the Option that works best for you.
- The wishes and needs of you and your child are the most important, this is the case even if you and/or your child cannot make or understand decisions.

You can find the link to the part of the Guidance that talks about this [here](#).

## Resources

SDS Borders Forum Options video

<https://youtu.be/tB2rO4ND7xk>

## Deciding how much control and responsibility you want to have around your sup

If you are an unpaid carer and you are eligible for formal support through your local council, you can decide how much control and responsibility you want to have for arranging and managing that support.

You should be offered four different options for choosing how much control and responsibility you want to have.

These options are designed to give you the level of responsibility you would like.

Some people want to be responsible for all aspects of their support, and are comfortable managing money directly.

Some people would prefer someone else to organise their support for them, while taking their views into account.

Some people are in the middle, and want some responsibility, but would like someone else to handle other parts of their support.

To enable you to have as much or as little responsibility as you want, your social worker must ask you how involved you want to be in organising your support. They will give you four options to choose from.

### **What option is best for me?**

To help you decide, you can find out more about each of the four options in the articles linked at the bottom of this page.

You can find examples of how carers have used the different options in the **Case study** at the bottom of this page.

You can get help to think about what option is best for you from your local Carers' Centre.

You can find details of your local Carers' Centre [here](#).

### **Next steps**

Read more about each of the Options, and how they work, in the next articles:

[Option 1](#)

[Option 2](#)

[Option 3](#)

[Option 4](#)

### **Problems with this stage?**

Lots of carers are given the information they need to make an informed choice about their options.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

### **I was not told about the different options I have for managing my support**

If this happens, you can ask your social worker about the four options and ask why they were not explained to you.

You can show them this page and talk to them about the level of responsibility you want to have when it comes to your support.

You can explain that you have the legal right to be told about the four options.

### **The option I want to use is not available in my area**

As a carer eligible for support, you are usually legally entitled to be offered all four options.

But, in some parts of Scotland, not every option is available. This might be because there are no care organisations that provide the type of support you need.

If this is the case, your social worker should still explain what the options are and if each one of them is available.

Regardless of what options are available locally to you, your social worker should still ask you how much control and responsibility you want to have in arranging your support.

They should work with you to help you get as close to the level of responsibility that you want. This is working within what is possible from the available options.

### **What the law says**

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says:

- If carers are eligible for support through their local council, they must be given the opportunity to choose from the 4 Options to decide how much control and responsibility they want to have around their support
- There may be circumstances where the council decides a carer is not eligible to take Option 1 — a Direct Payment. This is where the carer is given cash directly and manages the cash themselves. If the council decides Option 1 is not appropriate they must explain why.

You can find the part of the law that talks about the Options available to carers [here](#).

### **Resources**

Find details of your local Carers' Centre

A link to a list of Carers' Centres on the Coalition of Carers in Scotland website  
<https://www.carersnet.org/what-support-can-i-access/>

## **Eligibility for carers to access support for themselves**

The first step to accessing support for yourself as an unpaid carer or young carer is to get an Adult Carer Support Plan or Young Carer Statement. This will identify your needs as a carer.

You can find out more about this here: [Adult Carer Support Plan/ Young Carer Statement](#)

In order to decide whether you can access support through your local council, the council will look at the needs that have been identified in your Plan or Statement.

Your needs may be met by the support already provided to the person you care for, or through general services in your local area.

If you have any needs that cannot be met by these means, then you are classed as having what are called eligible needs.

### **What are the rules about who can get support in my area?**

Every council area in Scotland has different rules when it comes to deciding what eligible needs are. These are called eligibility criteria.

Your local council should publish their eligibility criteria on their website — search for 'carer eligibility'.

The rules are slightly different from area to area, but most councils follow a similar set of rules that have been encouraged nationally.

You can take a look at these [general rules](#) to give you an idea of what to expect.

The rules look at different areas of need and decide how much impact these are having on your life. This includes things such as:

- Health and wellbeing
- Relationships
- Living environment
- Employment and training
- Finance
- Life balance
- Future planning.

If your needs are having a critical or substantial impact on your life, you are likely to be eligible for formal support through your council.

### **What happens if I am eligible for support?**

If you are classed as having eligible needs, your council must provide support to you. Your local council must also consider whether breaks from caring should be part of the support you receive.

If you are eligible for support, this should be done in a way that gives you as much choice and

control as you would like.

The next step is to finalise your Adult Carer Support Plan or Young Carer Statement to say how the support will be provided.

### **What if I am not eligible for support?**

If your local council says you are not eligible for formal support, they may still help you access other types of support.

For example, signposting you to information and advice, or telling you about support that is available in your community.

### **Next steps**

If you feel you would benefit from support to give you a life outside your caring role, you may find it helpful to speak to a Carers' Centre. They can help you understand local rules about eligibility and guide you through the process of getting support.

You can find details of your local Carers' Centre [here](#).

If you are eligible for support for yourself as an unpaid carer, you may be allocated a budget to pay for the support. Find out how this works on the next page: [Carer's budget for support](#)

### **What the law says**

The law about support for carers in Scotland is called the Carers (Scotland) Act 2016.

It says:

- Local councils must publish their eligibility criteria for carers to access support
- Local councils must provide support to carers if they have eligible needs, as defined by local eligibility criteria
- Local councils must consider whether the support a carer needs includes a break from caring
- Carers cannot be charged for any support they receive through their local council.

You can find the part of the law that talks about these things [here](#).

### **Resources**

Find details of your local Carers' Centre

A link to a list of Carers' Centres on the Coalition of Carers in Scotland website  
<https://www.carersnet.org/what-support-can-i-access/>

## Eligibility for formal support (children and young people)

There may come a time when you decide that the needs of your child means you need additional support from social work services.

It might be you that makes this decision. Or it may be that someone else, such as a Carers' Centre, school nurse or even a friend might suggest that you get in touch with social work.

Whether you will be able to get formal support from social work services depends on your child and your family's circumstances and needs.

### Who can get support?

Each council area has slightly different rules about which children and families are able to get formal, funded support. These rules are known as eligibility criteria.

Generally, the eligibility criteria will be based around how much your child's needs impact on family life, and if there is a risk of family breakdown.

To find out if your child is eligible, the social work department will carry out an assessment.

Find out more about what this involves in the next section: [Assessment of your child's needs](#)

The law says children under 18 who need additional support have the right to an assessment.

Your council cannot make a decision if your child is eligible for support, until they have completed an assessment.

Your child also does not need a formal diagnosis to ask for an assessment. Their practical support needs will be the same, with or without a formal diagnosis.

Your council will have a lengthy waiting list so it is likely that, unless there is a risk of harm to your child, there will be a wait to have an assessment.

### What other types of support can my child get?

While you are waiting for the assessment, you should be referred to other organisations who can support you.

These might be organisations that support children with specific health conditions, your local Carers' Centre, or local community groups.

Your council has to signpost you to other support services in your area or further afield. They might put you in touch with a Local Area Co-ordinator for further help.

## Next steps

It may be useful to speak to a local Independent Support Organisation or Carers' Centre if your child needs support.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local Carers' Centre [here](#).

Read the next page: [Assessment of your child's needs](#)

## What the law says

The law about support for children is called the Children (Scotland) Act 1995.

It says children who are described as "in need", under the age of 18, **have the right to an assessment of their needs**.

"In need" means:

- they are unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development unless they are provided services by a local authority (council)
- their health or development is likely significantly to be impaired, unless they are provided services by a local authority (council)
- they are disabled
- they are affected adversely by the disability of any other person within their family.

You can find the full text of the law [here](#).

## Resources

Factsheet for parents of children who have neurological conditions

<https://www.scottishneurological.org.uk/files/final-cyp-sds-factsheet-5.1.23.pdf>

## Free personal and nursing care

### What is free personal care?

Free personal care is available to everyone over 18 in Scotland who has been assessed as needing it.

Personal care means anything you need help with that is of a personal nature.

It may include help with:

- bathing, showering, hair washing, shaving, brushing your teeth, and nail care
- going to the toilet, catheter and stoma care, skin care, incontinence laundry and bed changing
- eating, special diets, and food preparation
- mobility support
- counselling, psychological support and reminding devices
- taking medication (like eye drops), application of creams and lotions, simple dressings and oxygen therapy
- getting dressed, using surgical appliances, prostheses, mechanical and manual aids
- getting in and out of bed and using hoists.

### **What is free nursing care?**

Free nursing care is available to everyone over 18 in Scotland who has been assessed as needing it.

Nursing care needs the knowledge and skills of a qualified nurse. It might include things like giving injections or managing pressure sores.

### **How do I get free personal or nursing care?**

If you already get support through your council, speak to your social worker about personal and nursing care.

If your needs have changed since you were last assessed and you feel you now need personal or nursing care, you can ask for a reassessment.

If you do not have any support already, contact your local council and ask them for an assessment.

There may be a waiting time for an assessment — your council should tell you how long this is.

Not everyone will be able to get free personal or nursing care. It depends on how urgently you need it and whether you can get help from anywhere else. The council will use the assessment to find out how great your need is.

If they think you have a high level of need, the council has to provide you with personal or nursing care within six weeks of your assessment. This is called being at critical or substantial risk.

### **Can I choose how my personal care is provided?**

Yes, as with other types of social care support, you can choose how your personal care is provided.

You can:

- get cash paid directly to you so you can employ people to provide the personal care
- get cash paid directly to you so you can pay an organisation or agency to provide the personal care
- tell the council your preferred provider and ask them to make the arrangements on your behalf
- ask the council to choose who will provide the personal care.

If you are living in a care home, your local council will put a contract in place with your care home for any personal care you receive.

### Next steps

Find out more about free personal and nursing care in the **Resources** section below.

### Resources

Free personal and nursing care Q&A (Scottish Government)

<https://www.gov.scot/publications/free-personal-nursing-care-qa/>

Information on free personal and nursing care (Carers Scotland)

<https://www.carersuk.org/scotland/help-and-advice/practical-support/arranging-care-and-support-for-someone/free-personal-care/>

## Going into and coming out of hospital

If you already have support at home and you need to go into hospital, you may be wondering what happens to your support arrangements.

This page gives some information about what happens when you go into hospital, and what happens when you leave.

**This page is for people already have support in place before going in to hospital.**

If you did not have support before going into hospital, read this article instead: [Support when you are coming out of hospital](#)

What happens to your support depends on how the support is provided. Find out more below.

### If your council chooses arranges and your support for you

If your council chooses and arrange your support for you, they are responsible for putting the support on hold when you go into hospital.

They are also responsible for restarting any support you need when you leave hospital.

If your needs have changed after a stay in hospital, you can ask your social worker for a review of your support.

Find out more here: [Reviewing your support](#)

### **If you choose your support and another organisation manages the money**

You may choose the type of support you get and who provides it, but another organisation arranges it and manages the money for you.

In this case, if you have to go into hospital, you need to tell them and they will arrange for your usual support to be put on hold or adjusted.

They will also speak to your council to manage the money side of things.

### **If you are paid money directly and you use this to buy support from an agency or organisation**

If you choose to be paid directly and manage your own support budget, this is called a Direct Payment.

If you need to go into hospital, many but not all councils will agree to carry on with your usual Direct Payment for a short time (up to around 4 or 6 weeks).

After this short time of around 4-6 weeks, the funding for your support might stop if you are still in hospital.

You will have a Direct Payment Agreement with your council. This agreement should say what happens with your Direct Payment if you go into hospital.

You can also ask your social worker for information about what will happen with your Direct Payment in this situation.

You should have a contract with the agency or organisation you purchase support from. Find out what the contract says about what happens with your support if you go into hospital.

### **If you are paid money directly and use this to employ Personal Assistants**

If you need to go into hospital, often, councils will agree to carry on with your usual Direct Payment for a short time (up to around 4 or 6 weeks). This is to allow you to carry on employing your Personal Assistants (PAs) so they can support you again when you leave hospital.

After this time, the funding for your support might stop if you are still in hospital.

You will have a Direct Payment Agreement with your council. This agreement should say what happens with your Direct Payment if you go into hospital.

You can also ask your social worker for information about what will happen with your Direct Payment in this situation.

It is a good idea to have a Contingency Plan that sets out what happens with your PAs if you need to go into hospital.

It is also recommended to include information in your Personal Assistants' employment contracts that says what will happen if you have to go in to hospital.

### **If you need more support than you did before, when you leave hospital**

After being in hospital, you may need more support than you did before, if your health has got worse.

You can ask your social worker for a review of your support. Unfortunately, it can take some time to get a review of your support.

It may be helpful to speak to an Independent Support Organisation for help with requesting a review.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

### **What the law says**

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says if you have a Direct Payment and need to go into hospital:

- If you employ Personal Assistants, your council should continue the Direct Payment for a short period of time to allow them to remain employed.
- Your social worker may consider pausing your Direct Payment temporarily if you are in hospital for a longer period.
- Your social worker may consider pausing your Direct Payment temporarily if being in hospital means you are no longer able to manage the Direct Payment, even with support.
- If your council are thinking about pausing your Direct Payment, they should tell you as soon as possible.
- Your council should avoid doing anything about your Direct Payment without speaking with you first.
- Your council has to consider the impact on you and your support if they decide to stop your Direct Payment.
- Your Direct Payment Agreement should set out a minimum notice period your council have to give you if they decide to stop your Direct Payment.

You can read the full Statutory Guidance [here](#).

## Helping someone make decisions about social care support

If someone finds it difficult to understand and make decisions for themselves, they may need someone in their life who is legally responsible for helping them make decisions, or even to make decisions for them.

This is particularly important when it comes to decisions about their health, social care support and finances.

### **Being able to understand and make decisions is known as Capacity**

Most people are able to make everyday decisions for themselves.

However, there will be times when people struggle to make decisions, understand them, communicate them or remember them.

This could be because of:

- a learning disability
- dementia
- a mental health condition
- a head injury
- a physical disability that prevents them from communicating.

In these circumstances, the person may be described as lacking Capacity. They may need someone to have the legal authority to make decisions on their behalf.

The law says that even if someone has a condition or disability in the list above, you cannot assume that they are not able to make their own decisions.

Before anyone can be granted the power to make decisions on someone else's behalf, it has to first be established how much the person is able to make and understand decisions.

### **How does this apply to social care support?**

If someone needs support to help them live a good life, there are lots of decisions that have to be made about this.

If the person who needs support lacks Capacity (they are unable to make or understand decisions themselves), someone else will have to help them to make decisions, or make decisions for them.

There are two ways that a person can apply for legal authority to make decisions for someone else: Power of Attorney or Guardianship.

## Power of Attorney

A Power of Attorney is a written document giving someone else the legal authority to make decisions on a person's behalf.

The person needs to have Capacity (be able to make and understand decisions at the moment) to apply for a Power of Attorney.

A Power of Attorney is usually used when someone thinks that their ability to make decisions may get worse in future. For example, this may be because of dementia or a worsening health condition.

A person has to be over 16 to apply for a Power of Attorney.

The Power of Attorney document lists the names of the people (known as attorneys) who the person wants to help them, and says what powers these people will have.

Most people do not think about the need to put Power of Attorney in place until something happens to their health that affects their ability to make decisions or to communicate.

But it can be helpful to apply for a Power of Attorney in advance, so the person has time to think through what they want.

A person needs to be able to make and understand decisions in order to apply for a Power of Attorney.

## Guardianship order

If someone is unable to make and understand decisions (lacks Capacity), they will be unable to apply for a Power of Attorney.

In this case, another adult who wants to have the legal authority to make decisions for them has to apply for a Guardianship order.

Guardianship orders are most often used when a child who lacks capacity turns 16. Before they are 16, the child's parents usually have legal authority to make decisions on their behalf.

Parents need to apply for Guardianship in advance, in order to keep this legal authority after the child turns 16.

Guardianship orders may also be used when someone's ability to make and understand decisions has gotten worse, before a Power of Attorney was able to be put in place.

There are two type of Guardianship orders:

- Welfare Guardianship, where you have the power to make decisions about the person's health and wellbeing
- Financial Guardianship, where you have the power to make decisions about the person's money.

You can only apply for Guardianship when someone has been assessed as lacking capacity.

It can take a long time for applications to be processed, so it is a good idea to plan ahead as much as possible.

Planning ahead is especially important if you are the parent of a child who lacks capacity. You will need a Guardianship order in place to have the legal authority to make decisions for them when they turn 16.

## Next steps

Find out more about Power of Attorney and Guardianship in the **Resources** section below.

You may also find it helpful to speak to an Independent Support Organisation or Carers' Centre. They can give you advice about what you need to put in place to make decisions about social care support for someone else.

You can search for your local Independent Support Organisation using the [Find Help](#) search tool.

You can find details of your local Carers' Centre [here](#).

## What the law says

There are two main laws about making decisions about social care support on behalf of someone who is unable to do so themselves.

They are the Adults with Incapacity (Scotland) Act 2000 and the Social Care (Self Directed Support) (Scotland) Act 2013.

They say:

- If you have Power of Attorney or a Guardianship order, your local council must involve you in discussions about support for the person you have authority to make decisions for.
- In exceptional circumstances where there is no one available who has appropriate legal authority to make decisions for a person, the local council can apply for Financial Guardianship and the Chief Social Work Officer can apply for Welfare Guardianship.
- The local council must supervise people with a Welfare Guardianship order. They might do this through a meeting once a year with a Mental Health Officer.

You can access the Social Care (Self Directed Support) (Scotland) Act 2013 [here](#).

You can access the Adults with Incapacity (Scotland) Act 2000 [here](#).

## Resources

Information about Power of Attorney

<https://www.publicguardian-scotland.gov.uk/power-of-attorney>

Information about Guardianship Orders

<https://www.publicguardian-scotland.gov.uk/guardianship-orders>

Guidance on Managing Self-directed Support for Adults with Incapacity

<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2020/01/managing-self-directed-support-for-adults-with-incapacity-guidance/documents/managing-self-directed-support-for-adults-with-incapacity-guidance/govscot%3Adocument/Managing%2Bself-directed%2Bsupport%2Bfor%2Badults%2Bwith%2Bincapacity-%2Bguidance%2B.pdf>

Adults with Incapacity (Scottish Government)

<https://www.gov.scot/policies/social-care/adults-with-incapacity/>

Mental Welfare Commission for Scotland

<https://www.mwcscot.org.uk/>

## How Self-directed Support came about

Throughout history, people have needed support to be able to live their life.

In the past, people who needed support were often treated very poorly and excluded from society. They were sent to live in hospitals and asylums. Many of these that were set up in Victorian times were still in use for much of the 20th century.

In Scotland there were dozens of these hospitals and asylums. An example of these institutions is Lennox Castle in Glasgow, that finally shut in 2002.

In the late 20th century, efforts were made to enable people who needed support to live in their communities, rather than in institutions.

At the same time, the Disabled People's movement was campaigning for better rights for disabled people.

In the 1980s in England, some disabled people began to organise their own support, with funding from their local council. This new support looked very different from the types of support that were available before. Previously the council decided what support someone should have, who should provide it and how it should be delivered.

Throughout the 1990s, people began to think differently about how social care support should work. They started trying different things to enable people to have more choice and control and to have more say in the decisions that affected their lives.

Self-directed Support was developed in Scotland in the 2000s and eventually became law in 2014.

## What are the aims of Self-directed Support?

Self-Directed Support (SDS) is meant to help people lead the life they want.

The SDS law is designed to deliver people's human rights.

This law recognises that people are the experts in their own lives.

People should have a choice in how they want to be supported.

There are some important values and ideas below which underpin this law. These values and ideas are how SDS should work:

- Collaboration
- Dignity
- Informed choice
- Involvement
- Participation
- Innovation
- Responsibility
- Enabling risk.

You can read more about these important values and ideas in the **Resources** section below.

## How has Self-directed Support helped so far?

Since the law on Self-directed Support was introduced, many people feel it has enabled them or the person they care for to live their best life. It has allowed people to be creative in the way they receive their support.

As you read this Handbook, you will see some examples of positive stories from people who access SDS. This might give you some inspiration about how SDS could help you or the person you support.

Unfortunately, there is still much confusion around what Self-directed Support is, and who it is for.

Sometimes conversations about SDS can feel confusing, unfair or overwhelming. This can lead to a lack of choice and a lack of control.

Many people say they do not know about, or do not understand Self-directed Support.

Many families speak about the difficulty in understanding how SDS works.

Many health and social care professionals can be unclear about the law and their duties. This creates a barrier for people trying to access SDS.

This Handbook is here to help with this.

## Next steps

Find out about how to access Self-directed Support based on who you are looking for support for:

[Support for adults](#)

[Support for children and young people](#)

[Support for unpaid carers/ young carers](#)

## Resources

Self-directed Support — values and principles

<https://www.gov.scot/publications/self-directed-support-values-principles-statement/>

## How to challenge decisions

There might be times when you disagree with a decision that has been made about your social care support.

If there is a decision you do not agree with, you might feel angry, frustrated, helpless, or confused.

You might feel like you do not want to challenge a decision.

It might feel like you are not allowed to challenge a decision. This is not true. You can challenge a decision.

It is important to understand your rights and what the law says about how you should be treated.

There may be times when you feel you have been treated unfairly or that your needs have not been understood or recorded properly. This might mean that you need to challenge a decision.

You are not on your own. There is lots of help out there to support you.

This page explains how you can most effectively challenge a decision about your social care support, and where to get help.

## Where to start?

If a decision is made that you do not agree with, it can be helpful to take some time to prepare, before you challenge the decision.

You might want to:

- write down the reasons you disagree with the decision.
- list the effects of the decision, on yourself and anyone else, such as any unpaid carer or family member. This could include the negative effect on your emotional wellbeing, as well as the negative effects on your relationships with people.
- speak to a friend or family member, or someone you trust that knows about your support needs, to get their opinion.
- write down any questions you have or anything you do not understand, like the reasons for the decision.

If you choose to challenge a decision, you may feel let down, angry or upset.

As let down as you may feel, it is important to take some time to try to feel calmer. This will help you to put across your case more clearly.

Getting help from someone you trust, or an independent organisation, can help a lot here.

### **What can I do to challenge a decision?**

There are several steps you can take if you want to challenge a decision.

This can be quite a stressful process. We recommend you speak to an Independent Support Organisation or advocacy service first.

These types of organisation can help you put your case across more clearly and take some of the stress out of the situation.

They can help you do things like:

- ask whoever has made the decision to look at it again, informally — by phone or email.
- request a formal review of the decision, in writing (email or letter).
- make an Appeal, if there is an Appeals process that you can use.
- make a formal complaint using your council's complaints process.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local advocacy service [here](#).

### **What if I am still unhappy?**

If you have tried these things and are still unhappy with the decision, there are further steps you can take.

These steps are more complicated and will need you to provide evidence about the decision and any contact you have had with the council so far.

If you decide to take these steps, it is a very good idea to get help and support.

As well as Independent Support Organisations, and advocacy services, you may want to get help from a law centre or specialist solicitor.

Other options include:

- You could contact the [Scottish Public Services Ombudsman](#) as the final stage for complaints about councils.
- In exceptional circumstances, you could ask for a Judicial Review. This is a court case where a judge decides if a decision made by a council is legal or not. This can be expensive as you may have to pay for lawyers.

If you feel you have been discriminated against because of age, disability, gender, race, religion, or other reason, you can contact the [Equality Advisory and Support Service](#) for advice.

## What information can help me challenge a decision?

When it comes to social care support, there are laws, rules and guidance that councils must follow.

On each page in this Handbook, you will find sections labelled **What the law says**

You can refer to these sections to help you make your case if you need to challenge a decision.

There are also standards called the SDS Standards. These are not laws, but describe how councils should act when it comes to social care support.

The Standards let you know what your council should be doing. It is very helpful to be aware of these Standards so you know what to expect from your local council.

If your experience of getting social care support is not meeting these Standards, you can use them when you speak with your social worker and other professionals. This can help you resolve any issues.

On each page in this Handbook, you will find sections labelled **What should happen**. These sections highlight the relevant Standards that describe what your experience should look like.

## Next steps

Contact your local Independent Support Organisation for help, if you want to challenge a decision. You can find their details using the [Find Help](#) search tool.

## Problems with this stage?

Many people are able to successfully challenge decisions about their social care support.

But we know that some common issues come up for people.

Here is what do to if any of the things below happen to you.

### **I was not told how to challenge a decision, or even that I could**

Your council should give you clear information on how to challenge decisions. We know that this does not always happen.

Even if you have not been told clearly or at all that you can challenge a decision, you can.

Explain to your social worker or the person you have been dealing with at the council that you are not happy with the decision and you want information on how to challenge it.

A local Independent Support Organisation or Advocacy Service can also help you.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local advocacy service [here](#).

### **I am trying to challenge a decision but getting nowhere**

Unfortunately, trying to understand or change a decision you do not agree with can be a frustrating process.

It is helpful to keep a record of all the times you try to contact someone about the issue, for example, emails, phone calls, attending enquiries desks, meeting requests.

It can also be useful to get help from a local Independent Support Organisation or Advocacy Service if you are trying to challenge a decision.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local advocacy service [here](#).

### **What should happen**

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

The Standards are not laws, but all councils have signed up to them so should work to uphold these standards.

When it comes to challenging decisions, here is what the Standards say:

- Council processes should be designed to make sure you have the right to challenge a decision and to make a complaint. (5.2)

- You should be supported to question and challenge decisions throughout your assessment, support planning and review processes, including your agreed personal outcomes. (5.4)
- There should be easy and transparent processes for making a complaint (5.8)
- Mediation (where someone separate from you and the council works with both of you to resolve any issues) should be supported and welcomed during the whole process of setting up support. (5.9)
- You should be supported to challenge decisions which do not uphold your human rights. This includes support to raise complaints to the Scottish Social Services Council (SSSC), the Care Inspectorate or the Scottish Public Services Ombudsman (SPSO). (5.10)

You can find the Standards [here](#).

## What the law says

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says:

- You should be supported to question and challenge decisions throughout your assessment, support planning and review processes, including your agreed personal outcomes.
- At each stage, you have the right to have accessible information, independent advocacy and mediation (where someone separate from you and the council works with both of you to resolve any issues).
- At every stage, you have the right to challenge a decision and to make a complaint.
- If you are still unhappy after raising a complaint informally, your council should tell you about their formal complaints procedure.
- You have the right to access a simple and easy-to-use complaints procedure if you feel you have been unfairly treated or you want to challenge a decision about your support.
- Your council has a duty to give you information about organisations and individuals who can provide independent advocacy services.

You can find the relevant parts of the guidance [here](#).

## Resources

Making an effective complaint to a public body (Public Law Project)

<https://publiclawproject.org.uk/content/uploads/2013/06/Complaints-Guide.pdf>

How to complain about a Public Service — SPSOs video guide

<https://www.spsso.org.uk/how-to-complain-about-public-service>

Equality Advisory and Support Service website

<https://www.equalityadvisoryservice.com/>

Scottish Public Services Ombudsman

<https://www.spsso.org.uk/>

Find a solicitor on the Law Society of Scotland website

<https://www.lawscot.org.uk/>

## If you are unhappy with your support

There may be times when you are unhappy with your support.

You should not feel like you have to make do with what you have. There may be other options for you to get the support you need, in a way that suits you better.

Find out more about what to do if you want to change your support or explore other options.

### **If your council arranges and manages your support for you**

If your council arranges and manages support for you, speak to your social worker to let them know you are not happy with your support.

Explain why you are not happy.

For example, is it a problem with the support workers? Is it a problem with the way the support is provided?

It is often best to try to resolve any issues informally first.

If you are still not happy, you can make a formal complaint to your council. Find out more in the article: [How to challenge decisions](#)

You may also want to consider taking more responsibility for arranging your support. Find out more about this in this section: [Your options for controlling your support](#)

### **If you use a support provider organisation or agency**

You may get support from a support provider organisation or agency, rather than services from the council.

If you are not happy with their service, you can contact them to explain why.

It is often best to try to resolve any issues informally first.

If you are still not happy, you can make a formal complaint to organisation. Find out more in the article: [How to challenge decisions](#)

If you want to explore getting support from a different organisation or agency, try to find out what is available in your area.

You can search the [Care Inspectorate website](#) for support providers.

A local Independent Support Service may also be able to help you find out what else is available.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

The Independent Support Organisation may also be able to support you to work with your current support provider or agency to try to sort out any issues.

You may also want to consider taking more direct control over your support by employing your own Personal Assistants. Find out more about this in this section: [Your options for controlling your support](#)

## If you employ Personal Assistants

If you employ Personal Assistants (PAs) and there is anything you are not happy about, there is support available to help you manage this.

You may be able to get help from a local Independent Support Organisation. You can find their details using the [Find Help](#) search tool.

You may also be able to get help from your insurance provider. They can often give advice about managing difficulties with PAs.

You can also read the [PA Employer Handbook](#), which has lots of information and advice about dealing with specific situations.

## Next steps

It can be helpful to speak to an Independent Support Organisation for help and advice if you want to change your support. You can find details for organisations like these using the [Find Help](#) search tool.

You can also read the information in the article: [How to challenge decisions](#)

## What should happen

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

These SDS Standards are not laws, but all councils have signed up to them. Councils should work to these standards.

When it comes to changing your support if you are not happy, here is what the Standards say:

- You should be supported to question and challenge decisions throughout your assessment, support planning and review processes, including your personal outcomes (the things that are important to you) (5.4)
- Your council should have an easy and transparent process in place for making a complaint (5.8)
- You should be supported to challenge decisions which do not uphold your human rights, including escalating complaints to the Scottish Social Services Council (SSSC), the Care Inspectorate or the Scottish Public Services Ombudsman (SPSO) (5.10)

You can read the full SDS Standards [here](#).

## What the law says

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says:

- If you get support from your council and you are not happy with it, your council should tell you how you can make a complaint using their complaints policy.
- You, your family and carers have the right to access a simple, timely and accessible formal complaints procedure if you feel you have been unfairly or unreasonably treated, or if you wish to challenge a decision that your council has made about your support.

You can read the part of the Guidance that says this [here](#).

## If your needs change

Once you have support in place, hopefully the support is helping you achieve the things that you agreed with your social worker are important to you.

Everyone's needs and circumstances change from time to time.

If there is a big change in your circumstances, it might mean you need more or less support, or support with different things.

Your social worker should usually do a formal review of your support at least once a year. Find out more in this article: [Reviewing your support](#)

### **If your needs change before you are due for a formal review**

If your needs change a lot before your next review is due, you can ask your social worker for a review sooner.

It is important to keep in mind that because social work services are very stretched, you may still have to wait some time for a review once you ask for one.

A review might not be a straightforward process and it can take some time to be completed.

## **What if I want to change how much control and responsibility I have for organising my own support?**

When support is first put in place, you can choose how much control and responsibility you want to have for arranging it.

You can choose from four Options depending on what is right for you and your circumstances.

You can find out more about these Options in this section: [Your options for controlling your support](#)

If your circumstances change, you might want to change the Option you use to organise your support. For example, you might not want to handle money directly any more. Or, you might want to take more control and responsibility for managing your support.

If you want to change the Option you use, you can ask your social worker for a review to look at different Options.

In some parts of Scotland, not every Option is always available. This might be because there are no care organisations locally that provide the type of support you need.

If this is the case, your social worker should still explain what the Options are and whether each one of them is available in your area.

Your social worker should still ask you how much control and responsibility you want to have in arranging your support.

Your social worker should work with you to enable you to have as close to the level of responsibility you want, as possible.

## **Next steps**

You can get help from a local Independent Support Organisation if you want to change your support.

Find their contact details using the [Find Help](#) search tool.

## **Problems with this stage?**

Many people are able to change their support when their needs or circumstances change.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

## **I asked for a review of my support but I've been waiting a long time**

Unfortunately, social work services are often very stretched, so you may wait a long time for a

review.

There is no legal guideline for when a review has to take place after you ask for one.

When you request a review, your council should tell you how long the waiting time will be.

You can ask for help from an Independent Support Organisation who may be able to speak to the council on your behalf to try to speed up the process.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

### **I was told I cannot have a review until my next one is due**

The law around social care says you can ask for a review of your needs if your circumstances have changed, at any time.

Unfortunately, this does not mean your council has to complete a review within a certain time.

It can be helpful to explain why you are asking for a review, and the impact on your life if your support is no longer meeting your needs.

It can be a good idea to speak to an Independent Support Organisation who can help you when it comes to changing your support.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

### **I was told I cannot change the Option I am using to organise my support**

The law says you can ask to use a different Option to organise your support at any time.

Your council has a legal duty to tell you about the four Options for organising your support.

In some parts of Scotland, it can be difficult to use some of the Options because there is a lack of support services.

Even if this is the case, your social worker should still work with you to find out how much control and responsibility you want to have in arranging your support.

Your social worker should enable you to have as close to the level of responsibility you want, as possible.

### **What should happen**

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

These SDS Standards are not laws, but all councils have signed up to them. Councils should work

to these standards.

When it comes to reviewing your support, the Standards say:

- Regular reviews will make sure that you are able to achieve your outcomes (the things that are important to you).
- This process involves reviewing your budget to ensure the amount, and the way it is being used, is enough to meet your outcomes.

You can find the full Standards [here](#).

### What the law says

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

Â It says:

- if your council becomes aware of a change in your circumstances (for example, you contact them to tell them your needs have changed), they have to offer you the chance to change the option you use to organise your support.

You can find the part of the law that talks about this [here](#).

### Resources

Search for a local organisation using Find Help  
<https://handbook.scot/sds-handbook/find-help/>

## Independent Living Fund

The Independent Living Fund provides funding support for disabled people in Scotland. This page explains what help is available and how to apply.

There are two parts to the Independent Living Fund:

- the Independent Living Fund
- the Transition Fund, for young disabled people between 16-25.

### The Independent Living Fund

The Scottish Independent Living Fund was created in 2015. It is designed to support individuals who have complex disabilities to live independently.

The fund was closed to new applicants for a long time, but re-opened in April 2024.

You can apply for the fund if you meet the following Access Principles:

- You live in Scotland.
- You are aged 16 years or over at the time of application.
- You access Self-Directed Support.
- You receive a net weekly budget of at least £800 per week.

Applications to the Independent Living Fund are made by your local council's social work department, on your behalf.

Visit the [Independent Living Fund website](#) for more information on the fund and how to apply.

## The Transition Fund

The ILF Scotland Transition Fund is available to help young disabled people between the ages of 16 and 25.

It is designed to help with the transition from leaving school or children's services. It helps children to be:

- more independent
- more active and engaged in their community
- more able to build and maintain relationships with other people.

The Transition Fund provides money for up to one year to support young people with a disability or impairment as defined by the Equality Act 2010.

Disabilities can include:

- Autism
- learning difficulties
- intellectual disabilities
- physical disabilities
- mental health (eg. anxiety or depression)
- hearing or visual impairments.

You can apply for the Transition Fund if you:

- Are between the age of 15 and 25 years old (if you apply at 15 you will not receive the money until you turn 16 and if you are 25 applications must be made before your 26th birthday).
- Will be resident in Scotland for the duration of the Transition Fund grant period
- Have an impairment or disability (as defined in the Equality Act 2010)
- Have less than £32,750 of personal savings.

People who have little or no formal support through their council or through Self Directed Support (SDS) will be prioritised.

Find out more about the Transition Fund and how to apply on the [Independent Living Fund website](#).

### Next steps

Find out more about the Independent Living Fund, or take a look at case studies of people who have used the Transition Fund, on their website in the **Resources** section below.

### Resources

The Independent Living Fund Scotland (ILF Scotland)



ILF Scotland provides funding support for disabled people in Scotland and Northern Ireland. They distribute public money from the Scottish Government and Department of Health in Northern Ireland.

<https://ilf.scot/>

Transition Fund case studies (ILF)

<https://ilf.scot/all-case-studies/case-studies-transition-fund/>

## Moving from children's services to adult services

Before your child is 18, their support is usually arranged through your local council's Children's Services. As your child gets older there will come a time when their support moves from Children's Services to Adult Services.

This change usually happens on their 18th birthday. But there will be a period of at least two years before they turn 18, when work is done to prepare for this change.

This period of overlap between the services, and the communication involved, is called the Transition period.

Transition can sometimes be a challenging process as things are changing, but there is lots of support to help you and your child navigate your way through.

As your child grows up, there will be lots of aspects of their life that you will need to think about. This might include:

- what they would like to do when they leave school
- their options of further education, work, or apprenticeships
- changes in benefits
- what support they and you need
- what can be expected from a legal point of view.

This page focuses on how the Transition should be managed to maintain the support your child needs. You can find other helpful resources at the bottom of this page to guide you about other parts of their life.

### **When should I start thinking about the Transition from children's to adult services?**

Moving from children's to adult services takes at least two years to plan. Children's and adult's service workers must have some overlap during the transition period.

Adult services must know your child is coming, and you must know who you will be working with.

You may already have a Child's Plan in place and be familiar with the Getting it Right for Every Child (GIRFEC) model of working.

If not, please ask your child's school about it. GIRFEC is the way to bring professionals together to plan for your child.

The professionals from adult services must be invited to attend the Child's Plan meetings at least one year in advance of them leaving school. It is vital that adult services professionals attend the Child's Plan meetings and have enough notice to ensure your child's support continues as smoothly as possible.

To attend the meeting one year in advance, those who need to be involved must be identified, invited to it, and have confirmed their attendance. This can take time, which is why it is helpful to start the conversation and transition planning early.

Some say it is never too early to start discussing next steps.

The professional contact you deal with in children's services should be able to find out who the contact will be in adult services. If they do not know, it is their job to find out.

Your Lead Professional (the main person you deal with about your Child's Plan) should make sure all this happens.

Parents and children should have met the professionals they are going to be involved with in adult services before their 18th birthday.

If this is not happening, you can contact the professionals, or get support from an advocacy organisation to help you. You can find your local advocacy service [here](#).

## **What might my child need support with as they become an adult?**

As your child prepares to leave school and move from children's to adult services, decisions will have to be made. This includes what they want to do next and what types of support they need in future to enable them to fulfil their potential.

Like with any young person, it is important for you and your child to think about what they would like to do as they get older. This includes exploring what options are available to them when they leave school.

If you and your child have a plan of what to do, this will make moving on a lot easier. It can be a really exciting time to explore what is out there and what is possible.

Those involved in the Child's Plan meetings can help you find out what exists and can help you explore options. Speaking to the careers adviser in school may also be helpful.

Researching yourself, discussing possibilities with your child and speaking to other parents can help you see what is possible.

All of this takes time, so the sooner you spend some time thinking about it and discussing it with

your child, the better.

Questions you might want to think about are:

- Will your child go to work, go to college, university, voluntary work, apprenticeship or other training programme?
- What support is needed for your child to do what they want?
- Will you and your child want to manage their own support, or might they go somewhere that has support already in place?
- Do you need to visit places to see if they are appropriate for your child? If so, this should be in the transition plan.
- Will anything need to be adapted? If so, this must be considered at least two years in advance, especially if building work must be done like adding a hoist or creating a suitable bathroom.
- What training might be needed for staff in your child's place of work or study?
- Does anyone from the college/ university/ workplace your child is interested in, need to be invited to the Child's Plan meeting to discuss the support they may need and how it can work.

### **Where can I get help with all this?**

Sometimes there can be a lot to think about and it might be hard to know where to start.

You can look online for ideas, talk to other parents, get in contact with places for more information, ask the professionals involved to help.

Often parents and their child can find the solutions that suit them best, and work with the professionals to get them in place.

You might also want to talk to an Independent Support Organisation who can help you and your child think about what they want to do when they get older, and the support they might need.

You can find details for these organisation using the [Find Help](#) search tool.

### **Next steps**

Take a look at the **Resources** section below for more help and advice around Transition.

### **Problems with this stage?**

Many people are able to navigate the Transitions process.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

### **I have difficulties dealing with all the professionals involved**

It can sometimes be difficult to deal with the professionals involved in your child's life.

They can have workload pressures of their own which means meetings get cancelled or re-arranged. Staff changes can slow things down too.

It is important to remember the professionals have certain duties they must fulfil, and they need to be held accountable. They also need to be supported by the wider group of professionals involved to make sure plans do not slip.

There may sometimes be disagreements between professionals about who should do what. It is helpful to keep them focused on finding solutions to make sure your child gets the support they need.

You and your child's experience of Transition will largely depend on the skill, knowledge and attitude of everyone involved.Â

Luckily, we are working in a time where the government acknowledges the importance of services working together to meet what a person needs. This should be encouraged.

Meetings should involve looking at sharing resources, reducing barriers and being creative.

There needs to be a good leader to drive things forward and keep on top of what everyone is doing.

This can be the Lead Professional (the main person you deal with on your Child's Plan), but it may also need you to work with them to make things happen.

You have a central role as you will most likely be the one most involved with all the services.

Remember you can get help from an Independent Support Organisation or advocacy service if you need it. You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local Advocacy service [here](#)

## What should happen

Through Getting it Right for Every Child (GIRFEC), the Lead Professional should ensure that all relevant professionals involved with your child are invited to the Child's Plan meetings.

This is where transitions should be planned and organised. They also should be working to make sure the relevant professionals come to the meetings and are held accountable for doing what they have said they will.

The Scottish Transitions Forum have produced principles of good transition which include:

- Planning and decision making should be carried out in a person-centred way
- Support should be coordinated across all services
- Planning should start early and continue up to age 25
- All young people should get the support they need
- Young people, parents and carers must have access to the information they need
- Families and carers need support
- A continued focus on transitions across Scotland.

You can find out more about the Principles of Good Transitions, including the laws that professionals are working to, on the [Arc Scotland website](#)

## What the law says

There are many laws that say what professionals must do when it comes to transitions, and it can be a complex area.

It is useful to know what the laws are as it lets you know what can be expected.

The main laws that talk about access to social care support are:

- (Self-directed Support) (Scotland) Act 2013
- Education (Additional Support for Learning) (Scotland) Act 2004

You can find a helpful summary of areas of the law that are relevant to transitions on the [Scottish Transitions Forum website](#).

## Resources

Transitions - The Compass tool from ARC Scotland  
<https://compass.arcscotland.org.uk/>

Transitions - Talking about Tomorrow website  
<https://www.talkingabouttomorrow.org.uk/>

## Moving from one part of Scotland to another

Moving home can be a life changing event, especially if you need support to live your everyday life.

If you are moving to another part of Scotland you will probably not be able to take your current support with you. But, your new council should find out what you need support with and work with you to put support in place to meet your needs.

Social care support works slightly differently in every council area, so you may also find the rules and procedures are different when you move.

## Planning to move to a different council area

When you know you are going to move, it is important to plan for the change to your support as soon as possible.

Contact your social worker to tell them you plan to move and ask for them to help arrange the support you will need.

If you do not have an allocated social worker, you will need to contact your council's Social Work Department to request support with the move.

### **What your current council needs to do**

Your current or 'home' council is responsible for paying for the care and support you need, until you are settled in your new area. Their responsibility lasts for the first three months after you move to your new area.

If you become settled in your new area before the end of the three months, your new council may take over responsibility for assessing your needs and arranging your support with you.

Your current council should contact your new council and request a transfer of your case.

A meeting should be arranged for:

- your current council
- your new council
- you (if you want to be involved)
- any carers or family members who support you
- your support providers, if you have them — both those who currently support you and those who might support you when you move.

This meeting will discuss your support and anything that needs to be considered by the new council. It is really important to do this if you have complex care needs.

### **Will I be able to access the same level and type of support in my new area?**

When the council in your new area becomes responsible for your support, they will do a new assessment with you to find out what is important to you and what you need support with.

Different council areas have different rules about who can get formal (paid) support.

You might find that you are not able to get the same support you have now, in your new area. You might be able to get less support or more support, depending on where you move to.

Different council areas also have different rules about how much they ask people to pay towards their support.

You might have to contribute more, or less, of your own money to pay for your support, depending on where you move to.

Find out more about paying for support in the article: [Paying towards your social care support \(care](#)

[charging\)](#)

## Support for unpaid carers

You might have an unpaid carer (a family member, friend or someone else who supports you).

If they are moving with you, they can request help from the new council area too. If they already have support in place, they can ask for this to be transferred as well.

Find out more in the article: [Adult Carer Support Plan/ Young Carer Statement](#)

## I am moving from another part of the UK to live in Scotland

The Governments of Scotland, England, Wales and Northern Ireland have written guidance for councils and Health and Social Care Trusts about people moving from one part of the UK to another.

This guidance says what they should do to make the process of arranging support in the new country as smooth as possible.

Find out more in the **Resources** section below.

## Next steps

You may be able to get help from a local Independent Support Organisation if you are planning to move.

You can find details of Independent Support Organisations in your current area, and in your new area, using the [Find Help](#) search tool.

## Problems with this stage?

Many people are able to sort out new support when they move to another part of Scotland.

But, we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

## My current council and my new council cannot agree on the transfer of my support

There are processes that managers in the new council area should follow if they do not agree with the transfer of your support.

You can find more information on the processes in the Resources below.

Both council areas should aim to resolve any disagreements about your support as quickly as possible.

### **I cannot get the same level of support in my new area**

If your new council has done an assessment with you, you can check the assessment to make sure all your support needs have been recorded.

If you want to challenge the decision about your support, find out more in the article: [How to challenge decisions](#)

You can also contact a local Independent Support Organisation in your new area for help. You can find their details using the [Find Help](#) search tool.

### **What should happen**

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

These SDS Standards are not laws, but all councils have signed up to them. Councils should work to these standards.

When it comes to moving from one part of Scotland to another, here is what the Standards say:

- Councils should work together to make sure that you can move from one council area to another while retaining a level of support that is enough to meet you agreed outcomes (11.7)
- Councils should work together to make sure there is minimum paperwork involved when people move from one council area to another. (11.8)

You can see the full Standards [here](#).

There is another piece of Guidance that your council should follow when you are moving from one area to another.

The guidance has been written by Social Work Scotland and is called: 'Ordinary Residence Best Practice Procedure — Transfer of adult care cases between Health and Social Care Partnerships/Authorities'.

This guidance is for adults only.

You can read the guidance [here](#).

Your council should also follow the Guidance issued by the Scottish Government.

This guidance is called 'Circular No: CCD 3/2015. Guidance on the recovery of expenditure on accommodation and services under section 86 of the Social Work (Scotland) Act 1968'.

You can see this guidance [here](#).

## What the law says

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says:

- You must have as much involvement as you want when it comes to assessing your support needs and planning your support.

This is the same whatever part of Scotland you live in.

You can find the full text of the law [here](#).

## Resources

Social Work Scotland guidance on transfer of adult care cases between Health and Social Care Partnerships/Authorities

<https://socialworkscotland.org/wp-content/uploads/2019/06/SWS-Ordinary-Residence-Transfer-of-cases-from-another-area-06.2019.pdf>

Scottish Government guidance on the recovery of expenditure on accommodation and services

<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2015/06/guidance-recovery-expenditure-accommodation-services-under-section-86-social-work-scotland-act-1968/documents/circular-ccd-3-2015-guidance-recovery-expenditure-accommodation-services-under-section-86-social-work-scotland-act-1968/circular-ccd-3-2015-guidance-recovery-expenditure-accommodation-services-under-section-86-social-work-scotland-act-1968/govscot%3Adocument/00477971.pdf>

UK Government guidance for when someone is moving from one part of the UK to another

<https://www.gov.uk/government/publications/continuity-of-care-when-moving-across-borders-within-uk/principles-for-maintaining-continuity-of-care-when-moving-across-borders-within-the-united-kingdom>

## Option 1

When it comes to arranging and managing your social care support, you can decide how much control and responsibility you want to have.

There are four options, designed to give you different levels of control and responsibility. You choose which option is best for you.

This article is about Option 1, also known as a Direct Payment.

You can find out more about the other options here:

[Option 2](#)

[Option 3](#)

[Option 4](#)

## **Option 1, also known as Direct Payment**

This is where your council pays an agreed amount of money directly to you, and you purchase support and other things that will help you meet your outcomes.

Your outcomes are the things you have agreed with your social worker that are important to you.

Option 1 is the Option with most control and flexibility. It is also the option where you have most responsibility, and where you handle the money yourself.

### **How does it work?**

As part of creating a support plan, you agree with your social worker how much money the council will give you as a Direct Payment.

You will be asked to sign a Direct Payment Agreement which is a legal contract between you and the council. This says that you agree to manage the Direct Payment according to the council's rules.

The council may pay the money into a separate bank account, but it is more likely to be put on a pre-paid card scheme, like Allpay.

The council will explain how the payment will be made and when. It could be paid to you in instalments, which means bit by bit, or in a lump sum.

You can use a Direct Payment in any way, if it will provide the support you have agreed with your social worker.

This could include:

- employing Personal Assistants to support you
- buying services from a social care support agency
- buying services from a registered support provider
- buying services from the council
- paying for other services (for example an exercise class), and breaks.

It is up to you to find the services, get in contact with them and agree the arrangements.

It is important that the services or support you buy will help you meet your personal outcomes.

Personal Outcomes are things that are important to you that you have agreed with your social worker, and that you need support to help you achieve.

### **Is this option right for me?**

If you choose Option 1, you will have lots of responsibilities, but there is also help available.

Part of your responsibility is to show the council that you are using the money to meet your outcomes.

You will need to keep records of what the money has been spent on.

If you are employing Personal Assistants, you should also show that you are being a good employer and meeting the legal responsibilities of being an employer.

You can ask for your Direct Payment to be paid to and managed by someone else (a third party). The council will check that the other person understands their responsibilities and that you still have control.

If you want to use a Direct Payment for some parts of your support, but not all of it, you can explore this by choosing Option 4 — read more about this option [here](#).

Independent Support Organisations and Carers' Centres (if you are an unpaid carer) can help you learn more about this option and think about if it's right for you.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local Carers' Centre [here](#).

### **Who can use this Option?**

Most people who are eligible for formal social care support through their council should be able to choose Option 1.

This includes adults, children and young people (up to the age of 16, a nominated adult manages the money), and people with any type of impairment or support need.

The law says the council must offer you the opportunity to use Option 1, unless:

- your safety would be put at risk by being given money directly
- you need long term residential care or nursing care
- you have had Option 1 in the past and it had to be stopped for some reason.

Option 1 must also be offered to unpaid carers who are eligible for support in their own right.

### **Where can I get help if I choose this Option?**

Independent Support Organisations and Carers' Centres (if you are an unpaid carer) can help you learn more about this option.

Some Independent Support Organisations can also help you manage the money, especially if you are going to employ people.

Find your local Independent Support Organisation using the [Find Help](#) search tool.

Find your local Carers' Centre [here](#).

If you are considering employing Personal Assistants (PAs), you can find out more about what this involves, and practical advice on dealing with different parts of the process, in the [PA Employer Handbook](#).

### **Next steps**

Take a look at the **Case study** section below to find out more about how Option 1 works and how people have used this option to manage their social care support.

### **Problems with this stage?**

Lots of people are given the information they need to decide whether Option 1 is right for them.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

### **I have been told I cannot get Option 1/ a Direct Payment**

By law, the council must offer you the option of using Option 1, unless:

- your safety would be put at risk
- you need long term residential care or nursing care
- you have had Option 1 in the past and it had to be stopped for some reason

If your council decides they are not going to offer you Option 1, they should explain clearly to you why this is.

The legal guidance given to councils say they cannot refuse you a Direct Payment (Option 1) if:

- you are disabled and this means it would be a challenge (even a significant challenge) to manage a Direct Payment
- you have dementia or a learning disability, or any other disability which means you would need extra support to manage a Direct Payment

The council cannot use any of these reasons to deny you the opportunity to use Option 1.

It is a good idea to get help from a local Independent Support Organisation, Carers' Centre or Advocacy Service if you have been told you can not get a Direct Payment and you think this is wrong.

Find your local Independent Support Organisation using the [Find Help](#) search tool.

Find your local Carers' Centre [here](#).

Find your local Advocacy service [here](#).

### **I was told Option 1 is the only option I can get**

Unfortunately, lots of support services are very stretched at the moment. This can make it hard to get the support you need through your council or a support provider, even if this is your preferred option.

We know that some people have been encouraged to use Option 1 to enable them to get support in place sooner. But, not everyone feels confident about taking on the responsibilities this brings.

If you are in this situation, you may find it helpful to speak to your local Independent Support Organisation. You can find their details using the [Find Help](#) search tool.

They may be able to support you to challenge your local council if you feel you are being pushed into Option 1.

They may also be able to offer you help to arrange support through Option 1. There is lots of help available if you are faced with using this option.

### **I have been told I cannot use my Direct Payment to buy certain things**

Direct Payments are designed to give you maximum flexibility in how you use it to meet your personal outcomes — these are the things that you need support to help you achieve.

You should agree your outcomes with your social worker as part of the assessment and support planning process.

It is a good idea to speak to your local Independent Support Organisation for help if you have been told you cannot spend your Direct Payment on certain things.

Find their contact details using the [Find Help](#) search tool.

### **Someone I know used a Direct Payment to pay for exercise classes, but I've been told I can not do the same**

You can only spend your Direct Payment on things that will help you meet your agreed outcomes.

One person's outcome might be to "stay fit and healthy", and so their social worker has agreed that paying for exercise classes will help them achieve this.

Making a case for what types of support will help you achieve your outcomes is not the same for everyone, and there are not always clear answers. It is a process of negotiation between you and your social worker.

It is a good idea to speak to your local Independent Support Organisation who can help you think about what you can spend your budget on to help you achieve your outcomes.

Find their contact details using the [Find Help](#) search tool.

### **I have been told I can only get a Direct Payment on a pre-payment card, not straight to my bank account**

Each council has their own rules about how they manage Direct Payments. Some councils require you to use a pre-payment card.

### **What should happen**

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

The Standards are not laws, but all councils have signed up to them so should work to uphold these standards.

When it comes to Option 1 (a Direct Payment), here is what the Standards say:

- You should be involved in the development of your budget and have maximum flexibility to use this in the way that you choose to achieve your agreed outcomes.
- You should be involved in making decisions about what you can and cannot spend a budget on.
- You should be able to spend your budget flexibly and creatively.
- You can spend your budget in any way that is legal and that is related to meeting your agreed personal outcomes.
- You can pool your budget with another person — this means you can use some of both your support budgets together to help the money go further.
- You cannot invest your budget in things like stocks and shares to generate income.
- You can be flexible about how you spend your budget. You do not have to spend the same amount every week or month. Your social worker might want to agree a limit for a maximum amount you can spend at any one time.

You can find a link to the Standards [here](#).

## What the law says

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says the council must offer you the option of using Option 1, unless:

- your safety would be put at risk by being given money directly
- you need long term residential care or nursing care
- you have had Option 1 in the past and it had to be stopped for some reason.

If your council decides they are not going to offer you Option 1, they should explain clearly to you why this is.

You can find the part of the law that explains this [here](#).

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

This guidance says what reasons councils cannot use for refusing someone a Direct Payment (Option 1):

- the council cannot refuse you a Direct Payment if you are disabled and your disability means it would be a challenge (even a significant challenge) to manage a Direct Payment.
- the council cannot refuse you a Direct Payment if you have dementia or a learning disability, or any other disability which means you would need extra support to manage a Direct Payment.
- The council cannot write their own policies to say they do not offer Direct Payments to certain types of people.

You can find the part of the guidance that explains this [here](#).

## Resources

SDS Dundee and Angus e-learning module

<https://rise.articulate.com/share/EgxG9c6j-lAH7SqjIwt9kw7ZSvFnCLsZ#/>

## Option 2

When it comes to arranging and managing your social care support, you can decide how much control and responsibility you want to have.

There are four options, designed to give you different levels of control and responsibility. You choose which option is best for you.

This article is about Option 2. You can find out more about the other options here:

[Option 1](#)

[Option 3](#)

[Option 4](#)

## **Option 2**

Option 2 is a way of choosing how your support budget is used, without managing the money yourself.

It's sometimes called the best of both worlds.

This is because it is half way between Option 1, where you handle the money yourself and Option 3, where you let your council choose what's best for you.

Option 2 is also sometimes called an Individual Service Fund, when your budget is managed by another organisation.

You may also find Option 2 described in other ways depending on where you live.

### **How does it work?**

When you create a support plan with your social worker, you will agree what you need support to help you achieve, and what your budget will be.

If you want to choose how to use your support budget, but you do not want the responsibility of managing money directly, Option 2 might be a good option for you.

In Option 2, an organisation holds your budget and manages the money on your behalf. This organisation could be your council or another organisation, such as a charity or support provider.

You choose how you want to be supported, who by, and how else you want to meet your outcomes. Your outcomes are the things you have agreed are important to you in your support plan.

An agreement should be written between you, your council and whatever support providers you choose, to describe how your outcomes will be met. This will include what budget you have available, and how the money will be managed.

### **Who can use this Option?**

Everyone who is eligible for formal social care support through their council should be able to choose Option 2. This includes adults, children and young people, and people with any type of impairment or support need.

Option 2 must also be offered to unpaid carers who are eligible for support in their own right.

Depending on where you live, there may be a limited number of organisations who can hold your budget and manage the money for you.

### **Where can I get help if I choose this Option?**

Independent Support Organisations and Carers' Centres (if you are an unpaid carer) can help you learn more about Option 2 and think about whether it is right for you.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local Carers' Centre [here](#).

There are different organisations who can hold your budget and manage the money for you. Ask your council for a list of organisations who do this in your area.

### **Next steps**

Take a look at the **Case study** section below to find out more about how Option 2 works and how people have used this option to manage their social care support.

### **Problems with this stage?**

Lots of people are given the information they need to use Option 2.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

### **I was not offered Option 2**

By law, your council must offer you all four Options to enable you to decide how much choice, control and responsibility you want to have when it comes to your social care support.

In some areas, there are not a lot of organisations who manage people's budgets if they choose Option 2. Even if this is the case, your council should give you all the information you need to choose whether Option 2 is right for you.

If you think you would like to use Option 2 but your council have not offered you it, it can be a good idea to speak to an Independent Support Organisation who can support you to challenge them.

Find details of your local organisation using the [Find Help](#) search tool.

### **I use Option 2 and my council says I have to choose from a list of approved support providers — but I want something else**

Some councils have a list of support providers they would like you to choose from. This list of support providers is also sometimes called a framework.

It can be helpful to use this list to give you an idea of what is available.

You do not have to choose from this list.

If you feel your outcomes (what is important to you) would be better achieved with support from someone else, or you have found local support that works for you, let your social worker know.

A local Independent Support Organisation, or the organisation that manages your budget for you, may also be able to let you know about other places you can get support from locally.

### **I use Option 2 but I do not have a written agreement about how it works**

Agreements between you, your council and any support provider you choose are not used everywhere, even though it is a good idea to have one in place.

Ask your social worker for one.

You and your support provider should have a copy of your support plan so they know how the money can be used.

### **I want to use another organisation to hold my budget and manage the money, but there are not many available in my area**

We know many organisations would like to hold Option 2 funds and handle people's support budget for them, but this can cost them money so they are less likely to offer this service.

Talk to your social worker and ask them to speak to the commissioning team in the council about this.

### **What the law says**

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says:

- If you are eligible for formal social care support, the council has to tell you about the four Options,

including Option 2.

- Councils, by law, have to explain what each of the Options mean and how they work.
- Councils also have to tell you about other people who can help you decide which Option you want to use.
- If you need help to make a decision about which Option is best for you, and you do not have another adult who is legally allowed to make decisions for you, the council has to take reasonable steps to help you make a decision.
- The council has to allow you to make a choice about which Option you prefer, even if making a choice is difficult for you.

You can see the full text of the law [here](#).

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says:

- Councils and social workers should not consider any of the four Options is better or preferable to the others.
- You should be empowered to choose the Option that works best for you.
- Your wishes and needs are the most important, even if you cannot make or understand decisions.

You can find the link to the part of the Guidance that talks about this [here](#).

## Resources

Search for a local organisation using Find Help

<https://handbook.scot/sds-handbook/find-help/>

## Option 3

When it comes to arranging and managing your social care support, you can decide how much control and responsibility you want to have.

There are four options, designed to give you different levels of control and responsibility. You choose which option is best for you.

This article is about Option 3.

You can find out more about the other options here:

[Option 1](#)

[Option 2](#)

## [Option 4](#)

### **Option 3**

Option 3 is the option where you are not responsible for arranging your support. You leave it up to your local council to arrange support for you.

You have the least direct control and choice with this option, but you should still be given as much choice as possible.

Your social worker should still ask for your views and take them into account, and involve you in decisions about your support if you choose this Option.

### **How does it work?**

After your assessment, your social worker will create a support plan with you, to agree what you need support to help you achieve.

If you choose Option 3, you let the council decide how best to support you.

You will not have to handle any money, and you are placing the trust in the council to manage your budget.

Option 3 can sometimes be the quickest way to get the support you need.

If you would prefer to use a different option, you should not feel pushed into letting the council arrange your support through Option 3.

### **Who can use this option?**

Everyone who is eligible for formal social care support through their council should be able to choose Option 3. This includes adults, children and young people, and people with any type of impairment or support need.

Option 3 must also be offered to unpaid carers who are eligible for support in their own right.

Depending on where you live, there may be a limited number of organisations who provide the support you need.

Your council should still take your views into account and try and find the best support for you, even if this is the case.

### **Where can I get help if I choose this option?**

Independent Support Organisations and Carers' Centres (if you are an unpaid carer) can help you learn more about Option 3.

These organisations can help you to think about if Option 3 is right for you, or if you would prefer to have more control and responsibility over your support.

### **Next steps**

Find your local Independent Support Organisation using the [Find Help](#) search tool.

Find your local Carers' Centre [here](#).

### **Problems with this stage?**

Lots of people are given the information they need to choose the Option that's right for them.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

### **I was told Option 3 was the only Option I could use, but I want more control**

The law says you should be offered all four Options, to enable you to choose how much control and responsibility you want to have when it comes to your support.

But we know that this does not always happen. Sometimes people are told they only have the option to have their council choose and arrange their support for them.

If you would like to know more about what other options you have, it is a good idea to speak to an Independent Support Organisation or Carer's Centre for help and advice.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local Carers' Centre [here](#).

### **My council has chosen and arranged my support but I am not happy with it**

If you use Option 3, your council should still take your views and preferences into account, even when they are organising the support for you.

Support services are often stretched, so sometimes there are not a lot of choices available, and the council decides to use what is available.

If you are not happy with your support, speak to your social worker and explain why.

An Independent Support Organisation, Carer's Centre or Advocacy service can also be able to help you speak with your social worker, or make a complaint if you want to.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local Carers' Centre [here](#).

You can find your local Advocacy service [here](#).

## What the law says

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says:

- If you are eligible for formal social care support, the council has to tell you about the four Options, including Option 3.
- Councils, by law, have to explain what each of the Options mean and how they work.
- Councils also have to tell you about other people who can help you decide which Option you want to use.
- If you need help to make a decision about which option is best for you, and you do not have another adult who is legally allowed to make decisions for you, the council has to take reasonable steps to help you make a decision.
- The council has to allow you to make a choice about which Option you prefer, even if making a choice is difficult for you.

You can find a link to the law [here](#).

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says:

- Councils and social workers should not consider any of the four Options is better or preferable to the others.
- You should be empowered to choose the Option that works best for you.
- Your wishes and needs are the most important, even if you cannot make or understand decisions.

You can find the link to the part of the Guidance that talks about this [here](#).

## Option 4

When it comes to arranging and managing your social care support, you can decide how much control and responsibility you want to have.

There are four options, designed to give you different levels of control and responsibility. You choose which option is best for you.

This article is about Option 4.

You can find out more about the other options here:

[Option 1](#)

[Option 2](#)

[Option 3](#)

## **Option 4**

This is the option where you can take control and responsibility for some parts of your support, but you leave the council to sort out the rest for you.

It is a mixture of Options 1, 2 and 3.

It is an Option designed around you that means you can take responsibility for the parts you want to and feel able to control. This gives you lots of flexibility.

This option might be a good fit for you if you want to use a Direct Payment for some parts of your support, but not for all of it.

### **How does it work?**

After your assessment, your social worker will create a support plan with you, to agree what you need support to help you achieve.

You then choose which parts of your support you want to have responsibility for, and which parts you are happy to leave to the council to sort out.

If you choose to use a Direct Payment for some parts of your support, this will mean you will handle money directly.

Find out more about this in the article: [Option 1](#)

### **Who can use this option?**

Everyone who is eligible for formal social care support through their council should be able to choose Option 4. This includes adults, children and young people, and people with any type of impairment or support need.

Option 4 must also be offered to unpaid carers who are eligible for support in their own right.

The only exceptions are that you cannot use a Direct Payment for part of your support if your council thinks:

- your safety would be put at risk by being given money directly
- you need long term residential care or nursing care
- you have had Option 1 in the past and it had to be stopped for some reason.

### **Where can I get help if I choose this Option?**

Independent Support Organisations and Carers' Centres (if you are an unpaid carer) can help you learn more about this option and think about which parts of your support you might want to take responsibility for.

### **Next steps**

Find your local Independent Support Organisation using the [Find Help](#) search tool.

Find your local Carers' Centre [here](#).

### **Problems with this stage?**

Lots of people are given the information they need if they want to use Option 4.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

### **My social worker said they did not know about Option 4 and how to set it up**

This Option is not very widely used, so some social workers are not experienced in how it works. They may need to get help to set it up.

This should not prevent you from using this Option if you want to.

Getting help from a local Independent Support Organisation or Carer's Centre (if you are an unpaid carer) is a good idea.

These organisations can help you think about what parts of your support you might want to take responsibility for, and help you work with your social worker to set this up.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local Carers' Centre [here](#).

## What the law says

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says:

- If you are eligible for formal social care support, the council has to tell you about the four Options, including Option 4.
- Councils, by law, have to explain what each of the Options mean and how they work.
- Councils also have to tell you about other people who can help you decide which Option you want to use.
- If you need help to make a decision about which option is best for you, and you don't have another adult who is legally allowed to make decisions for you, the council has to take reasonable steps to help you make a decision.
- The council has to allow you to make a choice about which Option you prefer, even if making a choice is difficult for you.

You can find a link to the law [here](#).

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says:

- Councils and social workers should not consider any of the four Options is better or preferable to the others.
- You should be empowered to choose the Option that works best for you.
- Your wishes and needs are the most important, even if you cannot make or understand decisions.

You can find the link to the part of the Guidance that talks about this [here](#).

## Paying towards your social care support (care charging)

Social care support is different from healthcare which you can get for free through the NHS. Depending on your circumstances, you may have to pay some of your own money towards the cost of your care and support.

If you are eligible for social care support through your council, you will be given a support budget after you have had an assessment.

This budget is how much your council thinks it will cost to provide the support you need.

You can find out more about this in the article: [Your support budget](#)

It is likely your council will pay for most of the support budget. But, you might have to put some of your own money into the budget too, to help pay for your support.

Whether you have to pay, and how much, depends on where you live and how much money you have.

This article explains when your council can ask you to pay towards your support.

### **What types of support might I have to pay towards?**

There are certain types of support you **cannot** be asked to pay towards. These are:

- Personal and nursing care, which is free for adults in Scotland who need it. Find out more about this here:

#### [Free personal and nursing care](#)

- Support for unpaid carers
- Support for people who are terminally ill
- Support for children, unless in very rare circumstances.

For other types of support, your council may ask you to pay towards it.

### **How much will I have to pay?**

How much you may have to pay depends on where you live and how much money you have.

Your council will do a financial assessment.

A financial assessment is where your council ask you to provide bank statements and other financial records so they can find out:

- How much you earn in wages
- How much you get paid in certain benefits
- How much you get from a pension
- How much you have in your savings.

If you are moving into a care home, your council will also look at the value of your home if you own your own home.

Each council area has different rules for how much they will ask you to pay towards your support.

All councils should have a copy of their charging policy on their website, or you can ask them for a copy.

Once your council has done the financial assessment they should give you a copy of it. This should

set out clearly how much you will be asked to pay and how they have worked this out.

## **Disability related expenses**

When working out how much you may be asked to pay towards your support, your council has to make sure you have enough money to live on.

If you are disabled or have a health condition, you may have extra costs involved in managing this. These are called disability related expenses and are things like:

- Medication and healthcare items like creams and incontinence pads
- Accessible vehicle costs
- Online shopping delivery fees — if you cannot go to the shops because of a disability
- Taxis if public transport is inaccessible
- Paying for an internet connection at home — if you need this for wellbeing or using disability aids
- Specially adapted clothing
- Extra laundry costs because of a disability or health condition
- Extra heating costs because of a disability or health condition.

If you have extra costs like these, your council should take them into account when it is deciding how much you can afford to pay towards your support.

If you can explain to your council about any disability related expenses you have, it may reduce the amount you have to pay towards your support.

You can find out more about disability related expenses in the link in the Resources section at the bottom of this page.

## **What if I do not want to have a financial assessment?**

If you refuse to have a financial assessment, your council can ask you to pay for all your social care support.

You may find it hard to talk about money with your council.

You can ask for a friend or family member to help you with your financial assessment.

You can ask for an advocate to support you with the process as well.

It is important that you try to give honest and open information about your finances to your council. This will help you get as much help as possible to make sure you do not pay more than you can afford towards your social care support.

## **Where can I get help with this?**

An Independent Support Organisation can help you prepare for a financial assessment.

They can help you understand what you might have to pay towards your support and anything you can do to reduce the amount you have to pay.

You can find your local Independent Support Organisation using the Find Help search tool.

It is also a good idea to check you are getting all the benefits you are entitled to. You can:

- use the online benefits calculator called [Turn2Us](#)
- ask your council if they have a team that can help you with benefits
- ask for help from the [Citizens Advice Bureau](#)

### **Next steps**

Take a look at the **Resources** section below or get in touch with your local Independent Support Organisation for more help and advice.

### **Problems with this stage?**

Many people get the information they need to help them understand what they have to pay towards their support.

But we know that some common issues come up for people. Here is what do to if any of these things happen to you.

### **I think I am paying too much towards my support**

If you think you are paying too much, the first thing to do is look at the financial assessment paperwork. This should tell you how the council have worked out how much they think you should pay.

If you think the council have not calculated this properly, ask them to review it.

You can also ask for help from a local Independent Support Organisation who may be able to help you with this.

You can find their details using the [Find Help](#) search tool.

### **My circumstances have changed and I cannot afford to pay as much towards my support**

If your circumstances change and you have less money coming in, ask your council to do another

financial assessment.

## Resources

Search for a local organisation using Find Help

<https://handbook.scot/sds-handbook/find-help/>

Guide from Age Scotland: Care and Support at Home - Assessment and Funding

<https://www.ageuk.org.uk/globalassets/age-scotland/documents/ia---factsheets/care/care-6-care-and-support-at-home---assessment-and-funding-june-2023.pdf>

Carers UK — Disability-related expenses

<https://www.carersuk.org/help-and-advice/financial-support/benefits-if-you-are-disabled-ill-or-injured/disability-related-expenses/>

## Reviewing your support

Once your support is in place, your social worker should check with you how it is going. This is called a review.

A review is about finding out how well your support is working and if anything needs to change.

People can sometimes be worried about reviews, especially if they think their support is going to change.

This page explains how to prepare for a review and where you can get help.

### How often will a review happen?

Your social worker should aim to do a review with you at least once a year.

Unfortunately, there are no laws that say how often a review has to happen.

Some people find they have to wait a long time for a review, sometimes even more than a year. Councils are given guidance that says they should aim to do a review at least every year.

You can also request a review if your needs or circumstances change.

Find out more in the article: [If your needs change](#)

## **What does a good review look like?**

A review should look at your outcomes. These are the things you agreed are important to you.

Your social worker should talk through your outcomes with you. Your social worker should check if your outcomes are the same or if they have changed.

You should also talk about your current support and if it is helping you meet your outcomes.

Your social worker should also ask you about how much control and responsibility you want to have for arranging your support.

A good review should also involve other people and professionals in your life. It is your choice if you are OK with this and want to do this.

An example of other people to involve in your review could be someone like your doctor. Your doctor may be able to share information about how your health has changed since your last review.

You should be given enough time to prepare for the review.

You should be given a copy of the paperwork about your review to see what has been recorded and agreed.

## **How can I prepare for a review?**

People are sometimes worried about reviews, especially if they think their support is going to change.

It is a good idea to spend some time preparing for your review. You can ask other people who support you to help.

You could think about:

- what is going well?
- how is your support helping you?
- is there anything that is not working?
- is there anything you would like to do differently?
- what has changed for you since the last time you had a review?

## **What happens after a review?**

If your review finds that your support needs to be changed, your social worker should create a new support plan with you.

If your support does not need to change, it will carry on until your next review.

If you are not happy with the way your review went, or any decisions about your review, you can challenge this.

Find out more in the article: [How to challenge decisions](#)

### **Where can I get help with this?**

You can have someone with you to support you at a review, like a friend or family member. You can also ask for an Advocate to be there to help put your views across.

It is also a good idea to speak to an Independent Support Organisation. They can help you prepare for a review.

### **Next steps**

You can find details of your local Independent Support Organisation using the [Find Help](#) search tool.

### **Problems with this stage?**

Many people are able to have regular, helpful reviews of their support. But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

### **I have not had a review in more than a year**

Unfortunately, there are no laws that say how often a review has to happen. Councils are given guidance that says they should aim to do a review at least once a year.

Reviews are especially important if your needs or circumstances have changed. If this is the case, explain this when you contact the council to ask for a review.

You can ask for help from an Independent Support Organisation who may be able to speak to the council on your behalf to try to speed up the process.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

### **My review did not look like the good review described on this page**

Unfortunately, we hear that some people's reviews feel rushed, or focus too much on their budget.

Sometimes it might feel like the review is focused on how much support you get, and not on whether

the support is helping you achieve your outcomes.

You can refer to the information in the 'what should happen' and 'what the law says' sections below. This explains how councils and social workers should manage reviews.

It can be a good idea to speak to an Independent Support Organisation when you are due to have a review. They can often support you with the process.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

## **I do not agree with the outcome of my review**

You can challenge any part of the process you do not agree with.

Find out more about how to challenge decisions in the article: [How to challenge decisions](#)

## **What should happen**

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

These SDS Standards are not laws, but all councils have signed up to them. Councils should work to these standards.

When it comes to reviews, here is what the Standards say:

- Reviews should be based on trust-based relationships and good conversations between you, anyone who helps you, and the person doing the review. (3.1)
- You should be supported to question and challenge decisions throughout your review, including your agreed personal outcomes. (5.4)
- Regular reviews ensure that you are able to achieve your personal outcomes. This process involves reviewing your budget to ensure the amount, and the way it is being used, is enough to meet the outcomes. (12.15)
- You and your family members or carers should have as much involvement as you wish in the way your budget is reviewed. You should have as much help as you need with the process. (12.1)

You can read the full SDS Standards [here](#).

## **What the law says**

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says:

- Reviews should be collaborative and you should be fully involved.
- You should be given enough time to prepare for a review.
- Reviews should focus on your outcomes — these are the things you have agreed are important to you.

- Reviews should focus on whether your support is helping you achieve your outcomes.
- Councils should aim to do a review at least every year.
- Councils should do reviews to help prevent people reaching crisis.
- If you need extra help in a review, your council should give you the option to have someone with you — a friend, family member or Advocate.
- Your council may want to speak to your family members or carers to help them find out if you are managing your support arrangements.
- If you have someone who legally makes some decisions for you (an attorney, guardian or parent), the council will want to discuss your support with them.

You can read the part of the Guidance that says this [here](#).

## Self-directed Support budget as part of your child's support

Once a Child's Plan has been agreed for your child, everyone involved will need to work out how the support will be provided.

Some supports may only be provided by statutory services (school, the NHS or services provided by local councils). Or if your child's support needs have been decided by a Children's Panel, they may impose certain types of support.

You and your child have a choice in how any other support is provided. You will be allocated a budget that will enable you to choose how best to provide the support needed.

### What can we use the budget for?

Every child and young person is different, so no two budgets will be used in the same way.

The budget has to be used to meet the child's assessed needs. It can be used as flexibly as the family wants to, as long it meets this need.

Quite often, families may use the budget to pay for one-off things to help meet their children's needs. One example is to pay for sports kit for the young person so they can take part in exercise that will help them stay healthy. There are many other examples.

If you know any other families whose child gets support, it may be helpful to speak to them to find out what they used their budget for. This will give you an idea of different things a budget can be used for.

You can also ask for advice from an Independent Support Organisation. These organisations are separate from the council and are there to help people get the support they need.

These types of organisation can help you think about what your child's budget could be used for, to meet their needs. You can search for your local organisation using the [Find Help](#) search tool.

It is important that you and your child work with the professional involved in creating your Child's Plan. You will agree together on what you are going to use your budget for, and agree how this will meet your child's needs.

### **Who is responsible for decisions about the budget?**

It is important that the views of the child or young person are listened to and taken into account throughout the process of assessment. This should be the same for making a Child's Plan, and deciding how support should be provided.

However, the person holding parental responsibilities and rights is the one who has legal responsibility to make decisions and manage the budget on their child's behalf. This is most often their parent.

Children aged 16 and 17 may manage their own budgets if this is deemed appropriate.

If a child or young person is not in the care of their parent/guardian, and is looked after by the local authority (council), it is handled differently. The Team Around the Child (which usually includes the person with parental responsibilities and rights) would discuss the best way of meeting their assessed needs, including budgets.

### **How much control and responsibility will I have around the budget?**

There are four options available when it comes to managing the budget. These are designed to give you as much control and responsibility as you wish in deciding how to use it.

You can find out more about the options and what they involve in this section: [Your options for controlling your support](#)

There are some circumstances where you may not be able to choose how much control and responsibility you want to have around the budget. For example, in cases where a child requires alternative care, or is subject to certain protective duties.

In these cases, the council's duty to safeguard the child's wellbeing is the most important. This will inform the nature of the Child's Plan and how that is delivered. This may still allow for some choice in aspects of that plan.

### **Will I have to contribute my own money towards the budget?**

Adults who need support can be asked to contribute some of their own money towards the budget.

When it comes to children and young people who need support, there are only very rare circumstances where this may happen.

## Where can I get help to understand how budgets work, and get support?

You may find it helpful to speak to an Independent Support Organisation. They can help you understand more about budgets and some can also help you manage a budget. You can search for your local organisation using the [Find Help](#) search tool.

Advocacy services can also help you and your child have your voices heard in meetings with professionals. You can find a local advocacy service [here](#).

## Next steps

Find out about the different options you have when it comes to managing your budget on the next page: [Deciding how much control and responsibility you and your child want around their support](#)

## Problems with this stage?

Many people are able to get the information and support they need when it comes to understanding and managing their child's budget.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

## I do not know what my child's budget is

You have a right to know what level of budget is available to you.

It is a good idea to contact an Independent Support Organisation who can help you work with the professionals involved with your child to make sure you get the information you need. Find your local organisation using the [Find Help](#) search.

## I do not think my child's budget is high enough

If you do not agree with the budget you have been allocated, speak to the professional(s) involved in the decision.

Again, it is a good idea to contact an Independent Support Organisation who can help you work with the professionals involved with your child to understand your budget. They may also be able to advise you on making a case for a larger budget. Find your local organisation using the [Find Help](#) search.

## The council says I cannot spend the budget in the way I want to

It is important that what you want to spend your child's budget on relates to meeting their needs as agreed in their Child's Plan. It helps if you can explain what difference that purchase will make to their life.

You can use the information in this Handbook to help explain that you should be able to use your budget flexibly.

You can find more information about the rules councils should follow around budgets in the **What should happen** section below.

You could also contact an Independent Support Organisation or Advocacy Service who can help you speak with the professionals involved about using your budget in a more flexible way.

## What should happen

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

These SDS Standards are not laws, but all councils have signed up to them. Councils should work to these standards.

When it comes to information about your support budget, here is what the Standards say:

- All decisions that affect your child's choices, support, and personal budget should be recorded and shared with you.
- Different people with similar circumstances may require different budgets depending on their own strengths, assets, and family and community supports.
- You should be told the likely level of the budget you will have available, regardless of how much control and responsibility you choose to have for managing your child's support.
- You and your child (if appropriate) should be involved in the development of your child's budget.
- You should have maximum flexibility to use your budget in the way that you choose to achieve the outcomes that have been agreed.
- The way your council decides who gets what in their budget should be transparent and fair, for everyone.
- You and your child should have as much involvement as you wish, and as much help as you need through the budget process.
- You also have the right to choose not to be involved in discussions about your child's budget, if you don't want to.
- If you want to, you should be able to find out how much budget you would get for each of the four Options (you can find out more about these in this section: Your options for controlling your support).
- Your council should make it easy for you to see and understand how your child's budget has been calculated.
- You should be involved in decisions about what you can and cannot spend your child's budget on.
- You should be able to be flexible and creative in how your child's budget is spent.
- You can spend your budget in any way that is legal and will help your child's needs be met.
- You can pool your budget with another person — this means you can use some of both your support budgets together to help the money go further.
- Councils should make an effort to keep administration processes around budgets simple and clear.
- If there are any administration problems when it comes to your budget, your council should sort these out as soon as possible and in an understanding way.
- You can be flexible about how you spend your budget. You don't have to spend the same amount every week or month. The professional working with you and your child might want to agree a limit

for a maximum amount you can spend at any one time.

- Your child's budget will be reviewed as part of the process of reviewing your child's support. This will make sure you are using it to meet your child's needs, and to find out if the budget needs to go up or down.

You can find the full SDS Standards [here](#).

## Support when you are coming out of hospital

If you have spent some time in hospital, you may need support when you leave, to help you with your day-to-day life.

This page gives some information about how to get support, and the options you have for managing this support.

**This information is for people who did not already have support in place before going in to hospital.**

If you already had support in place before going into hospital, find out more about how it works when you leave hospital in this article: [Going into and coming out of hospital](#)

### Getting ready to leave hospital

The process of leaving hospital is sometimes known as discharge.

If you did not have social care support before you went into hospital, but you are likely to need it when you leave, this should be arranged while you are in hospital.

To work out what you might need support with, you will have an assessment. This may involve several people including doctors, other medical professionals, a social worker or occupational therapist.

The assessment is about finding out what is important to you and what you may need support with once you leave hospital.

The hospital should also create a Discharge Plan with you.

You can ask for a copy of your Discharge Plan.

### Family members' and unpaid carers' role in getting ready to leave hospital

You may have people helping you, for example family members, while you are in hospital or when

you leave.

Your assessment should also find out what support anyone who is caring for you needs, once you leave hospital.

Family members and unpaid carers also have a right to be involved in planning your discharge from hospital.

### **If you need short term care for a few days or weeks**

If you need some help for a short time after leaving hospital, your local council may arrange some care and support. This is sometimes called reablement care.

In some areas, these services are free. In other areas, you may have to pay towards the costs.

You can ask your local council if you will have to pay and how much it will cost.

There may also be voluntary organisations who provide help for people moving home from hospital in your area.

### **If you need longer term care and support when you leave hospital**

A social worker or another professional will find out about the support you need to stay safe and well at home.

They will ask about any support you already have, such as help from family and friends. You should let them know if any support from family and friends is short term and will stop.

After this, the social worker or other professional will agree a support plan with you.

You can choose how much direct control and responsibility you and your family members want to take in arranging your support.

This is designed to give you the most flexibility so you can be supported in a way that suits you.

Your support plan should also take into account your wishes about the types of care and support you receive.

When you agree your support plan, you should be offered four Options that will let you choose how much control and responsibility you want to have.

These four Options are called Self-directed Support and is the way that all social care support is organised in Scotland.

You can find out more about these Options and what they involve in this section: [Your options for controlling your support](#)

## Moving from hospital into a care home

If the hospital wants to discharge you to a care home, you have the right to say yes or no to this. You should not feel under pressure to move to a care home, unless you feel it is an acceptable option for you.

If you want to return to your own home, your council should consider how to make this possible.

This [leaflet from the Scottish Government](#) explains more about your rights when it comes to choosing a care home.

## Next steps

Take a look at the **Resources** section below for additional reading about support when coming out of hospital.

## Problems with this stage?

Many people are able to have support put in place when they leave hospital.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

## I need support when I leave hospital but it is hard to get/ taking a long time

Unfortunately, it can sometimes be difficult to get the support you need straight away when you are due to leave hospital.

This might mean you end up staying in hospital for longer until support can be arranged.

It may also mean you have less choice about the type of support you need and who provides it when you first leave hospital.

The professionals dealing with you should still listen to what is important to you and your preferences. They should try to find ways to give you as close as possible to the level of control and responsibility for arranging your support that you want.

You may find it helpful to speak to an Independent Support Organisation when you are getting ready to hospital or once you are home.

These organisations can help you when it comes to arranging support and dealing with your council. Find details of your local Independent Support Organisation using the [Find Help](#) search tool.

## What the law says

The Carers' Charter explains the rights that unpaid carers have according to the law.

It says:

- Carers have a right to be involved in the hospital discharge process of the person they are or are going to be caring for.

You can read the full Carers' Charter [here](#).

## Resources

Coming out of hospital (Carers Scotland Factsheet)

[https://www.carersuk.org/media/14vm0g5x/coming-out-of-hospital-scotland\\_april-2023-24.pdf](https://www.carersuk.org/media/14vm0g5x/coming-out-of-hospital-scotland_april-2023-24.pdf)

The person you care for is being discharged from hospital (Coalition of Carers in Scotland)

<https://www.carersnet.org/wp-content/uploads/2021/06/6.-What-to-expect-when-the-person-you-care-for-is-discharged-from-hospital.pdf>

Ready for discharge? What happens next? A guide for patients, families and carers (Scottish Government)

<https://careinfoscotland.scot/wp-content/uploads/2023/02/read-for-discharge.pdf>

Moving from hospital to a care home: A guide for patients, families and carers (Scottish Government)

<https://careinfoscotland.scot/wp-content/uploads/2023/02/moving-from-hospital-to-a-care-home-1.pdf>

Hospital discharge in Scotland (Age Scotland)

<https://www.ageuk.org.uk/globalassets/age-scotland/documents/ia---factsheets/health-and-wellbeing/hwb-11-hospital-discharge-nov-2022.pdf>

Carers Charter (Scottish Government)

<https://www.gov.scot/publications/carers-charter/>

The Patient Advice and Support Service (PASS)

<https://pass-scotland.org.uk/>

## Thinking about what you need support with

At some point in life, many people will require some support with day-to-day life to help remain as independent as possible.

The type and level of the support you need will change with time. Sometimes you might need less or no help, and sometimes you might need more help.

Sometimes you might need support that has to be funded (paid for). At other times this support might be more informal support you can get in your community.

### **Thinking about what you need support with**

If you ask your council for an Assessment, they will discuss with you what you need support with.

It is important to take some time before the Assessment to think about what you need support with.

It can be hard to think about the support that you need when you are not sure if it exists or if you would be eligible for it.

It can also be difficult to describe your needs to another person, particularly when you do not know that person well.

You know yourself and your needs better than anyone else.

Everyone is different, so everyone will have a different idea of what a good life looks for them. Everyone will need support with different things.

As a starting point, think about the things that you need to help you live your life as you want to. You can ask family and friends to help you with this.

It is also a good idea to write down any support you already get from family and friends. Mention if you are both happy for this support to continue or if you need someone else to support you.

### **Thinking about what is important to you**

Your support should be built around what is important to you. These are often called Outcomes or Personal Outcomes.

Outcomes are the 'big picture' of what you want life to look like for you. They do not have to be big aims, it could be something as simple as:

- staying safe and healthy
- being independent
- having good mental health.

Thinking about what is important to you will help when it comes to your Assessment. It will help you and your social worker think about what types of support will help you lead the life you want.

### **Where can I get help with this?**

It is a good idea to speak to an Independent Support Organisation in your area. They can work with

you to find out about you, your life and what is important to you.

They can help you think about what a good life looks like for you and what you need support with, before your council does an Assessment.

You can find details of a local Independent Support Organisation using the [Find Help](#) search tool.

## Next steps

Take a look at the Workbook below to help you think about what you need support with.

Read the next page: [Your Support Plan](#)

## Resources

Workbook on thinking about your support plan

[https://www.in-controlscotland.org/files/ugd/fd9368\\_f9e56cd38b484df880d5df54bbd20c98.pdf](https://www.in-controlscotland.org/files/ugd/fd9368_f9e56cd38b484df880d5df54bbd20c98.pdf)

## Understanding a support budget

Once you have had an assessment, you should find out what is called your indicative budget. This is the rough amount of money you will have to pay for your support.

You can find out more about this part of the process here: [Your support budget](#)

This page explains more about your support budget and how it works.

### How is the amount of my support budget decided?

The person who does your assessment should find out what is important to you and what you need support with to live a full life. They will use this information to work out how much this support will cost.

They then give this information to a council committee.

The council committee has to look at the needs of everyone who needs social care support in their area and decide how to spread the money around fairly.

The council committee usually makes the final decision about how much your support budget should be.

The rules around social care support say your support budget should be fair, and enough to cover the level of support that you need.

### **Do I have to pay towards my budget?**

You may have to pay some of your own money towards your support budget. This depends on where you live, and how much money you have.

Find out more about this here: [Paying towards your social care support \(Care charging\)](#)

### **How do I find out what my budget is?**

Your social worker should tell you what your budget is. If you have not been told, ask them to give you the paperwork that explains your budget.

You have a legal right to this information.

### **What can I spend my budget on?**

Each council area has different rules for what you can and cannot spend your budget on.

Most councils have rules that say you can't spend your budget on things like:

- Anything illegal
- Paying off debts
- Food and drink
- Rent or mortgage.

Ask your council for information about any rules they have for what you cannot spend your budget on.

Councils should be flexible about what you spend your budget on, as long as it will help you achieve your outcomes. These are the things you have agreed with your social worker that are important to you.

In reality, some councils and some social workers are more flexible than others when it comes to what you can spend your budget on.

In some situations, you may have to make a case to spend your budget on something you think will meet your outcomes. An Independent Support Organisation, Carers' Centre or Advocacy Service can help you with this.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find your local Carers' Centre [here](#).

You can find your local Advocacy service [here](#).

### **How do I decide what to spend my budget on?**

Every person is different, so no two people's budgets will be the same. What you spend your budget on will depend on what is important to you that you need support to achieve.

The assessment process may help you decide what you need support with.

If you choose to manage your budget yourself, you decide how to spend it to meet your outcomes.

There are organisations who can help you decide and plan how to spend your budget. Find their details using the [Find Help](#) search tool.

If you choose to get help to manage your budget, you can work with the organisation that is managing it for you to decide how to spend it.

You can be flexible about how you spend your budget.

You do not have to spend the same amount every week or month.

Your social worker might want to agree a limit for a maximum amount you can spend at any one time.

### **What happens if I spend all my budget?**

You cannot ask your council for more money if you spend all your budget.

If you are managing your budget yourself, you need to plan to make sure you do not spend your budget too quickly.

You also need to make sure you keep enough spare in your budget to cover things like replacement support if your usual support is not available.

If someone else is helping you manage your budget, they should make sure you do not spend it too quickly.

### **What happens if I do not spend all my budget?**

There may be many reasons why you are not able to spend all of your budget. For example, if it is difficult to find services to support you.

Find out what happens in this article: [What happens if you do not spend all your support budget?](#)

## Next steps

Contact your local Independent Support Organisation for help to understand your budget.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

## Problems with this stage?

Some people will have no problems finding out their budget and getting support to understand it.

But we know that some people face problems with this part of the process.

Here are some issues we know sometimes come up:

### I do not know what my budget is

You have a right to know what level of budget is available to you.

It is a good idea to contact an Independent Support Organisation who can help you work with your social worker and make sure you get the information you need.

Find your local Independent Support Organisation using the [Find Help](#) search.

### I do not think my budget is high enough

If you do not agree with the budget you have been given, speak to your social worker.

Again, it is a good idea to contact an Independent Support Organisation who can help you work with your social worker to understand your budget and make a case for a larger budget.

Find your local Independent Support Organisation using the [Find Help](#) search.

### My council says I cannot spend my budget in the way I want to

It is important that what you want to spend your budget on relates to meeting your outcomes. It helps if you can explain what difference that purchase will make to your life.

You can use the information in this Handbook to help explain that you should be able to use your budget flexibly.

You can find more information about the rules councils should follow around budgets in the **What should happen** section below.

You could also contact an Independent Support Organisation or Advocacy Service who can help you speak with your social worker about using your budget in a more flexible way.

Find your local Independent Support Organisation using the [Find Help](#) search.

Find your local Advocacy Service [here](#).

## What should happen

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

These SDS Standards are not laws, but all councils have signed up to them. Councils should work to these standards.

When it comes to information about your support budget, here is what the Standards say:

- All decisions that affect your choices, support, and personal budget should be recorded and shared with you.
- Different people with similar circumstances may require different budgets depending on their own strengths, and the support they have in their life already from their family and community.
- You should be told the likely level of the budget you will have available, regardless of how much control and responsibility you choose to have for managing your support.
- You should be involved in the development of your budget.
- You should have maximum flexibility to use your budget in the way that you choose to achieve the outcomes you have agreed.
- The way your council decides who gets what in their budget should be transparent and fair, for everyone.
- You and the people who support you should have as much involvement as you wish, and as much help as you need through the budget process.
- You also have the right to choose not to be involved in discussions about your budget, if you don't want to.
- If you want to, you should be able to find out how much budget you would get for each of the four Options (you can find out more about these in this section): Your options for controlling your support
- Your council should make it easy for you to see and understand how your budget has been calculated.
- You should be involved in decisions about what you can and cannot spend your budget on.
- You should be able to be flexible and creative in how your budget is spent.
- You can spend your budget in any way that is legal and will help you meet your outcomes.
- You can pool your budget with another person — this means you can use some of both your support budgets together to help the money go further.
- Councils should make an effort to keep administration processes simple and clear.
- If there are any administration problems when it comes to your budget, your council should sort these out as soon as possible and in an understanding way.
- You can be flexible about how you spend your budget. You don't have to spend the same amount every week or month. Your social worker might want to agree a limit for a maximum amount you can spend at any one time.
- Your budget will be reviewed as part of the process of reviewing your support. This will make sure you are using it to meet your outcomes and to find out if your budget needs to go up or down.

You can find the full SDS Standards [here](#).

## What the law says

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says:

- your council has a legal duty to tell you how much your support budget would be for each of the Options that are available to you. You can read more about these options here: [Your options for controlling your support](#)

You can find a link to this part of the law [here](#).

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

When it comes to support budgets, this is the guidance councils must follow:

- You and your social worker should work together to make a plan for your care and support. Together, you will agree on your outcomes — in other words what you want to see happen in your life. The plan will help you work towards this, and should be reviewed regularly.
- The council should make sure that you have enough budget to achieve what has been agreed in the plan. You should be involved in decisions about your budget and have maximum flexibility to use this in the way that achieves what is most important to you.
- When you get a payment or budget for support, you should work with your council to agree how the money will be used. Both you and your council should use the money in the best way possible.

You can find the part of the Guidance that says this [here](#).

## Using this Handbook

This Handbook has been designed to help people who need to access social care support. It can also help family members or carers understand how it works.

The Handbook has been structured to give you the information you need at each stage of your journey.

When reading this Handbook, each step of your journey is broken into smaller and easier to manage pieces.

You can read through the stages in order, or you go straight to the information you are looking for.

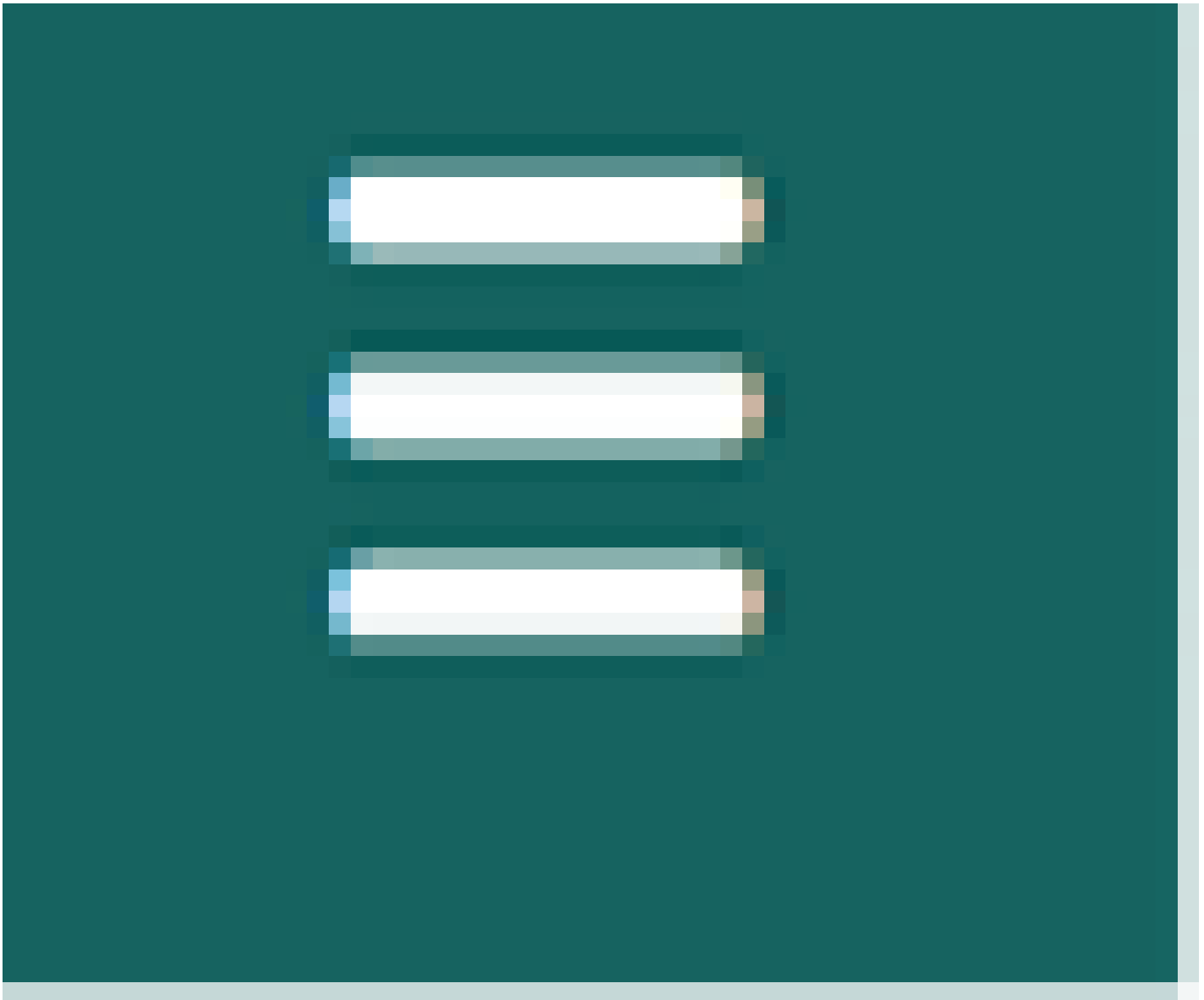
Please be aware that the order that the Handbook is structured in may not exactly reflect the conversations or processes you personally experience.

The Handbook is designed to help you understand the stages of the process. It will also give you

guidance about what to do if you have any difficulties at any stage.

### Search for information

You can also search for the information you are looking for using the search button. You will find this in the menu:





### Save and print information

You can download and print each article, a whole section, or the whole Handbook by clicking the "Print these articles" button. This button is at the bottom of the part you want to save.



**Print these articles**

If you are printing the Handbook, please be aware that some information can become out of date.

We recommend you check the online version regularly for updates.

### Give us your feedback

The Handbook is a live resource, meaning people are keeping it up to date all the time.

Please tell us if you found sections useful or if you think they need improvement. You can do this by using the feedback buttons on each page.

# Was this article helpful?



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## Who created this Handbook?

This Handbook has been put together by a team of people with experience of social care support, including people who use support and family carers. Professionals who work in different parts of the system have also contributed to the Handbook. Professionals who are also autistic have reviewed everything too to help make the information easier to understand.

You can see the logos of organisations who have contributed at the bottom of the page.

This website is hosted and maintained by Self Directed Support Scotland. You can find out more about them on the [Self Directed Support Scotland website](#).

## Next steps

Get started by looking at the section you need:

[Support for adults](#)

[Support for children and young people](#)

[Support for unpaid carers and young carers](#)

## Welfare benefits

People are sometimes worried that if they get a personal budget through Self-directed Support, this will affect their benefits.

The law says that any budget you get through Self-directed Support is not a benefit. It will not affect the amount you are paid in any benefits you already get.

### How can I check I am getting all the benefits I am entitled to?

There are lots of organisations who can help you check you are getting all the benefits you are entitled to.

You can:

- [Contact Citizens Advice Scotland](#) — online, on the phone or by visiting a local branch
  - Use the [Turn2Us online benefits calculator](#)
  - Ask your local council if they have a team who help people check their benefits — this is sometimes called an income maximisation team.
- [You can find contact details of your local council here.](#)

## Next steps

Find out more about how a support budget works here: [Understanding a support budget](#)

## Resources

Citizens Advice Scotland

<https://www.citizensadvice.org.uk/scotland/about-us/get-advice-s/>

Turn2Us benefits calculator

<https://benefits-calculator.turn2us.org.uk/>

Find your local council's contact details

<https://www.mygov.scot/find-your-local-council>

## What happens if you do not spend all your support budget?

Once you have had an assessment and completed a support plan, you will be allocated a support budget.

Sometimes, people are not able to spend all their budget. This is often called an underspend.

This can happen for a variety of reasons, including the lack of availability of support services.

### **What options do I have if I have not been able to spend all my budget?**

If you are not able to spend all your budget on what has been agreed in your support plan, you should be able to use it in other ways to meet your outcomes.

Your outcomes are the things you have agreed with your social worker that are important to you.

People sometimes find it difficult to get their social worker or council to agree to using their budget for something different.

You might find it helpful to speak to a local Independent Support Organisation or Advocacy Service for help and advice.

Find your local Independent Support Organisation using the [Find Help](#) search tool.

Find your local Advocacy Service [here](#).

In this video, Danielle talks about how she was not able to spend all of her budget, so agreed with her social worker it could be used to purchase Amazon Alexa technology to enable her to live independently:

```
{"@context":"http://schema.org/","@id":"https://handbook.scot/sds-handbook/#arve-youtube-spmtm3st37k-2","type":"VideoObject","embedURL":"https://www.youtube-nocookie.com/embed/spMTM3sT37k?feature=oembed&iv_load_policy=3&modestbranding=1&rel=0&autoplay=0&playsinline=0&autoplay=0"}
```

## **What happens if I still have not been able to spend it?**

Even if you have discussed what else you could spend your budget on, you might be in a situation where you have still not been able to spend it all.

If this happens, your council may ask for some of the money back. This is sometimes called a clawback.

If you have a Direct Payment (your council gives you cash and you manage this yourself), you will be asked to pay the money back to your council.

If your council holds your budget and manages it for you, they may take money back from it.

Your council should still let you know if they have not been able to spend all your budget and try to see if there is something else you can use it for.

If another organisation manages your budget, your council will ask them to pay back any money from your budget that has not been spent.

Your council and the organisation that manages your budget should let you know if you have not been able to spend it all. They should try to see if there is something else you can use it for.

The council should not take money back from you without telling you first.

## **Next steps**

It is a good idea to speak to an Independent Support Organisation or Advocacy Service if you have not been able to spend all your budget.

These types of organisation can help you think about other ways to spend your budget, or help you speak with your council about using your budget flexibly.

Find your local Independent Support Organisation using the [Find Help](#) search tool.

Find your local Advocacy Service [here](#).

## **Problems with this stage?**

Some people are able to use money left over in their budget for other types of support.

But we know that other people have difficulties doing this. Here is what do to if this happens to you.

## **My council says I can not spend my budget underspend on something else**

We know that some councils and some social workers have a traditional view of social care support.

This means that they might be reluctant to agree to you using your budget for something else, if you have not been able to spend it all.

It is unlikely your council will agree to you spending your budget on something that will not meet your outcomes (the things you have agreed with your social worker are important to you).

But if there is something else you want to spend your support budget on that was not in your original support plan, but you think will help you achieve your outcomes, you can make a case for it.

Your council might want to do another assessment of your needs before agreeing that you can spend your budget on other things.

You can show your social worker this page to explain that councils should be flexible when it comes to spending support budgets.

It can be helpful to get advice and help from an Independent Support Organisation or Advocacy Service.

Find your local Independent Support Organisation using the [Find Help](#) search tool.

Find your local Advocacy Service [here](#).

## What should happen

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

These SDS Standards are not laws, but all councils have signed up to them. Councils should work to these standards.

When it comes to spending a support budget, here is what the Standards say:

- You should be involved in the development of your budget and have maximum flexibility to use this in the way that you choose to achieve agreed outcomes.
- You should be informed and involved in making decisions about what you can and cannot spend a budget on.
- What you spend your budgets on should be fair, proportionate, legal, equitable, auditable and necessary to meeting personal outcomes.
- Flexibility and creativity in how a budget can be spent is encouraged.
- Regular reviews of your support will help make sure that you are achieving your personal outcomes. This process involves reviewing your budget to ensure the amount, and the way it is being used, is enough to meet agreed outcomes.
- Any recoupment (taking money back) from your budget should not be done without speaking to you first, and potentially a review or reassessment of your needs.

You can see all the Standards [here](#).

## What the law says

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says that:

- if you are not able to spend all your support budget, your council should clearly communicate this to you
- your council should discuss your budget with you and anyone who supports you
- your council should discuss with you if you can spend your budget in a different way to achieve your outcomes (these are the things you have agreed with your social worker are important to you)
- your council may want to do another assessment of your needs to see if you can spend your budget in a different way.

You can find the part of the Guidance that says this [here](#).

## What is Self-directed Support?

Self-directed Support is the name for how people get care and support in Scotland. It is often called SDS for short.

**All** types of care and support should be arranged following the rules of Self-directed Support. This is the same for everyone:

- SDS is for people of all ages, including children and older people.
- SDS is for all people, whatever type of support they need.
- SDS is for everyone in Scotland, wherever you live.
- SDS is also for unpaid carers who get support in their own right.

The name Self-directed Support comes from the law that says how people should get care and support in Scotland. The law came into effect in 2014 and is called the Social Care (Self Directed Support) (Scotland) Act.

### Why was Self-directed Support introduced?

Self-directed Support was introduced to give people who need care and support more choice, control and flexibility.

Before Self-directed Support, if someone needed care and support, usually their local council would arrange this for them. They did not have much say about how their support was provided.

The law was changed to say that all care and support should be arranged following the rules of Self-directed Support. This enables people to have more say about their support.

### Is Self-directed Support something different from social care support?

People sometimes think Self-directed Support is something separate from social care, but it is not. When the law is followed, all care and support should be arranged according to the rules of SDS.

Although Self-directed Support has been around for a long time, and is the law now, it is not always known about or understood by people involved in organising care and support.

This Handbook has been created to help explain Self-directed Support. It will help people who need care and support, and unpaid carers, understand their rights.

## **Next steps**

Find out more about how Self-directed Support came about in the next article: [How Self-directed Support came about](#)

## **What the words mean**

### **Advocacy/ Advocate**

Advocacy is support to help you be understood and have your voice heard.

An advocate can speak for you if you cannot speak for yourself.

### **Adult Carer Support Plan (ACSP)**

A plan for an adult who looks after a friend or family member.

The plan says what impact being a carer has on the person's life and what support they need to have a life outside their caring role.

### **Assessment (of need)**

A conversation to find out what you need support with.

### **Community Brokerage/ Brokerage**

Community Brokerage is a way of helping people take control of their own support.

It helps people make decisions about what help they need and how they want to be supported.

Community Brokers work in a range of organisations across Scotland.

### **Capacity**

The ability to make and understand decisions.

If someone lacks Capacity it means they are unable to fully make or understand decisions.

### **Care or support agency**

An organisation that provides workers to support people with their everyday life.

Agency workers change often.

If you get support from an agency, you are likely to be supported by different people each time.

### **Care or support provider**

An organisation that provides workers to support people with their everyday life.

### **Carer**

A carer or unpaid carer is someone who looks after a family member or friend who would not manage without their support.

Carers can be parents, partners, siblings, grandparents, other family members, friends or neighbours.

### **Centre for Inclusive Living (CIL)**

An organisation run by disabled people for disabled people.

They help disabled people have more choice and control over their lives.

### **Child's Plan**

A plan that says what a child needs to be able to have a good life.

## **Clawback**

If someone is not able to spend all their support budget, their council may take some of it back.

This is sometimes known as clawback.

## **Contingency budget**

Spare money in a budget to cover emergencies or unexpected things.

## **Direct Payment**

Money given directly to a person for them to pay for support.

A Direct Payment may go into a bank account or be put on a pre-payment card.

## **Eligibility criteria**

Rules that your local council uses to help them decide who can get social care support through them.

## **Financial assessment**

A test to find out how much money someone has.

This is used to decide if they should pay any of their own money towards their support, and if so, how much.

## **Framework**

A list put together by a local council of organisations which provide care and support.

Organisations on the Framework are ones that the council has decided are suitable for people to choose from.

If there is an organisation you want support from that is not on the Framework, you should not be prevented from choosing them.

Find out more here: [Option 2](#)

## **Getting It Right For Every Child (GIRFEC)**

A way of working in Scotland to make sure all children and young people are able to reach their full potential.

### **Good conversation**

A good conversation is what conversations about social care support are meant to look like.

It means social work professionals listening to you, being respectful, building trust with you and being honest.

It means taking time to find out about you and your life.

### **Guardianship order**

A way for someone to get the legal power to make decisions for someone who is unable to make decisions.

Find out more here: [Helping someone make decisions about social care support](#)

### **Health and Social Care Partnership (HSCP)**

A Health and Social Care Partnership is where the NHS, local council and other organisations working together in an area.

They manage the money that pays for health and social care for adults in that area.

### **Hospital discharge**

When someone is leaving hospital it is often known as hospital discharge.

### **Independent Living**

Independent Living means people of all ages having freedom, choice, dignity, and control.

It means fulfilling your rights to be part of society and live a full life.

It does not mean living by yourself or fending for yourself.

## **Independent Living Fund (ILF)**

Money to help disabled people pay for the support they need in Scotland and Northern Ireland.

Find out more: [Independent Living Fund](#)

## **Independent Support**

Help you can get from an organisation that is separate from the council.

Independent support can help you understand, set up and manage the support you need.

## **Indicative budget**

The rough amount of money you will have to pay for your support.

You should find this out once you have had an assessment.

## **Individual Service Fund**

Money set aside to pay for your support.

The money is managed by your local council or another organisation.

They manage the money but you make the decisions about your support.

## **Integration Joint Board (IJB)**

A group of people set up by the NHS and local council who help plan health and social care services in a particular area.

## **Lead Professional**

The main professional working with you and your child, if your child needs support.

## **Local Authority**

Another name for your local council.

## **Outcomes or Personal Outcomes**

The things that are important to you in life.

For example, staying healthy, staying safe, maintaining good relationships.

## **Peer Support**

People using their own experiences to help each other.

## **Personal Assistant**

A person you employ directly to support you.

## **Personal care**

Anything you need help with that is of a personal nature.

Examples are help to get washed, change clothes, go to the toilet.

Personal care also includes other things.

Find out more: [Free personal and nursing care](#)

## **Personalisation**

A word used to describe the way that support should be built around a person and what is important to them.

## **Personal Outcome Plan**

A plan that says what support someone needs to meet their Personal Outcomes.

These are the things that are important to the person in their life.

## **Power of Attorney**

If someone has Power of Attorney it means they have the legal power to make some decisions for another person.

Find out more: [Helping someone make decisions about social care support](#)

### **Re-ablement or Re-ablement care**

If you are leaving hospital and need help for a short time afterwards, this is sometimes called re-ablement care.

### **Resource Allocation System**

A system that is used by local councils to decide how much money each person in the area should get, to pay for their support.

It is meant to help councils treat people fairly and make sure there is enough money to go around.

### **Review**

The process of looking at the support you have and discussing whether it is working for you or needs to change.

Find out more: [Reviewing your support](#)

### **Section 23 Assessment**

A discussion to find out what a child needs support with.

It is sometimes called a Section 23 Assessment as this is the name that is used in the law about support for children in Scotland.

Find out more: [Assessment of your child's needs](#)

### **Self-directed Support/ SDS**

The name used to describe how social care support should be delivered in Scotland.

Self-directed Support is about giving people as much choice, control and responsibility as they want to have when it comes to their support.

## SHANARRI

Seven areas that are looked at to find out what a child needs to live a good life.

The letters stand for Safe, Healthy, Active, Nurtured, Achieving, Respected, Responsible and Included.

### **Social care support**

Care or support to help you live your life.

### **Social work practitioner or professional**

Local council social work teams are made up of people who have different job titles.

Social work practitioner or professional is the phrase used to mean any of these people.

It may include social workers, assessors, family support workers, care managers, social work assistants or others.

### **Support plan**

A plan that says what support an adult needs and how the support will be delivered.

Find out more: [Your Support Plan](#)

### **Transition**

Transition is most often used to talk about when a young person's support moves from Children's to Adult's services.

Transition can also mean other times when someone moves from one type of care and support to another.

For example, moving from being treated in hospital to getting support at home, moving into a care home, or moving to another part of the country.

### **Underspend**

When you are not able to spend all of your support budget.

## Unpaid carer

A carer or unpaid carer is someone who looks after a family member or friend who would not manage without their support.

Carers can be parents, partners, siblings, grandparents, other family members, friends or neighbours.

## Young carer

A Young Carer is someone under the age of 18 (or 18 years old and still at school) who looks after a family member or friend who would not manage without their support.

## Young Carer Statement

A plan for a child or young person who looks after a friend or family member.

The plan says what impact being a Young Carer has on their life and what support they need to have a life outside their caring role.

## Who does what (adults)

Arranging and managing social care support can be a complicated process, with lots of people involved.

There are lots of different people who can help you in different ways.

Find out who does what below.

## Social work professionals

Social work professionals have a main role in the process of arranging social care support.

Social work professionals include social workers, social work assistants, care managers, assessors, and people with other job titles.

Their roles include:

- Working with you to understand what your strengths are and what you need support with
- Completing an assessment for accessing funded social care support
- Working out an indicative support budget, which means the rough amount of money you will have

to pay for your support

- Helping you understand the options for arranging and managing your support
- Explaining where you can get help from organisations separate from the council
- Agreeing your support budget
- Completing reviews to check how your support is going.

## Local Authorities/ Councils

As well as social workers, the council is involved in social care support in other ways.

Councils have their own care and support services and if you choose to be supported in this way, you will get direct care and support from them.

Councils also have Finance teams who deal with anything to do with money. If you choose to manage your own support budget you will probably have contact with the council Finance team.

## Independent Support Organisations

In most parts of Scotland there are organisations which are separate from the council that can also help you.

Independent Support Organisations can give you advice, information and practical support with arranging and managing social care.

They have an in-depth understanding of the processes involved in getting support. They can often provide emotional support and understanding too.

Some Independent Support Organisations will advocate on your behalf and will communicate with professionals for you when you need help.

You can search for your local Independent Support Organisation using the [Find Help](#) search tool.

## Advocacy services

Advocacy services can support you in meetings and with communicating information to professionals.

They can help to make sure your views, wishes and needs are being fully understood.

You can search for a local advocacy service on the [Scottish Independent Advocacy Alliance website](#).

## **Other third sector organisations/ charities**

Other third sector organisations or charities can often provide you with different types of help and support.

Some charities focus on helping people with specific health conditions or needs, for example older people.

They may give you advice and information when it comes to social care support. They may also run support services or groups in your area.

## **Peer support**

In some parts of Scotland there are local peer support groups.

Peer support groups are groups of people who have similar needs. Many people in these groups will already use social care support, or have been through the process.

Peer support groups use their experience and knowledge to help others. These are sometimes also called Lived Experience groups.

It can be helpful to speak to people who are in the same situation as you and understand how it feels.

There are also some peer support groups online, for example Facebook groups.

You can search online for peer support groups in your area.

## **Care and support providers**

There are lots of organisations which provide direct care and support, to help with day-to-day life and support you to be independent.

Some of these care and support providers are charities and some are private businesses. Some specialise in care and support services for people with particular needs, for example, people with learning disabilities.

You may choose to be supported by a care and support provider or to get your care and support from the council.

You may choose to employ your own workers to support you, which are called Personal Assistants or PAs for short.

## **Healthcare professionals**

Healthcare professionals (such as GPs, physiotherapists, specialists, or consultants) may also contribute towards an assessment for social care support.

They do this by providing information about any health conditions you have and how this affects your life.

### **Occupational therapist (OT)**

In some councils, an occupational therapist (OT) may complete the assessment for accessing social care support.

Occupational Therapists may also contribute to an assessment by saying what a person needs to support them to live more independently, for example equipment or technology.

### **People involved in support for children and unpaid carers**

If you are an unpaid carer, or arranging support for a child or young person, there are likely to be other people involved.

Find out more in these articles:

[Who does what \(children and young people\)](#)

[Who does what \(unpaid carers and young carers\)](#)

## **Who does what (children and young people)**

Most children's needs are met by their parents, with the assistance of health and education services.

Some children need extra support to thrive and flourish, due to their particular circumstances or additional needs.

This page explains who may be involved when it comes to support for your child, and what their roles and responsibilities are.

### **Parent/ people with parental responsibilities and rights**

If a child is aged under 16, the people with parental responsibilities and rights, usually the parents, are responsible for meeting their child's needs.

If the child needs extra support, the people with parental responsibilities and rights are responsible for accessing this support. They must consider the child's views on what support they might need.

As the child grows up, the child should become more involved and take more responsibility for their support.

### **Child/ young person**

The child/ young person's views should be taken into account in any discussions about their support.

From age 16, young people who are able to make and understand decisions can choose how they receive their support. If they decide to manage their support through Option 1 (a Direct Payment, where they get cash to pay for support), they can manage this themselves or with help from someone else.

For young people who are unable to make and understand decisions, their parents or another adult need to apply for legal authority to receive the funding and continue to manage it on behalf of their child.

Find out more here: [Helping someone make decisions about social care support](#)

### **Healthcare professionals**

Various healthcare professionals may contribute to an assessment of your child's needs by providing information about any health conditions your child has and how this affects their life

This may include professionals like:

- GPs
- Physiotherapists
- Paediatricians
- Health visitors
- Child and Adolescent Mental Health Services (CAMHS)
- Occupational Therapists
- Speech and Language Therapists
- Community Children's Nurses.

### **Teachers/ education professionals**

Your child's teachers or other people involved in their education may also be involved in their support.

They may contribute to an assessment by providing information about what your child needs to access school or college.

## Social work professionals

Social workers have a key role in many aspects of helping children who need support. They have specific responsibility for completing an assessment of your child's needs. They may be supported in this role by others such as a social work assistant or family support worker.

The social worker will undertake an assessment of need along with you, your child and any other professionals working with you such as a teacher or health professionals.Â

## The Local Authority (Council)

The social worker, on behalf of your council, is responsible for ensuring that your Child's Plan is put into place, and reviewed.

Children and Families social workers (and those who work with them) often provide much of the support children need directly.

They may also access other council resources and services such as:

- support within school
- support in the community
- support from third sector organisations/ charities.

Councils also provide direct care and support services.

## Care and support providers

As well as care services provided by the council, there are other organisations which provide direct care and support, to help your child with day to day-to-day life. Some are charities and some are private businesses.

Some specialise in care and support services for people with particular needs, for example people with learning disabilities.

You can search for care and support providers on the [Care Inspectorate website](#).

## Personal Assistants

You may choose to take a Direct Payment to manage your child's support. This gives you the option to directly employ Personal Assistants to provide their care and support.

You can find out more about this here: [Option 1](#)

## Other third sector organisations/ charities

There are many third sector organisations and charities who support children and their families.

Some charities focus on helping people with specific health conditions or needs. They may give you advice and information when it comes to support for your child. They may also run support services or groups in your area.

## Independent Support Organisations

In most parts of Scotland there are organisations which are separate from the council, which can give you advice, information and practical support with arranging and managing your child's care.

They have an in-depth understanding of the process and often provide emotional support and understanding too.

Some organisations will advocate on your behalf and will communicate with key professionals when you need help.

You can search for your local Independent Support Organisation using the [Find Help](#) search tool.

## Advocacy services

Advocacy services can support you and your child in meetings and with communicating information to professionals. They can help to ensure the views, wishes and needs of you and your child are being fully communicated and understood.

You can search for a local advocacy service on the [Scottish Independent Advocacy Alliance website](#).

Local councils should also have a dedicated Children's Rights Officer who works to uphold your child's rights.

## Peer support

In some parts of Scotland there are local peer support groups for families whose children need support. They use their experience and knowledge to help others.

It can be helpful to speak to people who are in the same situation as you and understand how it feels. There are also some peer support groups for parents online, for example Facebook groups.

## Support for the family

If you are a parent, family member, unpaid carer or young carer, there are other people who can support you in this role too.

Find out more in the article: [Who does what \(unpaid carers and young carers\)](#)

## Who does what (unpaid carers and young carers)

Arranging and managing social care support can be a complicated process, with lots of people involved.

If you are an unpaid carer or young carer, you might be involved in organising social care support for someone else.

You can find more information about who is involved in these articles:

[Who does what \(adults\)](#)

[Who does what \(children and young people\)](#)

There are also lots of people who can help in different ways.

Find out who does what below.

## Carers' Centres

There are local Carers' Centres across Scotland. These organisations can provide you with information, advice and support to help you with your caring role.

They can help you with things like:

- helping you think about what you need support with
- helping you get a break from your caring role
- advising you on financial support for carers
- giving you information about support you can get as a carer/ young carer if you are in work or education.

Find your local Carers' Centre [here](#).

## National Carer Organisations

There are several national carer organisations in Scotland.

Many of these organisations offer specific types of support to unpaid carers and young carers.

You can find links to them in the **Resources** section at the bottom of this page.

## **Social work professionals**

Social work professionals have a main role in the process of arranging social care support.

Social work professionals include social workers, social work assistants, care managers, assessors, and people with other job titles.

If you are eligible for social care support in your own right as an unpaid carer/ young carer, they will be involved in:

- working with you to understand what your strengths are and what you need support with
- completing an assessment for accessing social care support yourself
- working out an indicative support budget
- helping you understand the options for arranging and managing social care support for you
- explaining where you can get help from an organisation separate from the council
- agreeing your support budget
- completing reviews to check how your support is going.

## **Independent Support Organisations**

In most parts of Scotland there are organisations which are separate from the council known as Independent Support Organisations.

These organisations can give you advice, information and practical support with arranging and managing social care for the person you care for.

They have an in-depth understanding of the process and often provide emotional support and understanding too.

Some organisations will advocate on your behalf and will communicate with professionals when you need help.

You can search for your local Independent Support Organisation using the [Find Help](#) search tool.

## **Advocacy services**

Advocacy services can support you in meetings and with communicating information to professionals.

They can help to ensure your views, wishes and needs are being fully understood.

You can search for a local advocacy service on the [Scottish Independent Advocacy Alliance website](#).

## Peer support

In some parts of Scotland there are local peer support groups for carers/ young carers.

It can be helpful to speak to people who are in the same situation as you and who understand how it feels.

There are also some peer support groups online, for example Facebook groups.

Your local Carers' Centre can tell you about any peer support groups in your area.

## Resources

Coalition of Carers in Scotland

<https://www.carersnet.org/>

Carers Scotland

<https://www.carersuk.org/scotland>

Carers Trust Scotland

<https://carers.org/our-work-in-scotland/our-work-in-scotland>

Shared Care Scotland

<https://www.sharedcarescotland.org.uk/>

Crossroads Caring Scotland

<https://www.crossroads-scotland.co.uk/>

MECOPP (Minority Ethnic Carers of People Project)

<https://www.mecopp.org.uk/>

Scottish Young Carers Services Alliance

<https://carers.org/young-carer-and-young-adult-carer-work-in-scotland/scottish-young-carers-service-s-alliance>

## Working out what your child needs support with

It can be hard to know what your child needs support with. This can be even harder to do if you are

not sure what support is available.Â

The advice on this page will take you through steps you can take, to work out what your child needs support with. This will help you prepare for an assessment of their needs.Â Â

### **Step one: Speak to a professional your child is involved with**

It is important to discuss what you think your child needs with either their doctor, health visitor, nursery teacher or school teacher. They can help confirm what you are seeing, share their views, hold meetings to discuss a plan and link you up with any other professionals that need to be involved.Â Â

It can be useful to keep a diary, to help you keep track of things that are difficult for your child and how they feel at certain times of the day or week.Â Â

This will help when you come to discuss things at a meeting and provide specific examples. Talk it over with anyone else that is involved with your child informally too.Â

At this stage it is helpful to become more familiar with what is generally expected of children's development at certain ages. This will help you communicate with your child's doctor, health visitor, nursery or school and discuss what you are seeing.Â

Working with you, they can provide a starting point to identify what your child might need support with. Once involved, they should be able to help you decide if other professions should be contacted.Â Â

These other professionals could be a range of people, and might include:Â

- social workÂ
- physiotherapyÂ
- occupational therapyÂ
- speech and language therapyÂ
- educational psychologyÂ
- vision supportÂ
- assistive technology professionals.Â

Â

### **Step two: Get help thinking about what your child needs support with through Getting it Right for Every Child (GIRFEC)**

Ask any professionals you are involved with about Getting it Right for Every Child (GIRFEC). Try not to be put off by the language used!Â Â

Getting it Right for Every Child (GIRFEC) is the national policy in Scotland aimed at supporting the wellbeing of children and young people. It is designed to help you work with professionals to identify what your child needs and put support in place.Â Â

GIRFEC provides a structure which includes meeting and discussing things with relevant people to

look at what your child needs. It looks at seven indicators of a child's wellbeing:

- Safe
- Healthy
- Achieving
- Nurtured
- Active
- Respected
- Responsible
- Included.

These seven areas are sometimes called SHANARRI. Looking at each of these areas with those involved with your child will help you decide what your child needs support with.

The GIRFEC structure provides an opportunity through regular meetings in nursery or school to look at:

- things that can influence how your child grows and develops
- what they need from those that look after them
- what they need to access the wider world.

Every child is different, so the support your child needs will be unique to them. It is important to think about what will make a difference to your lives.

Do not worry if what you think your child needs support with has not been done before. Sometimes the nursery or school will not have worked with any children that need what your child needs. It can be new for you all.

It is important to learn about how things work with GIRFEC and get familiar with terms such as:

- Lead Professional (the main person you will work with when it comes to support for your child)
- Child's Plan (the plan that sets out what your child needs support with).

If you can, take time to read the resources on this page, so that you are knowledgeable and ready to work with the professionals. This will help you make sure all professionals are accountable to you and your child.

You can also contact your child's nursery or school, or your council's social work department to say you would like GIRFEC explained. You can ask if they think a Child's Plan meeting should be in place, as you feel your child has additional support needs.

### **Step three: Find local activities and organisations designed for your child's needs**

Searching online for different local support groups and activities which your child can become involved with is a great opportunity to meet other parents in the same situation.

You can also ask at the Child's Plan meeting about activities and organisations that can support you

and your child in your local area.Â Â

Getting involved with these groups and activities can also help you learn more about what your child might need support with and what other support is available.Â Â

### **Next stepsÂ**

Take a look at the **Resources** section below for more information and advice to help you work out what your child needs support with.

**Read the next page: [Your Child's Plan](#)**

### **Problems with this stage?**

If things are going well, your Lead Professional will be organising the meetings. This includes making sure everyone attends, contacting people who are not attending, and making sure everyone completes any action they are supposed to take.Â Â

If things are going well, your child will be accessing the support they need and be able to develop to their full potential.Â

Many people have this experience.Â Â

We also know that some common issues come up for people.Â Â

Here is what do to if any of these things happen to you.Â

### **I do not feel confident or comfortable in meetings about my child's supportÂ**

Many parents can feel like this, especially when they are first having conversations about their child's support.Â Â

It may help to ask someone else to come with you to meetings.Â Â

You can take another family member or someone you trust.Â Â

You can also get more formal support through advocacy organisations.Â Â

It is important that you and your child's views are clear, and you may need someone to help you navigate the meetings.Â Â

Learning as a parent to work with professionals and understand their role and their boundaries is essential to working out what can be best provided for your child.Â

You can find a local Advocacy organisation [here](#).

### **It is hard to set meeting dates to move things along**

Once a meeting about a Child's Plan is established, dates should be set out for the next meetings for the rest of the year. You can remind people of this in the meeting to make sure it happens.

### **The professionals cannot attend the meetings or are busy**

If for some reason a professional cannot attend, and this is known in advance, they should email an update on their progress so it does not delay further progress.

If they are absent from work they should be contacted by the Lead Professional on their return and updated on progress and their input.

If someone is repeatedly not attending, their manager should be contacted. You may also have contact with them and can get updates.

Do not be shy to contact those that should be involved.

It is a good idea if you can be aware of what everyone is supposed to be doing and feed this back at meetings.

You can also contact professionals to help them progress their support for your child.

### **I find the Child's Plan hard to understand, or do not agree with it**

The Child's Plan should be written in such a way that you and your child can understand it.

It should also reflect what you want in it and have agreed to — it is your plan.

You can ask for things to be taken out, amended and rewritten.

Speak to your Lead Professional if you do not understand the plan, or do not agree with what is in it.

### **It feels like nothing is getting done**

You can encourage aims and goals to have a date set against them to be reviewed, so progress can be clearly seen.

Professionals involved with your child's support can be held accountable and explain why things are not happening.

You may find it helpful to speak with an Independent Support Organisation or advocacy service if you feel like things are not moving and you need support.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find a local Advocacy organisation [here](#).

### **I feel like my child's views are not being taken into account**

It is vital that your child's views and opinions are clear within their plan, so they can help design and choose what they need help with and how this can be met for them.

The actual Child's Plan meeting might not be a suitable environment for your child to attend due to the number of adults and language used. Sometimes there are difficult conversations that your child does not and should not need to hear. Your child does not have to attend.

Equally, your child's opinions are essential. It is important for you to discuss with your child before and after the meetings, what they want and what is important to them.

It is important that your child's wishes are communicated to the wider group, and that they understand what it all means to them.

### **The professionals disagree about who should do what**

Sometimes professionals may not know who is responsible for what and this may be debated in a meeting.

This may be uncomfortable for the parent (and child if attending). The Lead Professional can work with you to find out who is supposed to do what.

### **The professionals have decided something I do not agree with**

It is your role to challenge and remind them of what your child needs and wants, and be able to explain why.

You might find it helpful to speak with an Independent Support Organisation or Advocacy service who can help you and your child have your opinions heard.

You can find your local Independent Support Organisation using the [Find Help](#) search tool.

You can find a local Advocacy organisation [here](#).

### **What should happen**

The Scottish Government have published information on how GIRFEC should work in practice.

This says:

- If your child requires additional support your social worker, nursery contact or school contact should organise Child's Plan meetings.Â
- The Child's Plan should offer a simple planning, assessment and decision-making process which leads to the right help, at the right time.Â
- The Child's Plan should reflect the voice of the child or young person at every stage. It should include a clear explanation of why the plan has been created, the personalised actions to be taken and the expected improvement for the child or young person.Â
- The Lead Professional should work with children, young people and their families, and all of those involved in the Child's Plan. They should ensure that the support provided is regularly reviewed and evaluated for its effectiveness in the improvement of outcomes for the child or young person.Â

It says the Child's Plan should be clear on:Â

- which services or people will provide supportÂ
- who is accountable for that supportÂ
- the way in which that support will be provided.Â

You can read the information from the Scottish Government [here](#).

### What the law says

The law around support for children and young people is called the Children and Young People (Scotland) Act 2014.Â

This is the law that embeds the Getting it Right for Every Child (GIRFEC) approach in Scotland.Â

The law says that professionals working with your child should ensure that GIRFEC happens for your child.Â Â

This involves having a Lead Professional to take things forward, and regular Child's Plan meetings to progress support. All relevant professionals should attend and be held accountable through these meetings.Â

You can find the full text of the law [here](#).

Some children and young people with complex additional support needs may also have a Coordinated Support Plan (CSP) in place, if they meet the criteria for one. This law enables professionals from several agencies to plan together to meet a child's needs and to coordinate their support towards agreed learning targets.Â Â

The law that talks about this is called the Education (Additional Support for Learning) (Scotland) Act 2004. You can find the part of the law that talks about this [here](#).

### Resources

GIRFEC training and resources - Health and social care integration (Alliance)

<https://www.alliance-scotland.org.uk/health-and-social-care-integration/children-and-young-people/our-work/girfec-training-and-resources/>

Enquire - The Scottish advice service for additional support for learning

<https://enquire.org.uk/>

## Your Child's Plan

Once you have had an assessment of your child's needs, this may lead to a plan being put together.

The plan will set out what help and support is needed, and how the support will be provided. The plan is called a Child's Plan.

### How will the Child's Plan be put together?

In Scotland, there is a national approach to make sure all children are able to reach their full potential.

This way of working is called Getting it Right for Every Child — also known as GIRFEC. This is the Scottish Government's commitment to provide children, young people and their families with the right support at the right time.

The Child's Plan is a central part of the GIRFEC way of working. It means there is a consistent way across Scotland of helping children and their families think about what they need support with.

A professional involved with your family will work with you and your child to put together your Child's Plan.

Together, you will look at seven areas of needs. You will discuss what it would take to make sure your child is:

- Safe
- Healthy
- Active
- Nurtured
- Achieving
- Respected
- Responsible
- Included.

You might sometimes hear these called the SHANARRI indicators, named after the first letters of the words.

If it is decided that there is a need for support, whoever is working with you will ask these questions:

- What is getting in the way of this child or young person's wellbeing?

- Do I have all the information I need to help this child or young person?
- What can I do now to help this child or young person?
- What can my agency do to help this child or young person?
- What additional help, if any, may be needed from others?

The answers to these questions will form the basis of the Child's Plan.

The Child's Plan will include what actions need to happen, and who will do what. The plan could be made by a single organisation or different organisations working together.

Everyone involved should use all their skills and experience to meet the child or young person's needs.

If children, young people, and families need support from different organisations, this means making what is known as a multi-agency child's plan. This is where a Lead Professional is needed.

A Lead Professional is an identified person that will be the main contact with the family. They will take responsibility for bringing everyone together.

All decisions made about a Child's Plan should be based on the views of the child or young person, and their family. The plan should be in their best interests and respect their rights.

### **Where does Self-directed Support fit into my Child's Plan?**

Self-directed Support is the way that social care support is organised in Scotland. It is designed to give people as much choice, control and flexibility as they want when it comes to arranging their support.

Once you have agreed what your child needs support with and made a Child's Plan, a decision is needed for how this support will be put in place.

Some supports may only be provided by statutory services (school, the NHS or services provided by local councils). Or if your child's support needs have been decided by a Children's Panel, they may impose certain types of support.

You and your child have a choice in how any other support is provided.

Self-directed Support is often seen as only applying to children with a disability, but the law says it is open to all children.

Find out more about the options available to you and your child in this article: [Deciding how much control and responsibility you and your child want around their support](#)

### **Next steps**

Take a look at the **Resources** section below to find out more about the GIRFEC way of working and

the Child's Plan.

Read the next page: [Self-directed Support budget as part of your child's support](#)

### What the law says

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says:

- The law around Self-directed Support means that a child and their family are able to have choice and flexibility around support to meet the child's needs.
- If a child is 16 or older they have the right to make decisions about their own support and to choose how they wish to arrange this support.
- If the child is under 16 then the person with parental responsibilities and rights should usually make decisions about the child's support — unless there are reasons why this would not be appropriate.
- There are some situations where a child and their family may not be offered the four Self-directed Support options. For example if there are safeguarding and wellbeing concerns for the child. In this case the council may need to decide on the best care for the child.

You can find the part of the guidance that talks about this [here](#).

### Resources

Easy Read guide to Getting it Right for Every Child and the Child's Plan

<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2023/10/getting-right-child-girfec-practice-statement-girfec-chlds-plan-easy-read/documents/getting-right-child-guide-girfec-chlds-plan-easy-read-version-october-2023/getting-right-child-guide-girfec-chlds-plan-easy-read-version-october-2023/govscot%3Adocument/getting-right-child-guide-girfec-chlds-plan-easy-read-version-october-2023.pdf>

Scottish Government policy on the Child's Plan

<https://www.gov.scot/policies/girfec/chlds-plan/>

Getting it right for every child (GIRFEC) and the Child's Plan (Scottish Government)

<https://www.gov.scot/publications/getting-right-child-girfec-practice-statement-girfec-chlds-plan/pages/3/>

Getting it Right for Every Child wellbeing resources (SHANARRI)

<https://www.gov.scot/publications/shanarri/documents/>

### Your support budget

## What is a support budget?

Your support budget is the amount of money your council decides is the right amount to pay for the support you need.

## How do I find out what my budget is?

Once you have had an assessment, you should find out your "indicative budget". This is the rough amount of money you will have to pay for your support.

Knowing your indicative budget will help you when you make your support plan.

Find out more about making your support plan here: [Your Support Plan](#)

When you have made your support plan based on your indicative budget, this will be agreed and signed off.

Your indicative budget will be tweaked up or down depending on the costs in your support plan. Then you will know what your agreed support budget is.

## What can I use my support budget for?

It is important that you and your social worker are clear on what you are going to use your budget to purchase, and agree that this will meet your outcomes (the things that are important to you).

You should be able to be flexible in how you use your support budget. You do not need to use a budget to purchase a certain number of hours of support. You can purchase the support that means most to you.

Find out more here: [Understanding a support budget](#)

## Who decides how my budget should be used?

You can choose how much direct control and responsibility you want to have for managing your budget.

- You can decide how to use your budget, and handle the money yourself (with help if from someone else if you need it)
- You can decide how to use your budget, but get someone else to handle the money for you
- You can let your council decide how best to use your budget.

The amount of budget you get may be different depending on which of these options you choose.

This is because it costs different amounts of money to arrange support in different ways.

Find out more in this section: [Your options for controlling your support](#)

## What should I know about my budget?

It is a good idea to ask your social worker these questions to understand more about your budget:

- How long will the money be available to you?
- What can the budget be spent on?
- Does the council have rules about what you cannot spend your budget on?
- Will you manage your budget yourself, or is someone else going to manage it?
- If you are managing it yourself, how often they will give you the money? Is it weekly, monthly or every three months?
- What are your responsibilities around managing your budget?
- What guidance and support can they give you about managing the money?

Your council should also tell you about other organisations who can help you understand and manage your budget.

## Will I have to pay some of my own money towards my support budget?

Depending on where you live, you might need to put some of your own money towards your support budget. Children and unpaid carers should not have to do this.

Find out more about paying towards your support here: [Paying towards your social care support \(care charging\)](#)

## Next steps

Find out more about support budgets and where to get help, here: [Understanding a support budget](#)

## Problems with this stage?

Some people will have no problems finding out their budget and getting support to understand it.

But we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

## I was not told what my budget is

You have a right to know what level of budget is available to you.

It is a good idea to contact an Independent Support Organisation who can help you work with your

social worker and make sure you get the information you need.

Find your local Independent Support Organisation using the [Find Help](#) search.

### **I do not agree with the amount of budget I have been given**

If you do not agree with the budget you have been given, speak to your social worker.

Again, it is a good idea to contact an Independent Support Organisation who can help you work with your social worker to understand your budget and make a case for a larger budget.

Find your local Independent Support Organisation using the [Find Help](#) search.

### **My council says I cannot spend my budget the way I want to**

It is important that what you want to spend your budget on relates to meeting your outcomes. It helps if you can explain what difference that purchase will make to your life.

You can use the information in this Handbook to help explain that you should be able to use your budget flexibly.

You can find more information about the rules councils should follow around budgets in the **What should happen** section below.

You could also contact an Independent Support Organisation or Advocacy Service who can help you speak with your social worker about using your budget in a more flexible way.

Find your local Independent Support Organisation using the [Find Help](#) search.

Find your local Advocacy Service [here](#).

### **I have been told I have to pay towards my support budget, but I do not feel I can afford this**

There are things you can do to check you are getting all the money you are entitled to.

And there are things you can do try to reduce the amount of money you have to pay.

There are organisations who can help you if you feel you are paying too much towards your support.

Find out more here: [Paying towards your social care support \(care charging\)](#)

### **What should happen**

The SDS Standards give guidance to local councils to tell them what they should do when it comes

to arranging social care support (Self-directed Support).

The Standards are no laws, but all councils have signed up to them. Councils should work to these Standards.

When it comes to information about your support budget, here is what the Standards say:

- All decisions that affect your choices, support, and personal budget should be recorded and shared with you.
- Different people with similar circumstances may need different budgets depending on their own strengths, and the support they already have in their lives from their family and community.
- You should be told the likely level of budget you will have, regardless of how much control and responsibility you want to have for managing that budget.
- You should be involved in the development of your budget and have maximum flexibility to use this in the way that you choose to achieve your outcomes (the things that are important to you).
- The way your council decides how much money each person gets in their budget should be fair and transparent.
- You and the people who help you can be as involved as you want to be, and get as much help as you need, when your budget is being agreed and reviewed.
- You have the right to choose not be involved in discussions about your budget.
- The amount of your budget should be the amount your council thinks is fair and will be enough to cover the costs of the support you need to meet your outcomes (the things that are important to you).
- You should have clear information about what you can and cannot spend your budget on.
- You should be involved in decisions about what you can and cannot spend your budget on.
- How you spend your budget should be fair, proportionate, legal, equitable, auditable and necessary to meeting personal outcomes.
- You should be able to be flexible and creative in how you spend your budget.
- Your budget can be spent in any way that is legal and that is related to meeting your agreed personal outcomes (the things that are important to you).
- You can pool your budget with another person — this means you can use some of both your support budgets together to help the money go further.
- Councils should make an effort to keep administration processes simple and clear.
- If there are any administration problems when it comes to your budget, your council should sort these out as soon as possible and in an understanding way.
- You can be flexible about how you spend your budget. You don't have to spend the same amount every week or month. Your social worker might want to agree a limit for a maximum amount you can spend at any one time.
- Your budget will be reviewed as part of the process of reviewing your support. This will make sure you are using it to meet your outcomes and to find out if your budget needs to go up or down.

You can find all the SDS Standards [here](#).

## What the law says

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says:

- Your council has to, by law, tell you how much your support budget would be for each of the Self-directed Support Options. These are the Options that let you decide how much control and responsibility you want to have for managing your budget. The budget you get may be different depending on which option you choose.

You can access the full text of the law [here](#).

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

When it comes to support budgets, the Statutory Guidance says:

- Your council should make sure you have enough money to achieve what has been agreed in your support plan.
- You should be involved in decisions about your budget.
- You should have maximum flexibility to use your budget in the way that achieves what is most important to you.
- When you get a budget, you should work with your local council to agree how the money will be used.
- You and your council should use the money in the best way possible.

You can read the full Statutory Guidance [here](#).

## Resources

SDS factsheet: Money - finding out how much you will get (In Control)

[http://s557941885.websitehome.co.uk/wp-content/uploads/2017/06/03-Fact-Sheet.pub\\_.pdf](http://s557941885.websitehome.co.uk/wp-content/uploads/2017/06/03-Fact-Sheet.pub_.pdf)

## Your Support Plan

Your Support Plan is the document that describes the support you need that has been agreed.

Different councils sometimes use different names for a Support Plan. Depending where you live, it might be called something like:

- Outcome Plan
- Care Plan
- All About Me
- My Life
- My Life, My Plan.

## What is in a Support Plan?

Your Support Plan should include all the details about your support that have been agreed with your social worker.

It should say:

- What is important to you (sometimes called your Outcomes)
- What types of support you need to help you achieve this
- How your support budget will be spent
- How much control and responsibility you will have for arranging your support
- How your support will be arranged and managed.

### What does a good Support Plan look like?

Your Support Plan can be recorded in any way, whatever suits you best. It could be written down, on film, drawn, or displayed in another way.

A good Support Plan should be based on a description of the support you need and not the amount of time you have been given for you to receive support each week.

A good Support Plan should be positive, and not just based on what you cannot do. It should include information about what you can do, and what else you want to do with help.

A good Support Plan should include details of what informal support you already get as well as formal, funded support.

A good Support Plan should include details of how your support should be provided.

For example, if you need support showering, this should include details of how you should be supported to take a shower. It should not say just 'shower'.

You should get a copy of your Support Plan (if you want it) and it should be an accurate summary of what has been agreed with you.

### Will my Support Plan change?

A Support Plan should change as you go through life. It should be reviewed and updated regularly by you and your social worker.

Find out more about reviewing your support in this article: [Reviewing your support](#)

### Next steps

You can get an idea of what a good Support Plan should include in the **Resources** section below. This is just one example — everyone is different so every Support Plan will be different.

You can also read the guide that describes what a good Support Planning process should look like in the **Resources** section below.

There are local Independent Support Organisations who can help you when it comes to creating a Support Plan. You can find their details on using the [Find Help](#) search tool.

**Read the next page:** [Your support budget](#)

### **Problems with this stage?**

Many people are able to make a Support Plan that works for them, but we know that some common issues come up for people.

Here is what do to if any of these things happen to you.

### **I do not understand my Support Plan**

Your Support Plan should be written or created in a way you understand. The law says your council has to do this.

If you do not understand your Support Plan, you can go back to the person who created it with you and ask them to change it.

You can also get help from a local Independent Support Organisation or Advocacy Service to understand your Support Plan.

You can find details of your local Independent Support Organisation using the [Find Help](#) search tool.

You can find details of a local advocacy service [here](#).

### **I do not agree with my Support Plan**

If you do not agree with your Support Plan you can go back to the person who wrote it with you and ask them to change it.

Your Support Plan should be an accurate record of what you have discussed and agreed with your social worker.

You can also get help from a local Independent Support Organisation if you want to challenge your Support Plan. You can find their details using the [Find Help](#) search tool.

### **I need to change my Support Plan**

Your Support Plan should be regularly reviewed — at least once a year.

If your needs or circumstances have changed and you need to change your Support Plan, you can ask your council for a review.

Find out more here: [Reviewing your support](#)

## What should happen

The SDS Standards give guidance to local councils to tell them what they should do when it comes to arranging social care support (Self-directed Support).

These SDS Standards are not laws, but all councils have signed up to them. Councils should work to these standards.

When it comes to creating a Support Plan, here is what the Standards say:

- Support planning should be based on trust-based relationships and good conversations between you, anyone who helps you in your life and social work professionals. (3.1)
- What matters to you is central to agreeing your personal outcomes (the things that are important to you) which should then be recorded in your support plan. (3.3)

You can read the full Standards [here](#).

## What the law says

The law about social care support is called the Social Care (Self Directed Support) (Scotland) Act 2013.

It says that:

- You must have as much involvement as you want to when it comes to assessing your needs and deciding what types of support you need.
- Your council should work together with you when it comes to assessing your needs and creating a support plan.

You can find the full text of the law [here](#).

The SDS Statutory Guidance is legal guidance written for local councils to tell them how social care support (Self-directed Support) should work.

It says:

- The Support Plan is a key document which is a personalised record of what matters to you, including your personal outcomes and how these will be met.
- Your Support Plan should talk about your strengths, the help you already have in your life, and your human rights.

Your Support Plan should cover:

- the things that you have agreed are important to you (your personal outcomes)
- the resources (money and other things) which will help to meet your outcomes
- the choices available to you to arrange your support.

- Your Support Plan may be developed in any type of format that you understand.
- You should be able to use your Support Plan as a reminder of what has been agreed. Your council should also use your Support Plan as a reminder of what has been agreed. Other people involved in your life should also be able to access your Support Plan (if you are OK with this).
- You and anyone involved in your Support Plan should be able to review it, add to it, and make changes over time.
- Your Support Plan should focus on what you want to achieve with the right help, rather than simply putting arrangements in place to stop things from getting any worse.

You can find the part of the SDS Statutory Guidance that talks about this [here](#).

## Resources

An example support plan

[https://www.sdsoptionsfife.org.uk/uploads/2/2/8/4/22844410/c.d.\\_support\\_plan.doc](https://www.sdsoptionsfife.org.uk/uploads/2/2/8/4/22844410/c.d._support_plan.doc)

Workbook on thinking about your support plan

[https://www.in-controlscotland.org/files/ugd/fd9368\\_f9e56cd38b484df880d5df54bbd20c98.pdf](https://www.in-controlscotland.org/files/ugd/fd9368_f9e56cd38b484df880d5df54bbd20c98.pdf)

Guidelines for Person Centred Support Planning

<https://arcscotland.org.uk/wp-content/uploads/Guidelines-For-Person-Centred-Support-Planning.pdf>