

# CARER'S RIGHTS

Chest  
Heart &  
Stroke  
Scotland



ESSENTIAL GUIDE

# This Essential Guide is about support and rights available to unpaid carers.

It explains:

- Who qualifies as an unpaid carer
- What your legal rights are
- How to take care of yourself while caring for someone else
- Where you can find support and help

If you live in a different council area from the person you care for, then the responsibility for supporting you as a carer lies with the council where **the person you care for** lives.

# Who is an unpaid carer?

This booklet uses the definition of “carer” set out in the Carer’s Act Scotland (2016).

You are a carer if:

- You provide care and support to a person for reasons other than their age (i.e., you are not a carer because you have responsibility for a child)
- You are not a contracted care worker or volunteer.

Anyone can be a carer, and anyone can be a cared-for person. You might be looking after a neighbour, family member, or friend.

Care and support can range from practical support with chores, to physically helping with personal care or medical needs, to providing regular transport, or offering emotional support.

# Your rights as a carer

As an unpaid carer, you have certain legal rights:

**The right to a support plan.** This will be prepared with the help of the local authority, and gives you a sense of available support.

**The right to support for “eligible needs”.** Your local authority will have a list of what they consider “eligible needs”. If you have these needs, they have to provide you with support to meet them.

**The right to involvement in services.** The local authority has to involve you, as a carer, in any other care services being offered. If the person you care for is hospitalised, the hospital has to consult you before discharge.

# Your rights as a cared-for person

As someone receiving care, you have certain legal rights:

**The right to a care needs assessment** from the local authority.

**The right to appoint an attorney.** You are allowed to delegate your rights and legal decisions to a welfare or finance attorney.

**The right to advocacy.** You have the right to an advocate with you when arranging care.

**The right to fair treatment.** You have the right to complain if you feel you are being treated differently by your carer as a result of your age, sex, gender, disability, marriage, pregnancy/maternity, race/ethnicity, sexuality, religion or beliefs.

# Needs assessments

Anyone over 18 can request a care needs assessment from their local authority or council.

You can also request a needs assessment on someone else's behalf. This means that, if you are caring for someone informally, you can ask for the local authority to provide them with a formal needs assessment.

A trained professional will discuss with the cared-for person how they are managing everyday tasks and what help they may need. This will usually be done face-to-face in the person's home, but can also be done by phone or self-assessment if the person being assessed agrees to it.

This assessment will determine what support and financial assistance is appropriate.

A care needs assessment might lead to an offer of:



Financial support to hire professional care or support services.



Home adjustments to make tasks easier, such as rails, ramps, or shower seats.



Disability equipment such as wheelchairs, or oxygen trolleys.



Help from a care worker with tasks such as washing, dressing, or eating. This may be offered through the council or through a private company.



Residential care or a place in a nursing home.



Access to day centres or other support services.

# Adult Carer Support Plans and Young Carers Statements

An adult carer support plan (ACSP, previously a **carer's assessment**) is a process available to anyone over 18 who has caring responsibilities. Carers under 18 will instead receive a Young Carer's Statement (YCS), which serves the same function

The local authority should approach you with an offer to make this plan if they know you are a carer. However, you may have to alert them to your role.

Your plan will be developed with a social worker or other social work specialist. They may ask you to complete a self-assessment questionnaire before having a face-to-face meeting. An ACSP meeting can also be carried out over the phone, if this is more convenient for you.



It is important to be honest about your experiences and concerns.

You will be asked about:

- Your caring role - what help you provide, and how you go about it.
- Your health, and any impact that caring may have on it.
- Your feelings and choices around caring.
- Your work, study, and other responsibilities.
- Your housing situation - do you live with the person you care for?

Your assessment meeting should also include a discussion of what your plans for caring will be in an emergency. The social worker can help you to develop these emergency plans if needed.

After the assessment, the social work department will determine your support needs, and the level of risk to you if those needs are not met.

# What support will I get from my carer plan?

Once you have been assessed for your ACSP or YCS, you or the person you care for may be offered support to help take some of the pressure off you.

If the local authority determines that you need additional support, they will tell you in writing after your assessment is complete.

This support might include:

- **Additional funding or care** for the cared-for person, to reduce your responsibilities.
- **Respite care**, which is a sort of temporary care given to allow you, as the carer, to take a break.
- **Training** on how to safely perform care tasks, like moving somebody.

- **Help with transport**, such as taxi fares, if you need them to complete your caring responsibilities.
- **Counselling and support** to help you deal with your responsibilities.
- **Gym memberships or exercise classes** to help reduce stress.
- **Putting you in touch** with support groups, carer's centres, or other carer services.
- **Advice about benefits and financial support** available to carers.

An ACSP or YCS should always be free. You should not have to pay for any services or training which are specified in your carer plan.

Your plan may include a timeline for when it will be reviewed.



# How to look after yourself as a carer

Being a carer can be stressful, and can cause strain to your own health and wellbeing.

It is important to look after yourself, as well as the person you are caring for.



Tell your GP that you are a carer. They can offer help and support which you may not know about.



Take breaks. This might mean taking an hour every day to yourself, or it might mean booking respite care and taking a holiday.



Talk about your feelings. Whether you discuss it with a friend, a counsellor, or a support group, it is important to be honest and open when you are stressed or upset.



Stay active. Doing exercise can help to keep your mood up, as well as providing a way to socialise. This could mean taking up a sport, going for a walk, or doing stretches or yoga.



Make time for yourself and your own hobbies and interests where possible.



Be honest about your limits. It is important to say "no" sometimes, and not take on more than you can handle.



Accept help. It can be tempting to feel that you have to do everything alone, but others may be able to take some of the load for you.



Be honest about your caring responsibilities when speaking to employers or teachers. This can help them to adjust your workload and make accommodations.

# Young carers

A young carer is any carer under 18.

As a young carer, you should not be someone's only care provider, but you may need to do extra work around the house, give physical support to someone with dressing and personal care, or offer emotional support.

You should not be a full-time carer if you are under 18. If you feel that caring is affecting your schoolwork or your ability to take part in social activities, you should speak to a social worker or other responsible adult.

You do not have to care for someone if you do not want to. You have the right to choose whether you want to be a carer.

If you are at school, speak to your teachers and staff, as they may be able to provide you with help and support, as well as things like deadline extensions on your homework.

# Financial support

Caring responsibilities may cost you money, as they may make it more difficult to work full-time, and might also include extra costs like transport and supplies.

Financial support may be available to either you or the person you are caring for.

Common sources of financial support include:

**Carer's Allowance**

**Young Carers Grant**

**Universal Credit**

**Crisis Grant**

**Carer's Credit**



For more information about these and other benefits, you can look at our **Financial Support** Essential Guide, found online at:

**[www.chss.org.uk/resources-hub](http://www.chss.org.uk/resources-hub)**

# Respite care

Respite care is professional care provided for a short period of time. This gives you, as a carer, the chance to get away for a while and take a break from your caring responsibilities.

Many people use respite care to go on holiday, but it can also be helpful if you have other responsibilities for a limited time - for example, if you have to take exams, or if you need to address something in your personal life.

Your local social work department or carer's centre may be able to help you access respite care.



You can also find an online directory of respite care services at:

**[www.sharedcarescotland.org.uk/resources/short-break-planner](http://www.sharedcarescotland.org.uk/resources/short-break-planner)**



# Advice and support

Besides your health team, friends and family, you can find advice and support through:

## **Chest Heart and Stroke Scotland**

Call 0808 801 0899 to speak to one of our trained Advice Line practitioners.

**[www.chss.org.uk](http://www.chss.org.uk)**

**Email: [advice@chss.org.uk](mailto:advice@chss.org.uk)**

## **Care Information Scotland**

A phone, webchat and website service providing information about care for people living in Scotland.

**[careinfoscotland.scot](http://careinfoscotland.scot)**

**Tel: 0800 011 3200**

## **Carers UK**

A nationwide charity which supports and advocates for carers throughout the UK.

**[www.carersuk.org](http://www.carersuk.org)**

**Tel: 0141 378 1065**

**Email: [advice@carersuk.org](mailto:advice@carersuk.org)**

## **Carer's Trust**

An advocacy and support group for carers across the UK.

**www.carers.org**

**Email: info@carers.org**

**Tel: 0300 772 9600**

## **Coalition of Carers in Scotland**

A carer-led advocacy group.

**www.carersnet.org**

**Email: coalition@carersnet.org**

## **MECOPP**

Minority Ethnicity Carers of People Project is an organisation which supports and advocates for specifically unpaid carers of Black and Minority Ethnicities. They provide information in different languages and offer support services (mainly in the Lothians)

**www.sharedcarescotland.org.uk**

**Tel: 01383 622462**

## **Shared Care Scotland**

An organisation that supports respite care and short breaks for carers.

**[www.sharedcarescotland.org.uk](http://www.sharedcarescotland.org.uk)**

**Tel: 01383 622462**

## **Scottish Young Carers Alliance**

An informal members' network for young carers, which can connect you to support.

**Tel: 0300 772 7701**

**Email: [lgibson@carers.org](mailto:lgibson@carers.org)**

## **Carers' Centres**

Carers' centres are independent charities which offer local support, activities, and advice to unpaid carers. They may also offer support groups or counselling, depending where you are.

**[careinfoscotland.scot/topics/support-for-carers/carer-centres/](http://careinfoscotland.scot/topics/support-for-carers/carer-centres/)**

Our publications are free to everyone in Scotland, in PDF and in print. See them all at **[www.chss.org.uk/resources-hub](http://www.chss.org.uk/resources-hub)**

For free, confidential advice and support from our Advice Line Team, contact:

**0808 801 0899 (Mon-Fri 9am-4pm)**

**text ADVICE to 66777**

**[advice@chss.org.uk](mailto:advice@chss.org.uk)**

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To give feedback or request alternative formats, email: **[health.information@chss.org.uk](mailto:health.information@chss.org.uk)**

**Chest  
Heart &  
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