

Carers



- 1 **The Carers (Recognition and Services) Act 1995**
- 2 **The Carers and Disabled Children Act 2000**
- 3 **The Carers (Equal Opportunities) Act 2004**
- 4 **National Carers Strategy (2008)**
- 5 **Carers and Equality Act (2010)**
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The important role of the carer has become increasingly recognized.

Recent legislation acknowledges the vital work done by unpaid carers, and aims to ensure that their rights to work and access education, training, leisure and health services are protected.

The informal care that is provided by parents, children, friends, relatives and neighbours for ill or disabled people is specifically identified in the Carers (Recognition and Services) Act 1995, in the Carers and Disabled Children Act 2000 the Carers (Equal Opportunities) Act 2004 and the National Carers Strategy (2008).

Local authorities are now allocated money to fund services allowing carers a break, greater help for carers returning to work and to provide services and more help for young carers and parents of disabled children.

1 Carers (Recognition and Services) Act 1995



This Act covers:

- adults (aged 18 or over) who provide or intend to provide a substantial amount of care on a regular basis
- children and young people (under 18) who provide or intend to provide a substantial amount of care on a regular basis
- parents who provide or intend to provide a substantial amount of care on a regular basis for disabled children.

The 1995 Act places a duty on the local authority to assess a carer who requests an assessment. The right to assessment depends on this request.

The Act does not give specific entitlement to services for carers but their assessment may then have an impact on the services that are provided for the person being cared for, which may also benefit the carer.

2 Carers and Disabled Children Act 2000



This Act gives local councils the opportunity to provide carers with services that meet their own assessed needs - a very important step for carers.

The Act also meant that carers could be given a direct payment for the first time, giving them flexibility and choice in meeting their own needs.

3 Carers (Equal Opportunities) Act 2004



The 2004 Act gives carers further rights in relation to carers assessments. Under this Act, local authorities must inform carers of their right to an assessment.

Also under the 2004 Act, carers' assessments must also consider whether the carer works or wishes to work and / or is undertaking or wishes to undertake education, training or any leisure activity.

The local authority must take account of these issues when deciding what services should be provided.



4 National Carers Strategy (2008)

The Carers' Strategy sets out the Government's short-term agenda and long-term vision for the future care and support of carers. The government has committed substantial funding for short breaks for carers, supporting carers to enter or re-enter the job market and for improving support for young carers.

Other initiatives include the piloting of annual health checks for carers, and training for GPs to recognise and support carers. A more integrated and personalised support service for carers will be offered through easily accessible information, targeted training for key professionals to support carers, and examining how the NHS can better support carers.

The strategy, or a summary of it, can be obtained from the Department of Health.

Telephone: 0300 123 1002

Website: www.dh.gov.uk



Refresh of National Carers Strategy 2010

In 2010, the Government held a consultation to help inform them what should go into the refresh of the strategy. In November 2010 "Recognised, valued and supported: Next steps for the Carers Strategy" was launched and highlighted these key points:

- £6m in new funding for training to support GP's to identify and support Carers
- The Government will consult on extending flexible working rights to all employers
- Additional £400m to provide breaks for Carers

5 Equality Act 2010

The Act contains three important provisions which will enable Carers to challenge adverse treatment they experience as a result of caring responsibilities:

Associative Discrimination

This arises where a policy or practice aimed at someone associated with a protected characteristic (ie due to disability or sex or race etc) disadvantages the person with the protected characteristic. In relation to carers, it is probably best understood where a disadvantage can be expressed in the following simple statement - 'but for my relationship with the disabled person, this would not have happened'. This may mean that a parent may feel they are being treated unfairly by their employer, who denies the parent time off work to care for a disabled child even though the employer allows other staff time off work for other activities.

Indirect Discrimination

This may come into play with the familiar problem with agencies who have inflexible appointments arrangements. Frequently a Carer will have to make advance arrangements for a suitable Carer to take over the care of the person they look after while they are attending an appointment. For example, if a GP's surgery only allows appointment times to be booked on the morning of the day required then the policy will have an indirect adverse impact on Carers. Although it applies to everyone who uses that surgery it puts the Carer at a particular disadvantage compared with other people who do not have caring responsibilities.

Public sector equalities duties

Other legislation imposes duties on public authorities to take action aimed at eliminating discrimination, advancing equality of opportunity and fostering good relations. One of the important aspects of the duty is the requirement that public bodies must consider the impact of their policies and practices and take compensatory action if any of them are shown to have the potential to be discriminatory or to insufficiently advance equality of opportunity.

6 Carers assessments



The important role of the carer has become increasingly recognized. Recent legislation acknowledges the vital work done by unpaid carers, and aims to ensure that their rights to work and access education, training, leisure and health services are protected.

The right to a carer's assessment is triggered once a carer has requested that one take place. This should be carried out as soon as is reasonably practicable or immediately in an urgent case. This is different to a disabled person's supported self-assessment, which is not triggered by a request but "by the appearance of need".

A carer's assessment should look at the following questions:

- do you get enough sleep?
- is your health affected in other ways?
- are you able to get out and about?
- do you get any time for yourself?
- are your other relationships affected?
- do you want information about benefits?
- are you worried you may have to give up work?
- do you want help to consider returning to work?
- are your education or training opportunities being affected?
- is the person you care for getting enough help?
- do you need advice on back care?
- do your disabled child's needs affect other family members?

Once you have had an assessment it is important to think about the types of services that are available and if any of these would help your situation.

These might include:

- changes to the home and equipment to help you
- someone to help with personal care (e.g. bathing)
- a meal delivered to the person you care for
- a few hours' break for yourself regularly
- a few weeks' break occasionally
- a discussion about permanent residential care
- counselling/talking to someone
- to be put in touch with other carers (e.g. a carers support group)
- information about what is available and the costs
- support for non-disabled children in the family (who may be Young carers).

7 Other relevant legislation



Under Part 3 of the **Children Act 1989** the local authority must have regard to the ability of a carer who is providing a 'substantial amount of care on a regular basis' - 'to continue to provide such care on a regular basis'

(Disabled Persons (Services, Consultation and Representation) Act 1986 s.8).

This duty does not apply if an authority is carrying out an assessment of a carer under the 1995 Act.

Volume 6 of the Children Act 1989 Regulations and Guidelines underlines the importance of:

- providing early information to parents
- finding out the wishes and feelings of parents and children
- making an assessment of needs of the child and family leading to a plan which is regularly reviewed
- working in partnership with parents
- providing short periods of accommodation as a family support service to strengthen the ability of a family to care for a child and to promote the child's welfare
- co-ordinating services with education, health and the voluntary sector
- planning a smooth transition to adulthood

Other legislation also makes reference to a household with someone who is ill, aged or disabled (NHS Act 1977, schedule 8) and the Children Act 1989 provides services specifically for families of children in need.

8 Young carers



A young carer is a person (up to the age of 18 years) whose life is affected by caring, where the person cared for has a disability, long-term illness, is frail or is affected by substance misuse. The person being cared for may be a parent, sibling, other family member or friend and not necessarily living in the same house as the young carer.

Surrey Children's Service Definition

The Carers (Recognition and Services) Act 1995 and the Carers (Equal Opportunities) Act 2004 apply to all carers, whatever their age. Young carers are therefore entitled to a carer's assessment under the 1995 Act.

However, in practice they are often assessed under the Children Act 1989, as "children in need". This is because their caring responsibilities can often affect their own education or general welfare.

Even if the young carer is not considered to be a "child in need" in their own right, they may be provided with services under the Children Act, if these services are "provided with a view to safeguarding and promoting the welfare of the child in need" i.e. the disabled sibling.

Their caring responsibilities can restrict what they do or affect how they feel. A young carer may not be able to go out with friends or go to after school clubs.

They may have difficulty doing homework or concentrating at school because of being so worried about the person they care for and may be confused or angry about their situation at home.



Young Carers Projects support children and young people under 18 years old who help to care mainly for parents, brothers or sisters who have a disability or a long term illness.

This includes mental health problems such as depression, self harm or drug and alcohol problems.

The Surrey Young Carers Project has been set up to work for and with young carers to enable them:

- to have opportunities to socialise and get support from other young people who live in similar situations
- to help young carers who attend school to achieve their full potential at school and to have confidence in themselves and have someone to talk to if they want to.

See Useful Contacts for details of Surrey Young Carers.



9 Short breaks

Having a short break or 'respite' from caring is often needed. Such breaks can often help the carer avoid becoming worn out or even ill. Good quality short-term care can also be of great value to the child or young person.

See Section 3 - Social Care for further information on the type of support that may be available in your area.

10 Benefits



There are a number of benefits available to carers but, as with other benefits, claiming can be complicated and difficult. It is advisable to get advice about benefits to ensure that the right benefits are received.

See Section 7 - Benefits for more details.

Useful Contacts



National

Legislation

Carers (Recognition and Services) Act 1995

Carers and Disabled Children Act 2000

Carers (Equal Opportunities) Act 2004

Equality Act 2010

All legislation can be found at www.legislation.gov.uk

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Carers Direct Helpline

Telephone: (free, confidential information and advice line) 0808 802 0202
8am to 9pm weekdays 11am to 4pm weekends

Email: Carers.Direct@nhschoices.nhs.uk or use contact form on website

Website: www.nhs.uk/carersdirect

Carers Direct is part of NHS Choices.

It provides carers with information, advice and support including: guidance on the different stages of caring, carers' assessments, information for claiming benefits, advice for young carers, contact details for local authorities and support groups, news articles, and case studies with videos.

Contact a Family

Address: 209 - 211 City Road, London EC1V 1JN

Telephone: 0808 808 3555

Email: helpline@cafamily.org.uk

Website: www.cafamily.org.uk

A listening service for parents whose children have been diagnosed with a disability. It provides information on all medical conditions affecting children, including the rare disorders. Families are directed towards local and national support groups. Contact a Family can also put families of young people with similar conditions in touch with each other.

Carers UK

Address: 20 Great Dover Street, London SE1 4LX
Telephone: 0808 808 7777 Wed and Thurs 10am-12pm and 2-4pm
Email: info@carersuk.org
Website: www.carersuk.org

Campaigns on behalf of carers to help them get the support they need. They will also be able to tell you about support in your area. Their website has information about the range of benefits that may be available to carers.

Information sheets can be downloaded from www.carersuk.org.

Benefit Enquiry Line

Telephone: 0800 882200

Crossroads Care

Provides support for carers and the people they care for, including respite care in the home.

Telephone: 0845 450 0350
Website: www.crossroads.org.uk

The Public Guardianship Office

Customer Services: 0300 456 0300
Email: customerservices@publicguardian.gsi.gov.uk
Website: www.publicguardian.gov.uk

Produces a range of leaflets and booklets about various topics, including Lasting Power of Attorney, and the roles and duties of Attorneys and Deputies. Many of these publications are also available in an easy to understand format with pictures.



Local

Surrey County Council Contact Centre

Telephone: 03456 009 009
Adult social care enquiries: 0300 200 1005
Children's social care enquiries: 0300 200 1006
Website: www.surreycc.gov.uk

Call the Surrey County Council Contact Centre to be put in touch with your local children's or adults' team.

Carers Support

Local Carers Support Workers provide information, advice and support to carers in their local areas and will provide these services on an on going basis.

For local contact details, see Surrey County Council's website at www.surreycc.gov.uk

Carersnet

Website: www.carersnet.org.uk

Wide range of information for carers in Surrey, including details of groups and events in your area.

Action for Carers Surrey

Address: Astolat
Coniers Way, New Inn Lane
Guildford
GU4 7HL

Telephone: 01483 302748

Email: ACS@actionforcarers.org.uk

Website: www.carersnet.org.uk/actionforcarers

Information and advice for carers. They can tell you about local support groups in your area.

Action for Carers and Employment (Surrey)

Address: Astolat
Coniers Way
Guildford
Surrey GU4 7HL

Telephone: 01483 565874

Email: ace@actionforcarers.org.uk

Website: www.carersnet.org.uk

Part of a national project which aims to address the barriers faced by carers who wish to work. ACE Surrey provides free information and advice to carers and former carers about education, training, employment and leisure opportunities. They support carers to plan career choices, access training, apply for jobs and so on.

Surrey Independent Living Council (SILC)

Address: Astolat
Coniers Way, New Inn Lane
Burpham, Guildford
Surrey GU4 7HL

Telephone: 01483 458111

Text: 0790 481 2935

Website: www.surreyilc.org.uk

Advice and support on direct payments and individualised budgets.

Family Link

Email: family.link@surreycc.gov.uk

Website: www.surreycc.gov.uk

Provides practical support for Surrey families who have a child or young person with a disability. Contact your nearest Family Link team from Monday to Friday between 9am and 5 pm:

Elmbridge and Mid Surrey

Telephone: 01737 226817

West Surrey - Guildford, Surrey Heath and Waverley

Telephone: 01483 517950

Runnymede, Spelthorne and Woking

Telephone: 01932 567131 (co-ordinated by White Lodge Centre)

East Surrey

Telephone: 01737 737828

Partnership with Parents

Helpline: 01737 737300

Website: www.pwpsurrey.org

Email: pwp@surreycc.gov.uk

Advice and support for parents of children with special educational needs aged 0-25.

Mencap Leisure Development Team

Address: 13a Nutley Lane, Reigate RH2 9HP

Telephone: 01737 225902

Mencap co-ordinates many leisure opportunities within Surrey, for people aged age 18+ living at home with parents / carers, through their leisure development team. These include social groups and holiday leisure schemes.

Crossroads Care Attendant Schemes

East Surrey: 01883 714641

Spelthorne: 01784 446294

Guildford & Waverley: 01252 313323

Elmbridge: 01372 469942

Mid Surrey: 01372 365080

Woking & Surrey Heath: 01483 766336

Surrey Young Carers Project

Email: syc@actionforcarers.org.uk

Website: www.surrey-youngcarers.org.uk

East Surrey Office

Address: Unit 5
46 Croydon Road
Reigate RH2 0NH

Telephone: 01737 248111

West Surrey Office

Address: Astolat
Coniers Way
New Inn Lane
Guildford GU4 7HL

Telephone: 01483 568269

This project covers all of Surrey and provides information to young carers (up to 18), a regular newsletter, a pen pal service and runs groups and activities.

Mid Surrey Young Carers (operates independently)

Offers support in Epsom, Leatherhead, Kingswood, Chipstead, Tadworth and Banstead areas.

Address: Unit 1
Tillingbourne Court
Dorking Business Park
Dorking
RH4 1HJ

Telephone: 01306 881900

Email: sarahb@scyp.co.uk

Website: www.msyc.co.uk

New Deal Lone Parent Programme

Advisers at Jobcentre Plus can give information about the New Deal Lone Parent programme. (See Employment - Section 4 for contact details)

If you are bringing up children under 16 on your own, and are not in full-time work, they can support you to:

- find a job
- look for registered childcare
- understand what financial help you may be entitled to when you move into work
- identify any training you might need.

Website: www.direct.gov.uk

