

Adult Carers Policy		
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1. Scope

1.1. This policy is concerned with;

- Adult Carers of adults with care and support needs
- young carers in transition.
- Parents whose children are approaching adulthood

It includes carers of adults with needs that are not being met by health or social care services.

2. Legislation

2.1. The Care Act 2014 applies to adult carers of adults, to young carers approaching adulthood and to parent carers when their child with additional needs is approaching adulthood.

2.2. The Care Act 2014 makes it clear that the duties towards a carer are with the local authority in which the person with the care needs is ordinarily resident.

2.3. The Children and Families Act 2014 gives rights to Young Carers and to Parent Carers of children with special educational needs and/or disabilities to have an assessment of their needs. It also identifies that young carers may be Children in Need. The provisions in respect of Young Carers and Parent Carers are the responsibilities of DCC Children Services. However, DCC Adult Services will signpost young carers and parent carers to sources of support.

2.4. [The Mental Capacity Act 2005](#) specifies how people's capacity to make decisions should be determined and how and when decisions can be made in the best interests of people who lack capacity to make specified decisions. Understanding the decision-making rights of adults and young people can be particularly important for carers of young people with care and support needs who are in transition to adulthood.

3. How we arrange services for carers

3.1. To help us carry out our duties to carers we jointly commission, with the Devon Clinical Commissioning Group, services from independent providers to provide information advice, prevention, assessment, eligibility resource allocation and support planning.

3.2. The services we commission specifically to support carers are currently provided through a carer led organisation called Devon Carers.

4. Promoting independence

4.1. The Care Act states that we need to consider promoting independence and reducing the needs for the people we support at every opportunity. The Act emphasises;

“preventing or delaying the development of needs for care and support and the importance of reducing needs that already exist. At every interaction with a person, a local authority should consider whether or how the person’s needs could be reduced, or other needs could be delayed from arising.”

4.2. In delivering our duties and exercising our powers we will always take into account the Council’s policy on [“Promoting Independence”](#). In order to prevent delay and reduce needs arising and promote independence and wellbeing we will seek to build the resilience of Carers, build on their strengths, and promote support for them through their families and communities. We will also encourage the independence of the people they care for.

4.3. The following support should always be considered as ways of promoting independence:

- Providing information on healthy life choices
- Providing information on community resources
- Identifying personal strengths and supportive relationships.

5. Devon’s Carers Strategy

5.1. The [Devon Carers strategy](#) includes agreements about principles of good practice and how care support and health services in Devon will work together to support carers.

5.2. This policy underpinned by the shared vision in the Devon Carers Strategy that:

“Carers will be universally recognised and valued as being fundamental to strong families and stable communities and respected as expert partners in care.

We will support carers to maintain their own health and wellbeing, so they can achieve a balance between their caring responsibilities and a life outside

*caring, while enabling the person they support to be a full and equal citizen.
In everything we do we will take carers into account.”*

5.3. The Devon Carers Strategy has been updated to include the aim of enabling all carers in Devon feeling that all following statements apply to them.

“As a Carer:

- I have choice in and about my caring role.
- I find support in my community and from local community organisations.
- I can easily find the information and advice I need in my caring role.
- I have a contingency plan for when I cannot care.
- I am respected as an expert partner in care.
- I am able to care safely, confidently and effectively.
- I am able to maintain my own health, wellbeing and independence.
- I am able to achieve my own most important life-goals, including education, training and working.
- I am assured of the quality of the services I and the person(s) I care for use, and that my views are taken into account.
- I am supported to achieve the above when I have difficulty in doing so and am involved in designing the support I need.
- I am able to share my experience and skills as a carer with other carers”

5.4. Key to delivering this vision are the responsibilities of all services to identify carers and work with them positively as expert partners in care, while ensuring that they are properly supported.

6. Identifying Carers

6.1. Our policy is to identify as many carers as possible as early as possible in their caring journey. This includes Parent Carers and all Young Carers.

6.2. We have developed a Carers Recognition Tool to help health, social care, housing and education professionals recognise if someone they come into contact with is a carer.

7. Information and universal services

7.1. Carers will be provided with information and advice on universal services available in the community, regardless of need and without any requirement for an assessment.

7.2. The information available will include:

- All community services including “targeted” preventative services and carer-specific services;
- Availability and types of carer assessment;
- What is available to those with eligible needs;
- Signposting to services to support people with care needs;
- Advocacy services;

- NHS Patient Advice and Liaison Services;
 - Care services which carers and their families can purchase for themselves.
- 7.3. Information will be available online and from the [Devon County Council Carers web page](#), the [Devon Carers web page](#) and the Devon Carers Helpline - 08456434435.
- 7.4. Information, advice and signposting will also be provided to carers during initial contact with Devon County Council Adult Care and Health Services, Devon Carers or the NHS.
- 7.5. We aim to give as much support as possible to Carers without a formal assessment. Some support will be by direct access, for example online support, or booking support online, or after a simple conversation usually with a Devon Carers' Helpline worker.

8. Carer assessments

- 8.1. Carers have choices about how their assessment is carried out. Carers assessment options;
1. Advice and signposting without a full carers assessment
 2. An on-line self-assessment of information needs available on the [Devon County Council Carers web page](#)
 3. A full Carer Health and Wellbeing Check with a specialist carer support worker from Devon Carers. This is our main form of full carer assessment
 4. A full Carer Health and Wellbeing Check with the care manager for the person they care for
 5. A joint full carers assessment with workers from more than one service. This may be suitable where Intermediate Care is being provided.
- 8.2. A full carers assessment will be carried out using the Carer Health and Wellbeing Check that we have developed to structure and record full carers assessments that comply with the Care Act. This check is an integrated health and care service, which is primarily available through Devon Carers. and is focussed on protecting and maintaining carers' own health and wellbeing and preventing needs from developing or deteriorating.
- 8.3. If a carer elects one form of assessment they can still chose a different type of assessment later.
- 8.4. Where an assessment is carried out as a Carer Health and Wellbeing Check, carers will usually be invited to undertake the first part of the assessment themselves before the full assessment conversation takes place. They will be provided with a booklet to help guide them through the process. The carer can also get telephone advice from Devon Carers. The conversation that takes place to complete a Carer Health and Wellbeing Check will aim to be a helpful experience in its self.
- 8.5. Whoever carries out the carers assessment Devon County Council (DCC) is responsible for the quality of the assessment and the way it is carried out. The quality of carers assessment carried out on behalf of DCC are monitored through contract monitoring and practice quality assurance processes. management information reporting.

- 8.6. If someone is concerned about how an assessment by a Devon Carers worker, on behalf of DCC, has been carried out we would usually expect them to raise the concern with Devon Carers in the first instance.
- 8.7. Where a Care Health and Wellbeing Check identifies needs that are eligible for care and support services to be provided by the Council a Support Plan will be developed to meet those needs.
- 8.8. If a carer is identified as having only non-eligible needs then an “Action Plan” will be produced. This plan will be similar to a support plan to meet eligible needs and will provide carers with advice and information about services that they can use to help delay the development of eligible needs.

9. Young carers

- 9.1. We have a duty to identify young carers and inform them and their parents of the carers right to have a carers assessment and how they can get this.
- 9.2. We have a Duty to aim reduce caring responsibility of young cares wherever possible.

10. Young carers moving in to adult services

- 10.1. The Care Act requires a local authority to undertake a transition assessment of a Young Carer if they want one.
- 10.2. We will usually aim to start aim to arrange transition assessments for young carers when they are 15 years old. This process may start later where it is likely to benefit the young person.
- 10.3. While the nature of the support that a young carer receives may change through the transitions planning process we will ensure that there no gap or break in the support for Young Carers when moving from children’s to adult services.
- 10.4. Transition assessments will also consider the sustainability of a Young Carer’s role and how their caring role could be impacting on their life aspirations, such as employment or education.

11. Parent Carers where the cared-for Young Person is moving into Adulthood.

- 10.1 The Care Act requires a local authority to undertake a transition assessment of Parent Carers if it considers that they believe that the young person is likely to have needs for support after they become 18 years old.
- 10.2 We will usually aim to start aim to arrange transition assessments for carers of young people with care and support needs when the young person is 15 years old. Where it is likely to benefit the Parent Carer(s) this process can start later.
- 10.3 In every case we will ensure that there is not a gap in necessary support for the child and their parent(s) when moving from being supported by Children’s Services to Adult Services.

10.4 Transition assessments will also consider the sustainability of a Parent Carer's role and how their caring role could be impacting on their life aspirations, such as employment or education. It will work with the plans for the young adult with care and support needs for their growing independence and role in their community(s).

12. Eligibility

11.1 Care Act regulations have detailed national carers eligibility criteria. This is set out in **Appendix A** of this document.

11.2 We will ensure that the carers national eligibility criteria is applied during all types of assessments and reviews for adult Carers of adults and in transitions assessments.

13. Support planning and personalisation

12.1 When eligible needs have been identified during a Carer's Assessment a support plan will be written. Support planning will be based on the Council's policy on "[Promoting Independence](#)". Where all other options have been exhausted, an amount of money may be proposed to meet the Carer's eligible needs. This is called a Personal Budget.

12.2 Personal budgets for carers will usually be either;

- a one-off payment, for example to support a Carers' Break, or to pay for an item that will enable a Carer to remain or recover their independence.
- a short-term payment in a crisis or until longer term solutions can be arranged
- Longer term carers personal budget payments, in limited circumstances where all other wider resources, benefits and support arrangements have been considered.

12.3 Carers Support Plans and any personal budget arrangements will be based on carers individual circumstances.

12.4 The preferred method is for a carer to receive their Personal Budget as a Direct Payment so they can arrange their support for themselves and have greater choice and control in how their eligible needs are met and how their outcomes are achieved.

12.5 Direct Payments to carers will be subject to [Devon's Direct Payment Policy](#).

12.6 If a carer does not want a Direct Payment, or is unable to manage a direct payment, then either Devon County Council or Devon Carers can manage a carer's Personal Budget and arrange services on behalf of Carers to meet their eligible needs.

12.7 Where this is cost effective a Direct Payment can be provided through the Devon Card. The Devon Card is pre-loaded by Devon County Council with an individual's Personal Budget and can be used to pay for services to meet the carers eligible needs, as a way of providing maximum choice and control to the carer. The Devon Card is not usually the most cost-effective way of providing smaller or one off payments.

12.8 An alternative to the Devon Care can be that the Direct Payment is paid into the carers bank account, or a bank account managed by a nominated person. We will need to be satisfied that the nominated person meets the criteria set out in Section 31 of the Care Act 2014.

12.9 Carers' Personal Budgets must be used to meet the assessed eligible needs of the Carer. It cannot be used for care for the person they support as the care for persons needs will be met through their own support plan. Usually the Carer will agree with the person undertaking their Support Planning what it will be used for.

12.10 Direct Payments are audited. We advise that receipts or other records of expenditure are retained to enable the use of Direct Payments to be audited.

14. Reviews

13.1 The purpose of reviews is to ensure that the Support Plan is enabling the Carer to move forward in achieving their agreed outcomes and that resources are being used in accordance with DCC policies. Carers reviews should also consider the role that carers have in preventing the needs of a person for whom they care from increasing.

13.2 Where the initial assessment has been carried out by Devon Carers on behalf of Devon County Council then reviews will usually also be carried out by Devon Carers. However, reviews may also be carried out by Devon County Council staff.

13.3 The frequency of reviews will depend on the needs and circumstances of the individual.

13.4 The Care Act 2014 recommends that the need for an initial review is considered 6-8 weeks following the provision of a Support Plan. The next review will usually be six months after the initial review. After the first 6 month review they should usually be carried out at least every 12 months.

13.5 Carers may ask that a review is carried out earlier than usual by a carer. Where a carer has asked for an early or unplanned review the following factors will be considered in deciding when to hold the next review;

- The carer's needs have changed;
- The carer's circumstances have changed, e.g. changes in living arrangements or support networks;
- The current care and support plan is not working;
- The Personal Budget is still required or is inadequate.

15. Ordinary residence

14.1 Devon County Council is responsible for meeting the eligible needs of a carer if the person they care for is ordinarily resident in Devon. Ordinary residence is the place which the person concerned has voluntarily adopted as their home.

14.2 This could mean meeting the eligible needs of a carer living in another local authority area if they are caring for a person in Devon. If a person in Devon is caring for a person in another local authority area, that local authority will be responsible for meeting the eligible needs of the carer in Devon.

14.3 In Devon and Torbay it has been agreed to accept each other's Carer Health and Wellbeing Check outcomes, but it will be the Local Authority of the ordinary residence of the cared-for person who will be responsible for determining eligibility and providing any services or Direct Payments.

14.4 In some circumstances, an individual might be providing care and support to more than one person in different areas of the country. If so, we will work with the carer and the local authorities concerned to develop the most appropriate care and support plan.

16. Continuing Health Care (CHC)

15.1 The Continuing Health Care Framework describes the role of the Clinical Commissioning Group (CCG) in relation to carers when someone is in receipt of NHS Continuing Healthcare. We will work with Devon CCG to ensure that care plans include any additional support needed for a CHC funded cared-for person while their carer has a break from their caring responsibilities.

15.2 When undertaking a Carers Assessment for a Carer who supports a CHC cared-for person, we will ask Devon CCG for details of the care arrangement in place as part of the CHC Framework. We will ensure that any CCG information is included in the carers assessment.

Appendices

- A:** The Care and Support (Eligibility Criteria) Regulations 2014
- B:** Protocol on Cross Boundary Assessments of Carers

Appendix A: The Care and Support (Eligibility Criteria) Regulations 2014

Needs which meet the eligibility criteria:

(1) A carer's needs meet the eligibility criteria if—

- a) the needs arise as a consequence of providing necessary care for an adult;
- b) the effect of the carer's needs is that any of the circumstances specified in paragraph 2 apply to the carer; and
- c) as a consequence of that fact there is, or is likely to be, a significant impact on the carer's well-being.

(2) The circumstances specified in this paragraph are as follows—

- a) the carer's physical or mental health is, or is at risk of, deteriorating;
- b) the carer is unable to achieve any of the following outcomes
 - i. carrying out any caring responsibilities the carer has for a child;
 - ii. providing care to other persons for whom the carer provides care;
 - iii. maintaining a habitable home environment in the carer's home (whether or not this is also the home of the adult needing care);
 - iv. managing and maintaining nutrition;
 - v. developing and maintaining family or other personal relationships;
 - vi. engaging in work, training, education or volunteering;
 - vii. making use of necessary facilities or services in the local community, including recreational facilities or services; and
 - viii. engaging in recreational activities.

(3) For the purposes of paragraph 2, a carer is to be regarded as being unable to achieve an outcome if the carer—

- a) is unable to achieve it without assistance;
- b) is able to achieve it without assistance but doing so causes the carer significant pain, distress or anxiety; or
- c) is able to achieve it without assistance but doing so endangers or is likely to endanger the health or safety of the carer, or of others.

(4) Where the level of a carer's needs fluctuates, in determining whether the carer's needs meet the eligibility criteria, the local authority must take into account the carer's circumstances over such period as it considers necessary to establish accurately the carer's level of need.

Appendix B: Protocol on Cross Boundary Assessments of Carers

Adult Social Care - Carers

Protocol on Cross Boundary Assessments of Carers

When an adult with care and support needs and a carer live in different local authority areas:

- The Local Authority where the adult with care and support needs lives will take responsibility for the Carer's assessment and the subsequent preparation of any support plan and the meeting of eligible needs for support.
 - The Local Authority where the carer lives will provide any information, which is available and which it is appropriate to provide, to enable the completion of the assessment and subsequent provision of support
 - The Local Authority where the adult with care and support needs lives will take responsibility for reviews of the carer's support plan.
 - The Local Authority where the adult with care and support needs lives will cooperate with the Local Authority where the carer lives in order to supply or arrange the supply of information to the carer about carer support available to them in their local area
 - The Local Authority where the adult with eligible care and support needs lives may ask the Local Authority where the carer lives to provide a service to that carer if that is the most appropriate way of supporting them
 - If the Local Authority where the adult with eligible care and support needs lives asks the Local Authority where the carer lives to provide support, the carer's Local Authority they should confirm any arrangements for reimbursement.
 - If the support requested has no, or negligible, cost, however, the carer's local authority may provide such services without recompense on a "knock for Knock" basis
 - Any issues of recompense between councils for the provision of assessments or services, should they arise, are a matter for local determination and must not be allowed to become a source of delay or difficulty for carers with eligible needs.
 - If the carer states a preference for their assessment and support to be arranged through the local authority where they (the carer) live, this preference should be respected unless there are significant reasons for not doing so.
- If the carer states such a preference any implications arising from local circumstances for support must be made clear.