



## **Draft Protocol for supporting young carers in Dudley**

### **Who is this protocol for?**

This protocol is primarily intended for the use of staff who are working with families where a child or young person is providing care and support for a relative who has a long-term illness or disability or who is older and frail.

### **The aims of this protocol are**

- To develop a way of identifying and referring young carers
- to ensure that young carers and those they care for receive support from the appropriate agency / agencies
- to ensure that agencies know when and to whom they should refer a young carer and / or their family
- to develop a way to ensure that young carers and their families know what support is available
- to determine what information may be shared across agencies
- to ensure that the views of the young person are heard

### **Young Carer Aware**

To complement this protocol Dudley MBC Children's Services and the Directorate of Adult, Community and Housing Services have produced an open access online training course and resource called Young Carer Aware. This sets out who is a young carer, their rights, what support they may need and what is available in Dudley. This is aimed at young carers, their families and anyone who has a responsibility or a wish to support them or understand more about the contribution they make to our community's well being. People can work through the course or dip in and out to get the information they need- as and when they need it

Access the course at:

[www.dudley.gov.uk/health-social-care/adult-health-social-care/social-care-services/support-for-carers/young-carers/](http://www.dudley.gov.uk/health-social-care/adult-health-social-care/social-care-services/support-for-carers/young-carers/)

Dudley MBC staff should complete the course through the intranet at <http://idudley/idudley/directorates/adult-community-and-housing-services/staff-well-being-and-training/hr-learning-and-development/e-learning/> so that this appears on their training record.

### **Who is a young carer?**

A young carer is a child or young person under the age of 18<sup>1</sup> who has responsibility for the care of a parent or family member who has a long term illness or disability. The caring role may be physical, emotional or both.

The family member may have:

- A physical or learning disability
- A long term life limiting illness
- Problems concerning mental health
- Alcohol or drug abuse related problems
- Age related frailty

Young carers may be:

- Children or young people who are the sole carer in the home
- Children or young people who are supporting another adult family member in care tasks for the care receiver (care receiver may include not only parents of the child but also grandparents and siblings who have an illness or disability)
- Children or young people of the above families who are also taking on parenting responsibilities for younger brothers and sisters because their parents are unable to or need assistance at particular times
- Children or young people who are not necessarily providing care but are substantially affected by disability in the family

### **Young carers aged 16-17**

The needs of this group of young carers are likely to be different to those of younger carers. This is recognised in legislation (see below) where guidance states that it may be appropriate for them to take on a more substantial caring role, for example in the case of a terminal illness. However they should still not be expected to take on inappropriate personal care. The law gives them rights to their own assessment and to direct payments and specific rights to have their needs in respect of, for example, training and employment taken into consideration. Carers in this age group should be given access to benefits advice.

### **How many young carers are there?**

The 2001 Census identified that nationally there are around 175,000 children and young people with caring responsibilities. In Dudley 887 young carers were identified in the census returns in the following age groups:

5-7	26
8-9	44
10-11	94
12-14	285
15	128
16-17	310

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<sup>1</sup> A young person over 18 may of course continue to be a young adult carer but is not deemed to be a 'young carer'

These are children and young people identified by the adults who completed the forms as providing care on a regular basis. We are currently awaiting the results of the 2011 census – it is expected that these will show a significant increase in the number of young carers identified. This is both because of the greater life expectancy of people with long term illnesses and disabilities and a greater awareness of the role of carers of all ages.

### **Our Vision**

We believe that all services should be working together to

- prevent children/young people taking on inappropriate levels of care
- give parents the support they need to parent their children/young person and to have their health/disability needs met appropriately
- give young carers enough support to safeguard their well being
- ensure that the wishes of the young carer are fully considered

### **Identifying young carers**

This can be problematic as many children/young people live with family members with conditions, such as mental health problems or drug and alcohol abuse, which carry social stigma. Sometimes families fear the consequences of professional intervention in their lives. Everyone has a role in recognising when a child or young person may be providing care or may be significantly affected by illness or disability within the family. Professionals working with adults should be particularly vigilant in recognising young carers.

The impact on a child or young person of taking on an inappropriate caring role can include underachievement or absenteeism at school, mental or physical ill health, and poverty.

Young carers most at risk are those who are the primary carer for an adult, or who take on the 'main' carer role on a regular or temporary basis. There may be a lower impact on young carers whose lives are altered by a family member's needs but who are not expected to provide direct care. In these situations recognition leading to peer support and social opportunities may be the primary needs – e.g. as offered through Young Carers Projects.

### **Who should identify young carers?**

Anyone might identify a young carer, including family members or young carers themselves and any education, health or social care professional.

When assessing the needs of adults with disabilities or long-term illnesses workers should ask these questions:

- Do you have children?
- What are their ages?
- Is there a child/young person in the family who may be helping to provide care?

If the answer to these questions is "yes" the worker should consider the following:

- How can we support you in your parenting role?
- What can be offered to help the whole family?

- Does the child/young person need, and have they been offered, an assessment under the Common Assessment Framework?
- Does the child/young person need a direct referral to the Young Carers Project?

Anyone who comes into contact with children and young people should include in their assessment/enrolment processes these questions:

- Does the child/young person have disabled parents or other disabled family members?
- Could the child/young person be a young carer?
- Is the family member for whom they are caring already receiving services from another department or agency?
- Do we know if the person needing care has been offered a Community Care Assessment or made aware of how to contact appropriate services?
- Is the child/young person's school involved or aware of what is happening within the family?

This will enable staff to decide who might be able to help. However there should be no delay in providing some support, for instance while it is being decided which agencies need to be involved

#### **Who has the responsibility to assess?**

- As a general principle the team supporting the person who is cared for has the statutory responsibility for arranging the assessment of the carer's needs, whether that carer is a child/young person or an adult.
- Therefore the responsibility of assessing the needs of a young carer of an adult lies within Adult Services or, if the person has a mental health problem, with Dudley and Walsall Mental Health Trust.
- Therefore, if the young carer is helping to support a child with an illness or disability, the responsibility lies within Children's Specialist Services.
- It should be recognised that young carers are not automatically 'children in need' and that some young carers may be happy and fulfilled in their role and able and willing to continue with it given the right support.
- However as many family situations are complex it may be that adults and children services will need to work together as recommended by the Common Assessment Framework<sup>2</sup> to ensure that families' needs can be met.
- The Government has provided for carers of any age to be assessed under Carers legislation – and indeed particularly for 16-17 year olds it may be more relevant as they can receive services in their own right

If families are not willing to be assessed by the Local Authority, they should be advised of the services offered by other agencies such as the *Young Carers Project* *The What? Centre* or *Time For Me*. (see appendix) to ensure that the young carer can self refer and access advice and support. These projects may then be able to encourage families to access any other relevant support at a later date

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<sup>2</sup> The Common Assessment Framework is a systematic approach for gathering and analysing information about all children who may be in need and their families, which can discriminate effectively between different levels of vulnerability

The first aim of adults' and children's services should be to ensure that people with disabilities do not have to rely on the inappropriate caring role of a child. Until this is achieved, support should be given to young carers and their families to reduce the impact of the caring role on the child/young person.

### **When should an agency refer to a Young Carers Project?**

Action for Children's Young Carers Project is for children and young people aged up to 18 who care for a person of any age within their household of any age with a long-term illness, disability or condition associated with alcohol or substance misuse. Young carers may provide physical care and/or emotional support. They may be affected by the illness, disability or substance misuse within the family. Young carers may be a primary or secondary carer. Barnardos' Time For Me Project offers support specifically to children and young people up to the age of 14 who are affected by drug and/or alcohol misuse

### **When should workers refer to other agencies?**

When considering who to refer to, think about who actually needs the support. Are there services that could provide help to the person with the illness or the disability? Is there an adult carer in the family who is also under pressure? It may be that several agencies can or need to help.

### **Information Sharing between agencies**

There is comprehensive guidance on intra and inter agency sharing in *Information Sharing: A Practitioner's Guide, Integrated working to improve outcomes for children and young people*. This can be downloaded from

[www.education.gov.uk/childrenandyoungpeople/strategy/integratedworking](http://www.education.gov.uk/childrenandyoungpeople/strategy/integratedworking)

The document lists six key principles of information sharing. These are summarised below but some have important exceptions where there are health and welfare concerns. If in doubt – see bullet point 4

- Explain to the child or young person who you want to share information with and why
- Consider the welfare of the child/young person when deciding whether to share information about them – their safety must be the paramount consideration
- Where possible consider their wishes if they do not want information shared
- Take advice if you are in doubt as to whether you should share information
- Ensure that the information you provide is accurate and up to date
- Record the reasons for your decision to share or not to share

The guide highlights the importance of sharing information with agencies carrying out preventative work with children and young people as well as in circumstances where there are concerns for the child/young person's health and welfare

### **Parental Consent**

See below for government guidance. Local agencies may have additional guidance and protocols.

### **Young Carers and Parental consent - general**

- You do not need parental consent to talk to a child or young person about anything that directly relates to them
- If the young person is under 16 you do need parental consent in respect of engaging in certain activities
- In all cases it is deemed appropriate to involve the parents unless the young person does not wish it and is deemed competent to make that decision

### **Young carers and Parental consent - Health**

- You do not need parental consent to talk to a child or young person about anything that directly relates to them – including their health
- What you discuss with the young person is confidential unless they give permission to share it or child protection issues arise (if a child protection matter arises then information has to be shared)
- However it is good practice to inform the parents that you are working with their child/children unless the child or young person has specifically asked you not to
- Should there be any question of treatment there are clear guidelines from the Department of Health<sup>3</sup> to determine whether a child or young person aged 15 and below is competent to make decisions for themselves
- Young people aged 16-17 are entitled to consent to their own medical treatment – however this may still in certain circumstances be over ruled<sup>4</sup>

### **Mental Capacity Act**

This Act sets out what must happen if someone lacks mental capacity to make decisions about money, health and other matters. It is possible that there are some young carers aged 16 to 18 who are the primary carer for an adult who may lack capacity to make some decisions. There is guidance that sets out what should happen in these circumstances including a useful series of booklets for carers, service users and staff at [www.justice.gov.uk/protecting-the-vulnerable/mental-capacity-act](http://www.justice.gov.uk/protecting-the-vulnerable/mental-capacity-act)

## **Legislation and Guidance**

### **Children Act 1989**

Provides for the assessment of a child/young person whose health or development is likely to be significantly affected or impaired without the provision of local authority services.

### **The Framework for the Assessment of Children in Need and Their Families**

**(2000)** highlights the importance of recognising the needs of young carers. It states that they have a right to a carer's assessment that may lead to more community care services for the family

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<sup>3</sup> Department of Health- *Reference Guide to Consent for Examination or Treatment 2009*  
[www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_103643](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_103643)

<sup>4</sup> Department of Health *Seeking Consent, Working with Children –*  
[/www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_4007005](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4007005)  
These guidelines cover a variety of scenarios – including where parents disagree about what help/treatment their child may or may not be provided with.

### **The Carers (Recognition and Services) Act 1995**

This gives carers of any age the right to request an assessment of their own needs. This will include their ability and willingness to provide care and the identification of support they need to continue in their caring role

### **Carers and Disabled Children Act 2000**

This extended the rights of carers to request an assessment even if the person they care for is refusing an assessment or services. It also provided for direct payments to carers including, in some circumstances carers aged 16-17

### **The Carers ( Equal Opportunities) Act 2004**

This Act required Local Authorities to advise carers of their right to assessment and for that assessment to take into consideration of carers' wishes in respect of education, employment and leisure

### **The Children Act 2004**

- Requires Children's Services to make arrangements to promote co-operation to improve the well being of children and for relevant partners to provide that co-operation

## **DfES CIRCULAR 10/99 SOCIAL INCLUSION: PUPIL SUPPORT**

Paragraph 3.10 – 3.12

- Refers to possible lateness or absence of Young Carers because of their responsibilities. It suggests that schools should set time limits for absence and then set school work
- Referrals to outside agencies should be handled sensitively.
- Schools should consider designating a member of staff to have responsibility for Young Carers.
- Schools can contribute to support schemes.

### **Jigsaw of Services – Support to disabled parents in their parenting role**

This report set out the need for agencies to work together to support the needs of the whole family

### **Fair Access to Care Services**

Sets out the eligibility criteria for community care services. Says that assessments should recognise the needs of clients in respect of parenting when prioritising and assessing for community care services

### **Agencies and services**

In the appendix to this protocol there is information about some of the agencies who can support young carers and their families and how to access these.