

Appendix 3

Summary of national strategies and key legislation

Recognised, valued and supported: Next steps for the Carers Strategy (2010)

On 28 July 2010, the Department of Health published a call for views on the key priorities that will have the greatest impact on improving carers' lives in the next four years. This [document](#) provides an overview of the 764 responses received. This sets out the Government's priorities for carers, identifies the actions that the Government will take over the next four years to ensure the best possible outcomes for carers and those they support, including:

- ✓ Supporting those with caring responsibilities to identify themselves as carers at an early stage, recognising the value of their contribution and involving them from the outset both in designing local care provision and in planning individual care packages
- ✓ Enabling those with caring responsibilities to fulfil their educational and employment potential
- ✓ Personalised support both for carers and those they support, enabling them to have a family and community life
- ✓ Supporting carers to remain mentally and physically well.

Carers at the heart of 21st Century (2008)

The national strategy for carers '[Carers at the Heart of 21st Century Families and Communities](#)' was published in June 2008. The responsibility for delivering its vision is shared by central and local government, the NHS, the voluntary & community sector, families & communities.

The strategy states that by 2018:

- ✓ Carers will be respected as expert care partners and will have access to integrated and personalised services which they may need to support them in their caring role
- ✓ Carers will be able to have a life of their own alongside the caring role
- ✓ Carers will be supported so that they are not forced into financial hardship by their caring role
- ✓ Carers will be supported to stay mentally and physically well and treated with dignity
- ✓ Children and young people will be protected from inappropriate caring and have the support they need to learn, develop and thrive, to enjoy positive childhoods and to achieve against Every Child Matters outcomes

The national strategy requires Local Authorities to:

- ✓ Incorporate carers into the personalisation agenda (see 2.2.2 below)
- ✓ Improve the provision of information
- ✓ Provide co-ordinated integrated services
- ✓ Improve support to young carers

Furthermore, it requires the NHS to:

- ✓ Invest new money in respite care
- ✓ Undertake carers health checks
- ✓ Address the inequalities experienced by carers

Putting People First (2007)

The Putting People First ministerial concordat set out its vision for transforming social care. It states that personalisation should maximise choice and control for people using services and their carers. Service users and carers are put at the heart of the decision making process, participating at every stage. The department for Social Care Institute for Excellence provides a good summary of the implications of the Personalisation agenda set out in Putting People First.

Personalisation for carers means:

- tailoring support to people's individual needs and being part of the discussion about support for carers and support for the person carers are looking after
- not having to take on all the responsibility and all the managing of care and support – the local authority should ensure that the carers are sufficiently supported
- recognising and supporting carers in their role, while enabling them to maintain a life beyond their caring responsibilities – carers should have their own needs assessed and have choices about their own support
- ensuring that people have access to information and advice to make good decisions about their care and support
- ensuring all citizens have access to universal community services and resources such as health, transport and leisure
- making services more flexible so carers can agree outcomes and find solutions that are right for the carers' situation
- if needs change over time, personalisation should enable carers and the person they are looking after to change the way you are supported.

[Extract from 'Personalisation briefing: Implications for carers' (SCIE July 2009)]

With Personalisation at the centre stage of social care policy¹ we will promote this agenda by supporting service users' carers (or non-FACS eligible

¹ *Putting People First – Making It Happen (2008)*

people's carers) in their own homes and in the community as much as possible.

Supporting Carers – Early Interventions and Better Outcomes

The Princess Royal Trust for Carers in collaboration with ADASS published five key messages for health, social care and other agencies who work with carers, to highlight where the focus of future activity needs to be. They are:

- Early Intervention is integral to personalisation.
- Applying early intervention is integral to the support of carers can lead to better value for money and better outcomes.
- There is an evidence base to support the claim that carer support can create savings for adult services.
- Considering carer support in the context of major care pathways such as hospital discharge, falls, dementia and stroke could generate systems-wide efficiencies.
- Systematic information collection from service users and carers would improve the evidence base and improve the investment of limited resources in both health and social care.

[Extract from 'Supporting Carers – Early Interventions and Better Outcomes' (Princess Royal Trust for Carers and ADASS May 2010)]

Summary of Legislation

The Work and Families Act (2006)

http://www.opsi.gov.uk/acts/acts2006/ukpga_20060018_en_1

The above act extended the right to request flexible working to employees who care for adults. This built on the introduction (through the Employment Act 2002) of the right to request flexible working for parents of children under the age of 6 (or eighteen if the child is disabled).

The Carers (Equal Opportunities) Act (2004)

http://www.opsi.gov.uk/acts/acts2004/pdf/ukpga_20040015_en.pdf

This places a duty on local authorities to **inform carers of their right to an assessment**. It recommends that local authorities seek the help of other local authorities in the planning for the delivery of support to carers. It also asks that the carer's wish to work and for access to education, training and leisure is considered as part of this assessment.

The Carers (Recognition and Services Act (1995)

http://www.opsi.gov.uk/acts/acts1995/ukpga_19950012_en_1

This was the first major piece of legislation that related solely to carers. It states that carers who are providing or intend to provide regular and

substantive care are entitled to request an assessment of their ability to care. The Act requires local authorities to take into account the carers assessment when deciding what services are needed to support the cared for person.

The Disabled Persons Act (1986)

http://www.opsi.gov.uk/acts/acts1986/pdf/ukpga_19860033_en.pdf

This Act of Parliament instructs that when assessing a disabled person's needs, consideration must be given to whether a carer is able to care for that person.

This strategy will address young carers moving to adulthood and as part of Transitions planning we acknowledge the following legislation relating to children:

The Children's Act (2004)

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4118023

The Children's Act 2004 requires that arrangements be in place to promote co-operation between agencies and services to improve the well being of all children, including young carers.

The Carers and Disabled Children Act (2000)

http://www.dh.gov.uk/prod_consum_dh/idcplg?IdcService=SS_GET_PAG&ssDocName=DH_4101678

In April 2001, the Carers and Disabled Children's Act came into force. This enabled carers, including parent carers of disabled children, to an assessment in their own right. The Act also empowered local authorities to introduce voucher schemes for carer break services and extended the powers of local authorities to provide more specific services for carers. These carer specific services, which are not community care services, include the provision of Direct Payments.