

# No wrong doors: working together to support young carers and their families

## A memorandum of understanding

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## Joint foreword

Young carers tell us of the importance of joint working and the real difference that timely and effective support services make. To help support this, a model local Memorandum of Understanding was published jointly by ADCS and ADASS in December 2009 and updated in 2012.

This third edition reflects the important new duties and powers placed on Barnet by the Care Act 2014 and the Children and Families Act 2014. These obligations are reinforced in the Young Carers Assessments Regulations 2015, the Guidance related to both of these Acts and "Working Together to Safeguard Children" (DfE – 2015). We are delighted to note that many of things highlighted as good practice in earlier versions of the Memorandum of Understanding are now incorporated into law.

Our starting point is that children and young people who are carers have the same rights as all children and young people. Young Carers should be able to learn, achieve, develop friendships and enjoy positive, healthy childhoods; just like other children. Where services are working with families we should try to ensure that the needs of children in the family, including those who may be assisting with caring, are recognised. This means taking account of their hopes, aspirations, strengths and achievements; and the need for advice and support for all the family.

Young carers and families are experts on their own lives. It falls to professionals across all sectors to include them in shaping the personalised and integrated responses that best respond to their needs. This applies equally whether care needs arise as a result of mental or physical illness or disability, substance misuse and whether a parent, a sibling or a family member is the focus of support.

This updated Memorandum of Understanding offers a framework which professionals can use to provide personalised and joined up support for young carers and their families. This applies when working in partnership with colleagues in health and the third sectors and includes where Barnet delegates portions of their assessment processes. This will include mental health services hosted within NHS Trusts or Carers Centres contracted to undertake carers' assessments.

Finally, this revised template jointly agreed between our four organisations reflects our shared commitment and we hope that widespread adoption and use of the template can help us all to build on national policies, support local progress and achieve better outcomes for young carers and their families.

Issued jointly by the Association of Directors of Children's Services, the Association of Directors of Adult Social Services, The Children's Society and the Carers Trust - March 2015

## 1. Key principles

Young Carers have said that there should be “no wrong doors” for young carers and their families. Young carers should be identified, assessed and their families supported regardless of which service is contacted in the first place. Barnet Family Services and Adult and Communities commit through this memorandum to work together, adopting a whole system, whole council, whole family approach to providing support for young carers and their families. This will be achieved through working across systems, in partnership with health and with local carers’ organisations. Barnet Family Services and Adult and Communities will work together to fulfil duties in law<sup>1</sup> and ensure that the following key principles<sup>2</sup> underpin practice:

- *The starting point should be to assess the needs of the adult or child who needs care and support and then see what remaining needs there are to support any young carers in the family.*
- *The presence of a young carer in the family should always constitute an appearance of need and should trigger either an assessment or the offer of an assessment to the person needing care.*
- *A whole family approach is key when assessing an adult needing care where there are children in the family providing care to the adult or undertaking wider caring responsibilities. The adult’s assessment and eligibility for support should take into account their parenting responsibilities and the functioning of the family.*
- *Assessments should ascertain why a child is caring and what needs to change in order to prevent them from undertaking excessive or inappropriate caring responsibilities which could impact adversely on their wellbeing, education, or social development. It will be good practice to seek the views of children and adults separately, as it may be very difficult for children to say how they really feel in the presence of an adult who may also be the person they care for.*
- *Consideration must be given to whether a young carer is a ‘child in need’ under the Children Act 1989. The assessment must establish if they are unlikely to achieve or maintain a reasonable standard of health or development without the provision of services and whether their health or development may be impaired if they or their family are not provided with support.*

These principles apply equally to all children up to the age of 18, recognising that young carers may require more focused support during the period they will be making the transition to adulthood. It is also intended that a consistent and coordinated approach is taken to identifying and supporting young adult carers aged 18 to 24.

## 2. A Shared Understanding

The definition of a young carer is taken from section 96 of the Children and Families Act 2014; “...a person under 18 who provides or intends to provide care for another person (of

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<sup>1</sup> Responsibilities for identifying and supporting young carers are placed on the local authority as a whole. These responsibilities are set out in the Children’s Act 1989 (as amended by the Children and Families Act 2014) and under the Care Act 2014. Section 96 of the Children and Families Act 2014 introduces new rights for young carers to ensure young carers and their families are identified and their needs for support are assessed. From April 2015 all young carers will be entitled to an assessment of their needs from the local authority. This new provision works alongside measures in the Care Act 2014 for transition assessment for young carers as they approach adulthood, and for assessing adults to enable a “whole family approach” to providing assessment and support. These obligations further explained in The Young Carers (Needs Assessments) Regulations 2015 and in Guidance related to both of these Acts and “Working Together to Safeguard Children” (DfE – 2015).

<sup>2</sup> Joint statement on key principles for supporting young carers made by DH and DfE (updated 2015)

any age, except where that care is provided for payment, pursuant to a contract or as voluntary work). For the purposes of this Memorandum, this relates to care for any family member who is physically or mentally ill, frail elderly, disabled or misuses alcohol or substances. This memorandum also applies to young adult carers aged up to 25 and the transition from Family Services to Adult and Communities care and support.

### **3. Identifying young carers and promoting well being**

At the first point of contact, all those undertaking or receiving referrals or with responsibility for undertaking assessments will have a key role in identifying young carers. At the point of assessing the cared-for person, it will be asked whether there are any children in the same household as the person they are assessing. If there are, the amount of care and support the child is undertaking will be established through discussions with any adult who is being assessed and other family members, including the child(ren) concerned. Practitioners responsible for assessing people with care needs should identify how it will be possible to support the person in need of care so that children and young people are not relied on to provide excessive or inappropriate care. The particular vulnerabilities and needs of children and young people will be recognized with practitioners responsible for assessing adults with care needs able to recognise and respond to risks to children's safety and welfare. They will know how to respond where they have concerns that children are, or may be, suffering significant harm.

## **4. Assessment**

### **4.1 Responsibilities for assessment provision**

There will be provision for an assessment of needs for support for all young carers in Barnet under the age of 18 on request from them or their parent or on the appearance of need. This will be available regardless of who they care for, what type of care they provide or how often they provide it. Young carers, the person cared for and, if different, the parents of the young carer will be informed about the assessment process and we will ensure they are able to participate in the process as effectively as possible.

The primary responsibility for responding to the needs of young carers and young adult carers and ensuring an appropriate assessment rests with the service responsible for assessing the person they support, rather than the age of the carer. This means that:

- Young carers of disabled children are the responsibility of Family Services which will undertake carers' assessments for young adult carers who look after disabled children.
- Adult and Communities will identify children in the household / family network and ensure that young carers are not left with excessive and inappropriate levels of caring responsibilities that risks them becoming vulnerable. They will also need to undertake carers' assessments for young adult carers. Adult and Communities will refer to Family Services where the child is thought to be a child in need to access young carers services or Early Intervention and Prevention services.

### **4.2 Whole family approach to assessment**

A whole family approach will be embedded into assessments in Barnet. Assessment will take into account and evaluate how the needs of the person being cared for impacts on the needs of the child who is identified as a possible young carer, or on any other child or on other members of the household. A thorough assessment centred on the family will result in appropriate support being provided for the person in need of care and support. This may result in the young carer being relieved of part or all of his or her caring role. Any remaining unmet support needs for the young carer will be addressed.

### 4.3 Principles of practice in undertaking a young carers needs assessment

No care or support package for a parent, other adult or sibling should rely on excessive or inappropriate caring by a young carer to make it sustainable.

When carrying out a young carer's needs assessment Barnet Family Services and Adults and Communities will work to determine:

- the amount, nature and type of care which the young carer provides;
- the impact of the caring role on the young carer's wellbeing, education and personal and emotional development;
- whether any of the caring tasks the young carer is performing are excessive or inappropriate having regard to all the circumstances
- whether a needs assessment of the cared for person (be they a child or adult) has been carried out, and if not, to request one;
- whether any of the young carer's needs for support could be met by providing support or services to:
  - the person cared for [by the young carer]; or
  - another member of the young carer's family.
- what the young carer's needs for support would be likely to be if he or she were relieved of part or all of his or her caring role and whether the young carer has any remaining unmet needs.

When carrying out a young carer's needs assessment, Barnet Family Services and Adults and Communities will:

- ensure that the assessment is carried out in a manner which is appropriate and proportionate (in the light of the young carer's age, needs and wishes and feelings);
- adopt a whole family approach;
- ensure that any person who is to carry out a young carer's needs assessment has sufficient competence, knowledge, skills and training to be able to carry out that assessment and be an appropriate person to carry out the assessment in the light of the young carer's age, sex and understanding
- where considered appropriate or necessary to do so, consult persons with expertise and knowledge relevant to the young carer; and also to consult any person the young carer or their parent wishes to involve
- ensure that the young carer, the person cared for and, if different, the parents of the young carer are informed about the assessment process, usually prior to the assessment, and are helped to be able to participate in the process as effectively as possible.
- Provide young carers, their parents and any person at the request of the young carer or their parent with a copy of the assessment with information about the actions to be taken including whether the young carer has been assessed as a "child in need" and confirming arrangements for review.

Where a young carer is a "child in need" needing protection and support or needs early help support, Adults and Communities workers will discuss the case with Family Services to decide if further action is needed. Further action might include:

- a referral to the Young Carers' service;
- access to Early Intervention and Prevention services
- a joint assessment where appropriate
- further investigation by Family Services about safeguarding concerns if there is a likelihood of significant harm to the child.

Where there are any aspects of a situation that indicates there are concerns about children's and/or vulnerable adults' safety and they require protection from harm these will be responded to swiftly and in line with safeguarding procedures. Family Services will undertake the provision of services or support to children in need and Adults and Communities will undertake services and support to the adult.

## **5. Information, advice and advocacy**

Together with our partners, Barnet Family Services and Adults and Communities will work towards a position where services are available to all young carers and their families offering information, advice, advocacy, representation and support. This includes, where appropriate, support through local young carers' services, young adult carers projects or parenting groups. We will work with partners in the local community to ensure that information and advice for young carers is available in a range of appropriate settings and formats that are accessible by children and young people.

## **6. Transition to Adulthood**

Barnet Family Services and Adults and Communities will assess the needs of young carers as they approach adulthood wherever it appears that there may be 'significant benefit' to the individual in doing so. Young adult carers often find their education, training and employment prospects are challenged by their caring role. We will therefore consider how to support young carers to prepare for adulthood and to raise and fulfil their aspirations. This is regardless of whether the young carer currently receives any services and includes young carers whose parents have needs below the local authority's eligibility threshold.<sup>3</sup>

Where young carers are not eligible for services, the transition assessment will be followed up with good information and advice about support in the community.

We recognise that the power to join up assessments can be important at transition and where appropriate we will consider combining any existing Education Health and Care plans with transition plans and plans for the adult carer. When assessments are combined, we will as appropriate designate a named person to coordinate transition assessment and planning across agencies.

## **7. Information Sharing**

Effective and timely information sharing between agencies, including health, is critical to empowerment, preventative work, supporting transitions and promoting the welfare of young carers. Within the framework of existing local information sharing protocols our aim is to ensure specific recognition of the position of young carers and their identification and support.

## **8. Safeguarding**

### **8.2 Joint responsibility**

We will ensure that practitioners are aware of Barnet's safeguarding policy and practice and accept a joint responsibility to work in partnership to identify and respond to any young carers who are suffering, or likely to suffer, significant harm.

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<sup>3</sup> Paragraph 16.18 Care and Support Statutory Guidance; Issued under the Care Act. DH 2014

Early sharing of information is key if there are emerging concerns. No professional should assume that someone else will pass information on that they think maybe critical to the safety or wellbeing of any child or adult. If a professional has concern about a child's or adult's welfare and believes they are suffering or likely to suffer harm or neglect then they should share the information with the local authority and, or, the police if they believe or suspect a crime has been committed. Information sharing should be in line with local agreements and Caldicott principles.

### **8.3 Local Safeguarding Boards**

Barnet Safeguarding Children Board and Safeguarding Adults Board will be made aware of issues surrounding young carers and of this Memorandum of Understanding. This is to ensure consistency with local multi-agency policies and procedures. This will also raise awareness of the way in which safeguarding work forms part of a continuum of person-centred and proportionate risk-based responses. We can all use these to ensure that those adults and children at risk of harm are kept safe and their welfare is promoted.

### **8.4 Putting these intentions into action**

Actions arising from this agreement will form part of our commissioning plan for carers and of a more detailed action plan. We will put in place arrangements for periodic audit and the provision of reasonable assurance to the Council, partners, young carers, their families and the community on how this memorandum of understanding is being implemented. Feedback from young carers and their families will be an essential element of audits.

Programmes for learning and development will be put in place to raise awareness and understanding of young carers and their families. Training will be designed to support those undertaking young carers' assessments to have the necessary knowledge and skills. This should include ensuring that practitioners in Family Services and Adults and Communities and partner agencies are aware of the specific requirements concerning young carers of the Care Act and amendments to the Children Act and accompanying Guidance and Regulations.

## **9. Local Partnerships**

There should be no "wrong doors" for young carers and their families. Young carers should be identified, assessed and their families supported in ways that prevent excessive or inappropriate caring and support parenting roles regardless of which service or agency is contacted first. Partnership working is key to providing joined up seamless services. This will include working with the NHS, voluntary organisations, education (including further education), public health, housing and local communities to support young carers.

Work through Barnet Health and Wellbeing Board and Barnet Joint Strategic Needs Assessment will include identification of the needs of young carers and young adult carers in Barnet. Barnet Joint Health and Wellbeing Strategy will include shared strategies for meeting these identified needs, setting out arrangements for working together and the actions that each partner will take individually and collectively.

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**Commencement Date:** April 2015

**Review Date:** March 2018

**Note:** Variations may be agreed to reflect changing legislative, policy and local evidence of what works best for young carers and their families.

**Publication:** This document will be placed on the Council’s web site as part of our commitment to work together on these issues. It may be reproduced and used freely subject to acknowledgement.