



1. Legislation

- 1.1 This policy details how Bath & North East Somerset Council intends to deliver its duties under and/or exercise powers it has under legislation.
- The Care Act 2014 gives new rights to carers. It places them on an equal footing with those that they care for. It applies to adult carers of adults, to young carers approaching adulthood and to parent carers when their child with additional needs is approaching adulthood.
 - 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. Through this arrangement, carers living in Bath & North East Somerset and carers outside Bath & North East Somerset who are caring for someone living in Bath & North East Somerset will be supported in their caring roles and in their lives outside caring (see section below on ordinary residence).
 - The Children and Families Act 2014 gives new rights to young carers and to parent carers of children with additional needs to have an assessment of their needs. It also identifies that young carers may be Children in Need. Bath & North East Somerset Children's Services retain responsibility for these assessments.
- 1.2 In relation to adult carers, Bath & North East Somerset Council has delegated the following functions to Virgin Care and Avon and Wiltshire Mental Health Partnership Trust
- needs assessment
 - support planning
 - reviews.
- 1.3 Carers have the choice to have their assessment either combined with the person that they care for, or to have it carried out separately. This acknowledges that carers are at the centre of their assessment and gives them control over who can undertake this.

2. Bath & North East Somerset's Carers Strategy

- 2.1 Bath & North East Somerset Council is working in partnership with Bath & North East Somerset Clinical Commissioning Group to improve outcomes for adult carers.
- 2.2 The Bath & North East Somerset Adult Carers Joint Commissioning Strategy has been refreshed for 2016-2018. It covers all adult carers. It sets out a joint commitment to carers, underpinned by the shared vision that:

- Carers will be universally recognised and valued as being fundamental to strong families and stable communities, and be respected as expert partners in care.
- Carers will be supported to maintain their own health and wellbeing so they can achieve a balance between their caring responsibilities and a life outside caring, whilst enabling the person they support to be a full and equal citizen.

2.3 Key to delivering this vision are the responsibilities of all agencies/service providers to identify carers and work with them positively as expert partners in care, while ensuring that they are properly supported. It is critical that all agencies/service providers engage with carers to ensure that, as far as possible, they are involved in planning the care of the person(s) for whom they care and all agencies/service providers ensure that carers have any specialist input needed to be able to care safely, confidently and knowledgeably.

3. Carers pathway

- 3.1 The carers' pathway which has been developed provides all adult carers with access to carers' specific support through the Bath & North East Somerset Carers Centre. This is the main offer of support to all adult carers.
- 3.2 The Carers Centre will focus on providing carers with advice, information and preventative support. They will provide carers with an individual carer specific action plan, which will focus on protecting and maintaining the carers' own health and wellbeing, and preventing their needs from developing or deteriorating through the provision of a range of support options or signposting and support to access other universal services.
- 3.3 The services commissioned specifically to support carers through the Carers Centre will be responsive to local carers and the Carers Centre will seek to work with carers and co-produce the range of support services they can offer to carers.

4. Identifying Carers

- 4.1 Bath & North East Somerset Council's policy is to identify as many carers as possible as early as possible in their caring journey. This identification is the responsibility of all agencies and service providers.
- 4.2 The Council recognises the importance of effective information and advice (as distinct from an assessment) and will seek to help carers to meet their needs wherever possible without the need for a formal Carer Assessment.
- 4.3 The Bath & North East Somerset Carers Centre is the primary source of that information and advice for carers on the range of universal services available in the community which carers can access for support regardless of need.
- 4.4 The information available through the Carers Centre will include but is not limited to:
- Community services including "targeted" preventative services
 - Carer-specific services offered by the Carers Centre;
 - Advocacy services;
 - NHS Patient Advice and Liaison Services;

- Care services which carers and their families can purchase for themselves.

- 4.5 Information, advice and signposting will also be provided to carers during initial contact with Virgin Care and Avon and Wiltshire Mental Health Partnership Trust who will work in partnership with the Carers Centre to ensure that carers are receiving timely and appropriate information and advice.
- 4.6 The Council will continue to work to develop online opportunities for carers, and to help carers to understand their own situations and needs better, so they can identify and access solutions for themselves, receiving telephone support when necessary from the Carers Centre, Virgin Care or AWP.
- 4.7 Information and advice on access to preventive services in the community will continue to be offered throughout any assessment and support planning process.

5. Carer assessments

- 5.1 The Council has delegated responsibility for adult carer assessments under the Care Act 2014 to Virgin Care and Avon and Wiltshire Mental Health Partnership Trust. Both of these organisations have responsibility for undertaking carers' assessments, support planning and reviews.
- 5.2 Assessments of parent carers of children under the Children and Families Act 2014 will be undertaken by Bath and North East Somerset's Children's Service.
- 5.3 Where Bath & North East Somerset Council has delegated functions, it retains ultimate responsibility for how the particular function is carried out. Bath & North East Somerset Council will ensure that the functions it has delegated are delivered successfully and are in line with legislation through contract monitoring and robust quality assurance of practice carried out by the Safeguarding and Quality Assurance Team.
- 5.4 The Council will ensure that an assessment of any consenting adult who appears to need support is undertaken when requested, and the adult is as fully involved as possible.
- 5.5 The Council will also ensure that, when it is requested, that the cared-for person (or their representative / advocate) is involved in the assessment, that they have consented to this and are fully involved.
- 5.6 The Council will always seek to identify need and establish the most appropriate and suitable assessment process to promote the carer's wellbeing, as well as their eligibility for support and the sustainability of their caring role.
- 5.7 An assessment could be an individual assessment of a carer or a combined assessment with the person for whom they care. Where relevant, it could be undertaken jointly with other bodies, including the NHS.
- 5.8 The Council will ensure that if a carer is identified as having only non-eligible needs that an action plan (similar to a support plan to meet eligible needs) will be produced and provided to the carer. This plan will provide carers with information, advice and will signpost to services in order to delay the development of eligible needs. This plan will be drawn up by the Carers Centre, Virgin Care or AWP, depending on the carer's individual circumstances.

- 5.9 The Council will be developing resources so that carers who wish to do so can undertake self-assessments online, before deciding whether to approach Virgin Care or AWP for an assessment.

6. Young carers moving in to adult services

- 6.1 The Care Act requires a local authority to undertake a transition assessment of a young carer if it considers that they are likely to have needs for support after becoming 18.
- 6.2 The Council will ensure that transition assessments take place at a time when there is significant benefit to a young carer. It might be that a young carer's move into adult services needs to be planned well in advance if there are any complex circumstances. In every case the Council will ensure that there is not a gap in necessary support for young carers when moving from children's to adult services.
- 6.3 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.

7. Eligibility April 2015

- 7.1 For the first time, the Care Act regulations have detailed National Carers Eligibility Criteria. This is set out in the Care Act Guidance.
- 7.2 The Council will ensure that the carers' national eligibility criteria are applied during all types of assessments and reviews involving carers.
- 7.3 The Council will ensure that the total extent of needs is considered, and the carer's own priorities are established before consideration is given to which needs are eligible for support and which needs could be addressed through the carer's own resources, or could be prevented, reduced or delayed by preventative or community services.
- 7.4 Further information regarding Assessment and Eligibility can be found in the Council's Care and Support Assessment and Eligibility Policy.

8. Support planning and personalisation

- 8.1 The Council will ensure that if eligible needs have been identified during a carer's assessment, a support plan will be written with the carer. Where unmet eligible needs cannot be met through commissioned universal services or through providing services to the cared for and if applicable, an amount of money will be identified, sufficient to meet all of the carer's eligible needs and this will be agreed through the assessment. This is called a Personal Budget.
- 8.2 The Council has developed a guide for calculating carers personal budget which will be applied to all carers where it is identified that a budget is required to meet all of the carer's eligible needs. The amount allocated will depend on a number of factors including the offer of universal services which can meet eligible needs and services provided to the cared for person.

- 8.3 Bath & North East Somerset Council can manage a carer's Personal Budget and arrange services on behalf of carers to meet their eligible needs. However, the preferred method is for a carer to receive their Personal Budget as a Direct Payment in two instalments during the year so that Carers can arrange their care for themselves and exercise further choice and control in how their eligible needs are met and how their outcomes are achieved.
- 8.4 A Direct Payment in Bath & North East Somerset will be available through a Pre-paid Card or via a bank account. The pre-paid card will be loaded by the Council with an individual's Personal Budget and will offer maximum choice and control to the carer.
- 8.5 The Council will encourage the use of the Pre-paid Cards as a way of an individual receiving their Direct Payment and will support individuals to use it.
- 8.6 Until pre-paid cards are fully introduced or should an individual choose not to receive their Direct Payment through a Pre-paid Card, a carer's personal budget will be paid into their bank account, or a bank account managed by a nominated person.
- 8.7 The Council will need to be satisfied that the nominated person meets the criteria set out in Section 31 of the Care Act 2014.
- 8.8 For further information on support planning please see the Care and Support Planning Policy ([hyperlink](#))

9. Reviews

- 9.1 The Care Act 2014 requires the Council to undertake an initial review 6-8 weeks following provision of services. Where the assessment has been undertaken as a delegated function, reviews will also be undertaken in the same way.
- 9.2 The Council will ensure that reviews are conducted according to the needs of the individual. For carers there will usually be an initial review six to eight weeks after the Direct Payment is in place and then a review at annual interviews. Every review should ensure that the needs and outcomes of the carer are being met, whilst recognising the impact to wellbeing that the caring role has. The review should also acknowledge the role that carers have in preventing the needs of a person for whom they care from increasing.
- 9.3 All requests for an unplanned review by a carer will be considered and a judgement made by either Virgin Care or AWP about the value of doing so.

In making this judgement, Sirona Care or AWP will consider whether:

- The carer's needs have changed;
- The carer's circumstances have changed - this could include their living arrangements or support network;
- The current care and support plan is not working;
- The Personal Budget is inadequate.

10. Ordinary residence

- 10.1 The Council are responsible for meeting the eligible needs of a carer if the person they care for is ordinarily resident in Bath & North East Somerset. Ordinary residence is the

place which the person concerned has voluntarily adopted as their home. This could mean meeting the eligible needs of a carer living in another local authority area if they are caring for a person in Bath & North East Somerset. Likewise, if a person in Bath & North East Somerset 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 Bath & North East Somerset.

- 10.2 It is the Local Authority of the ordinary residence of the cared-for person who will be responsible for determination of eligibility and provision of service (if any).
- 10.3 The Council will work with other local authorities to ensure that this duty is carried out and that an appropriate assessment takes place when the carer does not live in Bath & North East Somerset.
- 10.4 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.

11. Continuing Health Care (CHC)

- 11.1 The Continuing Health Care Framework details the role of the Clinical Commissioning Groups (CCG) in relation to carers when someone is in receipt of NHS continuing healthcare. The Council will work with CCGs to ensure that any additional support provided to care for a CHC cared-for person, while their carer has a break from their caring responsibilities, is incorporated into the CHC care plan.
- 11.2 When undertaking a Carers Assessment for a carer with responsibilities for looking after a CHC cared-for person, the Council will ask the relevant CCG for details of the current arrangement already in place, in order to comply with the CHC Framework, and we will make sure that any CCG information is included in this assessment.
- 11.3 When undertaking a Carers Assessment, the Council will ensure that Virgin Care or AWP take into account any arrangements already in place and factor these into any required outcomes. If it is considered that the carer requires additional breaks from caring these recommendations will be referred back to the CCG and ask the CCG to revise the cared-for person's CHC plan to incorporate the additional support required to care for the individual while the carer has the necessary breaks. At the same time, the carer will be informed of the outcome of the Carers Assessment and will be encouraged to request assurance from the CCG about the availability of the recommended support.