## Young Carers Joint Protocol

03 June 2024



No wrong door: working together to support young carers and their families.

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### **Foreword**

Young carers tell us of the importance of joint working and the real difference that timely and effective support services make.

This protocol reflects the important duties and powers placed on local authorities 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 Acts and "Working Together to Safeguard Children" (DfE – Dec 2023).

A recent inquiry (November 2023) by the All-Party Parliamentary Group on young people and young adult carers has revealed the significant impact caring has on the life opportunities of the UK's young people. The inquiry received alarming evidence showing 15,000 children, including 3,000 aged just five to nine, spend 50 hours or more a week looking after someone because of an illness, disability or addiction.

Key findings of the study showed that:

- Some young carers have waited 10 years before being identified and the average waiting time to be identified was three years.
- Being a young carer has a knock-on effect on school attainment and attendance, with young carers missing 27 school days per year on average.
- Young adult carers are substantially (38%) less likely to achieve a university degree than their peers without a caring role. Those caring for 35 or more hours a week are 86% less likely.
- Young adult carers are less likely to be employed than their peers without a caring role.
- Young people with caring responsibilities have a higher prevalence of self-harm. Of children who do self-harm, young carers are twice as likely to attempt to take their own life than non-carers.

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 because 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 protocol provides a framework which professionals can use to provide personalised and joined up support for young carers and their families. This should apply equally when working in partnership with colleagues in health and the third sectors. This might, for example, include mental health services hosted within NHS Trusts.

The protocol is fundamental to our <u>Carer Strategy 2022 - 2027</u> and it corresponding equalities impact assessment and plan which sets out how the Council plans to deliver the ongoing commitment to improving the lives of carers of all ages. It should inform all other strategies to ensure that meeting the needs of carers is embedded in all services across the council and those it commissions externally.

As part of our engagement when developing the Carers strategy the lived experience of young carers both past and present was captured. Some that really stood out include:

• I could cook, clean, tidy and run a house, but I was behind in my life choices so when that caring duty was taken away, I had no idea what I wanted to do with my life. Caring was my identity. Adult carers can have their identity taken away

from them, but young carers never have an opportunity to form an identity in the first place.

- I don't socialise because I feel guilty leaving the person I am caring for.
- Older young carers (17+) don't bother applying for support because they know they'll have to go through the whole process again when they enter adult services.
- Family assessments don't always work. Parents, especially with mental health issues don't always see the extent of caring going on. I was not deemed a carer because my uncle was the registered carer at the GP. Social worker did not recognise how much I was doing at home. My input was not valued, even though I was doing the lions share.
- Extra help in the morning so I am not late for school. I have to get up earlier than my friends to make breakfast, get the rest of the family ready and make sure my siblings are at school.
- Professionals dismiss young carers because we are children, when really we know more about the person, we are caring for than they do.
- I have no time for homework, let alone socialising.

This protocol is jointly agreed between the Department for People service areas and reflects our shared commitment to build on national policies, supporting local progress and achievement of better outcomes for young carers and their families.

Chris Sivers - Executive Director People Department

### 1. Key principles

Young Carers have said that there should be "no wrong door" 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. Children's and Adult Social Care and Public Health therefore commit through this protocol to work together locally, 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 local carers' organisations. Children's and Adult Social Care and Public Health will work together to fulfil duties in law¹ and ensure that the following key principles² 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 for support a young carer in the family
  has.
- 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.

<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

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 – Dec 2023).

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

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 any age, except where that care is provided for payment, pursuant to a contract or as voluntary work)".

For the purposes of this protocol, this relates to care for any family member who is physically or mentally ill, frail, elderly, disabled or misuses alcohol or substances. This protocol also applies to young adult carers aged up to 25 and the transition from children's services to adult 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 is important to ask whether there are children in the same household as the person they are assessing and, if there is, to establish how much care and support is undertaken by any children 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. It is essential that the particular vulnerabilities and needs of children and young people are recognised. Practitioners responsible for assessing adults with care needs must be able to recognise and respond to risks to children's safety and welfare. They must know how to respond where they have concerns that children are, or may be, suffering significant harm.

There are many telltale signs to look out for when identifying young carers. These include, but are not limited to:

- Often late or absent from school with little explanation
- Falling behind on school or college work, handing in homework late or incomplete
- Secretive about home life
- Showing signs of poor hygiene or diet
- Displaying disruptive behaviour
- Talks openly about family health issues
- Becomes uncomfortable when addressing various health topics.

The <u>Young Carers Blog: How to identify a young carer | Carers First</u> is a useful resource for all practitioners.

## 4. Assessment of young carers

### 4.1 Responsibilities for assessment provision

There will be provision for an assessment of needs for support for all young carers under the age of 18 on request from them or their parent/carer 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/carers 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, rest 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 open to Children's Services are the responsibility of Children's Services, including consideration of the needs of any young adult carers who care for disabled children.
  - Young carer needs will be considered as part of the Early Help assessment (EHAP) or as part of the Children's social care family assessment and plan.
- Adult Services 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 Services will refer to Children's Services via Access where the child is thought to be a child in need or requires Preventative Services support; they will also refer to our commissioned young carers services.

### 4.2 Whole family approach to assessment

A whole family approach will be embedded into local assessments practice through joint training on awareness and identification of young carers. This means making sure any assessment considers and evaluates 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 other members of the household. A thorough assessment centred on the family should 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 his or her caring role. Any remaining unmet support needs for the young carer should then be considered and responded to.

When carrying out assessments we will consider that parents with disabilities have the same rights as parents with no disabilities. There is no 'parents with disabilities' legislation as such, but certain legislation and guidance protects the rights of adults with disabilities - including in their roles as parents and their right to be a parent.

The Human Rights Act 1998 states

"the right to respect for private and family life - the state can only interfere in family life if it is necessary for the protection of others, for example children"

We will therefore where possible and appropriate, address positively the impact of a parent's impairment on their ability to carry out that role. This may include the need for additional adult care provision to enable specific practical tasks under the parent's supervision

Further information and practice guidance is available in "The Care Act and Whole Family Approaches". This was published by ADASS March 2015 in association with several partners and was commissioned by the Department of Health. (See link to LGA website Needs assessments and carers' assessments)

# 4.3 Principles of practice in undertaking a young carer's 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 considering a young carer's needs in an assessment, we 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:
  - o the person cared for [by the young carer]; or
  - o another member of the young carer's family.
  - o what the young carer's needs for support would be likely to be if he or she were not relieved of part or all his or her caring role and whether the young carer has any remaining unmet needs.

### When carrying out an assessment and considering the young carer's needs, we 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 the 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, gender and understanding.
- where considered appropriate or necessary to do so, consult people with expertise and knowledge relevant to the young carer; and, to consult any person the young carer or their parent/carer wishes to involve.
- ensure that the young carer, the person cared for and, if different, the parents/carers 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.
- We will provide young carers, their parent/carers and any person at the request of the young carer or their parent/carers 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 Preventative Services or early help support, adult workers will make a referral to the Access team in Children's Services to decide if further action is needed. Further action might include:

- a referral to an independent 'Young Carers' service.
- accessing early help support through the "Early Help Network"
- a Early Help Assessment and Plan (EHAP)
- a joint assessment where appropriate (there is provision in the Care Act Guidance and in Section 17 of the Children Act to combine a young carers assessment with that of the adult); or
- further investigation by Children's Services about safeguarding concerns if there is a likelihood of significant harm to the child.

Where there are any aspects of an assessment that indicate there are concerns about a child's and/or vulnerable adult's safety and they require protection from harm these will be responded to swiftly and in line with local safeguarding procedures. Typically, Children's Services will undertake the provision of services or support to children in need and Adult Social Care will undertake services and support to the adult. These may be directly provided or commissioned from other providers.

If there is a disagreement in the assessment of need for a young carer, any practitioner, commissioned provider, or family member should feel comfortable to challenge decision made via the Access team via the usual channels.

### 5. Information, advice and advocacy

Together with our partners, we will work towards a position where services are available to all young carers and their family's 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.

For the latest information advice and guidance please refer to the following web pages:

Young carers | South Gloucestershire (southglos.gov.uk)

Being a young carer: your rights - Social care and support guide - NHS (www.nhs.uk).

Help for young carers | Carers Support Centre \*

These pages will be continually updated, and we would encourage all practitioner and professional to be fully aware of the young carer offer in the South Gloucestershire area.

\* Dedicated commissioned Young Carer Service in South Gloucestershire

### 6. Transition to adulthood

We 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>

Young carers approaching 18 whose caring needs may require re-assessment will be considered by all services including our commissioned carer support service. Where it is felt further action is needed, a referral will be made into Children's Service Access team.

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

We recognise that the power to join up services at transition and where appropriate we will ensure support plan plans across services align.

### 7. Information sharing

As with other contacts and referrals, the Access team will co-ordinate effective and timely information sharing between all agencies involved, including health. 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

8.1 Joint responsibility

We will ensure that practitioners are aware of local 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.

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, the police if they believe or

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<sup>&</sup>lt;sup>3</sup> Paragraph 16.18 Care and Support Statutory Guidance; Issued under the Care Act. DH 2014 Page **9** of **11** 

suspect a crime has been committed. Information sharing should be in line with local agreements and Caldicott principles.

## 8.2 Local Safeguarding Partnerships

The Safeguarding Partnerships for Children and Adults will be made aware of issues surrounding young carers and of this protocol. 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. This will ensure that those adults and children at risk of harm are kept safe and their welfare is promoted.

### 9. Putting these intentions into action

Actions arising from this protocol will form part of the Carers Strategy action plan which is published Carers Strategy Action Plan - April 2024 update (southglos.gov.uk).

We will put in place arrangements for periodic review and the provision of reasonable assurance to the Council, partners, young carers and their families on how this protocol is being implemented. Feedback from young carers and their families will be an essential element of review, this will be undertaken by the carer advisory partnership (CAP).

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 assessments to have the necessary knowledge and skills. This should include ensuring that practitioners in the local authority 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.

As part of the programmes for learning and development we would also encourage all practitioners / professional working with young carers to access learning from the following toolkit Resources for professionals working with young carers | Young Carers | The Children's Society (childrenssociety.org.uk)

## 10. Local Partnerships

There should be no "wrong door" 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), housing, and local communities to support young carers.

Work through the local Health and Wellbeing Board and the Joint Strategic Needs Assessment will include identification of the needs of young carers and young adult carers in the local area. The local 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.

Position	Signature	Date
Executive Director People Department	amistrie Sivers	05.06.2024
Director of Adults Housing & Community Development	D. A. Clarke	05.06.2024
Director of Public Health	Sold/.	05.06.2024