

To: Education and Children's Services Policy Board

On: 18 January 2018

**Report
by
Director of Children's Services**

Carers (Scotland) Act 2016 – Progress Update - Implementation of Young Carer Requirements

1. Summary

- 1.1. The Carers (Scotland) Act 2016 commences in April 2018. It places a number of new duties upon local authorities and health boards which were described in a report to the Board on 2nd November 2017.
- 1.2. A Young Carers Working Group has been operational since May 2017 to prepare for implementation of the Act. Preparations are now at advanced an stage and we will be ready to commence the new duties on 1st April 2018.
- 1.3. A clear pathway for the identification of young carers has been developed across Children's Services and partner agencies. Work is ongoing to develop a mobile app to advise young carers of their rights and to signpost them to a Young Carer Statement.
- 1.4. A post of 'Young Carer Social Worker' has been created to support delivery of the new duties, and the Young Carer Statement in particular. A recruitment process is underway currently and we anticipate appointment by the end of January 2018.
- 1.5. In terms of section 21 of the Act, the Working Group has developed eligibility criteria for young carer services. A consultation process was undertaken with young carer groups and relevant professionals and the criteria were agreed. The criteria were submitted to the Integration Joint Board on 24 November 2017 and require to be considered by the Education and Children's Services Policy Board.
- 1.6. A consultation process for our Young Carers Strategy is currently underway. The Strategy is informed by the voices of our local young carers and sets out the key priorities for action over the period 2018-2021. The Young Carers Strategy will form part of the wider Renfrewshire Children's Services Partnership Plan.

2. Recommendations

2.1. The Education and Children's Services Policy Board is asked to:

- Approve the eligibility criteria for young carers services (attached at appendix 1).

3. Background

- 3.1. The Carers (Scotland) Act 2016 recognises the value of the unpaid care provided nationally by Scotland's carers, as well as the impact that caring can have on individual carers.
- 3.2. The Act defines young carers as carers aged under the age of 18 years or older provided they remain a pupil at school. The responsibility for young carers rests with local authorities for school age children and with health boards for pre-school children.
- 3.3. The local authority and health board must, in consultation with carers and their representatives, develop local eligibility criteria for access to carer services. The Act does not preclude development of separate criteria for adult and young carers. The eligibility criteria must be published by 31 March 2018. Regulation from Scottish Ministers is expected as regards the process for reviewing eligibility criteria.
- 3.4. Separate eligibility criteria for adult and young carers have been developed in Renfrewshire. Consistent with our view that young carers are children and young people with the same developmental needs and aspirations as their non-carer peers, the young carer eligibility criteria is aligned to the GIRFEC approach which is embedded across services Renfrewshire. The criteria are attached at appendix 1.
- 3.5. A process of consultation about the eligibility criteria was undertaken involving young carers and relevant professionals. The feedback was that the GIRFEC approach is well understood and helps to ensure that young carers are seen as children and young people first and foremost.
- 3.6. The young carer eligibility criteria was presented to the Renfrewshire Integrated Joint Board on 24 November 2017 as part of their wider consideration of the implications of the Act.
- 3.7. The Act places a duty upon the local authority and health board to produce a three year local strategy for adult and young carers. The strategy for young carers should be published by 31 March 2018. The Strategy will be presented to the Board at the meeting on 26 March 2018.
- 3.8. A strategy for young carers has been produced and we are currently awaiting consultation feedback from relevant stakeholders. The strategy reflects the voice of young carers. The strategic priorities emphasise early intervention and preventative, resilience-building approaches which cause minimum disruption to family life and support young carers to have a life outside of caring.
- 3.9. The Act requires that the local authority offers a Young Carer Statement to an identified young carer and to prepare one if that offer is accepted. A Young Carer Statement must also be prepared for any child or young person who requests one.

- 3.10. A young carer pathway has been developed which (i) enables early identification of young carers; (ii) advises young carers of their entitlement to a Young Carer Statement; and (iii) signposts young carers to preparation of a Young Carer Statement. The pathway will be enabled via a mobile app which includes multi-media content about local services and legal rights, and includes a self-assessment portal through which young carers describe their caring role.
- 3.11. A social work practitioner post has been created to support delivery of the new young carer duties within the Act. The post-holder will be a single point of contact for young carers and will co-ordinate Young Carer Statements. The post-holder will be managed by Children's Services and will work peripatetically across the authority. It is anticipated that the Young Carer Social Worker will be in post in February 2018.
- 3.12. Renfrewshire Council's contract with Renfrewshire Carers' Centre is currently being updated to ensure alignment with our strategic objectives for young carers and to properly reflect the new requirements of the Act. The revised contract is due to be considered by the Carers' Centre Board of Management on 26 January 2018.
- 3.13. The joint Children's Services and HSCP Carers Strategic Implementation Group continues to oversee the implementation of both the adult and young carer requirements. The young carers project plan is on schedule and Children's Services and partners will be ready for full implementation on 1 April 2018.
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Implications of this report

1. **Financial** - None
2. **HR & Organisational Development** - None
3. **Community/Council Planning** -
 - *Our Renfrewshire is thriving* – Supporting the wellbeing of young carers and enabling them to have a life outside of caring will assist them to participate in and contribute to a thriving Renfrewshire.
 - *Our Renfrewshire is well* – Providing GIRFEC wellbeing assessments and timely, high quality support to young carers will improve their physical health and emotional wellbeing.
 - *Our Renfrewshire is fair* - Supporting young carers to enjoy a life outside of caring enables them to have the same opportunities as their non-carer peers.
 - *Our Renfrewshire is safe* – The GIRFEC approach to assessing and delivering services to young carers will prevent young carers from undertaking excessive and inappropriate caring responsibilities.
 - *Working together to improve outcomes* – The young carer pathway is based on partnership working and collaborative approaches to improving outcomes for young carers.
4. **Legal** - Further regulations re several sections of the Act are expected, however, there is no timescale. Legal Services are assisting the Carers Strategic Implementation Group to ensure compliance with new requirements.
5. **Property/Assets** - N/A
6. **Information Technology** - N/A
7. **Equality & Human Rights**

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because the Act was assessed by the Scottish Government for human rights and equalities impact

- 8. **Health & Safety** - None
- 9. **Procurement** - None
- 10. **Risk** - None
- 11. **Privacy Impact** - None
- 12. **Cosla Policy Position** - None

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Appendix 1

Young Carers

Eligibility Criteria

The Carers (Scotland) Act 2016 aims to ensure better and more consistent support for both adult and young carers to enable them to continue to care – if they wish to do so – in better health and to have a life away from their caring role.

The Act places a number of duties upon local authorities to respond to the needs of carers.

Part 3, sections 21 & 22 of the Act requires each local authority to set and publish local eligibility criteria for access to carer services. The criteria must be developed in consultation with carers and carer representatives and it must be published before 1 April 2018.

In Renfrewshire, we propose that children and young people will be deemed to meet the threshold for support if they satisfy the following criteria:

1. Meets the definition of young carer as per the Carers (Scotland) Act 2016.

...“carer” means an individual who provides or intends to provide care for another individual (the “cared-for person”). Part 1 (1)

...“young carer” means a carer who –is under 18 years old, or

has attained the age of 18 years while a pupil at a school, and has since attaining that age remained a pupil at that or another school. Part 2 (a) & (b).

2. Lives in Renfrewshire.

3. Has caring responsibilities which have, or are likely to have, an adverse impact upon their wellbeing, assessed in terms of SHANARRI wellbeing indicators

4. Has caring responsibilities exceeding that which an ‘average’ child or young person of the same age and stage of development might reasonably be expected to undertake (for example, helping with shopping, basic housework tasks, preparing simple meals).

As per section 1 (2) (a) of the Act, the term ‘Carer’ does not apply in the case of:

- a cared-for person under 18 years old, to the extent to that the care is or would be provided by virtue of the person’s age;
- if the care is provided by virtue of a contract;
- or as voluntary work.