

HERTFORDSHIRE COUNTY COUNCIL

CABINET

MONDAY 15 OCTOBER AT 10.00 AM

EXECUTIVE COMMITTEE

MONDAY 15 OCTOBER AT 2.15 PM

Agenda Item No.

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**PILOTING CARERS' SERVICES UNDER THE
CARE OF DISABLED CHILDREN ACT 2000**

Report of the Director of Adult Care Services

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Executive Member: Jane Pitman

1. Purpose of Report

To seek the approval to the establishment of a Pilot Implementation of Carers' Services and of the proposed policy framework for the pilot.

2. Summary

2.1 The Carers and Disabled Children Act 2000 came into force from April 1 2001. One of the provisions of the Act is the establishment of a duty to assess all "substantial and regular carers". The Act also introduces a range of powers to increase the flexibility of the support local authorities can offer carers of adults and parents of disabled children. In particular, local authorities are empowered to offer services direct to carers, whereas previously all services, even where provided to help support a carer, were deemed to be community care services provided for the user.

2.2 In 2001/2, £20,000 has been set aside from Carers' Breaks Grant in Hertfordshire to introduce more flexible services for carers. The Carers Topic Group proposes that a pilot implementation of carers' services be implemented across the county.

3. Conclusions

- 3.1 For the purposes of the pilot, the Carers Topic Group suggests that the following rules apply subject to review when the pilot is evaluated.
- i. The threshold for eligibility is where there is a “substantial risk” of a caring relationship breaking down.
 - ii. That no charges be made to carers for services during the pilot
 - iii. That carers’ services could be provided using direct payments
 - iv. That the target group be carers who care for someone who is eligible for, but refuses, services.
- 3.2 It is suggested that the pilot be evaluated by the Carers Topic Group in February, prior to any decision to implement more widely and, at that time, the appropriateness of the above rules also be considered.

4. Background

- 4.1 The Carers and Disabled Children Act offers to local authorities the possibility of providing services direct to carers. In 2001/2, there is a limit on the resources Councils can use when providing such services, which is 7.5% of the total grant provided for Carers' Breaks. In Hertfordshire, 7.5% would represent around £100,000. The amount actually allocated for this purpose by the Council is £20,000 for this financial year.

5. Carers' Services

- 5.1 All substantial and regular carers are now entitled to an assessment of their needs. Following the assessment, the most likely outcome is that community care services for the person cared for will provide the best means of supporting both the user and the carer. In some circumstances, it may be appropriate to offer services direct to carers. The local authority may provide services to carers to meet their needs, provided that it will help either the person they care for, or that it will help to maintain the carer's own health and well-being. These services may take any form, for example, a gardening service, or assistance around the house for a carer who devotes most of their time to providing intimate care for the person cared for.
- 5.2 In order to safeguard human rights for disabled people, regulations make it clear that carers' services cannot include any services that impacts on a user in an intimate way.
- 5.3 Carers' services may be particularly appropriate in a number of circumstances. Firstly, where a user refuses community care services or assessment, and carers' services would be the only possible support available to the carer. Secondly, there may be services which would enable a caring relationship to continue, but which could not be provided as community care services. An example of this might be something directly received by the carer, either by way of some further education, driving lessons or other similar activities. Thirdly there may be circumstances where, although community care services are on offer, the carer, the user and the local authority all agree that a slightly more flexible approach would be preferable to the user and carer and could also be more cost effective for the authority.

6. The Proposed Pilot

- 6.1 The Carers Topic Group has considered in detail the issues around the implementation of Carers' Services, and suggests that a pilot should be undertaken in order to assess how beneficial the implementation of carers' services is going to be, and what rules need to be applied to a wider implementation.
- 6.2 The Topic Group suggests that the pilot be limited to those carers whose user refuses a community care service, where there is a substantial risk of the caring

relationship breaking down. The Eligibility Panel has endorsed the proposal to set the threshold for eligibility at the level of “substantial risk” for the purposes of the pilot. Given the relatively small amount of money available for the pilot, and the likely level of service to be provided to individuals, it is suggested that there should be no charges for carers’ services during the pilot and that the Direct Payment Scheme should be extended to cover payments to carers in lieu of carers services. The Topic Group proposes to evaluate the pilot in February in order to give consideration to extending carers’ services to all substantial and regular carers from 2002, as part of the range of resources available to meet the needs of users and carers.

6.3 There were a number of issues which need to be particularly considered during the course of any pilot and which might give rise to questions.

- A fairly wide range of services could be provided as a carers’ service. Many of these services would not normally be provided as part of the community care service. There may be some questions from users as to the equity of dealing with carers differently from users. This can be justified if we see carers as partnering us in providing a package of care for a user and any service we provide to them is in order to make that partnership sustainable.
- It is proposed that we should not charge for carers’ services under the pilot, partly because of the low level of service that is likely to be provided, but partly because, if we see carers as partners in the provision of care, it would seem inappropriate to charge them for a service which enables that caring relationship to be sustained. There may, however, be questions raised by users, who are of course subject to a charging regime for home care, day care and respite services.
- Direct payment rules will have to be carefully revised, in order to incorporate the possibility of payments to carers, particularly in the light of the different range of services that carers may be able to purchase using those payments, as compared to users.

7. Conclusion

7.1 There are a number of issues arising in relation to the implementation of carers’ services and the implementation of a pilot offers the opportunity to consider these issues, and make any necessary adjustment to the rules prior to any wider implementation of carers’ services.