

research
in practice
for adults

What...

***rights do carers
have to an
assessment of
their needs?***

What is... *the Care Act 2014?*



Before the *Care Act* came into force in April 2015, carers did not have a direct legal right to receive support (although some local authorities did provide support).

The *Care Act 2014* gives carers a legal right to an assessment of their needs (regardless of how much care they provide) and suitable support to help them in their role as a carer. This assessment of need is usually done by the local authority, or a voluntary organisation working on their behalf. Even where carers are not eligible for funded support, councils have a duty to provide information and advice to carers.

The *Care Act* has improved rights for carers and means that a carer's eligibility for support may have changed. Since April 2015 all carers should now be offered a new assessment of their needs. Carers are entitled to an assessment even if the person they care for does not receive support from the local council.

What does ...

this mean for carers' rights?



The rights set out in the *Care Act* apply to adult carers (over the age of 18) and young carers (aged under 18) who are caring for someone over 18.

For young carers and adults who care for disabled children, assessment and support is also guided by children's law and practice.

When a professional is assessing a carer's needs and those of the person they care for, the *Care Act* says that the circumstances of the whole family should be taken into consideration so that the support a family receives is as joined up as possible. This includes making sure the needs of any young carers in the family are included.

The assessment will look at the carer's physical, emotional and mental wellbeing, and what support might be needed to maintain it. **These are some of the areas the assessment should cover:**

- > Who else they care for (for example children) and how their caring role impacts on other members of the family.
- > How the carer maintains his or her own life - including leisure time, education, training and employment, and other relationships.
- > Whether the carer is both willing and able to continue in their caring role.

The assessment should focus on the carer and also help them to connect with other suitable support available in their community, for example through local support groups.

Following a needs assessment the carer may be eligible for a person-centred support plan and direct payments to help pay for any support he or she needs. This may or may not be funded by the council, depending on the situation. The person being cared for may also be entitled to more care and support as a result of the assessment.

You have been asked if you are happy for a joint assessment to take place, which takes into account your needs and those of the person you care for.

You receive regular contact and a quick, clear and concise response to your enquiries.

You have a good relationship with people who work in health and social care and can talk to them honestly.

How do...

I know if things are working well (as a carer)?

You are listened to and treated as an individual with knowledge, skills and expertise as a carer.

Your local authority has offered you an assessment of your needs as a carer.

The local authority listens to what you are and are not able and willing to do as a carer.

Following the assessment, there is a plan in place to help support your individual needs as a carer.

You know who to contact within the local authority if your needs or circumstances as a carer change. For example, if your caring duties increase due to a change in someone's health or if other people who support you, such as family members, become unable to help.

If you are concerned that you, or the person you are caring for, are not receiving this support please contact the council of the person you are caring for.

Practical advice for carers



If you are a carer and you've not been assessed by the council since April 2015 contact them to ask for an assessment, as you may be eligible for some support.

Lots more information about support available to carers, including the changes made by the *Care Act 2014*, can be found at:

- > NHS Choices - *Your guide to care and support*:
www.nhs.uk/carersdirect
- > NHS Choices - *Carers' rights and the Care Act*:
www.nhs.uk/conditions/social-care-and-support-guide/pages/carers-rights-care-act-2014.aspx
- > Carers UK - *Carers' Rights Guide*:
www.carersuk.org/help-and-advice/get-resources/carers-rights-guide
- > Carers UK - *Carers' Assessment*:
www.carersuk.org/help-and-advice/practical-support/getting-care-and-support/carers-assessment

You could also ask your GP surgery, local library or local council office as they may be able to signpost you to further information and advice and put you in contact with local carers' organisations.

Anyone who provides support to friends or family, who could not manage otherwise, is entitled to an assessment of their needs under the *Care Act 2014*. This includes people caring for someone who is ill, frail, elderly or has mental health or substance misuse difficulties.

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This guide explains a carer's entitlement to assessment and support under the *Care Act 2014*.

A carer is someone who provides help to another person, usually a relative or friend, to support their day-to-day lives. See the Research in Practice for Adults Customer Guide *What is a carer?* for more information about recognising someone who is a carer.

This guide has been produced by Research in Practice for Adults. We are a charity that uses evidence from research and people's experience to help understand adult social care and to improve how it works.

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