

Leicester
City Council

WARDS AFFECTED
All (corporate issue)

Social Services & Personal Health Scrutiny Committee
Cabinet

21 February 2002
11 March 2002

IMPLEMENTATION OF CARERS & DISABLED CHILDREN ACT 2000

1. Purpose of Report

- 1.1 This report highlights the requirements of the Carers and Disabled Children Act 2000 (the Act), and outlines the statutory responsibilities and resource implications.
- 1.2 The term 'carers' is used generically within the report and includes adult carers, parent carers and young carers.

2. Recommendations

- a. Social Services and Personal Health Scrutiny Committee is recommended to note this report.
- b. Cabinet is recommended to agree: -
 - i. that the statutory requirements (to offer carers an assessment of their ability to provide and continue to provide care) are implemented in accordance with the eligibility criteria, until further resources are made available from the Government or identified through other funding streams.
 - ii. that the Act is partly implemented in Leicester as follows:-
 - the practice guidance for members of staff to foster best practice in identification, referral and assessment of carers is revised and implemented from June 2002;
 - additional services to give carers a break will continue to be provided through the Carers Special Grant from Department of Health.

- agree that opportunities to secure funding from other streams is explored, for additional resources required to fully implement 'carer centred' assessments and to test the feasibility of providing flexible support services to carers, including use of vouchers and direct payments.

3. Summary

- 2.1 The Carers and Disabled Children Act 2000 came into force in April 2001. The Act imposes additional statutory responsibilities upon the Council in relation to carers' assessment and empowers the Authority to provide 'carer specific' services.
- 2.2 The new Act builds on the Carers (Recognition and Services) Act 1995. It imposes a requirement on the Council to carry out, on request, an assessment of the carer's ability to provide and continue to provide care even where the person cared for refuses a community care assessment or services. This includes young and adult carers as well as people with parental responsibility.
- 2.3 The carer must be providing or intending to provide a substantial amount of care on a regular basis. However, the Council must be satisfied that the person cared for is someone for whom it may provide or arrange for provision of community care services.
- 2.4 The Act also gives the following powers to the Council : -
- to extend Direct Payments to carers and disabled young people aged 16 or 17
 - to provide vouchers (Department of Health Guidance is awaited).

4. Headline Financial and Legal Implications

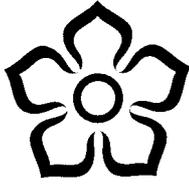
- 4.1 Additional breaks for carers will be provided through the Carers Special Grant, subject to Government guidance. The projected allocation for Leicester for 2002/03 is £566,000. The Carers Special Grant allocation for 2001/02 was £469,447.
- 4.2 The projected increase in the number of carers' assessments particularly 'carer centred' assessments will be prioritised alongside other areas of departmental work undertaken. Additional resources from other funding streams may be identified to accelerate the offer of carers' assessments.

4.3 The Carers and Disabled Children Act 2000 came into force on 1st April 2001 with the exception of the guidance on voucher provision.

4.4 There are no legal implications arising from this report (Pat McCausland, Senior Solicitor – Tel. 252 6712).

5. Report Author/Officer to contact:

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SUPPORTING INFORMATION

1. National Context

- 1.1 Over the past six years, the Government increasingly has recognised the important contribution that carers make in providing community care to frail, ill and disabled people.
- 1.2 The difficulties with implementation of Carers (Recognition and Services) Act 1995 and lobbying by carers organisations led the Government to introduce National Strategy 'Caring for Carers' (February 1999). The Carers Special Grant, what accompanied it, was made available to local authorities from April 1999 specifically to provide additional breaks for carers.
- 1.3 Following intense campaigning by national carers' organisations, the Carers and Disabled Children Act 2000 (the Act) received Royal assent in July 2000. The new Act was implemented from 1st April 2001.
- 1.4 The Act, in many ways, is flawed like the Carers (Recognition & Services) Act 1995, because of the lack of resources made available by the Government to fully implement it.
- 1.5 The Council already provides a number of services such as home care, day opportunities, sitting services etc., to support carers in their role.
- 1.6 Social Services also commissions services from CLASP (the Carers Centre) and works very closely with the organisation and other voluntary groups in developing support to carers.

2. Other Implications

OTHER IMPLICATIONS	YES/NO	Paragraph Within Supporting information	References
Equal Opportunities	Yes	All	
Policy	Yes	All	
Sustainable and Environmental	No		
Crime and Disorder	No		
Human Rights Act	No		
Elderly/People on Low Income	Yes	Carers of older persons are often old and disabled themselves	

3. Background Papers – Local Government Act 1972

None.

4. Consultations

Multi-agency Carers 'Task and Finish' Group.

5. Report Author

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