



Adult Social Care Series

Factsheet 2

Asking for a Carer's Assessment in England

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This resource is part of a series of factsheets about adult social care that explain the support different social care assessments may lead to. The series breaks down the steps involved in requesting and preparing for different assessments and provides tools to support people to work with the local authority in planning support that meets their needs. The factsheets highlight the legal obligations local authorities have and what can be expected of them.

Who is this factsheet for?

This factsheet is for people who provide '**necessary care**' in an unpaid caring role, in England, for a person with Down's syndrome who is over 18. It will explain how to request a **Carer's Assessment** that will determine whether you are entitled to support from the local authority, to enable you to continue in your caring role. It will also explain how the assessment will work and what can be expected of the local authority. You can also call the DSA helpline if you have further questions about assessments.

The '**necessary care**' you provide in a caring role might be helping someone with activities they are not able to do on their own, for example:

- Getting out of bed
- Toileting
- Washing, dressing
- Preparing meals
- Eating
- Making use of their home safely
- Shopping
- Banking
- Attending appointments
- Getting to work
- Being part of the community and maintaining friendships

The support you provide might be prompting, emotional support, structuring the person's environment or direct physical care and support.

Asking for help does not mean that you don't care or can't cope. It is about recognising and valuing your role as a carer and identifying your needs and how they might be met.

What is the Care Act (2014)?

The Care Act (2014) sets out the way local authorities must work when assessing and meeting the care and support needs of their local population. It places new duties upon local authorities to give carers the same rights as the people they care for. This means local authorities must consider the things the carer wishes to achieve from their day-to-day life and whether the provision of support could contribute to enabling the carer to meet these goals. Local authorities must also consider whether the carer is able and willing to carry on caring.

Local authorities must also consider the Care and Support Statutory Guidance (2016) when assessing people's needs and providing support and services. This can be found here:

<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

Who can have a Carer's Assessment?

The Local Authority has a **duty** to offer a Carers Needs Assessment where there '*appears to be a need*'. As an unpaid carer if you provide the type of support listed at the beginning of this factsheet, to an adult, you are likely to be entitled to a Carer's Assessment. You do not need to be living at the same address as the person you are supporting. There is no minimum amount of the level of care you provide in order to request an assessment. The person you support does not need to be in receipt of social care services and you may work full time, part time or not at all.

What is a Carer's Assessment and what sort of help might I get?

The local authority will use the assessment to decide whether you are eligible for help by using **national eligibility criteria** to consider risks to your independence, your health and safety (and that of others), your wellbeing and your ability to manage daily routines.

A Carer's Assessment may result in support or services for you or the person you care for, to enable you to continue caring for them. A Carer's Assessment can be undertaken independently or combined with a **Needs Assessment** for the person you are caring for, if this is necessary and you both agree to this.

The assessment should focus on the impact caring has on your life. For example, it should look at:

- What impact caring has on your physical health and mental health and wellbeing
- Whether you have a desire to work or study
- What outcomes you have for your own day-to-day life
- Whether you are willing and able to continue in your caring role

The following are examples of the support you might receive following a Carer's Assessment:

- Practical help in the home, for example, with cleaning or gardening for you or the person you care for
- Adaptations for the home of the person you care for
- Domiciliary care (care at home) or additional care for the person you support
- A temporary stay in respite services for the person you support, to enable you to have a break and/or access leisure activities, education or employment
- Day services for the person you care for
- Meals delivered to the home of the person you care for
- Help for you to get around such as taxi fares, driving lessons, repairs and insurance
- If necessary, technology to support you such as a mobile phone or computer if it is not possible for you to access a local library
- Support for your physical and mental wellbeing – for example, this may mean you are provided a gym membership or yoga classes

How do I get a Carer's Assessment?

Different teams in different local authorities oversee social care assessments. Therefore you will need to ask your local authority which department to contact. You will need to request a Carer's Assessment under the Care Act, 2014. It is advisable to request this in **writing** and you should:

- State clearly you are asking for a Carer's Assessment and list any people you wish the local authority to involve in the assessment
- It is advisable to ask for acknowledgement they have received your request and how long it will be before an assessment will take place
- Keep written records of your request and copies of any letters or emails you send
- Keep written records of any telephone calls, recording the date of your call and who you spoke to
- Remember to give the local authority your contact details and ask the date you can expect to hear back from them

The local authority should contact you within a reasonable timeframe (likely to be within 4-6 weeks) to arrange a date for an assessment. The local authority however does have the power to provide interim support or services in certain circumstances. If you feel you need support more urgently you can ask the local authority to consider, in your particular circumstances, providing interim support or services until the Carer's Assessment has taken place.

The local authority **must** provide you with information about how Carer's Assessments work and what support is available locally. Local carers' organisations might be able to help you make the request for assessment if you need this.

What help might I get with the assessment process?

The local authority must ensure you are able to be fully involved in the assessment process. If you wish, you are able to have a friend or relative support you during the assessment. If the

following describes your circumstances, the local authority must provide an **independent advocate** to help you with the assessment process:

- You would have 'substantial difficulty' in communicating your wishes, and/or you are not able to understand and retain information long enough to weigh it up during the assessment process
- You have no other appropriate person who is able and willing to support you with this process

You may also be able to get extra help from local carer's support groups. At the end of this factsheet we have listed some national carer's organisations that may also be able to help.

Preparing for your Carer's Assessment

It is important to think through all the things you do as a carer and the impact this has on your life. You should think about the things that would help you in your role as a carer. This will help you to explain during the assessment the challenges you face and what support will help you in your caring role. This information will be used to decide whether you are eligible for support, so remember to mention everything you do and what impact your caring role has on your life and your wellbeing.

You may also like to ask your GP, any other professional, family member and/or friend who know you well to supply written evidence of your need for support.

The local authority must take the view that you are best placed to judge your own wellbeing and they must also take into account your views, wishes and beliefs. They must consider how the provision of information or support might **reduce, prevent or delay** your needs for support developing further.

You will therefore need to provide the local authority with evidence about how your needs arise due to delivering **necessary care** to an adult, how these needs affect your physical and/or mental health and how not meeting your needs **significantly** affects, or is likely to **significantly** affect, your **wellbeing**.

Please see references at the end of this factsheet for more information about, the national eligibility criteria (section 3 of the Care and Support Eligibility Criteria Regulations 2015), and for a full definition of wellbeing under the Care Act, (2014).

What happens in a Carer's Assessment?

The assessment should be carried out by a social worker or other trained professional. Sometimes the worker undertaking the assessment will need to contact other people who have specialist knowledge in order to understand your situation. This may mean, for example, they need to contact a medical professional. By law the assessment should:

- Ensure you are able to participate effectively in the process
- Take into account your wishes and the outcomes you wish to achieve
- Take into account the level of your needs

The assessment should look at what you need, not what is available. It should consider the things that you want to achieve in your day-to-day life that will maintain or improve your wellbeing. Therefore the assessment should take into account whether your caring role prevents you from, for example, staying in work or having a social life.

The assessment should ask you about:

- Your caring role – how you manage from day to day
- Your own physical, mental and emotional health, and the health of the person you care for
- Whether you wish to continue caring
- Your relationships and social activities
- Your wishes to engage in education, training and leisure activities
- Whether you are working, or would like to work
- What would happen in an emergency

You will need to ensure the worker assessing your needs understands what life is like for you. They should not assume you are willing to continue providing the level of care you are currently giving. Be honest about how you feel - **caring is your choice**.

What happens after the assessment?

The local authority will consider whether your situation meets the **national eligibility criteria** for a service to be offered. Your needs have to be considered in the light of whether your caring role makes it difficult for you to meet the **eligibility outcomes** (this should include the things you wish to achieve from your day-to-day life and any additional caring responsibilities you have for other persons, including any children you have) and the impact of not being able to meet these needs on your **wellbeing** (for example the impact on your physical, mental and emotional health).

If you are eligible for carer's support

The local authority, if you want them to, should meet any eligible needs they have identified. In this event, they will work with you to make a **Support Plan**.

The Support Plan sets out how your needs can be addressed. The Support Plan might include services for you, or the person you support or it may include a combination of the two. There should be an initial review 6-8 weeks after the Support Plan is put in place. Following this, there may be an annual review if necessary. You can also ask for a review at any time if things aren't working or your circumstances change. The Support Plan should detail:

- How your needs will be met
- The services that will be provided
- When, how often and by whom services and support will be provided and whether these will be provided to you or the person you care for

If you are not eligible for carer's support

The local authority must provide information about how they reached this decision. They must also provide information about relevant services in your locality that may help to **prevent, delay or reduce** your needs from developing further.

Personal Budgets

The Support Plan will include a Personal Budget. This is the amount of money the local authority will pay to meet the needs identified through the Carer's Assessment. The money in this budget **must** be enough to cover the cost of meeting the needs detailed in the Support Plan.

Direct payments

In most circumstances you can have a Direct Payment to enable you to purchase the support to meet your eligible needs. Direct Payments must be used to meet **only** the needs identified in the carers Support Plan. The local authority should be able to provide more information on Direct Payments.

You can also find more information on direct payments from your local authority or from Disability Rights UK who have a dedicated helpline: <http://www.disabilityrightsuk.org/how-we-can-help/helplines/independent-living-advice-line>

Carers UK also have more information about direct payments on their website: <http://www.carersuk.org/help-and-advice/practical-support/getting-care-and-support/direct-payments>

What if the assessment concludes I am not eligible for support and I disagree with this decision?

Make sure you have a written copy of the assessment. If you disagree with the content of the assessment, discuss this with the worker that has undertaken the assessment or with their manager to see if you can reach an agreement. If you are still unhappy with the outcome following this you can follow these steps:

- Write to the local authority and ask them to explain how they reached their decision. You have a legal right to a written explanation.
- Get a copy of the local authority's complaints procedure – this should be on their website or you can contact the local authority to request a copy
- Following the local authority's complaints procedure write to the local authority (you may like to copy in the Monitoring Officer) stating clearly that you are making a formal complaint. Explain what you feel the local authority has not taken into consideration about your circumstances. Remember to explain your **needs** and how your **wellbeing** is affected

- If you are not happy with the local authority's response, write to them to request a review of your case copying in the Monitoring Officer

If having followed the complaints procedure, you are not happy with the local authority's response you can take your complaint to the Local Government Ombudsman. For England: <http://www.lgo.org.uk/making-a-complaint/>

For information to help with making a complaint please see article on pg. 31 of DSA Journal 131: <http://www.downs-syndrome.org.uk/download-package/dsa-journal-131/>. There is also a link at the end of this factsheet to some examples of template letters from Irwin Mitchell which can be used when making a complaint about social care.

Will I have to pay for anything?

Depending on your financial situation, which will be assessed on an individual basis, there may be a charge for providing support. The Carer's Assessment itself should be free. If you are not eligible for services free of charge, the local authority can still provide services to you if you are willing for it to do so. If there is a charge for these your local authority must provide clear information about what this is.

Carers' benefits

Carers may be able to claim Carer's Allowance or Carer's Premium/Addition. For more information see our Benefits an Overview leaflet: <http://www.downs-syndrome.org.uk/download-package/awareness-week-2016/>. Our Benefits Advisors can offer more information about how to apply for benefits. For help with this please call the Down's Syndrome Association Helpline on 0333 1212 30 and ask to speak to a benefits advisor or email info@downs-syndrome.org.uk

More information

The Down's Syndrome Association

If you have any questions about assessments please call the Down's Syndrome Association Helpline on 0333 1212 300 or email info@downs-syndrome.org.uk

Support organisations for carers

Carers UK

Provides information, advice and support for carers and campaigns to improve carers' lives

www.carersuk.org

Carers Trust

Work to improve services, support and recognition for carers. They provide information, forums, and search tools to help find local carers services

www.carers.org

Other useful resources

Health and social care law: information and draft letters for making a complaint to the local authority

<http://www.irwinmitchell.com/personal/protecting-your-rights/social-healthcare-law/the-care-act/care-act-factsheets-and-template-letters>

NHS information on assessments

<http://www.nhs.uk/CarersDirect/guide/assessments/Pages/Overview.aspx>

Social Care Institute for Excellence assessment and eligibility information

<http://www.scie.org.uk/care-act-2014/assessment-and-eligibility/>

Social Care Institute for Excellence assessment and eligibility process map

<http://www.scie.org.uk/care-act-2014/assessment-and-eligibility/process-map/index.asp>

The Local Government Ombudsman

http://www.local.gov.uk/care-support-reform/-/journal_content/56/10180/6522308/ARTICLE

Government guidance and legislation

Statutory guidance to support local authorities implement the Care Act 2014 (2016)

<https://www.gov.uk/guidance/care-and-support-statutory-guidance>

The Care Act (2014)

<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

The Care and Support (Assessment) Regulations 2014

http://www.legislation.gov.uk/uksi/2014/2827/pdfs/uksi_20142827_en.pdf

The Care and Support (Eligibility Criteria) Regulations 2015

http://www.legislation.gov.uk/uksi/2015/313/pdfs/uksi_20150313_en.pdf

Case Studies

Case study example 1 – older family

Sarah is 39 and lives with her parents Maria and George who are 80 and 82. Sarah's parents have always supported Sarah with her day-to-day life but now they are older they are finding it increasingly difficult to support her on their own. Sarah needs support with maintaining her personal hygiene, keeping her living space clean and with preparing meals. Sarah also needs support to meet with friends in the local community and attend recreational activities (for example swimming) and access necessary facilities (for example health services) in the community. Sarah and her parents agree that she should continue to live with them but also agree that they need help to ensure Sarah is well cared for and able to attend activities in the community.

Following receipt of a written request for a **Carer's Assessment** the local authority began to assess Maria and George's needs as Carers. As part of the assessment process Sarah and her parents had an opportunity to provide the local authority with information about their situation and Maria and George's needs as carers. The family's GP also wrote to the local authority to inform them about Maria and George's needs as carers. The local authority then assessed this information against **national eligibility criteria** to determine whether Maria and George have eligible needs as carers.

The local authority determined Maria and George have '**eligible needs**' as they are providing **necessary care** to Sarah which is preventing them from maintaining a habitable home environment and attending recreational activities themselves which is resulting in a negative effect on their health and **wellbeing**.

Following the assessment the local authority worked with Maria and George to put together a **Carer's Support Plan** to address their eligible needs as carers. The Support Plan specifies that Sarah will receive domiciliary care for an hour each morning and two days a week will have a support worker to facilitate meeting with friends and attending activities and necessary facilities in the community– this will enable her parents to maintain a habitable home and attend their own recreational activities. Maria and George are deemed to have '**eligible needs**' in meeting these particular needs of Sarah's as supporting Sarah on their own is preventing them from being able to maintain a habitable home environment, attend recreational activities and is putting their own mental and physical health at risk of deteriorating.

Maria and George are entitled to individual **Needs Assessments** regarding their own needs too, which they would need to ask the local authority to undertake. In their situation it may also benefit the family if Sarah also had a Needs Assessment of her own as this would look at Sarah's individual needs and may entitle her to additional support of her own.

For more information about preparing for the future please see our article Supporting Older Families: <http://www.downs-syndrome.org.uk/download-package/supporting-older-families/>

Case study example 2 – young adult

Andy who is 25 years old currently lives with his older brother Simon. Simon provides support for Andy but has been finding it harder to cope recently as Andy's needs have changed. The increase in Andy's support needs have meant Simon is struggling to juggle work and social commitments with supporting Andy and maintaining a home for the two of them. This is having a negative impact on Simon's wellbeing. Simon has been to his GP to discuss how stressful the situation is becoming and the GP has encouraged Simon to contact the local authority to request a **Carer's Assessment**.

Following receipt of Simon's written request for a Carer's Assessment the local authority began to assess Simon's needs as a Carer. As part of the assessment process Simon and Andy had an opportunity to provide the local authority with information about their situation and Simon's needs as a carer. Simon's GP also wrote to the local authority to inform them about Simon's needs as a carer. The local authority then assessed this information against the **national eligibility criteria** to determine whether Simon has eligible needs as a carer.

The local authority identified that Simon has '**eligible needs**' as he is providing **necessary care** to Andy and needs to be able to work and have time to access leisure activities and an inability to do this is having a negative impact on Simon's **wellbeing**. The assessment has also identified that Simon is unable to maintain a habitable home for the two of them without putting Andy's safety at risk. Following the assessment the local authority worked with Simon to put together a **Carer's Support Plan** that would address the identified needs. The Support Plan specifies Simon and Andy will have a cleaner for two hours twice a week who will maintain the hygiene levels of their home and will do their laundry.

The Carer's Assessment also highlighted that Andy should have a **Needs Assessment** in his own right. Andy's Needs Assessment identified Andy has eligible needs for care and support. Following Andy's Needs Assessment a **Care and Support Plan** was put together that detailed the direct support Andy will have. Through this Andy will have a support worker for 20 hours a week who will step in while Simon is at work so that Andy is able to access the community with support.

The local authority undertook a financial assessment which in Simon and Andy's circumstances indicated the local authority would have to pay the cost of meeting the needs identified through both the Carer's Assessment and Andy's Needs Assessment.