

ANGUS COUNCIL

CHILDREN AND LEARNING COMMITTEE – 7 NOVEMBER 2017

Carers (Scotland) Act 2016 – Young Carers

1. BACKGROUND

- 1.1 The Bill for this Act of Parliament was passed by Parliament on 4th February 2016 and given royal assent on 9th March 2016. The Carers (Scotland) Act 2016 “The 2016 Act” will come into force in its entirety on 1st April 2018. Consultation upon draft regulations under the Act opened on 31st July 2017 and closed on 24th September 2017. Final regulations and associated guidance will be published in due course
- 1.2 The Act makes provision about carers, including the identification of carers’ needs for support through adult carer support plans and young carer statements; the provision of support to carers; the enabling of carer involvement in certain services; the preparation of local carer strategies and the establishment of information and advice services for carers.
- 1.3 The Act imposes a duty on a responsible authority to prepare a Young Carer Statement (YCS) for carers whom are under 18, or over eighteen but still at school. A responsible authority for this purpose will be the Health Board in which the young carer resides in the case of a preschool child, or if of school age, the local authority for the area in which the young carer resides (subject to some exceptions). The YCS will continue to apply until there is an Adult Carer Support Plan in place (ACSP). The YCS sets out the young carer’s identified personal outcomes and needs and any supports to be provided by the responsible authority to meet those needs. Provision for the process of identifying outcomes and needs for young carers will be set out in Regulations to be published in due course. In terms of assessment there is also provision for use of SHANARRI indicators already specified in terms of the Children and Young People (Scotland) Act 2014. The Act acknowledges that certain young carers may already have a Child’s Plan in terms of the Children and Young People (Scotland) Act 2014, but will require a YCS to be developed in line with duties under the 2016 Act to focus on their role as carer.
- 1.4 The 2016 Act imposes a number of duties. There is a duty imposed for each local authority and relevant Health Board to jointly prepare a local carer strategy. In carrying out this task, regard must be had to a number of matters including the Children’s Services Plan for the local authority area. In addition, there is a duty imposed upon each local authority to set eligibility criteria after appropriate consultation and having regard to matters specified by Scottish Ministers. There is a related duty imposed upon the local authority to provide support to carers to meet eligible needs. In addition, there is a duty imposed upon local authorities and health boards relating to carer involvement in carer services.
- 1.5 The Scottish Ministers are required to produce a Carers Charter. Consultation on that matter is due to conclude on 22nd October 2017. Scottish Government have instituted a Carers Act Implementation Steering Group to inform implementation of the 2016 Act and provide information on the impact of the legislation following commencement.

2. Within Angus

- 2.1 The Carers Planning & Development Group, a multi-agency group, was delegated the authority by the Integrated Joint Board in June 2017 to coordinate the implementation of the Carers (Scotland) Act 2016. This group has established an Implementation Plan consisting of 11 Workstreams.

- 2.2 Workstream 10 has been established to develop and implement a Young Carers Statement complying with the requirements set out by the Act. Our work in Angus will be built on the principles of the "Whole Family Approach". This ensures that universal and specialist services improve the identification of children in need and in need of protection through increased understanding of the impact of an adult's problems on a child's life. To take this forward a multi-agency Young Carers Strategy Group, a sub group of the Carers Planning & Development Group has now been established and is actively designing the Angus young carers' statement pathway. This group also continues to engage and involve young carers in the design of the Angus Young Carers Strategy.
- 2.3 As the final implementation guidance is completed there are a number of areas which still require further consideration. These include ensuring that young people who have a caring role can be identified and considering sibling support for children and young people with a brother or sister with Additional Support Needs (ASN) who have been identified as not having a caring role. Further information will be brought to committee as this work develops.

Contact for further information:
Pauline Stephen (Head of Schools and Learning)
Email: PEOPLE@angus.gov.uk