

WHOLE FAMILY WORKING: MAKING IT REAL FOR YOUNG CARERS

YOUNG CARERS LEGAL RIGHTS QUIZ

Answer each of the following questions by ticking those answers which you feel to be correct. There may be more than one correct answer to each question!

1. The term Young Carer:
 - a. Was clearly defined in the Carers (Recognitions & Services) Act 1995. **Incorrect. Not clearly defined in any of the Carer Acts including the Carers (R&S) Act 1995. Section 96 of the Children and Families Act 2014 defines Young Carers as outlined in b. below. ADASS and ADCS define young carers as "Children or young people under the age of 18 who provide regular and ongoing care and emotional support to a family member who is physically or mentally ill, disabled or misuses substances"**
 - b. Refers to a person under 18 who provides or intends to provide care for another person of any age, except where that care is provided for payment, pursuant to a contract or as voluntary work **Correct**
 - c. Means the child or young person will be a 'child in need' **Incorrect. A young carer may be a child in need but this is not always necessarily the case. Where a young carer is thought to be a 'child in need' adult workers will discuss the case with Children's Services to see if further action is needed. Further action might include:**
 - A referral to an independent Young Carers service
 - Accessing preventative support through the "Early Help Network"
 - Further investigation by Children's Services about safeguarding issues
 - A jointly undertaken assessment by adult and children's workers
2. The National Carers Strategy 'Recognised, valued and supported: next steps for the carer's strategy highlighted:
 - a. The priorities identified for adult carers up until 2018 **Incorrect. Not just adult carer – includes all ages**
 - b. The importance of whole family approaches to assessment so as to improve support to young carers as well as adult carers **Correct**
 - c. The importance of enabling those with caring responsibilities to fulfil their educational and employment potential. **Correct – this was one of the key coalition priorities for carers of all ages**

3. The Care Act 2014 concentrates on:
 - a. Reforming the law relating to adults in need of care and support **Correct**
 - b. Reforming the law relating to adult carers with no provisions relating to young carers **Incorrect – there are specific provisions relating to young carers in transition and there is emphasis on whole family approaches within the guidance.**
 - c. The principle of wellbeing for both adults and carers **Correct – it is worth noting that if we are considering the well-being of adults and adult carers we must consider their parenting responsibilities and how we can support them as part of the assessment and support plan.**

4. The Children & Families Act 2014:
 - a. Inserts a new clause 17 ZA into the Children Act 1989 to address the needs of young carers. **Correct**
 - b. Focuses on putting children and young people at the heart of planning and decision making through person centre planning **Correct**
 - c. Will be implemented in April 2016 **Incorrect. Parts of this act were implemented in 2014, however the new section (Section 17ZA) relating to young carers works alongside the Care Act from April 2015.**

5. Section 17 Clause 17 ZA of the Children Act:
 - a. Places a clearer duty on the local authority to undertake an assessment of a young carer's needs for support when they request one **Incorrect as the duty to assess is based on appearance of need not on the young person requesting one.**
 - b. The amendment to S17 of the Children Act only places legal duties upon Children's Services **Incorrect as the legal duties apply to the local authority as a whole therefore there are duties on adult services alongside children's services**
 - c. Requires the local authority to ensure a young carer is identified and give consideration as to whether they are a 'child in need'. **Correct. We need to ensure we are proactive in identifying young carers in our local area.**

6. Section 17 of the Children Act 1989 defines a child as being in need in law if:
 - a. He/she is unlikely to achieve or maintain or have the opportunity to achieve or maintain a reasonable standard of health or development without provision of services from the LA **Correct**
 - b. His/her health or development is likely to be significantly impaired, or further impaired without provision of services from the LA **Correct**

- c. He/she is suffering, or is likely to suffer, significant harm or maltreatment **Incorrect.** Although a young carer may be suffering or likely to suffer significant harm this is not one of the 3 criteria which make up the definition of a child in need. The third criteria in S17 refers to 'a child who is disabled'.
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- 7. A recent ministerial statement highlighted how:
 - a. The presence of a young carer in the family should always constitute an appearance of need and should trigger an assessment or the offer of an assessment to the person needing care **Correct**
 - b. The adult's assessment and eligibility for support should take into account their parenting responsibilities **Correct**
 - c. Where a young carer is identified within the family, the starting point should be assessing the needs of the young carer and then see what remaining needs there are for the adult or child who needs care. **Incorrect, should be the other way around!**
 - d. Assessments should find out why a child is caring and what needs to change in order to prevent them from undertaking excessive or inappropriate caring responsibilities **Correct**
 - e. A whole family approach is essential and separate individual assessments are not appropriate where there is a young carer in the family. **Incorrect as we need to discuss the right approach with family members who may choose to have a joint assessment taking a family approach.**

 - 8. Under the new legislation the lead professional with legal responsibility for a young carer's assessment:
 - a. Will always be from Children's Services **Incorrect**
 - b. May sometimes be from Adult Social Care Services **Correct**
 - c. May sometimes be a School Nurse **Incorrect**
 - d. May sometimes be a Mental Health Services practitioner, **Correct, but in the case of a health employed practitioner appropriate formal delegated authority needs to be in place**
 - e. May sometimes be from a voluntary organisation **Incorrect although they may help support the young carer and their family through the assessment process**