

<b>Decision maker:</b>	<b>Cabinet</b>
<b>Decision date:</b>	<b>Thursday 15 March 2018</b>
<b>Title of report:</b>	<b>Provision of young carers service</b>
<b>Report by:</b>	<b>Cabinet member health and wellbeing</b>

## **Classification**

Open

## **Decision type**

Non-key

## **Wards affected**

(All Wards);

## **Purpose and summary**

The purpose of this report is to seek approval for the council to directly provide a new assessment and support service for young carers.

The joint carers strategy 2017 – 2021 and associated commissioning intentions were approved by Cabinet in July 2017. That decision noted that a panel or focus group of carers, including young carers, would contribute to the final design of new services to be commissioned and participate in the procurement process. That work has concluded that a service for young carers should be commissioned separately from wider carers provision. There are numerous challenges currently to commissioning such a service for young carers to be delivered by an independent provider and it is therefore proposed that the council instead deliver it directly through its children's wellbeing directorate. This report seeks to approve the proposed new in-house service for young carers.

## **Recommendation(s)**

**That:**

- (a) the development and delivery of an in-house service to support young carers is approved; and**
- (b) authority is delegated to the director for adults and wellbeing, in consultation with the director for children's wellbeing, to approve the final service delivery model and its implementation from 1 April 2018, with a maximum service value of £65k per annum.**

## Alternative options

1. The option to include young carers services in a wider recommissioned service for carers generally. This option is not recommended as support for young carers requires a different model of delivery than other carer services. This includes assessing young carers within the context of their family and wider circumstances and building support plans which use the widest networks. External providers would not generally be in a position to discharge fully the council's statutory duties in this area.
2. The option to commission a separate young carers service via a competitive procurement process. This option is not recommended. Few providers are well placed to carry out assessment and support planning in pursuit of statutory duties and initial engagement with the market suggests that the potential contract value would be too small to attract bidders. There would be no competition on price as the contract value is fixed and would have to be published as part of the open tender process to avoid bidders quoting above the value. Additionally, developing a new service within the council delivers better value for money than securing an external service of this small scale, as the fixed costs of procurement would be disproportionate compared to the total contract value. A further consideration is that other related services for young carers are currently being provided by an independent provider not funded by the council and it is not clear how long these will continue. This is an unduly complex environment in which to commission an independent provider to operate.
3. The option not to have any service to support young carers. This option is not recommended. The council's duties regarding young carers derive from the Children Act 1989, the Children Act 2004, the Children and Families Act 2014 and the Young Carers (Needs Assessment) Regulations 2015. In summary, the council is obliged to do what it can to identify young carers and must assess their needs using a whole family approach, taking into account a range of different factors. Supporting and enabling carers to balance their caring role with their own aspirations is aligned to the council's wider strategic approach to prevention, promoting health and wellbeing and enabling those with health or social care needs to stay within their community for as long as possible. It is not sufficient for the council to rely on external bodies picking up some of these statutory functions, based on their own funding and prioritisation.

## Key considerations

4. Young carers can provide invaluable support to their family, but at the same time this can be detrimental to their own wellbeing and aspirations unless they receive adequate support. Therefore, early intervention and delivery of a pragmatic service to assist young carers to overcome such challenges is key.
5. The identification of unpaid, informal carers of any age is a key challenge across the wider public service system. Carers often do not identify themselves as a carer, but rather as a loving relative or friend. This is especially true of young carers, whose family environment often sets the benchmark for their perception of normality.
6. In July 2017, Cabinet adopted the joint carers strategy 2017-2021 along with the supporting commissioning intentions. The needs and interests of young carers are highlighted throughout the strategy. In relation to young carers, the commissioning intentions stated, "The provision of assessment and support planning for young carers,

including transition assessments, will be reviewed to ensure alignment to the needs of young people, continuity and best practice as services are re-commissioned.”

7. Elements of the service for young carers are currently being delivered by Herefordshire Carers Support (HCS) through that organisation’s own initiative rather than through a commission from the council. While the HCS service is of value, its scope is not sufficient to enable the council to discharge all its statutory duties in full. In particular, it is necessary to take further steps to ensure that assessments of young carers fulfil the requirement to take a whole family approach and consider all aspects of the young person’s life, beyond just their caring role and the wider family situation. It is also important to ensure that assessments lead to support which takes advantage of the most comprehensive networks and the broadest range of options. Services also need to ensure that they work effectively with all schools, GP practices and other sources of referrals and support for young carers.
8. Support for young carers must complement existing services as far as practicable, in order to ensure an integrated experience for service users and best use of the available resources. Commissioners and a focus group of carers have considered various options for linking young carers provision with wider services for carers, but further investigation has demonstrated that these were not deliverable in practice.
9. HCS has external funding currently to continue its existing support for young carers only until 2019 and it is not clear whether the service will be sustained beyond then. Therefore, once the proposed new service for young carers is established, the council will keep the overall picture under review, ensuring the offer from each organisation is complementary and clear. Bringing the new service into the council will not have any implications upon HCS’ existing funding.
10. Limited funding is available to the council from April 2018 to provide assessments and support for young carers. Therefore, any service would already require some infrastructure and experience in delivering for young people or young carers to effectively provide the service. The existing family support services provided by the children’s wellbeing directorate within the council present an opportunity and a model of delivery for providing effective assessment, networking and support planning for young carers.
11. The new service will be managed as part of the family support service within the children’s wellbeing directorate where the IT and infrastructure to support the service are already in place. It will encompass a number of key principles aligned to the joint carers strategy, including confidentiality, safeguarding and empowerment. It will focus on four main activities:
  - Young carer assessments following a whole family approach
  - Transition assessments for young carers
  - Wide ranging networking and signposting to offer diverse opportunities
  - Increasing the availability of online/digital opportunities and support

The service will adopt a wide range of ways of engaging and communicating with young carers and promote the voice of young carers in strategic contexts, including the implementation of the joint carers strategy.

12. Commissioners have prepared a specification for the service, which children’s wellbeing will work to and record the achievement of outcomes. There will be reviews every six months with commissioners and young carer representatives to monitor achievement of objectives. This will be reported through internal governance processes and to Cabinet

members. It is proposed to undertake a full review of support for young carers towards the end of 2020.

13. Communication about the new service will be delivered through various strategic meetings and forums and via the council's corporate communications channels.
14. Herefordshire Carers Support is not commissioned to provide a service for young carers and will continue to provide their existing service independently of the council. The recommended option is a new service which will be provided by officers currently employed within the family support team. Their roles will be back-filled through recruitment. As such, it is apparent that Transfer of Undertakings (Protection of Employment) Regulations 2006 ("the TUPE Regulations") will not apply.

## **Community impact**

15. The council's corporate plan includes a commitment to enabling people to live safe, healthy and independent lives. Many vulnerable people are dependent upon carers in order to do so. The new young carers service seeks to support that contribution and help to ensure that young carers themselves are safe, healthy and enabled to fulfil their aspirations. It will promote identification of young carers by universal services and will focus on connecting young carers to their community and other sources of support.
16. Enabling young carers to sustain their caring role while balancing their own needs was a key theme during engagement with young carers. Many stated that they felt constrained by their caring role and unable to access the same educational or social opportunities as their peers, demonstrating inequity. Measuring the impact of such early constraints is difficult but there is recognition that this impacts young carers in many ways, including emotionally and mentally. Herefordshire's health and wellbeing strategy identifies mental health and children as key priorities. Therefore, early identification of young carers and connecting them to sources of support are essential to promoting good physical, emotional and mental health.
17. The recommended decisions within this report are not anticipated to have any implications directly for looked after children. Some care leavers may be young carers. The proposed service within children's wellbeing is well placed to connect into other sources of support for care leavers who are also young carers and to understand the wider implications, including the council's legal responsibilities as a corporate parent.
18. The council is committed to providing a healthy and safe environment for all individuals affected by the council's activities. Therefore the council endeavours to ensure that the work it and its partners undertake does not adversely affect the health, safety or welfare of service users. As the service provider, the family support service within the children's wellbeing directorate would adhere to the health and safety standards and codes of practice required of the council.

## **Equality duty**

19. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
20. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.
21. Age and disability are protected characteristics under the Equality Act, although being a carer is not. National research shows that young carers are 1.5 times more likely than their peers to have a special educational need or a disability, yet there is no strong evidence that young carers are more likely than their peers to come into contact with support agencies, despite government recognition that this needs to happen. Additionally, young carers are less likely than their peers to achieve their full potential in education. The new service for young carers will work with strategic partners to address inequities. This is addressed in more detail in the equality impact assessment (see appendix 1).

## **Resource implications**

22. The recommended support service for young carers will be achieved within the commissioning budgets available. A core commissioning budget of £245k per annum, allocated to carers services from 2018/19, was approved by Cabinet in July 2017 along with the commissioning intentions and delegated authority to the Director for Adults and Wellbeing for the award of contracts. Of this budget, £65k per annum is allocated to the provision of a service for young carers.
23. Any support offered to young carers as a result of an assessment will be met through existing contracts or informal free community organisations or groups. Delivering the service in this way offers value for money as all of the spending will be directed to the cost of staffing and maximising delivery.

## **Legal implications**

24. The council has statutory duties to make provision to assess and provide support to meet the needs of young carers, as outlined in this report. Developing a service within the council will help ensure that the council's statutory duties are fully met.
25. The council has undertaken a consultation exercise on the available options which has informed the recommended course of action.
26. The support currently provided to young carers by HCS is not commissioned by the council.
27. There are not considered to be any procurement implications arising from the recommendation and as noted above, it is not considered that the TUPE Regulations will apply to the service being developed within the council.

## Risk management

28. If the recommended decision is approved, the risks are as follows:

Risk	Mitigation
The council's family support service are unable to fully deliver the specification.	The service will be reviewed every six months with opportunities for any concerns to be raised in the interim. The experience, of the family support service and its flexible delivery model help mitigate this risk. Should there be any challenges around delivery, stakeholders will meet to consider options and find solutions.
The Herefordshire Carers Support young carers service might close in 2019, leading to the loss of support for some young carers.	The council will remain in contact with HCS. If the funding for that organisation's service appears unlikely to continue, the council will provide support to those young carers with needs, which would no longer be met by HCS.

29. If the recommendations are not approved, the risks are as follows:

Risk	Mitigation
A service to support young carers would be delayed beyond April 2018, disrupting implementation of the joint carers strategy and the improvement of opportunities for carers, which may lead to additional costs. If this were to happen, the council may not be fulfilling its legal responsibilities around the identification of young carers, assessments for young carers and the provision of support.	Some services for young carers will still be provided by Herefordshire Carers Support. However, the service does not allow the council to discharge its duties in full and is only funded until 2019. It is not clear whether it will be sustained beyond then.

## Consultees

30. The council has undertaken in depth co-production work with around 160 carers during the period March to May 2017 to inform the joint carers strategy, including 17 young carers. The views and priorities of carers expressed through this activity form the core content and detail of the carers strategy, including the six priorities. Many ideas and views gathered during this process are consistent with, and built upon, consultation carried out with carers during 2015/16.

31. The council has consulted over the same period with various organisations, including current providers of contracted services for carers. They have contributed many thoughts, information and ideas, much of which has been incorporated into the young carers service specification.
32. Following approval of the carers strategy and commissioning intentions, further engagement was undertaken with carers to design services for both adult and young carers. Young carers were actively sought to engage in this process via stakeholders and other methods, with only one young carer being available despite various attempts to make engagement as flexible as possible. Two focus groups were undertaken to work through the priorities within the carers strategy and how they could reasonably be delivered within the resources available.

## **Appendices**

Appendix A – Equality Impact Assessment

## **Background papers**

None identified