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**Carers: The Care Act**

This document is for Adult Care and Community Wellbeing only.

08/08/2022 Version 1

**KEY POINTS**

* Always recognise the importance of carers and people’s informal support networks in supporting people to live independently.
* Understanding the availability, resilience, impact, and sustainability of informal support and community assets is fundamental to strengths based assessment and support planning.
* Consider a Whole Family Approach.
* Always encourage carers to have support to maintain their own wellbeing alongside their caring role.
* Involve / consult carers in the cared for person’s assessment and review, and take the opportunity to work jointly with Carers Services.

# **Who is a Carer?**

The Care Act (2014) defines a carer as:

Somebody who provides support or who looks after a family member, partner or friend who needs help because of their age, physical or mental illness, or disability. This would not usually include someone paid or employed to carry out that role, or someone who is a volunteer.

# **Carers’ Legislation**

The Care Act repeals all previous carers’ legislation and provides a statutory framework for Lincolnshire County Council’s practice in relation to carers. Our duties towards carers are enshrined throughout the Act, by putting carers on an equal legal footing to those they care for and putting their needs at the centre of the legislation.

Some key points introduced by the Act include:

* a duty to promote wellbeing of carers in line with the wellbeing principle including personal dignity, physical mental health, protection from abuse and neglect and control over day to day life, participation in work, education or training;
* a duty to undertake carers’ assessments where they appear to be in need of support in their caring role, irrespective of whether the person they care for receives services or is known to us;
* a national eligibility framework for carers, similar to that introduced for cared-for people, which should be applied in determining whether carers are eligible to receive services in their own right;
* the power for local authorities to financially assess carers and charge carers for services provided to them;
* the notion of the whole family approach, requiring us to ensure we fully understand the impact of people with care and support needs on all the important people in their life;

The sections of the Care and Support Statutory Guidance most relevant to assessment and care management activity with carers are:

* [Chapter 1 – Promoting Wellbeing;](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#chapter-1)
* [Chapter 3 – Information and Advice;](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#chapter-3)
* [Chapter 6 – Assessment and Eligibility;](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#Chapter6)
* [Chapter 10 – Care and Support Planning;](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#Chapter10)
* [Chapter 13 – Review of Care and Support Plans.](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#Chapter13)