

4.3.8 Carers Assessments of Parents/Carers for Disabled Children

RELATED LEGISLATION

- Children and Families Act 2014 Part 5
- Children Act 1989;
- Children Act 2006;
- Section 1 of Carers (Recognition and Services) Act 1995;
- Section 1 of Carers and Disabled Children Act 2000;
- Adoption and Children Act 2002;
- Section 4(3) of the community care (delayed discharges) Act 2003.

Contents

1. **Legal Context**
2. **Policy**
3. **Procedure**

1. Legal Context

1. Parent carers have the rights to assessments and rights to services under the Children and Families Act 2014 (2014 Act). Section 97 of the Children and Families Act 2014 amends the Children Act 1989 (by adding section 17ZD to section 17ZF) to require Local Authorities to assess parent carers on the appearance of need or where an assessment is requested by the parent. This is called a “parent carers needs assessment”;
2. A parent carer is defined in the 2014 Act as a person aged 18 and over who provides or intends to provide care for a disabled child for whom the person has parental responsibility;
3. The criteria for assessment as a ‘parent carer’ are primarily and statutorily linked to being able to identify the children as one with a disability. For the purposes of the duties to vulnerable children and their families, the definition of disability is as set out in 1989 Act section 17 (11).
A disabled child is defined as someone under 18 who is “blind, deaf or dumb or who suffers from mental disorder of any description or who is substantially and permanently handicapped by illness, injury or congenital deformity or such other disabilities as may be prescribed”;

4. Any parent carer is entitled to an assessment if they feel they are or will be in need of support. The assessment will be carried out by the local authority in which that child lives;
5. The 2014 Act places a duty on local authorities to undertake a parent carer's needs assessment under two conditions:

Condition 1:

That it appears to the local authority that the parent carer may have need for support or the local authority receive a request from the parent carer to assess their needs for support.

Condition 2:

The local authority is satisfied that the disabled child cared for and the disabled child's family are persons for whom they may provide or arrange for the provision of services under Section 17 of the 1989 Act.

6. However, the local authority do not have to undertake a parent carers needs assessment if the local authority have previously undertaken a parent carer needs or care related assessment and the needs of the parent carer or child have not changed;
7. The 2014 Act further identifies that a parent carers needs assessment must have regard to both the wellbeing of the Parent and need to safeguard and promote the welfare of the disabled child;
8. The parent carers needs assessment must involve the parent carer, the disabled child and any person whom the parent carer requests the local authority to involve;
9. The 2014 Act identifies that parent carers must be given a written copy of the assessment along with anyone they give authority to receive a copy;
10. The 2014 Act provides for the local authority to combine assessments of the parent carer and disabled child; however, they must nevertheless be distinct in the sense that the local authority can demonstrate:
 - a. It does not have blanket policy of combining such assessments in every case i.e. that it will undertake separate assessments if appropriate;
 - b. The parent carers specific needs have been identified and addressed (or reasons provided as to why they are not eligible to be addressed); and
 - c. It has had specific regard to the well- being requirements for the parent carer.
11. On completion of a parent carers assessment the local authority must consider the assessment and decide:
 - a. If the parent carer has needs for support in relation to the care which he or she provides or intends to provide;
 - b. If the disabled child cared for has needs for support.
12. If paragraph (a) or (b) applies, to consider if those needs could be wholly or partly met by services which the local authority may provide under Section 17 CA Act and if they could, whether or not to provide such services in relation to the parent carer or the disabled child cared for.

2. Policy

1. The Stockport Metropolitan Borough Council (SMBC) recognises the important role played by parent carers of children with disabilities and fully supports their rights under the legislation to parent carers needs assessments;
2. In many cases, those with parental responsibility for disabled children will seek to carry out their caring duties with support from those services that are available to all children, such as education and health services, and to remain independent of support from children's social care services. Or to approach their child's lead professional to undertake an EHA (Early Help Assessment).
Parents may also feel their own and their child's needs may be met via access to Aiming High Short Breaks Team (see [Stockport's Short Breaks Statement](#));
3. Where the needs of the disabled child and their family are such that extensive specialist services might be required, then an assessment from children's social care services would be appropriate;
4. The assessment from children's social care services should always be an holistic assessment that:
 1. Be based upon the Framework for the Assessment of Children in Need and their Families;
 2. Consider the needs of the child, the parents parenting capacity and family environmental factors;
 3. Have a section which relates to a parent carer needs assessment in terms of whether it is appropriate for the parent carer to provide or continue to provide care for the disabled child in light of their need for support other needs and wishes;
 4. Make recommendations (having considered all the above) over services under section 17 CA 1989 and which might be provided leading to mutual benefits for both the child and the parent carers and that will support them in their caring role.
5. A service may be provided under section 17 of the 1989 Act for the family of a child in need and for any member of his family if it is provided with a view to safeguarding and promoting the child's welfare;
6. Assessments should involve all relevant partner agencies as each will have a contribution to make in meeting the needs of the child and family and must involve the parent, disabled child and any other person the parent requests;
7. In the case of a [Looked After](#) disabled child being placed with foster carers, there is no entitlement of the foster carers to a parent carers needs assessment. The needs of the foster carers should be considered separately as part of their own assessment and approval process, and under their conditions of service as foster carers;
8. Services which are provided for a looked after disabled child in a foster home should be determined as a result of the child's assessment and under the statutory care planning and review processes. Respite care for a foster carer should be determined and arranged by the supervising social worker according to the relevant fostering support contract/plan;
9. In the case of an adopted disabled child, the assessment should proceed as it would in respect of any other disabled child in a family. In other words, the adoptive parents would be entitled to a parent carers needs assessment in conjunction with any child in need assessment which might be carried out. Under

the Adoption and Children Act 2002, the needs of the prospective adoptive parents should be considered in any post-adoption support plan; see [Adoption Support Policy](#);

10. Where the parent carers are themselves disabled or experiencing mental health problems, they are still entitled to a parent carers needs assessment, but they might also be entitled to an assessment in their own right, It should be progressed as per the policies in respect of assessments for adults, with appropriate consultation taking place between the respective social workers, ensuring that any services provided form part of an holistic plan of support.

3. Procedure

1. The Framework for the Assessment of Children in Need and their Families devotes a chapter to disabled children and their families. It states that "the assessment of a disabled child must address the needs of the parent carers. Recognising the needs of parent carers is a core component in agreeing services which will promote the welfare of the disabled child". It also states "Parenting a disabled child can be very demanding, both because of the child's impairments and because of the time and energy which have to be devoted to securing services to respond to the child's needs". It notes that "some families have more than one disabled child which affects parenting capacity";
2. The chapter describes a parent carers assessment in terms of the parenting capacity dimension of the Framework for Assessment under the standard categories Basic Care, Ensuring Safety, Emotional Warmth, Stimulation, Guidance and Boundaries, Stability as might apply in respect of disabled children. However, the emphasis here is on the needs of the child and how well the parents can meet those needs. The 2014 Act concerning the position of parent carers identifies that a further distinct element of the assessment process should be devoted to focus upon the needs of the parent carers in their ability and wish to continue to provide care for the disabled child;
3. To this end, an Assessment should also include the following regarding the carers assessment:
 1. **Carer's circumstances** - partnership arrangements (if any) between parent carers, any additional caring responsibilities for wider family, any contributions from other family members to caring tasks;
 2. **Carer's tasks** - the routine tasks which each carer undertakes including personal care, washing, dressing, feeding, laundry etc. and the span of these throughout the day/night;
 3. **Impact of the Caring Role** - the degree to which this has a bearing (both now and in the foreseeable future) on the emotional and physical health and well-being of the carer(s), on family relationships and one opportunities in leisure, education, training and employment, and in expressing their faith;
 4. **Carer's Views and Comments** - this should include the comments of the carer on what services they would hope the family might receive to benefit the disabled child which would also serve to improve their own quality of life as a carer;
 5. **Outcome** - which identifies the needs of the carer and how best their needs and aspirations might be met. Appropriate reference should be made to the outcomes of the Framework assessment in order to ensure consistency.
4. Social workers should routinely inform the parent carers of children with disabilities of their entitlement to a parent carer needs assessment and this should usually be done as a part of the child's and families

assessment unless there is a reason to undertake a separate assessment. *A parent carers needs assessment should not be completed if the parents/carers decline the offer of such an assessment. A record should be made that the parents were offered the assessment and turned this down;*

5. Any parent carer can make a request for an assessment informally or in writing. Where there are two parents/carers looking after a child, the parent carer needs assessment can either be carried out jointly or separately, however, this must lead to an holistic assessment of the child's family's needs;
6. Where a parent carer needs assessment is being carried out as part of a wider assessment of the child and family, the social worker should ensure a distinct element addresses the specific needs and outcomes of the parent carer/s;
7. In cases where there has been an assessment by Children's Social Care Services which has led to services being provided but there has been no parent carer needs assessment, the entitlement to a parent carers needs assessment should remain open at any time. Should a decision be made to carry out a parent carer needs assessment, this should involve a re-assessment of the disabled child and family's needs under the assessment framework;
8. On completion of the assessment, the social worker will consider if the needs identified can be met wholly or partly via services under Section 17. If it is concluded needs can be met in this way, the usual pathways to short breaks and services will apply. (See **Short Breaks Statement**);
9. Useful information for parent carers and families is provided by the monthly Stockport SEND e-newsletter, which can be subscribed to [here](#) and routinely shared with families during the assessment process.

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