



## **Local Eligibility Criteria for Provision of Support to Young Carers**

### **Duties under the Carers (Scotland) Act 2016**

The Carers (Scotland) Act 2016 came into effect on 1st April 2018. The aim of the legislation is to ensure unpaid carers are well supported to continue to care, if they so wish, with support to maintain their own health and wellbeing and to have a life alongside their caring responsibilities.

The Act defines a carer as:

“An individual who provides or intends to provide care for another individual” and a young carer is “a carer who is under 18 years old or has attained the age of 18 years while a pupil at a school, and has since attaining that age remained a pupil at that or another school.”

The Act introduces new rights for carers and specific duties for Local Authorities and the Integration Joint Board.

From April 2018, local authorities and/or integration authorities must:

- Prepare a Young Carer Statement (YCS) to identify a young carer’s needs for support to achieve their personal outcomes
- Provide support to the young carer based on their identified needs which meet local eligibility criteria
- Have an information and advice service for carers which provides information and advice on advocacy, carers’ rights, income maximisation and emergency/future planning

### **Local Eligibility Criteria for Young Carers to Access Social Care Services**

Under the legislation, all young carers have a right to a Young Carer Statement (YCS). Through this, young carers will identify their need for support to meet their personal outcomes.

Locally within Aberdeenshire, from 1<sup>st</sup> April 2018, young carers will be supported by our commissioned Carer Support Service to complete their YCS. A carer’s personal outcomes are the goals, which if achieved, will enable the carer to provide or continue to provide care for someone.

During preparation of the YCS, there will be an opportunity to discuss the caring situation and consider the impact caring has on a number of areas in a young carer’s life and the risk of the carer not being able to continue in that role.

These areas, or quality of life indicators form the framework for an eligibility criteria for carers to access social care services. Nationally agreed indicators for adult carers have been adapted to better fit with young carers using the Getting It Right For Every Child (GIRFEC) Wellbeing Indicators. The personal outcomes should link with, and support the achievement of the child’s potential in relation to the eight wellbeing indicators of **GIRFEC** and the **My World Triangle**, and making sure we work together to improve outcomes for young carers by focusing on the combined factors that contribute to their wellbeing. The Wellbeing indicators are; **Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible and Included.**

✚ **Safe/ Living Environment**

✚ **Healthy**

✚ **Achieving/ Education**

✚ **Nurtured/ Relationships**

✚ **Active/ Life Balance**

✚ **Respected/ Responsible**

✚ **Included/ Finance**

**Safe/ Living Environment** – The caring role may have an impact on the young carers feeling of being safe as they may experience challenging behaviours or less parental supervision than their peers. Young carers may have to carry out moving and handling procedures and take part in cooking and cleaning routines with limited knowledge of the correct way to undertake these tasks. In some cases a home may have to be adapted to accommodate the needs of the cared-for person. This can fundamentally change the young carer’s own living experience.

**Healthy** – The impact could be on the young carer’s mental or physical health or wellbeing and could range from them feeling a bit worried about things to depression; from a general feeling of tiredness to serious joint and/or muscle damage from perhaps having to assist with lifting and moving the cared-for person.

**Achieving/Education** – A young carer’s role may impact on their ability to attend school on time or regularly, or undertake homework. This may lead to the young carer not achieving their potential within school which will impact on their future opportunities.

**Nurtured/ Relationships** – Caring for a loved one can often be upsetting particularly if the person is physically deteriorating or their personality is changing or they find social relationships difficult e.g. siblings with Autism Spectrum Disorder (ASD). This can affect the young carer’s emotions and in some cases their experience can be similar to grief or feeling bereaved. Relationships with family and friends can become strained.

**Active/ Life Balance** – Dedicating time to caring can mean that the young carer often cannot find time to socialise or even just have some “me time” to do things that they want to do for themselves. Often they put the needs of the cared-for person first and don’t have the time or the energy to fully consider their own needs leading to these being neglected.

**Respected/ Responsible** - The young carer may have limited opportunities to share their views on their caring role, be involved in decisions being made with or by their cared-for and how this impacts on their life. The young carer may undertake responsibilities that are beyond those expected of their peers.

**Included/ Finance** – The young carer may not feel included or accepted within their community due to their caring role/situation. The family circumstances and caring role may have an impact on the financial resources within the household which may limit the opportunities available to the young carer.

In determining a young carer’s eligibility for funded services, it is important to recognise that the eligibility indicators listed above will not always exist in isolation from one another. It is appropriate

and desirable that indicators should be explored in relation to one another, as there may be a ‘multiplier’ effect when two or more indicators overlap or interact. For example, it would be appropriate to discuss the impact of insufficient household income in relation to the effect financial hardship can have on the emotional health and wellbeing of a young carer. Similarly, some indicators may be overarching, such as the ability to have a life alongside caring, which may be affected by the cumulative impact of the caring role in several areas of a young carer’s life.

The Act also provides for a discretionary power to provide support even if the Eligibility Criteria is not met. Not all support offered to young carers will be subject to the Eligibility Criteria and, if a young carer’s needs are below the threshold for funded support, a variety of information, advice and support will still be available. This could range from discussions with professionals (from school, health and social care teams and third sector organisations) to signposting to benefits advice or community groups.

The Act sets a duty on each local authority or partnership to set local eligibility criteria to apply in its area. Local eligibility criteria is the criteria by which the local authority must determine whether it is required to provide support to carers to meet their identified needs.

Social care resources are finite and variable and should be targeted fairly and on those with the greatest need, by using the same criteria for prioritising the needs of everyone who requests or requires a service. It is recognised that demand for support is increasing due to demographic changes, more complex needs and a greater intensity of caring.

The threshold has been set in line with the current local eligibility criteria for adult social care service users. Once we have identified the impact of the caring role with the young carer, we will determine the level of support required and whether the young carer is eligible for support based on the following:



Our priority is to focus on young carers with a significant caring responsibility and the highest level of need.

**In Aberdeenshire, the threshold for eligibility is set between moderate and substantial impact.** This means that young carers assessed with needs which have a substantial or critical impact or risk in any of the quality of life indicators will be eligible for further support. The framework for eligibility criteria for young carers is detailed in **Appendix 1**.

We will review our eligibility criteria as a minimum every 3 years.

## **Process to determine duty to provide support to a young carer**

### **1. Identification/Request for support**

Identification of a young carer could be made by a variety of people working in education, health and social care services, whether directly employed by the local authority, NHS or the Health and Social Care Partnership, part of a commissioned service or working independently in the private or third sector. Whether a young carer is identified or they come forward themselves, the first step is for a conversation to take place between them and the commissioned Carer Support Service.

During this conversation the young carer's rights under the Carers (Scotland) Act 2016 will be explained and the young carer will be encouraged to tell their story, describe their caring role, the support they already have in place, the impact the caring role is having on their life currently and whether they can foresee this improving or deteriorating in the future. This allows an overall general assessment to be made in relation to the level of impact or risk from the caring role on the individual and therefore the appropriate route for the next stage of the process should the individual wish to engage.

Of course, it is always possible that even if someone is identified as a young carer, they do not wish to see themselves as such or to share any of the detail in relation to their caring role and any impact this is having. This could be for a variety of reasons from not seeing the caring role as being separate to the role as a relative or friend, to not wishing to have any involvement with "formal" services. Should the young carer not wish to engage this should be recorded and no further action taken although, if deemed necessary, the situation could be marked to be kept under review.

**At this initial stage, if the appropriateness of the caring role undertaken by the young carer is thought to be presenting as a risk of significant harm to a child/young person's safety and wellbeing, this should be reported using the local child protection process.**

If the young carer does wish to engage the next step is to refer them on for a YCS to be completed.

### **2. Young Carer Statement (YCS)**

The next stage of the process is the completion of a YCS (see flowchart in **Appendix 2**). This contains the following information: -

- Summary of Caring Situation
  - The nature and extent of the caring role
  - Details of the cared-for person
  - The young carer's current willingness and ability to provide care
  - Any relevant information in relation to foreseeable changes to the caring role

- Specific circumstances which may indicate fluctuating needs
- Specific detail on future and emergency planning
- Impact and Risks
  - The impact of the caring role on the young carer (using each of the eligibility indicators as a prompt to consider that impact)
  - The risks associated with the young carer continuing in their caring role (using each of the eligibility indicators as a prompt to consider that risk)
- Eligibility
  - Whether Eligibility Criteria is met or not
  - Confirmation that the young carer has been advised of the eligibility decision
  - Whether the discretionary power to provide support is invoked or not (and if so who made that decision, when, and what the rationale for it was)
- Identified Outcomes and Needs
  - A young carer's identified personal outcomes
  - A young carer's identified personal needs (if any)
  - Specific requirements in relation to the requirement for a break from caring for the young carer
- Support Provided
  - Record of whether support is to be provided to the cared-for person
  - Record of whether young carer is signposted to existing services or community/family support
  - Reference to any existing support under a previous plan and the impact this had on outcomes
  - Details of funded support (if any) to be provided to meet the identified personal outcomes and needs.
  - Confirmation of 4 options under SDS offered or reasons why not
- Review Arrangements i.e. the circumstances in which the plan should be reviewed and the arrangements and timescale for that
- Whether a copy of the plan was requested by and provided to the young carer

### **Approach to Young Carer Support Planning**

A proportionate approach will be taken to Young Carer Support Planning. Whilst the YCS template will be comprehensive and available for use in multiple situations, consideration will be given to each individual young carer's wishes and preferences.

Equality will be considered in the support planning process. Protected characteristics will be taken into account and appropriate support will be made available to assist the young carer through the planning process where required.

The timing of the support planning process will also be considered recognising that an individual who has just begun a caring role will not necessarily be in a position to contribute fully and

knowledgeably to the planning process particularly if their caring role has come about suddenly as a result of a traumatic incident involving a loved one which they are still coming to terms with.

### **Support Available/Provided**

During the planning stage consideration will be given as to whether the identified personal outcomes and needs could be met through services or assistance provided to the cared-for person (other than replacement care to provide a break from caring) or services and support that are already available and accessible in the area (i.e. by information and advice and/or various types of community/family networks and support). If so, this should be recorded on the plan and the cared-for person's allocated worker advised and/or the young carer signposted to the relevant services or community support. The situation should be monitored so the timescale set for review should also be noted on the plan. When considering funded support, there needs to be a cross referencing between the YCS and the cared-for person's support plan. The two need to be considered in conjunction with each other to give allocated workers and other relevant decision makers the full picture in relation to the caring situation.

If the young carer's identified personal outcomes and needs are met only in part, or not at all, by services or assistance provided to the cared-for person or services that are already available and accessible in the area, then, if the eligibility criteria is met, consideration must be given to providing funded support and this must be detailed in the plan. When considering any type of support provision, the individual young carer's own resources and strengths will be taken into account in an asset based approach.

### **Other Considerations**

The young carer is entitled to have a copy of their YCS and again their wishes should be recorded on the plan with confirmation of whether and when a copy of the plan was provided.

If the young carer lives out with Aberdeenshire, we will liaise with the relevant authority to ensure current information about local support is available.

### **3. Application of Eligibility Criteria**

If any of the impacts or risks are in the substantial or critical category this engages the legal duty of Aberdeenshire Council to provide funded support. If the impacts and risks are all either none, low or moderate the eligibility criteria is not met however there still needs to be a consideration as to whether the discretionary power to provide support should be used. Each individual situation will be considered on its own merit however one example where the discretionary power might be used is where someone is caring for a terminally ill person where the current situation is not having a major impact or posing immediate risks but where it can be foreseen that the demands on the young carer will increase dramatically in a short space of time and that providing support early will help the young carer prepare for and manage that future impact.

### **4. Support Arrangements**

Once the decision is made to provide support, the necessary arrangements should be made to put this in place. The young carer must have as much involvement as they wish in relation to the provision of support or services, a collaborative approach is required. Reasonable steps must be taken to ensure that the right to dignity of the young carer is respected. The young carer must be given the opportunity to choose from the 4 options provided for in the Social Care (Self-directed Support) (Scotland) Act 2013 unless they are deemed to be ineligible under the terms of the

legislation. Examples of how young carers may use these options to meet their eligible needs are detailed in **Appendices 3 and 4**.

There is a duty under section 24(4)(a) of the Act to provide or arrange Replacement Care based on the young carer's needs whether or not the cared-for person has eligible social care needs in their own right.

In determining the support to be provided for both eligible and non-eligible needs, the young carer's own strengths and capabilities along with their wider support network, community, cultural and spiritual networks will be taken into account.

Young carers will not be charged for any proportion of funded support provided to meet substantial and critical identified personal outcomes and needs.

Should a young carer wish to appeal any decision in relation to the decision on whether their needs meet the Eligibility Criteria, they should make use of Aberdeenshire Council's 'Have Your Say' process:

<http://www.aberdeenshire.gov.uk/contact-us/have-your-say/>

## Appendix 1: Eligibility Criteria Framework for Young Carers

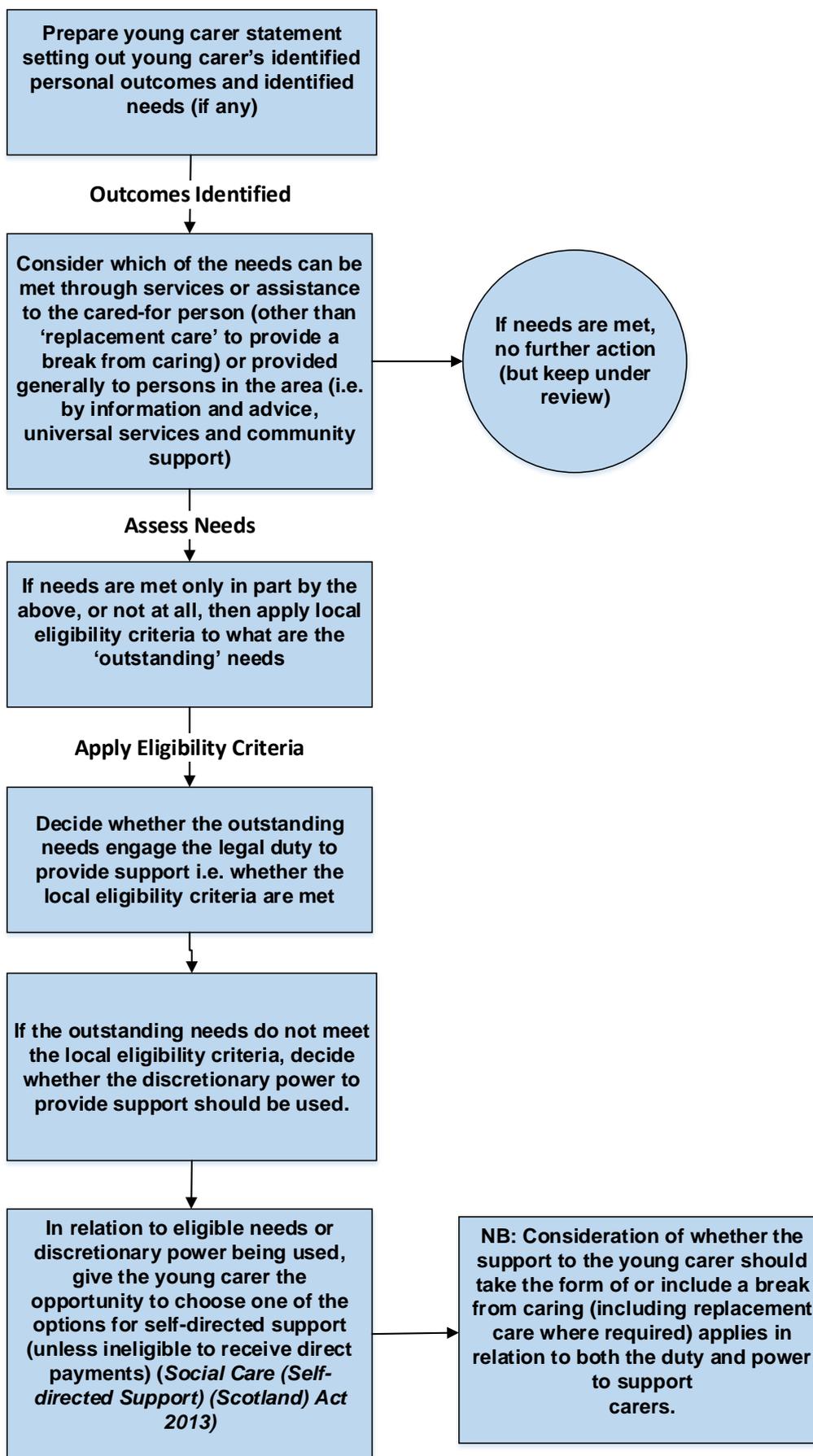
Young carer can receive support through carers support service and more general services (Local Authority has no duty to support)				Local Authority duty to support through Self Directed Support options (in addition to support from carers support service and general services)	
Indicators	Caring has no impact and is sustainable <b>NO RISK</b>	Caring has low impact and is sustainable <b>LOW RISK</b>	Caring has moderate impact and is sustainable <b>MODERATE RISK</b>	Caring has substantial impact and limited sustainability <b>SUBSTANTIAL RISK</b>	Caring has critical impact and is not sustainable <b>CRITICAL RISK</b>
Safe/ Living Environment	Young carer free from abuse, neglect or harm at home, at school and in the community.	Young carer's situation at home, at school and in the community is currently stable and manageable.	Young carer's situation at home, school or in the community is not ideal and there is potential risk to young and cared for person.	Young carer's situation at home, school or in the community is not ideal and there are risks which cannot be remedied in the short term.	Young carer's situation at home, school or in the community is unsuitable and there are risks for the young carer and the cared for person.
Healthy	Young carer is in good physical and mental health with no identified medical needs.	Young carer is able to manage some aspects of the caring/family/social roles and responsibilities and social contact and there is a possibility of the young carer's health being affected.	Young carer is able to manage some of the aspects of caring/family/social role and responsibilities and social contact, but the young carer's health may be affected.	Young carer is having difficulty in managing aspects of the caring/family/social roles and the young carer's mental and physical health is affected as a result.	Young carer has significant physical/mental difficulties due to the impact of their role as a carer which may cause significant harm.

Young carer can receive support through carers support service and more general services (Local Authority has no duty to support)				Local Authority duty to support through Self Directed Support options (in addition to support from carers support service and general services)	
<b>Achieving/ Education</b>	Young carer continues to access education/ training and as no difficulty in managing caring and education/ training.	Young carer has some difficulty managing caring and education/ training. There is a small risk to sustaining education/ training in the long term.	Young carer has difficulty managing caring and education/ training. There is a risk to sustaining education/training in the medium term.	The young carer is missing education/ training and there is a risk of this ending in the near future.	The young carer is at significant risk or has had to give up education/ training.
<b>Nurtured/ Relationships</b>	<p>Young carer has positive emotional wellbeing. They have a nurturing place to live and do not require additional help.</p> <p>Young carer has a positive relationship with the cared for person and feels acknowledged by professionals.</p>	<p>Young caring role beginning to have an impact on emotional wellbeing and may require additional help when needed.</p> <p>Risk of detrimental impact on relationship with cared for person.</p>	<p>There is some impact on the young carer's wellbeing and on their relationship with the cared for person resulting in a strained relationship.</p> <p>Need additional help where possible, in a suitable care setting.</p>	<p>There is a major impact on a daily basis to the young carer's wellbeing and this impacts on the cared-for-person.</p> <p>Young carer is unable to sustain many aspects of their caring role.</p>	<p>There is a complete breakdown in the relationship between the young carer and the cared-for-person and the carer is unable to continue caring or had difficulty sustaining vital or most aspects of their caring role.</p> <p>Input is needed for the young carer's wellbeing and there are no positives in the relationship with the cared-for-person. The young carer never feels acknowledged and therefore feels excluded.</p>

Young carer can receive support through carers support service and more general services (Local Authority has no duty to support)				Local Authority duty to support through Self Directed Support options (in addition to support from carers support service and general services)	
<b>Active/ Life Balance</b>	The young carer has opportunities to take part in activities such as play, recreation and sport at homes, in school and in community.	The young carer has some opportunities to take part in activities such as play, recreation and sport at home, in school and in the community.	The young carer has limited opportunities to take part in activities such as play, recreation and sport at home, in school and in the community.	The young carer has few and irregular opportunities to take part in activities such as play, recreation and sport at home, in school and in the community and this may have a negative effect to healthy growth and development.	The young carer has no opportunities to take part in activities such as play, recreation and sport at home in school and in the community and this has had a negative effect to healthy growth and development.
<b>Respected/ Responsible</b>	The young carer has regular opportunities to be heard and involved in decisions and have an active and responsible role to be involved in decisions that affect them.	The young carer has some opportunities to be heard and involved in decisions and have an active and responsible role to be involved in decisions that affect them.	Due to their caring role, the young carer has limited opportunities to be heard and involved in decisions that affect them.	The young carer has few and irregular opportunities to be heard and involved in decisions that affect them.	The young carer has no opportunities to be heard and involved in decisions that affect them.

Young carer can receive support through carers support service and more general services (Local Authority has no duty to support)				Local Authority duty to support through Self Directed Support options (in addition to support from carers support service and general services)	
Included/ Finance	The young carer feels accepted as part of community in which they live and learn. Has time to become part of community activities.	The young carer feels some acceptance as part of the community in which they live and learn but is unsure how to become part of the community activities.	Due to their caring role, the young carer has limited acceptance as part of the community in which they live and learn	The young carer feels isolated and not confident in the community in which they live in.	The young carer does not feel accepted as part of the community in which they live in.
	Free from financial stress.	There is a small risk of financial stress.	There is a risk of financial pressure.	Needing financial support.	The carer's financial position is severe and there is financial hardship.

## Appendix 2: Young Carer Process as Detailed in Statutory Guidance for Carers (Scotland) Act 2016



## Appendix 3: Examples of How to Meet a Young Carer’s Identified Needs

Type of support	Illustrative Examples
Services or assistance to the cared-for person (except ‘replacement care’).	<ul style="list-style-type: none"> <li>• care at home</li> <li>• technology enabled care</li> <li>• equipment and adaptations</li> <li>• mental health services</li> <li>• medicine management</li> <li>• support to access activities for siblings with additional support needs/disabilities</li> </ul>
General services – information and advice.	Information and/or advice on: <ul style="list-style-type: none"> <li>• carers’ rights</li> <li>• education and training (e.g. on support at school, advice on Further and Higher Education)</li> <li>• income maximisation</li> <li>• carer advocacy</li> <li>• health and wellbeing</li> <li>• bereavement support</li> <li>• emergency care planning and future care planning</li> </ul>
Other general services – available universally in the community or in particular neighbourhoods.	<ul style="list-style-type: none"> <li>• leisure centres</li> <li>• libraries</li> <li>• art galleries</li> <li>• community transport</li> <li>• lunch clubs</li> <li>• youth clubs</li> <li>• education services</li> <li>• gardening clubs</li> <li>• walking clubs</li> <li>• local support groups</li> </ul>
A young carer’s identified needs - both <b>eligible or non-eligible needs</b> - might be met in whole or in part by any combination of services or assistance for the cared for person or general services above.	
Under both the duty and power to support young carers the responsible local authority must give the young carer the opportunity to choose one of the options for Self-directed support (unless the local authority considers that the young carer or their representative is ineligible to receive direct payments). Under Part 5 of the Self-directed Support (Direct Payments)(Scotland) Regulations 2013 – Option 1 (Direct Payment) wouldn’t be offered if the young carer or representative has previously had a Direct Payment terminated or it would put the young carer’s safety at risk.	
These options are explained below.	

## Appendix 4: Examples of Self-directed Support Options for Young Carers

2013 Act option	Example
<p><b>Option 1 Direct payment</b></p>	<p><u>Example 1</u></p> <p>Young carer who lives in a remote rural area is feeling increasingly isolated and depressed. She has no friends or other family living nearby and nearest youth group and swimming pool are miles away. The cost of bus fares mean that she cannot afford to travel to the youth group and her mother is not able to drive due to her condition. The young carer uses a direct payment to pay for a bus pass and membership to the youth group and swimming pool. This means she can keep in touch with her friends through more regular attendance at the youth group and her health has been improved through regular swimming sessions. Both are having a positive impact on her mental health and wellbeing.</p> <p><u>Example 2</u></p> <p>A young carer who cares for his mother expresses that he has not had the same opportunity to learn to drive as his friends. Whilst all his friends are learning to drive, he cannot because his mother cannot afford the cost and because of his caring role he cannot take on a part-time job in order to earn extra money. He thinks that having a driving licence would be useful as the family could get a Motability car, which would help with a lot of the tasks around his caring role such as shopping and taking his mum to places. He also thinks that being able to drive would open up more job opportunities. The young carer uses his direct payment to pay for several driving lessons and the cost of the driving tests.</p>
<p><b>Option 2 Directing the available support</b></p>	<p><u>Example 1</u></p> <p>A young carer has no quality time with his mother as most of their time is spent caring for his sibling who has a disability and complex health conditions. The young carer would like to have a break from his caring role with his mother on a weekly basis when they can go cycling together. The young carer uses an Individual Service Fund to purchase support from a care agency for his sibling.</p> <p><u>Example 2</u></p> <p>A young carer has been experiencing anxiety and feelings of grief following the deterioration of his father's health condition. Referrals to the local counselling services are taking a long time to be progressed and being placed on a long waiting list would be detrimental to the young carers own health and wellbeing. An Individual Service Fund has been set up for the young carer to enable them to purchase grief counselling and a series of 'relax well balanced kids' sessions which offers relaxation, meditation and yoga of teenagers.</p>

2013 Act option	Example
<p><b>Option 3</b></p> <p><b>Arranged services</b></p>	<p><u>Example 1</u></p> <p>A young carer talks about feeling isolated due to her caring role and does not think that her school friends understand her situation. She cares for her mother who has an alcohol dependency and therefore experiences bullying as a result of the stigma around substance misuse issues. The young carer has expressed an interest in meeting other young people in a similar situation to herself. As she is already known to the Aberdeenshire Young Carer Support Service, they will enable her to meet other young carers as part of the support that they offer. A volunteer driver is arranged to take the young carer to regular groups and outings.</p> <p><u>Example 2</u></p> <p>A young carer talks about missing out spending time with her friends as she never has time because of her caring role. She expresses an interest in attending badminton group in a local authority community centre. The authority arranges for the young carer to attend the badminton group and arranges replacement care for the person she cares for once a week.</p> <p><b>NB:</b> The badminton class would be categorised under the Carers Act as general services and enabling the carer to attend this class would be providing general services, i.e. meeting non-eligible needs. The provision of replacement care would be either under the power or duty to support the carer (depending on whether her needs met the local eligibility criteria).</p>