

## **The Future of Carers Services**

### **SUMMARY**

- 1.1 The Care Act 2014 sets out Carers' legal rights to assessment and support from the Local Authority. Previously, not all Carers has a legal right to receive support. Under the Act, Councils have a duty to assess whether the Carer has needs and what those needs may be. This assessment should consider the impact of caring on the Carer.
- 1.2 Southern Derbyshire CCG and Derby City Council currently jointly commission Derbyshire Carers Association to deliver on our statutory duty to provide Carers assessments, information and advice. Social Workers are also involved in complex cases, or where there is a need to link the assessment with that of the cared for person. The CCG and the Council also jointly commission Creative Carers to provide training and short breaks for carers. Both contracts will come to an end in August 2018. In order to inform the future service model, and to ensure that we meet our obligations to Carers under the Care Act, the Council and CCG have reviewed the current carers arrangements and have recently undertaken consultation with carers which included proposing an alternative arrangements for the statutory carers assessments.

### **RECOMMENDATIONS**

- 2.1 To note the contents of this report and provide any comments on the Council's stated preferred model going forward.

### **REASONS FOR RECOMMENDATION**

- 3.1 Adults and Health Scrutiny asked to learn more about the recent Carers consultation and to be afforded an opportunity to comment on the proposals.

## SUPPORTING INFORMATION

- 4.1 The Care Act gives Local Authorities a responsibility to assess a Carer's need for support, where the Carer appears to have such needs. This replaced the law which said the Carer must be providing "a substantial amount of care on a regular basis" to qualify for an assessment. This means more Carers are now able to have an assessment of their needs. The assessment should consider the impact of caring on the Carer. It should also consider the things a Carer wants to achieve in their own day-to-day life, such as whether the carer is able or willing to carry on caring, whether they work or want to work, and whether they want to study or do more socially. The Care Act expects decision-makers to look at the wellbeing of the carer and, where necessary, take a "whole family" approach. Councils have a duty to promote the wellbeing of carers and to prevent burnout and crisis.

In preparation for the Care Act duties, in 2013 the Council and Southern Derbyshire CCG (who have traditionally jointly funded carers' interventions with the Council) reviewed the Carer's offer and subsequently went out to tender for suitably qualified organisations to deliver many of our services for Carers – including the statutory assessment. This approach was adopted as at that time it was felt that community based organisations would be best placed to reach out and engage with Carers to meet their needs. This approach is not necessarily one used by all Council's with many using the Care Act statutory changes as the driver to deliver carers assessments from within the Social Work service.

- 4.2 The current arrangements are that Derbyshire Carers Association are contracted to deliver the Council's statutory Carers Assessments, information, advice and guidance. Social Workers are also involved in complex case, or where there is a need to link the assessment with that of the cared for person. Creative Carers are also contracted to provide training and short breaks for Carers.
- 4.3 Through engaging with carers, they have told us they want a more seamless approach so they do not have to articulate their needs to different organisations. Consultation and engagement, including public consultation has been taking place – the original consultation plan is set out in Appendix 2. This was designed to ensure that a range of groups and agencies were able to shape carers services for the future.

Public Consultation was undertaken between 12th October 2017 and 12th January 2018. As part of the consultation a proposal was presented as the preferred option whereby Carers Assessments would be undertaken by social workers within the Council. This proposal was made as carers have stated that the current pathway separates the cared for person's and Carer's needs and does not look at family needs holistically. This appears to be leading to requests for duplicate assessments, services and at times leading to inconsistent advice and information being received. At our regular Carers Forums, Carers have told us that whilst they are happy with the information and advice they receive, the pathway for Carers Assessments is seen as complex. Carers have told us they would like a timely turnaround for the assessment process and they would like to 'tell us once' about their support needs. Carers also would like where possible for assessments to be held face to face.

- 4.4 The consultation proposal also stated that advice and information should be more aligned to the community based Talking Points that have been developed in the past 18 months. The growth of Local Area Co-ordination and the development of Talking Points have meant there are more opportunities for Carers to interact with the Council, health and other community partners more directly within their local area.
- 4.5 Consultees were invited to provide alternatives to this proposal and to provide any other ideas they may have for Carers services in Derby. In particular, the incumbent organisations involved in the pathway (Derbyshire Carers Association and Creative Cares) have provided more detailed responses to the proposals.

#### 4.6 **Next steps**

Over the consultation period over 150 surveys have been completed, 30 meetings attended and over 300 Carers engaged directly. All the consultation replies, surveys and discussion points are currently being collated and analysed. It is hoped that by the end of February, the Council and the CCG will be in a position to take final proposals to the People's Commissioning Board and agree the next steps. Regardless of the outcome, both of the current contracted services are at the point of where their contracts shall come to a natural end. Depending on the outcome of the review and consultation, should commissioners wish to procure elements of the Carer's pathway, a new tender programme would need to be undertaken. Unlike voluntary sector grants, external contracts must comply with procurement legislation and the Council's Standing Orders.

### **OTHER OPTIONS CONSIDERED**

- 5.1 The Council and CCG could allow the existing contracts to lapse at the end of the contract period and provide all carers services directly. There is no obligation on commissioners to commission anything as long as the statutory duties for carers are met. This arrangement is in place in some Local Authority areas. At this stage, neither the Council or the CCG have indicated that delivering the full offer to carers from statutory agencies is their preferred model – however until the consultation is fully analysed this option cannot be ruled out.

**This report has been approved by the following officers:**

<b>Legal officer</b>	n/a
<b>Financial officer</b>	Peter Shillcock, group Accountant
<b>Human Resources officer</b>	n/a
<b>Estates/Property officer</b>	n/a
<b>Service Director(s)</b>	Kirsty McMillan, Service Director – Integration & Direct Services
<b>Other(s)</b>	

<b>For more information contact:</b>	Christine Collingwood 642749 christine.collingwood@derby.gov.uk
<b>Background papers:</b>	None
<b>List of appendices:</b>	Appendix 1 – Implications Appendix 2 - Summary Consultation Plan Appendix 3 – Consultation survey

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

- 1.1 The budget for commissioned Carer's services, as well as the subsequent support that carers may need is currently funded jointly by the Council and the CCG from the Better Care Fund. There are currently no plans to reduce or amend the overall budget whilst ever the Better Care Fund arrangements remain in place. The Better Care fund is a funding mechanism from the Department of Health that is designed to drive forward health and social care integration and joint working.

**Legal**

- 2.1 There are no contractual or legal barriers preventing the current contracts with Derbyshire Carers Association or Creative Carers to expire as they will have reached the end of the contracted term. The Council retains the statutory duty to assess needs, provide information, advice and services to local carers regardless of how this is delivered locally. Should the Council wish to procure any service or support for Carers, this must adhere to the Council's Standing Orders and relevant procurement legislation.

**Personnel**

- 3.1 Commissioners and any potential new contracted organisations will need to consider whether there are any TUPE considerations for staff currently delivering support to carers, should any proposals going forward replicate any of the existing arrangements.

**IT**

- 4.1 Any proposal will need to consider how information about carers, their assessments and ongoing support needs are recorded..

**Equalities Impact**

- 5.1 A draft EIA will be finalised beyond decision-making, and after consultation to ensure that any risks or gaps around current provision, or up to date population trends are highlighted. It is expected that by directly engaging in community for Carers needs that this will increase take up and improve outcomes.

**Health and Safety**

- 6.1 No direct implications for Health and Safety have been identified.

## **Environmental Sustainability**

- 7.1 No direct implications for Environmental Sustainability have been identified.

## **Property and Asset Management**

- 8.1 No direct implications for Property and Asset Management have been identified.

## **Risk Management and Safeguarding**

- 9.1 Supporting carers is a key strategy of the Council and the CCG as a way of preventing caring situations breaking down or coming into crisis. Ensuring that carers receive a robust and quality assessment of their needs is essential in enabling them to continue to care for their loved ones for as long as possible.

## **Corporate objectives and priorities for change**

- 10.1 The recommendations within this report fit within the priorities of the Council as follows:
- Protecting vulnerable children, young people, adults and older people
  - Enabling individuals and communities
  - Promoting health and wellbeing
  - Delivering services differently