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**CARERS – ASSESSMENT & ENGAGEMENT BRIEFING**

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**Purpose of Report**

1. To provide Members with an overview of scrutiny to date on carers assessments and engagement with carers.

**Background**

2. The Social Services and Well-being (Wales) Act 2014 came into force in April 2016 and included significant changes for carers including new rights and new duties on local councils.
3. The Act means that<sup>1</sup>:
  - The definition of a carer is broader and includes more people, that means that more carers are entitled to carer's assessments and support plans
  - Carers no longer have to request an assessment, local authorities must offer assessments where they believe a carer has a need for support
  - Staff must promote the well-being of carers who need support
  - Local authorities must assess the needs of carers in their area and submit a plan to Ministers on how they will meet these needs

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<sup>1</sup> Source - <https://carers.org/legislation-affecting-carers-wales>

- A carer now has an enforceable right to support from the local authority when they meet the eligibility criteria
  - There is a greater focus on the role of local third sector organisations in providing services and support
4. Following the meeting of this Scrutiny Committee on the 6 September 2017 where Members considered Quarter 1 Performance, the Chair wrote to the Portfolio holder and stated that:

*The Committee were encouraged to hear that a dedicated team for carers had been expanded, but acknowledged the challenges the Service still faces in terms of assessing carers, identifying need and delivering appropriate services. Members would therefore wish to receive, during 2017/18, a briefing to Committee on the following:*

- *An overview of the carer assessment process – what does it look like;*
  - *A summary of the range of carers in the City;*
  - *What kinds of assistance are being requested;*
  - *The challenge of increasing numbers of carers being identified;*
  - *What is being done to tap into those people who do not currently identifying themselves as “formal” carers; and*
  - *The outputs/key messages arising from the qualitative data that the Service is currently collecting.*
5. On drawing up the Committee’s 2017/18 work programme, Cllr Asghar Ali suggested that there was much hardship amongst many BME carers – both financially and emotionally. They were often unaware of benefits and assistance they were entitled to. In addition, culturally, they may not feel they could tap into resources, seeing their role as carer as a role they play in the family. Communicating entitlements and reaching out to people was seen as critical in ensuring quality of life for carers and their families.

## **Way Forward**

6. At this meeting, the following witnesses will be in attendance:
  - (i) Councillor Susan Elsmore (Cabinet Member – Social Care, Health & Well-Being);
  - (ii) Sarah McGill, Corporate Director for People and Communities; and
  - (iii) Sue Schelewa (Operational Manager, Locality Services)
  
7. Following a presentation, Members will be able to decide if they wish to feed any comments, observations or recommendations to the Cabinet Member for their consideration.
  
8. Members of this Scrutiny Committee have previously been involved in a range of pre-decision and policy development activities with this issue including Directorate Business Plans; and quarterly PI results via the Committee's Performance Panel. Other items include:
  - September 2012 - Carers' Information & Consultation Strategy 2012-15
  - May 2013 - Carers Inquiry Report
  - April 2015 - Adult Carers of Adults – Update Report
  - June 2015 - Carers Update

## **Legal Implications**

9. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person

exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

### **Financial Implications**

10. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

### **RECOMMENDATION**

It is recommended that the Committee note presentation made at this meeting, and consider the future scrutiny of this item.

**DAVINA FIORE**

**Director of Governance and Legal Services**

**31 May 2018**