



Department
for Education

Consultation on young carers' draft regulations

Government response

March 2015

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Introduction

Government wants to see children and young people protected from inappropriate and excessive caring responsibilities so they have the opportunity to thrive and reach their potential in the same way as other children who do not have caring responsibilities.

The best way to achieve this aim is to ensure that the person being cared for, whether they are an adult or a child, is assessed and has all their eligible needs met first. To do this effectively requires local services working together across the statutory and voluntary sectors to consider the whole family's needs.

Section 96 of the Children and Families Act 2014, amended section 17 of the Children Act to improve how young carers and their families are identified and supported. This amendment consolidates and simplifies the legislation relating to young carers' assessments, making rights and duties clearer to both young people and practitioners; extends the right to an assessment of needs for support to all young carers regardless of who they care for or what type of care they provide; and makes it clear to local authorities that they must carry out an assessment of a young carer's needs for support on request or on the appearance of need.

This document presents the outcome of the government's consultation on the draft Young Carers' (Needs Assessments) (England) Regulations to put into effect Section 96 of the Children and Families Act 2014.

The draft Regulations set out:

- the matters to which a local authority must have regard in carrying out a young carer's needs assessment;
- the manner and form of a young carer's needs assessment;
- the matters which a local authority must take into account when carrying out a young carer's needs assessment; and,
- a definition of the term "whole family approach".

The consultation took place from 22 December 2014 to 26 January 2015.

Summary of responses received and the government response

The public consultation included two online forums held with young carers and with young adult carers respectively. We are grateful to the Carers Trust for organising and coordinating these events.

The majority of respondents to the consultation welcomed the draft Regulations as a step forward in recognising young carers and their needs. A summary of responses and the government response is at Annex A.

In some of the responses there was recognition that young carers may not actually recognise they are fulfilling a caring role, or, if they do, they may not admit the extent of their care. A number of respondents also mentioned that young carers may find it hard to explain to a professional who is coming into their home to complete a young carer's needs assessment, how they feel about caring and whether they think this limits their opportunities.

Many of the responses requested more detail in these Regulations about practice issues, for example by suggesting the Regulations should include a list of activities that would amount to "inappropriate" care; or that they should specify the services to be contacted, without exception, whenever a professional completes a young carers' needs assessment. However, it would be unrealistic to expect that a set of Regulations should operate as a detailed template setting rigid specifications for carrying out young carers' needs assessments to be followed in each and every case.

Some young carers who responded to this consultation were concerned that, despite good intentions, the Regulations, by themselves, would not mean that young carers were listened to.

Breakdown of all responses

In total there were 57 responses to the consultation. The majority of responses received came from voluntary organisations campaigning on behalf of young carers and their families (33%). A list of organisations that responded to the consultation is at Annex B.

Type	Responses	
Voluntary organisations supporting and advocating on behalf of young carers and their families	19	33%
Other	15	26%
Children's services social workers or managers	8	14%

Staff employed or commissioned by local authority adult services	7	12%
Young carers and their families	4	7%
Director of local authority children's services	2	4%
Health services managers and staff	1	2%
Lead members in local authorities	1	2%
Total	56	100%

Table A – Types of responders

Question 1: Do you agree that the description of the “whole family approach” in Regulation 2 explains what this approach involves and what local authorities might need to do to put it into practice? If you disagree what other information is necessary?

Regulation 2 - *Citation, commencement and interpretation* sets out the meaning of “a whole family approach” as;

- considering and evaluating the circumstances of a young carer’s family and the impact of those circumstances on any child in the family and the young carer’s needs for support; and,
- considering whether to combine a young carer’s needs assessment with any other assessment in relation to the young carer, the person cared for or another member of the young carer’s family.

Breakdown and summary of responses

There were 51 responses to this question. The majority of responses were from voluntary organisations (37%), other individuals (22%) and children’s services social workers or managers (16%).

	Yes	No	Not Sure
All respondents	29 (57%)	13 (18%)	9 (18%)

Table Q1a – All respondents

Type	Yes	No	Not Sure	Total
Voluntary organisations supporting and advocating on behalf of young carers and their families	7	7	5	19
Other	6	3	2	11
Children’s services social workers or managers	6	1	1	8
Staff employed or commissioned by local authority adult services	6	0	0	6
Young carers and their families	2	1	1	4
Director of local authority children’s services	1	0	0	1
Director of local authority adult’s services	0	0	0	0
Health services managers and staff	1	0	0	1
Lead members in local authorities	0	1	0	1
Total	29	13	9	51

Table Q1b – Respondent breakdown

57% (29) agreed with the description of the “whole family approach” and welcomed the attempt to formally define what was meant by this term in the context of carrying out young carers’ needs assessments.

“Agree with the meaning of ‘whole family approach’ and agree to a whole family approach being taken...”

- Northamptonshire County Council

“The explanation provides sufficient information to understand the duties to the young carer, the person being cared for and the outcome desired i.e. appropriate support”

- Leicestershire County Council

Respondents welcomed the potential for combining the young carers’ assessment with an assessment of those with care needs. They were clear this would help identify young carers’ needs earlier, offer a single route to access the right support and avoid young carers and the people they care from having to be assessed by different agencies working independently from each other. However these respondents also emphasised it was necessary to make clear in the Regulation that a combined assessment will not always be appropriate for every young carer, especially where there is the possibility that the interests of the child will be at variance with the needs of the adult concerned (e.g. perhaps where a child has assumed responsibility caring for a parent with a substance misuse problem).

The Regulations, though, do not create a requirement for there to be a combined assessment in every case. young carers should always have the opportunity to be assessed independently. Combined assessment should only take place where this is in the interests of the child concerned and where all the parties agree.

Concerns were also expressed that young carers may not be offered the opportunity to voice their wishes and feelings in private, away from the family.

“...Often young carers are reluctant to express themselves honestly if they feel they would hurt the feelings of the ‘cared for’ or their parents.”

- The Benjamin Foundation

25% (13) of the respondents were less sure about the definition of “whole family approach” in the draft Regulations. These suggested the Regulations include more information about issues of good practice or about situations in which it was not immediately obvious how to define the “family” of a young carer. For example, one respondent suggested that assessment should always include the views of any “estranged parent”. It would not, however, be realistic to use these Regulations to prescribe practice in a way that would have the effect of restricting how professional judgement should be applied in frequently complex family circumstances.

The ADASS/ADCS response suggested that the definition of “a whole family approach” needed to be slightly widened by adding an additional subsection, to make it clear this involves taking into account persons, outside of the child’s home, who may be part of the their child’s network who could make a contribution to the assessment and to any related support.

Concerns were expressed by a small number of respondents that the capacity to combine assessments might mean in practice that young carers’ assessments are carried out by staff from the local authority’s adult social care service who lack an understanding of children’s needs. We believe, however, that the requirements set out in section (3) of the finalised Regulations requiring local authorities to ensure that staff completing young carers’ needs assessments have sufficient knowledge, skills and training to be able to carry out these assessment should be sufficient to guard against this concern.

Government response

The final Regulations no longer include a section setting out a definition of “whole family approach”. Rather, the features of a whole family approach are now incorporated within section (4) of the final Regulations. The local authority responsible for young carers’ needs assessments must always consider the extent to which the care offered by a young carer is relied on by the family; a young carer’s assessment may be combined with other assessments; and a local

authority must identify the young carer’s friends and family to be able to consider how they contribute to meeting the outcomes the young carer wishes to achieve.

On balance, we did not consider that it would be possible to include an additional requirement which placed a duty on local authorities to necessarily involve people in the child’s “network” as part of young carers’ needs assessment. There is, though, nothing in these Regulations to prevent an authority from involving other individuals outside the family in the assessment, where the authority considers they may have the potential to make a contribution to understanding the young carer’s circumstances and potentially offer them support.

Question 2: Do you agree with the list of matters that the local authority must have regard to when conducting a young carers’ needs assessment? If you disagree, what other issues should be included?

Regulation 3 sets out the matters to which a local authority is to have regard in carrying out a young carer’s needs assessment. These are;

- the preferences and wishes of the young carer;
- the outcomes desired by the young carer;
- any other assessment in relation to the young carer or the person cared for which the authority consider to be relevant;
- any differences of opinion between the young carer and the person cared for with respect to the care which the young carer provides for that person; and,
- the importance of adopting, and how best to apply, a whole family approach.

Breakdown and summary of responses

There were 50 responses to this question. The majority of responses were from voluntary organisations (38%); and other individuals (20%).

	Yes	No	Not Sure
All respondents	31 (62%)	10 (20%)	9 (18%)

Table Q2a – All respondents

Type	Yes	No	Not Sure	Total
Voluntary organisations supporting and	13	4	2	19

advocating on behalf of young carers and their families				
Other	5	3	2	10
Children's services social workers or managers	5	1	2	8
Staff employed or commissioned by local authority adult services	5	1	0	6
Young carers and their families	1	0	3	4
Director of local authority children's services	1	0	0	1
Director of local authority adult's services	0	0	0	0
Health services managers and staff	1	0	0	1
Lead members in local authorities	0	1	0	1
Total	29	13	9	50

Table Q2b – Respondent breakdown

Most respondents (62%) agreed that the matters covered by this Regulation were the right ones to take into account when carrying out a young carer's needs assessment.

“On the whole the regulation is sufficient to guide assessment...”

- Leicestershire County Council

Respondents welcomed that the assessment must note any differences of opinion between the young carer and the person cared for about the nature of that care. However, young carers responding to this question said that in some cases a young carer, or the adult they care for, is not always aware of the extent of their caring role.

“...they need to be aware that in some situations they will need to be sensitive. Potentially the young person has been caring for many years and may become defensive when outside professionals enter their home and believe they 'are doing what is best for them'. All conversations need to happen with the young person. Not just the adult.”

- Young Carer

Concern was expressed that draft Regulation 3(d) did not take sufficient account of the child's needs and capacity to express their views and feelings, particularly if the child's views are considered alongside those of an adult being cared for. Reference was also made to ensuring that young carers had access to advocacy support, where appropriate.

Respondents said that the draft Regulation did not give sufficient emphasis to the importance of local authorities having regard to whether care offered by young carers was excessive as well as inappropriate.

“...some adults do not admit or see the caring role their children are providing as an issue, therefore underreporting and caring needs are not accounted for in the support package.”

- Barnardo's

Some respondents suggested that this Regulation should also refer to any transition issues for young carers who may require support into adulthood.

Government response

In response to concerns that an assessor may not take sufficient account of the imbalance between the views of a cared for adult and those of a child who is a young carer, Regulation 2 (2) (c) in the finalised Regulations is now explicit that the local authority must have regard to *any differences of opinion between the young carer, the young carer's parents and the person cared for, with respect to the care which the young carer provides*. This Regulation must be read alongside Regulation 2(2)(a) requiring the local authority to have regard to the young carer's age, understanding and family circumstances.

We recognise the importance of giving sufficient emphasis to consideration as to whether a young carer is undertaking inappropriate and/or excessive care and the final Regulations have been revised to make this clearer – i.e. Regulation 4 (2)(d).

We believe that it would not be necessary to refer to advocacy support for young carers under this Regulation. An advocate for a young carer could be “any other person whom the young carer or a parent of the young carer requests should participate in the assessment” referred to in Section 2(4)(d) of the final Regulations.

We gave careful consideration to the views of respondents that these Regulations should refer to provisions for young carers to be eligible for assessment and support as adults. On balance, though, given that young carer's transition into adulthood has been appropriately provided for in sections 63 and 64 of the Care Act 2014 we concluded that these Regulations do not need to replicate provisions already made in that Act.

Question 3: Do you agree that the description of the process local authorities should follow to carry out a young carers' needs assessment is clear? If you disagree, how would you wish to see this Regulation improved?

Regulation 4: *Manner and form of a young carer's needs assessment* describes the process local authorities should follow when carrying out a young carer's needs assessment. These are to;

- ensure that the assessment is carried out in a manner which the authority consider to be appropriate and proportionate [in the light of the young carer's needs and circumstances];
- adopt a whole family approach;
- ensure that a person who is to carry out a young carer's needs assessment, in the view of the authority—
- has sufficient competence, knowledge, skills and training to be able to carry out that assessment;
- is an appropriate person to carry out the assessment in the light of the young carer's age, circumstances and sex;
- where they consider it appropriate or necessary to do so, consult and involve experts from other disciplines in the carrying out of the assessment; and,
- ensure that the young carer, the person cared for and, if different, the parents of the young carer are informed about the assessment process and are able to participate in the process as effectively as possible.

Breakdown and summary of responses

There were 52 responses to this question. The majority of responses were from voluntary organisations (37%); other individuals (23%); and children's services social workers or managers (15%).

	Yes	No	Not Sure
All respondents	22 (42%)	14 (27%)	16 (31%)

Table Q3a – All respondents

Type	Yes	No	Not Sure	Total
Voluntary organisations supporting and	7	7	5	19

advocating on behalf of young carers and their families				
Other	6	1	5	12
Children’s services social workers or managers	3	3	2	8
Staff employed or commissioned by local authority adult services	4	1	1	6
Young carers and their families	1	1	2	4
Director of local authority children’s services	0	0	1	1
Director of local authority adult’s services	0	0	0	0
Health services managers and staff	1	0	0	1
Lead members in local authorities	0	1	0	1
Total	22	14	16	52

Table Q3b – Respondent breakdown

Whilst most respondents 42% (22) agreed that the description of the process local authorities should follow to carry out a young carers’ needs assessment was clear, a significant minority of respondents 31% (16) were less sure, whilst 27% (14) disagreed.

“The description is clear and local arrangements across need to be drawn up to deliver a whole family assessment...”

- Stockport local authority

“...NYCC believes that the process can be made clearer.”

- National Young Carers Coalition (NYCC)

Some respondents wanted to see more detail about how local authorities should take into account young carers “wishes” - in addition to their age, understanding, and feelings - when carrying out an assessment. Some respondents also recommended that the local authority should also be able to consult with professionals about the child’s needs and understanding prior to an assessment taking place.

The majority of respondents were clear that it was important for local authorities to provide information to young carers and their families on the manner and form of the assessment before the assessment process was started. Further they commented that copies of the assessment should be provided to young carers and their families as a matter of routine, in a format that is appropriate and accessible to them.

Concerns were raised about how these draft Regulations described the professional appointed to carry out a young carer’s needs assessment. Respondents were keen to seek clarification on how local authorities should assess the “*competence, knowledge, skills and training*” of staff to undertake the assessment.

“We seek better clarification to this regulation as to who will be the ‘professional appointed’ to carry out the young carers’ assessment, and better reference to the nature of training and experience which will be required for the professional”

- Barnardo’s

Respondents considered that the reference to “experts” in draft Regulation 4(d) could be misleading. There may be disagreement about whether, in fact, a professional is an “expert”. There were helpful suggestions that the Regulations should refer to “professionals” rather than to “experts” here in order to encourage multi-disciplinary working consistent with a joined up approach between services for young carers and services responsible for the assessment and support of the people they care for.

A few respondents suggested that the Regulation should give more details about time-frames for a local authority to complete an assessment and offer support.

Government response

Regulation 2(2) of the final Regulations is very clear that one of the general principles informing how local authorities must carry out young carers' needs assessments is that the authority must always have regard to the child’s “wishes, feelings and preferences”.

Regulation 2(5) now requires that the local authority must, so far as reasonably practicable, provide information about the young carers’ needs assessment process to the young carer, the person cared for, the young carer’s parents and to any other person, at the request of the young carer, prior to the assessment. This information must be in a format accessible to the young carer.

Regulation 3 is now specifically concerned with “training, expertise and consultation”. Regulation 3(1) explicitly requires that;

A local authority must ensure that any individual carrying out a young carer’s needs assessment on their behalf—

- (a) is appropriately trained;*
- (b) has sufficient knowledge and skill to be able to carry out that assessment; and*
- (c) is an appropriate person to carry out the assessment having regard to the young carer’s circumstances, in particular the young carer’s age, sex and understanding.*

This Regulation now also requires for the local authority to consult with “persons with expertise and knowledge in relation to the young carer, where they consider it appropriate to do so”.

We did not consider it would be appropriate to use these Regulations to impose arbitrary time limits on local authorities.

Question 4: Do you agree that the issues included in this Regulation are those necessary to establish the needs of a young carer and their family in order to reach a view about the provision and type of future support necessary?

Regulation 5: Matters which a local authority is to determine when carrying out a young carer's needs assessment –

- the amount, nature and type of care which the young carer provides;
- the impact of the caring role on the young carer's wellbeing, welfare, education and development;
- whether any of the caring tasks the young carer is performing are inappropriate for the young carer to perform having regard to all the circumstances;
- where the person cared for is a child, whether an assessment of their needs for support has been carried out, and if not, to request one;
- where the person cared for is an adult, whether an assessment of their needs for support has been carried out, and if not, to offer one;
- whether any of the young carer's needs for support could be met by providing [support] [services] to—
 - the person cared for [by the young carer]; or
 - another member of the young carer's family.
- what the young carer's needs for support would be likely to be if he or she were relieved of part or all of his or her caring role and whether the young carer has any remaining unmet support needs.

Breakdown and summary of responses

There were 51 responses to this question. The majority of the responses were from voluntary organisations (37%); other individuals (22%); and children's services social workers or managers (16%).

	Yes	No	Not Sure
All respondents	34 (67%)	7 (14%)	10 (20%)

Table Q4a – All respondents

Type	Yes	No	Not Sure	Total
Voluntary organisations supporting and	13	3	3	19

advocating on behalf of young carers and their families				
Other	6	1	4	11
Children’s services social workers or managers	6	0	2	8
Staff employed or commissioned by local authority adult services	5	0	1	6
Young carers and their families	2	2	0	4
Director of local authority children’s services	1	0	0	1
Director of local authority adult’s services	0	0	0	0
Health services managers and staff	1	0	0	1
Lead members in local authorities	0	1	0	1
Total	34	7	10	51

Table Q4b – Respondent breakdown

The majority of respondents (67%) agreed that the issues that had been included in draft Regulation 5 are those necessary to establish the support needs of a young carer and their family.

“NYCC agrees that the issues included in this regulation are necessary...”

- National Young Carers Coalition

“...these changes are long overdue and now confirm the importance of seeing young carer’s as a vulnerable group that need specific and tailored support.”

- Spurgeons

The majority of respondents said that this Regulation should also refer to tasks that are excessive. It was suggested that the Regulation should make reference to the local authority providing support services to the person cared for, or another member of the young carer’s family, in order to prevent the young carer from taking on excessive or inappropriate tasks.

The issue of transition raised in response to draft Regulation 3, was also referred to in relation todraft Regulation 5. A number of respondents to this question also wanted to see a reference to preparing for a young carers’ transition to adulthood in this Regulation, to align with the provision in the Care Act 2014.

“...young carers going through transitions to adult carers are not receiving the adequate information regarding the new Care Act which will affect them in April 2015.”

- Parent

Respondents considered that there should be more detail on the face of the Regulation as to what was meant by “wellbeing” in draft Regulation 5(b). Respondents also suggested that references to “well-being” in the Regulations should include “emotional” and “physical” well-being.

In general, respondents expressed the view that this Regulation needs to be more focused on the need to *prevent* children from having to take on inappropriate and/or excessive care tasks.

Government response

Regulation 4 (7) in the finalised Regulations explains that the definition of “wellbeing” for the purposes of these Regulations is the same as the definition given in Part 1 of the Care Act

We agree it is extremely important that these Regulations have a preventive focus. The final version of these Regulations now includes a stronger emphasis on the requirement for young carers’ needs assessments to determine whether a child can be prevented from taking on inappropriate and excessive care tasks by the provision of services to the person being cared for or to another family member. Further the assessment must determine what the young carer’s needs for support are likely to be if he or she were relieved of part or all of his or her caring role.

Question 5: Do you think that these Regulations omit any issues that should be included in order to ensure young carers care access effective needs assessments leading to appropriate support?

Breakdown and summary of responses

There were 49 responses to this question. The majority of the responses were from voluntary organisations (37%); other individuals (22%); and children’s services social workers or managers (16%).

	Yes	No	Not Sure
All respondents	25 (51%)	12 (24%)	12 (24%)

Table Q5a – All respondents

Type	Yes	No	Not Sure	Total
Voluntary organisations supporting and	9	5	4	18

advocating on behalf of young carers and their families				
Other	4	2	5	11
Children's services social workers or managers	7	0	1	8
Staff employed or commissioned by local authority adult services	2	2	2	6
Young carers and their families	2	1	0	3
Director of local authority children's services	0	1	0	1
Director of local authority adult's services	0	0	0	0
Health services managers and staff	1	0	0	1
Lead members in local authorities	0	1	0	1
Total	25	12	12	49

Table Q5b – Respondent breakdown

Whilst the majority of respondents broadly agreed with the Regulations, 25 (51%) respondents said that further issues should be included to ensure young carers are provided with effective assessment, and appropriate support.

Some respondents to this question recommended that the Regulations should allow young carers to access a single assessment of their needs where a combined assessment is not appropriate, for example if the person being cared for has alcohol or substance abuse problems (other respondents had made the same point in their reply to Question 1).

“We believe that these regulations do not make explicit the responsibility to ensure young carers are aware of their entitlement to an assessment in their own right.”

- Warwickshire County Council

A number of responses suggested the Regulations should also be made clearer as to how a local authority should support a young carer where the person cared for is not eligible for support services.

Most respondents to this question sought additional guidance for local authorities on the processes they should follow to help them implement the Regulations consistently.

“The current draft regulations make insufficient reference to the process by which the assessment of need leads to and informs an assessment of eligibility and provision of support services.”

- Carers Trust

Government response

As indicated above in the commentary under Q1, whilst these Regulations allow for combined assessments, they do not require them. In planning for a young carers' needs assessment we would expect local authorities to always take into account the interests of the child – in line with their wider duties to safeguard and promote children's welfare.

It is important to recognise that these Regulations set a framework for completing young carers' needs assessments. They are not intended to offer a detailed plan for the management of these assessments in what may often be complex family circumstances.

Whilst we understand that questions about service eligibility and funding can be troubling for families, it would not be appropriate for Regulations about young carers' needs assessment to intrude into issues that must be decided at local level, based on professional assessment. Staff who carry out young carers' needs assessments, whether or not these are combined with other assessments (for example of an adult with care needs) will need to have an understanding of their responsibilities to reduce the need for inappropriate, or excessive, caring by young carers.

Question 6: Do you agree that the implementation of these Regulations will improve how young carers and their families are assessed and supported by local authorities and other services?

Breakdown and summary of responses

There were 50 responses to this question. The majority of the responses were from voluntary organisations (36%); other individuals (18%); and children's services social workers or managers (16%).

	Yes	No	Not Sure
All respondents	34 (68%)	2 (4%)	14 (28%)

Table Q6a – All respondents

Type	Yes	No	Not Sure	Total
Voluntary organisations supporting and advocating on behalf of young carers and their	12	0	6	18

families				
Other	7	0	2	9
Children’s services social workers or managers	5	0	3	8
Staff employed or commissioned by local authority adult services	5	0	2	7
Young carers and their families	2	1	1	4
Director of local authority children’s services	1	1	0	2
Director of local authority adult’s services	0	0	0	0
Health services managers and staff	1	0	0	1
Lead members in local authorities	1	0	0	1
Total	34	2	14	50

Table Q6b – Respondent breakdown

The majority of respondents (68%) agreed that the Regulations will improve how young carers and their families are assessed and supported by local authorities and other services. Only 4% (2) of respondents disagreed.

“Hopefully they will help raise awareness of young carers especially with professionals working with adults or other people within the family.”

- The Benjamin Foundation

Next Steps

This consultation was extremely helpful in clarifying areas where the draft Regulations might be improved.

We have built on the responses of the consultation to revise the format of these Regulations. The finalised Regulations now start with general principles to “set the scene” for the Regulations that follow. Regulation (2) now includes in one place the matters to which local authorities must have regard. This Regulation is clear the authority should follow an approach to young carers' needs assessment that is proportionate and appropriate. Assessments must involve and inform the young carer so the child's participation is at the heart of the assessment process.

The Regulations are explicit that local authorities must provide information to young carers; the person being cared for, the young carer's parents and any other person, at the request of the young carer or their parent, about what to expect from the assessment. As far as practicable, this should be provided before the assessment starts and be in a format the young carer finds easy to understand.

Regulation 3 (“Training, expertise and consultation”) separately sets out the requirements for any professional who will be expected to carry out a young carers' needs assessment.

The features of the “whole family approach” which had been identified in the draft Regulations have now are now incorporated into Regulation 4 of the final Regulations, to reinforce how this approach must be an integral aspect of the assessment process.

Primary legislation already includes a requirement for the local authority to provide a report of their assessment to the young carer, the person cared for and to any other person at the request of the young carer or their family. The final Regulations include a clarification that the local authority must always determine arrangements for future review of a young carers' needs assessment (Regulation 4 (2)(j))

The finalised Regulations also sharpen the focus on prevention. Regulation 4(2)(e) requires the local authority to determine whether any of the young carer's needs for support could be prevented by providing services to (i) the person cared for, or to (ii) another member of the young carer's family.

We agree with the response submitted by ADASS/ADCS that no care or support package for a parent or sibling should rely on excessive or inappropriate caring by a young carer.

Annex A: Summary of responses and the government response

Q	Consultation Question	Level of agreement			Government response
		Yes	No	Not sure	
1	Do you agree that the description of the “whole family approach” in Regulation 2 explains what this approach involves and what local authorities might need to do to put it into practice? If you disagree what other information is necessary?	29 (57%)	13 (18%)	9 (18%)	<ul style="list-style-type: none"> Final Regulations no longer include a section setting out a definition of “whole family approach”. Rather, the features of a whole family approach are now included in section (4) of these Regulations.
2	Do you agree with the list of matters that the local authority must have regard to when conducting a young carers’ needs assessment? If you disagree, what other issues should be included?	31 (62%)	10 (20%)	9 (18%)	<ul style="list-style-type: none"> Regulations (2) in the finalised Regulations requires that in carrying out a young carer’s needs assessments the local authority must have regard to the child’s age, understanding and family circumstances. Regulation 4 (2)(d) in the finalised Regulations requires the local authority to determine whether a young carer is undertaking inappropriate and/or excessive care.
3	Do you agree that the description of the process local	22 (42%)	14 (27%)	16 (31%)	<ul style="list-style-type: none"> The finalised Regulation 2(5) requires that the local authority must, so far as

Q	Consultation Question	Level of agreement			Government response
		Yes	No	Not sure	
	<p>authorities should follow to carry out a young carers' needs assessment is clear? If you disagree, how would you wish to see this Regulation improved?</p>				<p>reasonably practicable, provide information about the young carers' needs assessment process to the young carer, the person cared for, the young carer's parents and to any other person, at the request of the young carer, prior to the assessment. This information must be in a format accessible to the young carer.</p> <ul style="list-style-type: none"> The finalised Regulations now include a separate Regulation (3) concerned with "Training, expertise and consultation" . This requires the local authority to consult with "persons with expertise and knowledge in relation to the young carer, where they consider it appropriate to do so".
4	<p>Do you agree that the issues included in this Regulation are those necessary to establish the needs of a young carer and their family in order to reach a view about the provision and type of future support necessary?</p>	34 (67%)	7 (14%)	10 (20%)	<ul style="list-style-type: none"> We have built on the responses of the consultation to revise the format of these Regulations. The finalised Regulations now start with general principles set out in Regulation (2). Regulation (4) sets out the detailed requirements for completing young carers' needs

Q	Consultation Question	Level of agreement			Government response
		Yes	No	Not sure	
					assessments and emphasises the requirement for assessments to determine whether a child can be prevented from taking on inappropriate and excessive care tasks by providing services to the person being cared for or to another family member.
5	Do you think that these Regulations omit any issues that should be included in order to ensure young carers care access effective needs assessments leading to appropriate support?	25 (51%)	12 (24%)	12 (24%)	
6	Do you agree that the implementation of these Regulations will improve how young carers and their families are assessed and supported by local authorities and other services?	34 (68%)	2 (4%)	14 (28%)	

Annex B: List of organisations that responded to the consultation

We are grateful to the range of individuals, including young carers, and the organisations that responded to this consultation.

- Action for Carers Surrey
- Action for Children
- Action for Family Carers
- ADASS/ADCS
- Association of School and College Leaders
- Barnardo's
- Benjamin Foundation, The
- Brighton and Hove City Council
- Buckinghamshire County Council
- Carers' Resource, The
- Carers Trust
- Cares Sandwell
- Cheshire Young Carers
- Children's Society, The
- CHUMS
- Crossroads Care
- CSH Surrey
- Darlington Borough Council
- Devon County Council
- East & North Herts. CCG
- Hackney Children and Young People's Service
- Hamoaze House
- Lancashire County Council (and commissioned services)
- Leicestershire County Council
- Lincolnshire County Council
- London Borough of Enfield
- London Borough of Newham
- Middlesbrough Council

- Mind BLMK
- National Young Carers Coalition (NYCC) (includes The Children's Society, Carers Trust, Disabled Parents Network, Family Action, Action for Children, Barnardo's and YMCA)
- Newcastle City Council
- Norfolk Young Carers Forum
- North Lincolnshire Council
- North Yorkshire County Council
- Northamptonshire Carers
- Northamptonshire County Council
- Oldham Council
- Portsmouth City Council
- Rutland County Council
- Sheffield Young Carers Project
- Solihull MBC
- Spurgeons
- Stockport Local Authority
- Stoke-on-Trent City Council
- Sunderland Carers' Centre
- Swindon Carers Centre
- Tameside MBC
- Tameside Young Carers Project
- Warwickshire County Council
- West Norfolk Carers



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