

The implementation of the Care Act 2014 and the Children and Families Act 2014 for young carers and young adult carers

This briefing provides evidence from my own research findings and also draws on the wider evidence base on young carers and young adult carers.

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There is some positive evidence of the impact of the implementation of the Care Act 2014 and the Children and Families Act 2014:

A proportion of young carers appear to be getting support, advice and a peer network. Local authorities have responded to the legislation by identifying and assessing the needs of young carers. There is a strong national network of third sector organisations delivering support to young carers and young adult carers.

However, there are gaps and weaknesses in the available provision for young carers and young adult carers. Below, I identify 3 problems and make a series of recommendations.

1. The evidence indicates that only a minority of young carers and young adult carers have access to the support that should exist within the current legislative framework. We lack monitoring data to track how many young carers and young adult carers are being reached, but we do know that many children and young people are missing out on support, including needs assessments, mental health support and social care services to meet the care needs of those people they care for (Office of the Children's Commissioner for England, 2016).

Recommendation 1: data should be routinely collected and analysed in order to help us understand inequalities in the implementation of the legislation in relation to the identification, assessment and provision of services for young carers and young adult carers, including:

- **Numbers identified**
- **Numbers assessed (young carers needs assessments and transition assessments)**
- **The quality of the assessment process and how the assessment process is experienced by young carers, young adult carers and their families**
- **Provision of social care services to young carers, young adult carers and people they provide care to**

2. Families appear to be unlikely to get access to social care services even when a needs assessment shows that it would improve their wellbeing. Both the Care Act and the Children and Families Act are weak in terms of placing enforceable requirements on local authorities to provide services to meet the needs of young carers, young adult carers or the people that they care for. If the duties to provide services were stronger and, importantly, if the resources were in place, it would be a powerful mechanism for addressing the difficulties facing families. This would reflect the intentions of a whole-family approach that was prominent in the design of the legislation.

The legislation also fails to address the impact that the unavailability of NHS services has on young carers and young adult carers. If adults and children with health conditions are held on waiting lists or told they are ineligible for services because of high needs thresholds, young carers and young adult carers can be negatively impacted. Young carers and young adult carers might also face long waits and disappointment about the level of support available for their own health, for example, to be seen by CAMHS. The NHS could play a greater role in reducing children and young people's role in care by improving population health and providing services more quickly.

Recommendation 2: Stronger duties are needed for local authorities and the NHS to provide services to people with care needs, both as a preventative approach and to provide services to young carers and young adult carers.

3. It is also important to consider that the circumstances for young carers and young adult carers might be shaped by a family's economic position, social class, ethnicity and the problems of disability discrimination. My research identified cases where the service response to a young carer's family is poorer when they are from an ethnic minority background or if they are working class. In other cases, white and middle-class families might experience a more generous set of interventions. Economic hardship makes things worse for young carers - they are impacted by in-work poverty, low levels of benefit payments or benefit sanctions. Families that have migrated to the UK and face the No Recourse to Public Funds rule are struggling financially and young carers in those families face very difficult circumstances. Economic hardship and discrimination based on ethnicity, class, disability and migration backgrounds create unpaid care work for children and young people and cut them off from support.

Austerity, the cost of living crisis, low wage and insecure work and a harsh benefits system undermines the potential for positive impact on young carers and young adult carers through the Care Act and the Children and Families Act. By taking into account different backgrounds and family circumstances, we can see that these difficult conditions can undo the potential support and opportunities available to young carers and young adult carers through the rights and provisions of this legislation.

Recommendation 3: Additional resources and initiatives to improve practice so that practitioners in young carer and young adult carer services are supported to work with diverse and multicultural communities. Young carers and young adult carers face issues of poverty and discrimination as well as care, so a more equal future for this group depends on looking at the wider picture of policy making on welfare, social care and education.

References:

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