

Services for Carers & Disabled children

Practice guidance to Carers and Disabled Children's Act 2000 - Parent carers have the freedom to choose the nature of the tasks they will perform and how much time they will give to their caring role. In assessing the carer's ability to continue to care, care managers should not assume willingness by the carer to continue caring, or provide the same level of support and bear in mind the distinction between caring about someone and caring for them.

NOTE: The relevant legislation and guidance around the Carers Act and Children Act implies that if the parent carer completes tasks which are additional to those provided under their parental responsibility role and the general care and raising of a child without a disability then they are a carer under the Carers Act. *E.g. providing support with managing a health condition and/or the child is unable due to their health or disability to access mainstream child care services such as nursery's and activity clubs etc. which are available to children without disabilities* then this support is additional to parental responsibility and is around ensuring the welfare of the disabled child. These additional tasks and support given to the disabled child could then affect the parent's access to work, education, training and leisure and family situation and result in eligibility for services.

Child and Family Assessments for services – Should follow the *Framework for the Assessment of Children in Need and their Families* and emphasise the importance of a holistic assessment of family needs. With regard to parent carers, the assessment should take into account the parent's ability to provide or continue to provide care for their disabled child and consideration of whether they undertake or wish to undertake;

- Work
- Education
- Training
- Leisure activities

Services for Families with a Disabled Child - Any services provided as part of the child's care package should take into account the above factors, e.g. freeing some leisure time for the carer and for other children in the family through a structured playtime with the disabled child, whilst social services provide services to maintain the home. The Children Act 1989 requires that a child be in need before services can be provided but this does not mean that the child needs protection. There is an obligation under Part 111 of the children Act which requires local authorities to assist the family if they need help in bringing up their child and provide services that will best meet the needs of the child. The provision of services that can assist parents to bring up their child is often the most effective means of promoting the welfare of disabled children.

Direct Payments –Parents can find that mainstream services for disabled children and those commissioned by the local authority are not always suitable and may wish to make alternative arrangement themselves which will be more beneficial. Local authorities have a duty to offer direct payments to enable people with parental responsibilities for a disabled child to arrange for the provision of services rather than rely on services provided by the local authority. The Direct Payment Guidance for carers and Children's Services 2009 remains the primary source of guidance around the use of direct payments for both the carer and the disabled child

Along with manage risks around the child's welfare and needs, **services for disabled children should be designed so that they can maximise the following:**

- The child's abilities
- Their independence
- The opportunity for the child to lead as normal a life as possible.

Amount of Direct Payment – Once the level of services needed has been agreed, the equivalent cost of these can be taken by the parent as a direct payment amount. The direct payment legislation and guidance releases the following areas of responsibility to the parent of the disabled child;

- The design and implementation of any service
- The management and monitoring of any service

Services sourced via a direct payment have to be legal, reasonable cost and must manage the risks around the child's welfare or the parental care role from deteriorating. Other than the employment of family members, there are no prescriptive rules around the types of services which can or cannot be sourced via a DP. *Ref; Carers and Disabled Children Act 2000 and Carers (Equal Opportunities) Act 2004 Combined Policy Guidance*