INTRODUCTION

Young carers have a right under The Social Services and Well-being (Wales) Act 2014 to an assessment of need and if eligible needs are identified, to have support.

Many young carers state they do not receive the recognition and support they need from their teachers, or other school or college staff, when trying to balance their own education with their caring roles. They may need additional help to ensure they are able to develop and learn as successfully as other learners. Teachers and other school and college staff are in a key position to identify young carers, to support them in the learning environment, and to signpost them to other services, where appropriate.

Estyn has published a Young Carers Thematic Report which evaluates the quality of provision for young carers in education settings in Wales and makes recommendations for improving support for young carers.

At the time of the 2011 census there were 7,544 carers aged under 16 in Wales, of which 811 (10.8%) provided 20-40 hours per week unpaid care and 802 (10.6%) provided 50 or more hours per week. Social Care Wales notes that ‘There are approximately 30,000 carers under the age of 25 in Wales. According to the 2011 census, Wales has the highest proportion of carers under 18 in the UK’. statistics show that 895 assessments of need for young carers were undertaken in Wales during 2018-19.

Although children and young people of all ages provide care at home, young carers services are increasingly reporting a growth in the need to support very young carers (those between the ages of 5 and 8). The School Health Research Network survey indicates that sixteen percent of secondary school pupils in Wales have caring responsibilities. The proportion rises to 21% for students from the least affluent backgrounds.
Duties on local authorities in relation to carers, and to people who are cared for, are set out in the Social Services and Well-being (Wales Act) 2014. To help people understand their rights under this legislation, Welsh Government published a leaflet in November 2019: Understanding your rights as a carer.

This legislation was implemented from April 2016 and gives carers of any age, including young carers, a right to support for any needs which meet the eligibility criteria set out by the 2014 Act. Local authorities and health boards must also promote the well-being of carers who need support. Any potential and eligible needs for support are identified through a local authority carers’ needs assessment.

Not all carers will need a carers’ needs assessment and it is important to note that all carers, of any age, have a right to access information, advice and assistance from their local authority, whether or not they have been assessed.

Section 3 of the Act defines a carer as:

“A person who provides or intends to provide care for an adult or disabled child”.

There is no specific definition of a young carer in the 2014 Act but a young carer is considered to be a young person under 18 years.
The Welsh Government’s Social Services and Well-being (Wales) Act 2014 Part 3 Code of Practice (assessing the needs of individuals) gives details of what is considered as part of a carers’ needs assessment.

**KEY POINTS**

Any child or young person who provides care to an adult or disabled child must be offered an assessment where it appears to the authority that the carer may have need for support, regardless of the authority’s view of the level of support the carer needs.

Entitlement to an assessment under the Act is not dependent on the amount of care provided, nor on whether the cared for person is receiving care and support through the local authority.

The Social Services and Wellbeing Act 2014 Code of Practice part 3 (assessment) sets out that an assessment should include:

- an assessment of the extent to which the carer is able and willing to provide the care and to continue to provide the care;
- the outcomes the person(s) with parental responsibility for the child carer wish(es) to achieve for them, and whether additional help could assist in achieving the outcomes;
- the involvement in the assessment of the carer and where feasible the cared for person. The young carer may receive support from an independent advocate in certain circumstances;
- if the carer is a child the assessment must have regard to his or her developmental needs and the extent to which it is appropriate for the child to provide the care; and
- if the carer is a young adult carer aged between 16 and 25, there must be an assessment of any current or future transitions the carer is likely to make into further or higher education, employment or training.\(^5\)
OTHER RIGHTS UNDER THE SOCIAL SERVICES AND WELL-BEING (WALES) ACT 2014

Under the 2014 Act a young carer potentially has legal rights both as a child, and as a carer. In addition to a right to have their potential needs for support to help them in their caring role considered through a Carers Needs Assessment a young carer may have rights as a child in need of care and support under Section 21 of the Act. The local authority has a duty to offer an assessment to:

“Any child where it appears to that authority that the child may have needs for care and support in addition to, or instead of, the care and support provided by the child’s family.”
All children have rights as set out in the UN Convention on the Rights of the Child (UNCRC). However, young carers may find access to certain rights are diminished due to their caring responsibilities, in particular their rights to health and health services (Article 24), to social security (Article 26), and to an adequate standard of living (Article 27).

These rights should not be diminished because a child lives within a family where someone needs care and support.
SUPPORTING YOUNG CARERS TO REALISE THEIR RIGHTS

Schools and colleges can help young carers recognise when they may be a carer, because many do not realise they are. Schools and colleges can also help the young person and their families know about and understand their rights under the 2014 Act. They can also help the young carer access the help and support they may need. This can be achieved by:

- signposting families to local authorities for information, advice and assistance which might lead to a Carers’ Needs Assessment for the young person who has caring responsibilities;
- signposting young carers and their families to local young carers services who can provide a range of information, advice and support;
- supporting pastoral teams to develop strong relationships with external agencies to support the development and implementation of a whole-school or whole-college approach to identifying and supporting carers; and
- celebrating Carers’ Rights Day (usually in June) and Young Carers’ Awareness Day (usually in January) to improve general awareness of what it means to be a carer, and how to access help and support.
REFERENCES
