



**CHILDREN AND YOUNG PEOPLE  
SCRUTINY BOARD  
7 September 2020**

## **ITEM 07**

Report sponsor: Andy Smith, Strategic Director  
People's Services

Report author: Suanne Lim, Director Early Help  
& Children's Social Care

### **Parent Carer Needs Assessments**

#### **Purpose**

- 1.1 This report was requested by the Chair of Children and Young People's Scrutiny Board in order to review Derby's current practice in light of the statutory requirements of Parent Carer Needs Assessments.
- 1.1 Section 97 of the Children and Families Act 2014 amended section 17 Children Act 1989 to provide that a local authority must, where certain conditions are satisfied, assess whether a parent carer of a disabled child, living in their area, has needs for support and if so, the extent of those needs. A parent carer is defined as a person over the age of 18 years. The Council fulfils the statutory requirements of these legal duties in its policy *Children and Young People 0-25 with Special Educational Needs and Disabilities (SEND)*.
- 1.2 There are two conditions to be met for undertaking a parent carer needs assessment which are set out in 17ZD of the Children Act 1989. The first condition is it appears to the local authority that the parent carer may have needs for support, or the local authority receives a request from the parent carer to assess the parent carer's needs for support.

The second condition is that the local authority is satisfied that the disabled child cared for and the disabled child's family are persons for whom they may provide or arrange for the provision of services under section 17 Children Act 1989.
- 1.3 Where the local authority is required to carry out a parent carer assessment and are required or decide to carry out some other form of assessment of the parent carer or the disabled child cared for by that carer, the local authority can legally combine the parent carer's need assessment with other assessments (section 17ZE). The Council does so within its single assessment in order to meet its legal duties. Where a stand alone assessment has been requested, these have been commissioned from Adult Social Care.

#### **Recommendation(s)**

- 2.1 To ensure the pathway for parents accessing information on how and when Derby City Council undertakes parent carer needs assessments is explicit and clear within the Local Offer, on the Council website and within the policy and that it is accessible for parents who have English as an additional language, including Deaf parents and visually impaired parents.

- 2.2 To ensure any parent carer needs assessments which are either stand alone assessments or combined with another assessment, are headed in a way to show that needs in section 17ZD are specifically addressed. Parent carer needs assessments may form part of a single assessment but will be clearly identified as a "parent carers needs assessment".
- 2.3 In order to take forward recommendations 2.1 and 2.2, a project group of parents and relevant stakeholders will co-produce the pathway and publish the process by January 2021.

### **Reason**

- 3.1 Parent carers require transparency in accessing and understanding in what circumstance and in what format a parent carer needs assessment is undertaken. These recommendations and seek to strengthen and develop existing practice.

### **Supporting information**

- 4.1 Section 17ZD Children Act 1989 (as amended by section 97 Children & Families Act 2014) requires local authorities to assess parent carers on the appearance of need or where an assessment is requested by the parent. Where requested, then the local authority must assess whether that parent has needs for support and, if so, what those needs are. The assessment must include an assessment of whether it is appropriate for the parent to provide, or continue to provide, care for the disabled child, in the light of the parent's needs for support, other needs and wishes.

The assessment must also have regard to:

- The well-being of the parent carer; and
- The need to safeguard and promote the welfare of the child and any other child for whom the parent carer has parental responsibility.

Following assessment, the local authority must then decide:

- Whether the parent has needs for support;
- Whether the child has needs for support;
- And if so whether those needs could be met (wholly or partly) by services under Children Act 1989, Section 17.

This is currently provided for within the content of the single assessment.

- 4.2 There are two conditions to be met for undertaking a parent carer assessment as set out in 17ZD. The first condition is it appears to the authority that the parent carer may have needs for support, or the authority receives a request from the parent carer to assess the parent carer's needs for support. The second condition is that the local authority are satisfied that the disabled child cared for and the disabled child's family are persons for whom they may provide or arrange for the provision of services under section 17. There are two caveats to this. Firstly, this does not apply in relation to a parent carer if the local authority have previously carried out a care-related assessment of the parent carer in relation to the same disabled child cared for. Secondly, if it appears to the authority that the needs or circumstances of the parent carer or the disabled child cared for have changed since the last care-related assessment, a parent carer assessment must be carried out.

- 4.3 In carrying out a parent carer's needs assessment the local authority must involve the parent carer, any child for whom the parent carer has parental responsibility, and any person who the parent carer requests the authority to involve. Once an assessment has been carried out a written record of the assessment is given to the parent carer, and any person to whom the parent carer requests the authority to give a copy. This is currently contained within the single assessment and a copy is provided to the parent.
- 4.4 Section 17ZE Children Act 1989 applies for the purposes of section 17ZD. Where a local authority is required to carry out a parent carer's needs assessment, and are required or have decided to carry out some other assessment of the parent carer or of the disabled child cared for, the local authority may combine the assessments. This is currently provided for within the content of the single assessment.

### **Public/stakeholder engagement**

- 5.1 There is an ongoing programme of engagement with the local area in respect of SEND.

### **Other options**

- 6.1 There is openness to exploring all options to improve practice.

### **Financial and value for money issues**

- 7.1 None for this report

### **Legal implications**

- 8.1 Section 17ZD Children Act 1989 (as amended by section 97 of the Children and Families Act 2014) came into effect on 1 April 2015 and placed a statutory duty on local authorities to undertake assessments of parent carers of disabled children, subject to certain conditions. Section 17ZD outlines the requirements for a local authority as to when to assess and what to contain in a parent carer assessment. Section 17ZE of the Act sets out the circumstances as to how the local authority may discharge this function in combination with another assessment.

### **Other significant implications – Equalities**

- 9.1 Clearly under the Equality Act 2010, we have to make sure that our services are accessible and available for disabled parents and for parents with other protected characteristics. We have an Interpretation and Translation Service and can access BSL interpreters through local organisations, so that parents can access the information we provide. There is a huge piece of work going on around the Derby Written Statement of Action 2019 with a large number of Equality Impact Assessments taking place during October 2020. The EIAs will touch on this service too in relation to the Local Offer and information provided and involves several community representatives taking part including disabled parents and Black, Asian and Minority Ethnic parents.

During any assessments, it's important that the assessment itself is accessible to disabled parents and parents with other protected characteristics with support provided as required.

**This report has been approved by the following people:**

<b>Role</b>	<b>Name</b>	<b>Date of sign-off</b>
<b>Legal</b>	Anna Pollard, Principal Lawyer	25 August 2020
<b>Finance</b>	Alison Parkin, Head of Finance (Children and Young People)	25 August 2020
<b>Service Director(s)</b>	Suanne Lim, Service Director for Early Help and Children's Social Care	23 August 2020
<b>Report sponsor</b>	Andy Smith, Strategic Director Peoples Services	26 August 2020
<b>Other(s)</b>	Ann Webster, Equality and Diversity Lead	26 August 2020