STATUTORY INSTRUMENTS

2015 No. 527

CHILDREN AND YOUNG PERSONS, ENGLAND

The Young Carers (Needs Assessments) Regulations 2015

Made - - - -	*4th March 2015*
Laid before Parliament	*6th March 2015*
Coming into force - -	*1st April 2015*

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by section 17ZB(8) of the Children Act 1989(**1**).

Citation and commencement

1. These Regulations may be cited as the Young Carers (Needs Assessments) Regulations 2015 and come into force on 1st April 2015.

General requirements

2.—(1) A local authority must carry out a young carer's needs assessment in a manner which is appropriate and proportionate to the needs and circumstances of the young carer to whom it relates.

(2) In carrying out the assessment, the local authority must, in particular, have regard to—

(a) the young carer's age, understanding and family circumstances;

(b) the wishes, feelings and preferences of the young carer;

(c) 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 (or intends to provide); and

(d) the outcomes the young carer seeks from the assessment.

(3) The local authority must provide the persons listed in paragraph (4) with such information about the manner and form of the assessment as the local authority consider necessary to enable the persons to participate effectively in the assessment.

(4) The persons referred to in paragraph (3) are—

(a) the young carer;

(b) the person cared for;

(c) the young carer's parents; and

(**1**) 1989 c.41. Section 17ZB was inserted by section 96(1) of the Children and Families Act 2014 (c.6).

(d) any other person whom the young carer or a parent of the young carer requests should participate in the assessment.

(5) The local authority must, so far as reasonably practicable, provide the information prior to the assessment, and in a format which is accessible to the young carer.

Training, expertise and consultation

3.—(1) 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.

(2) A local authority carrying out a young carer's needs assessment must—

(a) consult persons with expertise and knowledge in relation to the young carer, where they consider it appropriate to do so; and

(b) have regard to any other assessment which has been carried out in relation to the needs for support of the young carer or the person who is cared for and which the authority consider to be relevant.

The young carer's needs assessment

4.—(1) This regulation applies where a local authority is carrying out a young carer's needs assessment.

(2) The local authority must determine—

(a) the amount, nature and type of care which the young carer provides (or intends to provide);

(b) the extent to which this care is (or will be) relied upon by the family, including the wider family, to maintain the well-being of the person cared for;

(c) whether the care which the young carer provides (or intends to provide) impacts on the young carer's well-being, education and development;

(d) whether any of the tasks which the young carer is performing (or intends to perform) when providing care are excessive or inappropriate for the young carer to perform having regard to all the circumstances, and in particular the carer's age, sex, wishes and feelings;

(e) whether any of the young carer's needs for support could be prevented by providing services to—

(i) the person cared for, or

(ii) another member of the young carer's family;

(f) what the young carer's needs for support would be likely to be if the carer were relieved of part or all of the tasks the young carer performs (or intends to perform) when providing care;

(g) whether any other assessment of the needs for support of the young carer or the person cared for has been carried out;

(h) whether the young carer is a child in need;

(i) any actions to be taken as a result of the assessment; and

(j) the arrangements for a future review.