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**Title:** Providing Planned Short Break Services for Adult Service Users and their Carers

**Aim / Summary:**

The aim of this policy is to explain what services are defined as planned short breaks, how eligibility for those services is determined and what level of provision will be provided or funded by the Council.

**Document type** (please choose one)

Policy	x	Guidance	
Strategy		Procedure	

**Approved by:****Version number:** 1**Date approved:****Proposed review date:****Subject Areas** (choose all relevant)

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**Review date****Amendments**

# Providing Planned Short Break Services for Adults and their Carers Policy

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## 1. Background information

Unpaid carers play a vital role in supporting people to continue to live at home. The 2011 Census Report identified 57,426 carers in Nottinghamshire who were providing between 1 and 19 hours a week of unpaid care for a friend or relative, and 21,680 who were providing over 50 hours a week.

Short break services are an essential part of the overall support provided to unpaid carers and to people with care needs, to help to sustain the caring situation at home and to prevent crises.

### 1.1 Definitions used in this policy

#### a) Who is a “carer”?

This is someone who is not paid for caring or who is recognised to be a “volunteer”.

The draft Care Bill states that a carer is any adult who provides or intends to provide care for another adult (an “adult needing care”). An adult is not to be regarded as a carer if the adult provides or intends to provide care:

- a) under or by virtue of a contract, or
- b) as voluntary work

But in a case where the local authority considers that the relationship between the adult needing care and the adult providing or intending to provide care is such that it would be appropriate for the latter to be regarded as a carer, that adult is to be regarded as such.

There are some cases where the cared-for person has not agreed for their details to be held on Frameworki, but informal care is still being provided. In these cases, the carer will still be assessed in the same way as for any other carer. The allocation of a personal budget in this situation will need to be discussed with the responsible budget holder.

**b) What is a planned short break?**

This is a break from the normal routine of caring. It is planned in advance and is not the result of an emergency or crisis in the home, or because of illness e.g. hospitalisation of the carer. Usually the carer is having a break from caring but there may be some circumstances where the service user needs a break from the caring situation (even if the carer is not asking for a break). This could also count as a planned short break.

Examples of services that provide opportunities for a planned short break are:

- residential and nursing homes
- dedicated short break units (e.g. run by the Council)
- the Shared Lives short break scheme
- 'sitting' services provided by Home Care agencies

More creative arrangements are possible as well, perhaps using a direct payment, for example:

- a carer who takes the person they care for away on holiday, and uses Council funding to pay towards support costs of the service user in the holiday location (excluding accommodation and food costs which remain the responsibility of the service user). Note - the Council would only be responsible for funding the normal level of support costs for the service user in equivalent local provision (as if the carer and service user were not on holiday). If there were additional costs due to being on holiday, the service user and carer would be responsible for meeting these. The Council funding could not be used towards any transport costs related to the holiday or any of the costs incurred by the carer
- funding the service user's usual Personal Assistant (PA) to look after the person in his/her home, whilst the carer goes away for a holiday.
- funding the service user's usual PA to look after the person in the PA's home, whilst the carer stays at home.

**c) NHS Carer Breaks**

Locally, the Nottinghamshire County NHS Clinical Commissioning Groups (except Bassetlaw) fund short breaks for carers. These are available to carers who have a GP in the Nottinghamshire area, unless the GP is based in Nottingham City or Bassetlaw.

Carers are required to have a carer assessment carried out by the Council and meet the relevant eligibility criteria. The person cared for

does not have to have a community care assessment for the carer to benefit from a NHS break. If the carer is eligible for a break, it will be provided free of charge. The carer's needs must be substantial or critical (outcome from the Carer Assessment). The maximum funding amounts are based on the outcome of the Carer Assessment. As at May 2014, the funding levels are:

- Critical Needs = £1,300.00 p.a.
- Substantial Needs = £ 950.00 p.a.

These funding levels may change over time, at the discretion of the NHS.

Access to this scheme will be the first response offered to a carer asking for a break from caring.

Funding is not currently given directly to the Carer, although it is anticipated that there will be more flexibility in the future. The breaks usually take the form of residential or home based services:

- by funding a short break for the service user in a Residential or Nursing home (Care Home), which is on the NHS approved list
- or by funding a 'sitting' service at home (Home Care)

For access to this scheme, please refer to the Staff Guidance.

**d) Short term care**

Short term care is different to planned short breaks because it responds to the following types of needs:

- i) The caring situation is breaking down and alternative formal care must be arranged urgently for the safety and welfare of the eligible service user
- ii) The caring situation has to change, for a temporary period, due to a change in health of the carer e.g. due to hospitalisation or serious illness (see section e) for information on the Crisis Prevention Service for carers)
- iii) The service user needs some time away from home to stay safe and well – there may not be any informal carer involved
- iv) Intermediate Care - the service user is coming out of hospital but is not well enough to go home or needs further assessment before going home
- v) The service user is having a trial period in a residential home before a permanent move.

There is a standard that short term care is for less than 12 weeks.

The Nottinghamshire Crisis Prevention Service for Carers is another form of short term care available to carers. It is a free service that carers can access when they are in a crisis situation (e.g. an unforeseen or

emergency situation, admission to hospital, illness or death of a relative), in order for the cared-for person to be looked after at home.

**e) Holidays**

The primary purpose of a holiday away from home is for the service user's own pleasure and enjoyment. A secondary effect could be that the carer has a break from caring, but this is not the main reason why the service user is going away on holiday. Therefore a holiday is not normally classed as a planned short break, and would not be funded by the Local Authority. Although the Council is not responsible for funding holidays, it can "facilitate" (i.e. support) a person to organise going on holiday and any normal care costs could be maintained during this period.

However, it is recognised that there might be situations where it is difficult to decide if a trip away is a holiday or a short break. For example, a husband (who is a full-time carer) takes his wife away to Blackpool, where she stays in a residential home with full care provided and he stays in a B & B locally. They meet during the day to enjoy each other's company and the time away from home, but the husband has a break from caring for his wife. This situation would be classed as a short break, where the husband chooses to have alternative planned care from a residential home in Blackpool.

## **1.2 Context of this policy**

Carers' rights in community care law are mainly contained in four statutes and one set of directions:

- **Disabled Persons Act 1986** – section 8 states that consideration must be given to whether a carer is able to continue to care when assessing the needs of a disabled person
- **Carers (Recognition and Services) Act 1995** – this gives the carer a right to request an assessment
- **Carers and Disabled Children's Act 2000** – includes a duty to inform carers of their right to request an assessment and the power to provide services directly to the carer
- **Carers (Equal Opportunities) Act 2004** states that carers assessments should always consider a carer's outside interests when carrying out an assessment, for example work, study or leisure
- **Community Care Assessment Directions 2004** – includes a duty to involve and consult carers in social care assessments.

Eligibility for carers is contained in the Carers and Disabled Children's Act 2000 and gives a power, rather than a duty, to Local Authorities to meet eligible needs.

However, the new **Care and Support Bill**, which is currently going through Parliament, will give carers their first ever legal entitlement to public support, putting them on an equal footing with the person they care for.

### 1.3 Scope of the policy

This policy is concerned with the issue of eligibility for and access to resources that support carers and service users to have a planned short break.

Eligibility for, and access to, short term care (including emergency breaks) is not covered by this policy.

## 2. Principles and Commitments

a) Planned short break services will be:

- focused on prevention; they will be designed to help people to stay at home, sustaining caring relationships and preventing crises
- designed to avoid social isolation for carers, so that they are not housebound by their caring role.
- **Provided as part of a coordinated programme to prepare people for a transition to full time formal care and support, where and when appropriate for each person**

b) Service users and carers assessed as eligible for planned short break services will be offered a personal budget for provision of planned short breaks. The budget will be determined as part of the support planning. This can be taken as a managed service or direct payment but cannot be spent on any other form of service unless that is to give the carer an agreed additional break (e.g. extra day service).

c) The most cost-effective form of short break will be offered to the carer, to meet the **individual** care and support needs of the service user during the period of the short break, **based on requirements in the person's support plan and information provided by the carer and service user.**

d) All carers requesting a planned short break allocation will be expected to make use of the NHS Carers Break scheme in the first instance, once eligibility has been established. However, there may be exceptional circumstances for individuals where it is agreed by the responsible budget holder that the services available through this scheme are not appropriate to meet the service user's needs, or the scheme does not apply to the person because of where they live or because their GP is not based in Nottinghamshire.

e) There will be a range of short break service options available, for purchasing with the planned short break personal budget, including residential short breaks, 'sitting' services, Shared Lives short break, support provided in the home or to take the service user out and about. The Council will also consider funding some or all of the support needs of a service user, if the person goes away on holiday with or without their carer; in this situation, the holiday must be clearly linked to an outcome in the service user's support plan. Note – the Council will not pay towards any other costs of the holiday itself, for example, accommodation, travel or food. The Council will support carers and service

users to understand and access the range of options available, as appropriate.

- f) At the point when the cost of the service user's personal budget (including short break care during the year) exceeds the expected cost of supporting that person in another form of service package (e.g. residential care or supported living), then discussions will be held with the family to consider the options- for example, moving the service user out of the family home, or the family contributing more towards the overall cost or changing the short break service package.

### **3. Determination of eligibility for the provision of short break services**

All the following should apply:

- The service user (person cared for) is eligible for service from the Council (under Fair Access to Care Guidance), or would be assessed as eligible, if the carer did not provide the current level of informal care on a regular basis.
- The service user is not living in a formal care arrangement funded by the Council e.g. Supported Living, residential or nursing home care. The exception to this rule is that **Shared Lives carers who provide long term care arrangements for service users will be eligible to receive planned short break, in line with the Shared Lives carer agreement.**
- The service user has at least one carer who provides regular informal care. The carer (or carers) has/have had a Carers Assessment and is/are eligible for service from the Council (i.e. has a substantial or critical need for service to be provided). See note below
- The carer or service user is requesting a break from the caring situation, in addition to the services normally provided to the service user
- The need for a break cannot be met entirely by the NHS Carers Break scheme.

### **4. Allocation of planned short break service after a decision of eligibility is made**

The allocation of a personal budget for planned short breaks will be based on a combination of a) the service user's level of needs and b) the impact of caring on the carer themselves.

The level of need for the service user is determined by the completion of the Community Care Assessment. The impact of caring on the carer is determined by the completion of the Carers Assessment, by asking the carer questions about:

- Willingness and ability to provide care to the cared-for person (Care Act requirement)
- Hours of care provided in the daytime and night
- Ability fully to maintain other family or personal relationships (Care Act requirement)
- Ability to obtain or remain in employment, education or training (Care Act requirement)

- Ability to carry out some or all basic household activities (Care Act requirement)
- Ability to access necessary facilities or services in the local community (Care Act requirement)
- Ability to participate in recreational activities (Care Act requirement)
- Whether the carer was alone or had a partner who shared the caring role
- The carer's own health and wellbeing, including mental and emotional health (Care Act requirement)
- Other caring responsibilities, including the ability to fully care for any child for whom the carer is responsible, and the ability to provide care to other persons for whom the carer provides care (Care Act requirement).

The combined results will allocate one of four bands of personal budget to the service user or carer:

1. £150 - £200 p.a. Carers Personal Budget
2. Sufficient to fund up to 1 week of residential care p.a. (7 nights)
3. Sufficient to fund up to 3 weeks of residential care p.a. (21 nights)
4. Sufficient to fund up to 6 weeks of residential care p.a. (42 nights)

Note – this will be in addition to breaks provided by the NHS Carers Break scheme.

Exceptional circumstances will also be considered during the Carer Assessment and the following factors may lead to additional sessions being allocated to any carer, after agreement by the authorised budget holder:

- the context of the family situation e.g. intensity of the caring situation
- the carer's individual needs e.g. related to age, or any ill health or disabilities

## **5. Charging for short break services**

Service users and carers will be asked to make a contribution towards their personal budget for short breaks when they spend their budget, in line with the Council's Fairer Contributions Policy.

## **6. Reviewing eligibility for short break services and allocation of short break sessions**

The provision of short break services and allocation of sessions will be reviewed at least annually. Previous usage of the allocation will be taken into account. If a decision has been made to change the provision of short break following a review, notice of this decision will be given in writing, at least 28 days in advance of the withdrawal.



## 7. Complaints

If any service user **or carer** is not satisfied with the process that has been followed or the way that his/her case has been handled, he or she can make a complaint under the Council's [complaints procedure](#).

Staff must ensure that service users and their representatives are informed of their rights. See the Publications Directory for the fact sheet "[Have your say about our services](#)". There is also an [easy read version](#).

## 8. Key actions to meet the commitments set out in the policy

The Council will:

- Amend the Carers Assessment to ensure that the impact of caring can be fully assessed and used as an indicator of the appropriate short break allocation required
- Develop a costing methodology so that a carer can be allocated with a personal budget equivalent to the value of the short breaks that is required to meet needs.

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