

## Carers' Rights

It is important that you are aware of your rights as a carer, and the rights of the person you care for, otherwise you will have no way of knowing whether you are receiving all the services that you are legally entitled to. An awareness of your rights will also be an advantage in case you need to pursue a complaint. As a result of various Acts of Parliament carers' rights have been legally established as follows:

- The Carers (Recognition and Services) Act 1995 introduced the right to a carer's assessment for all carers, including young carers.
- The Carers and Disabled Children Act 2000 extended these rights to include the right to support services and for these services to be made available with direct payments and vouchers.
- The Carers (Equal Opportunities) Act 2004 promotes more opportunities for carers in areas such as work, leisure and studying. It places a duty on local authorities to ensure that all carers know that they are entitled to an assessment of their needs. It also places a duty on councils to consider a carer's outside interests when carrying out an assessment.
- The Children Act 1989 gives young carers (under the age of 18) of a disabled parent, the right to be regarded as 'children in need'.
- The Mental Health Act 1983 gives carers (if they are the nearest relative) of people with a mental health problem the right to ask for an assessment of the person they are caring for.
- The Civil Partnership Act 2004 enables same-sex couples to obtain legal recognition of their relationship. Couples who form a civil partnership will have a new legal status, that of 'civil partner'. Civil partners who are carers will therefore have greater rights in areas such as welfare benefits.
- The Employment Act 2002 gives parents with children under six or disabled children under 18, who have worked for their employer for at least 26 weeks, the right to apply for flexible work arrangements. It also gives carers the right to take (unpaid) time off work for dependants in cases of emergency.

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- The Work and Families Act 2006 extended the benefits of flexible working rights to carers of adults.
- The Children and Young Persons Act 2008 created a new duty on local authorities to provide short break services and to properly support disabled children and their families when children are placed away from home.
- The Equalities Bill (currently being discussed in parliament, April 2009) will streamline and strengthen discrimination legislation, including banning discrimination and harassment against carers by protecting people who are 'associated with' someone who is disabled. This will apply to employment, and the provision of goods, facilities and services.

### **Some Interesting Facts About Carers**

- **There are an estimated six million carers in the UK**
- **There are 30,000 carers in the London Borough of Croydon, including 3,000 young carers**
- **Every day 6,000 people become carers for the first time**
- **3 million people combine work with caring**
- **Carers save the economy £87 billion per year**

**(Extracted from Carers Strategy 2008-2011: Making Croydon a Better Place for Carers and Carers UK Policy Briefing: Facts About Carers, 2009)**