

CARERS look after family, partners or friends in need of help because they are ill, frail or have a disability. The care they provide is unpaid.

POLICY BRIEFING

Carers and Disabled Children Act 2000 Vouchers for Short Term Breaks, Regulations and draft Guidance

Date June 2003

Relevant to: England

1. Background

The Carers and Disabled Children Act 2000, under Section 3, gives local authorities the power to provide vouchers in lieu of community care services. These can be issued to the carers, or to the person being cared for, in order to provide a break.

The Carers and Disabled Children (Vouchers) (England) Regulations 2003 are now out and come in to effect from 29th May 2003. The Policy and Practice Guidance are due to be available shortly on www.carers.gov.uk, references in this briefing are made to the draft guidance and details could change when the final guidance is published.

2. What is a voucher?

Section 3 (2) of the Carers and Disabled Children Act 2000, defines a voucher as a document whereby, in order for the carer to have a break from caring "the person cared for may secure that services in lieu of the care which would otherwise have been provided to him by the carer are delivered temporarily to him by way of community care services."

The Regulations state that vouchers should only be given to carers of disabled adults where both the carer and the disabled adult have given permission, or if the disabled lacks the capacity to consent, the authority is satisfied that it is in their best interests.

The aim of vouchers is to help disabled people and their carers by offering a service that offers flexibility in the timing of breaks and choice of how that support is provided. This may mean a regular respite service for a few hours every week or a week long break twice a year. According to carers in areas where vouchers are currently in use there are several benefits of vouchers over traditional means of providing breaks. These include flexibility as to when a

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break is taken, enabling carers to take respite at weekends, to plan ahead (for holidays etc) and to take 'emergency' breaks at short notice.

The value of a voucher can be expressed in the form of a monetary value or time value, but not both. Time value vouchers correspond to the delivery of a service for a specified period of time and may specify the supplier of services authorised by the local authority to supply that service. The format of the vouchers is not fixed, it can take the form of a printed voucher but it could also be a letter from the local council. The only restriction in the draft Policy Guidance is that the voucher should include the name of the user or carer, the amount of the break and expiry date. Recipients of the voucher should also receive details of service providers available.

3. Vouchers are only one way of delivering services

It is important to bear in mind that vouchers should not be the only option considered. Following an assessment of the carer or disabled person the care plan should address the most appropriate way of meeting the assessed need. This may be vouchers, direct payments, community care services, or a combination of these within the same care package.

Under the Carers and Disabled Children Act 2000 local authorities are already able to provide direct payments, i.e. cash instead of services, to carers for their own services, parent carers, and disabled people aged 16 or 17. Some carers may prefer direct payments, as it encourages flexibility in service provision. The use of vouchers adds to this flexibility of service provision, as in some cases carers may prefer vouchers, in order to avoid the contractual responsibility relating to direct payments. Carers UK recommends that local authorities use direct payments as often as possible where the carer wishes.

4. Key Points

Providers outside local council area - Services used through the voucher scheme do not necessarily have to be provided within the area of the issuing authority (paragraph 17 of draft Practice Guidance). This kind of flexibility will be extremely important for families, particularly where the carer lives close to a local authority boundary and it is more practical to receive services from a neighbouring authority. This could be particularly useful for carers living in a rural area, where the nearest town is in a neighbouring authority.

Involvement of carers – Paragraph 2 of the draft Practice Guidance clearly states that local people and local providers should be consulted fully before local arrangements for voucher schemes are set up. These consultations should include people with different kinds of impairment and their carers. Good practice in involving carers is available in Carers UK's 'Involving and consulting carers'.

Flexibility - Under Section 4 of the regulations vouchers may be issued in the name of the carer, in order to enable the carer to redeem the vouchers at a time when they feel they need a break. However, the regulations allowing the carer's name to be included only apply to time value vouchers, not monetary value vouchers. In other words, carers cannot be issued with money vouchers where the service belongs to the disabled person.

Topping-up - under Section 6 of the Regulations carers are able to purchase services that are additional to, or more expensive than, the services that can be secured using the voucher. This would enable carers to upgrade the services they purchase using the vouchers, for example holders of a time-voucher might want to have a higher standard of room than an authority would normally purchase in a residential facility. The vast majority of carers surveyed in research for Carers UK by Daniels and McCarragher (unpublished) thought that voucher schemes should allow topping-up. However, there is a danger that less scrupulous authorities could choose lower cost services and effectively expect the family to top-up to the full cost of the service they need.

Limited life span - Paragraph 2 of the draft Policy Guidance requires redemption of the vouchers within the financial year they are given. This means that they cannot be saved by the carer and carried over to the next year. This reduces their flexibility and is supposed to discourage carers from saving vouchers for an 'emergency' break, but could mean that carers are left with unused vouchers at the end of the year. This could also create problems for service providers, who may face an end of year rush as carers cash in vouchers near the end of the financial year.

Choice restricted to contracted providers - Vouchers can only be used to purchase services from service providers that are contracted to the local authority scheme. This will reduce the choice of services available, and in some cases may mean no choice at all. Carers UK hopes that local authorities will keep options as wide as possible.

Bureaucracy - The administrative cost of producing the vouchers, forming contracts with service providers and the complexity of running the scheme, add to the cost of providing services and reduce the amount of money that might otherwise be available for carers services. However, vouchers could also reduce care manager's time in directly arranging breaks.

5. Carers UK Recommendations

- Local authorities should build their voucher scheme in partnership and consultation with carers and carers' organisations
- Any involvement of carers in consultation should be properly funded and demonstrably change practice
- The range of breaks available should be sufficiently varied to give carers a choice

- Carers need good quality information from local authorities about how vouchers work
- Local authorities should review the operation of their vouchers scheme after a reasonable period of time to elicit feedback on how the scheme is running from disabled people and carers. This should then be fed back into the planning process.

6. Sharing Knowledge

Carers UK is often asked about best practice and what is happening in different parts of the country. We are particularly keen to hear of examples of voucher schemes that are working well and that meet carers needs. Your feedback to us not only facilitates this process, it also highlights issues. Please feedback by email to policy@ukcarers.org or by letter to Dave Clark, Policy and Public Affairs Officer, or participate in the Carers Online discussion board, which will be available shortly on www.carersonline.org.uk.

7. Further Information/Useful Publications

For copies of the **Carers and Disabled Children (Vouchers) (England) Regulations 2003** visit www.hmsso.gov.uk or they can be ordered through The Stationery Office (TSO) tel: 0870 6005522, fax order line: 0870 600 5533 or by post: TSO Ltd, PO Box 29, Norwich, NR3 1GN.

Copies of the **Carers and Disabled Children Act 2000** are available from www.ukstate.com.

Copies of the **Carers and Disabled Children Policy and Practice Guidance** are due to be available shortly on www.carers.gov.uk, references in this briefing are made to the draft guidance.

Copies of Carers UK's **good practice guide** in the involvement of carers in consultation are available at www.carersonline.org.uk

Carers and people with parental responsibility for disabled children, Policy Guidance, Carers and Disabled Children Act 2000 Department of Health, March 2001. Ref: 23397 and **Carers and people with parental responsibility for disabled children, Practice Guidance, Carers and Disabled Children Act 2000** Department of Health, March 2001. Ref: 23398

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