

MP proposes landmark new social care law

Carers UK has joined forces with Barbara Keeley MP and a cross party group of MPs to work on a new piece of legislation to improve the supply of social care and help identify hidden carers.

Barbara Keeley MP, a long-term advocate for carers, secured a spot in the parliamentary calendar for a 'Private Member's Bill' – a piece of legislation proposed by a backbench MP rather than the Government – and chose to use the opportunity to champion carers.

The bill, [the Social Care \(Local Sufficiency\) and Identification of Carers Bill](#), aims to:

- revolutionise the way that local authorities plan social care services in their areas for people who buy services themselves, as well as those who rely on council social care services
- focus on ensuring the right services are planned and developed to help carers struggling to juggle work and caring for ill or disabled loved ones
- create duties on the NHS, schools, colleges and universities to identify carers and signpost them to support and advice.

'Sufficiency of supply' – improving the supply of care services

The bill places a duty on local authorities to conduct an assessment of the social care services available in their area, looking at whether sufficient and relevant care is being made available to people with disabilities and carers.

The proposed legislation will recognise for the first time the need for carers and people with disabilities to have the right services in place to allow them to remain in, or join the workforce. Local authorities currently have the same important role to ensure childcare is there to help parents work, and this new Bill would begin to

develop this role for councils in social care.

Currently an estimated 1 in 6 people is forced to give up work to care. Given the demographic trends where a shrinking workforce is being asked to work longer to meet growing care and pensions bills, this is clearly unsustainable.

Significant proportions of disabled people feel they can work and analysis in 2010 found that supporting social care users to access paid employment could generate earnings of up to £800 million each year, a reduction in benefits spending of £300 million (as well as extra income from tax and National Insurance). Research last month from Age UK showed that the cost to the Government of carers being forced to give up work to care had reached £5.3 billion in lost tax revenues, lost earnings and increased benefit payments.

The Bill reflects the economic imperative to help people juggle work and care and to support people with disabilities to work. Similar legal provisions around 'sufficiency' for childcare, introduced in 2006, helped stimulate growth in childcare services and Carers UK has argued that these duties for social care could help ensure families get the support they need.

Identifying hidden carers

We know that carers often take a long time to identify themselves as carers. Carers UK found that 25% of carers took 5 years or more to

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recognise themselves as a carer and each year about 2.2 million people start caring and a similar proportion cease caring.

By placing duties on health and education bodies, the Bill would speed up the identification of carers and allow help and support to be made available earlier.

Turning the Bill into law

Taking legislation from backbench MPs through Parliament is always challenging but Carers UK has a great track record. We have successfully brought three Private Members Bills through the UK Parliament. Out of this work came new rights for carers to have their needs assessed, enshrining in law the principle that carers should have a life of their own in the Carers (Equal Opportunities) Act 2004.

Barbara Keeley's Bill is the next step in winning additional support for carers and disabled

people and Carers UK will be using our expertise and working hard to build support for the legislation and get it on the statute book.

Emily Holzhausen, Director of Policy at Carers UK said;

“This is a fantastic opportunity to make a difference to the lives of carers and disabled people. Every day we hear about carers who've been struggling to care for their families, not knowing what support is available to them - new duties on health bodies, schools and other educational institutions to identify carers will enable them to get help earlier.

Barbara Keeley's Bill could also bring about a revolution in the way councils plan and commission social care services – for the first time looking at whether families have enough access to care, particularly the support they need to juggle work and care.

Small ripples creating big waves in mental health discrimination

There is a change in the air. Following an unsuccessful attempt to pass a peer sponsored bill through parliament last year, which would have made it illegal to discriminate on mental health grounds, a revised version has returned to the House of Lords as a private members bill introduced by Gavin Barwell MP.

Four significant revisions of current legislation are proposed in respect to “**mentally disordered persons**” (anyone who is taking any form of psychiatric medication). The Bill seeks to repeal the following:

- Section 141 of the Mental Health Act (1983) which provides that any MP who is detained under the Act for more than six months automatically loses their seat
- The Companies (Model Articles) Regulations (2008) which allows for the removal of a person from the position of director of either a public or private company on grounds of their mental health

- The School Governance (Constitution) (England) Regulations (2007), whereby a person sectioned under the Mental Health Act (1983) is prohibited from being a school governor
- The Juries Act (1974) which disallows “mentally disordered persons” partaking in jury service.

The inequality of the current legislation is highlighted further when one considers that there are often no equivalent provisions for physical illness. So, considering the bill failed last year (partly due to time limits) and that some of the legislation originates as recently as 2007 and 2008, what has brought such a change in perspective, given that this bill will almost certainly be made into law thanks to support it received in both the House of Lords and Commons?

The answer can be found, somewhat, in the accompanying **House of Commons debate**, the ensuing commentary on social media and some high profile celebrities speaking of their

experience with mental health issues (e.g. Ruby Wax's Mad Confessions which was broadcast on *Channel 4* on 23/07/12).

Four tenacious MPs: Charles Walker, Kevan Jones, Sarah Wollaston and Andrea Leadsom, lent enormous support to the bill by using the House of Commons debate as an opportunity to discuss their own personal experiences of mental health difficulties. Both Sarah Wollaston and Andrea Leadsom spoke about their experience with **postnatal depression**; Kevan Jones revealed he had battled with **depression** for many years; and Charles Walker described how he had lived with **OCD** for more than 30 years.

Lord Stevenson of Coddanham - former chairman of HBOS and the publishing group Pearson, who was closely involved in its development, also spoke recently of his experiences with depression in an interview with *Channel 4 News*.

He describes: "It was the summer... My work was going well...my family, wife, children were great and I was going down to our cottage in Suffolk for the summer...And I woke up, and I had a pain in my tummy, and it wouldn't go away and it got worse and worrisome and I now think it's called anxiety".

The willingness of such individuals to speak so candidly of their mental health experiences is refreshing and truly courageous given that this society all too often stigmatises those who are

mentally ill as lazy, dangerous, violent, irresponsible and alike.

It is also a true reflection of the experiences of many of the population; for example, 1 in 4 people will suffer some kind of mental health issue in the course of a year. Anxiety and depression also appear to be the most common mental disorders experienced by people in the UK. So given that the prevalence of such disorders are as common as many physical illnesses, it is time in the words of Lord Stevenson to "**rid of the Salem witches aspect of mental health discrimination**".

No doubt once this legislation is passed it will help in the on-going battle against stigmatising mental health, if a little bittersweet, given that it has taken us till 2012 to address such discriminatory legislation.

Yet, one cannot help but feel that the real story is in the publicly disclosed accounts of those such as Lord Stevenson, Charles Walker, Kevan Jones, Sarah Wollaston, Andrea Leadsom and Ruby Wax. These individuals represent what is at the heart of this debate: mental health can affect anyone; just as no-one is 100% physically well, no-one is 100% mentally well either. To have these laws still in place is plain shameful! As more and more people are prepared to speak publicly about such issues, thus generating small ripples, these will eventually create bigger waves, hopefully ensuring equality for all.

News In Brief - Events

Please reserve the following dates in your diary – booking forms to be issued soon:

3rd October – Luke Clements: Carers and the Law – this is an unmissable opportunity to listen to and question Luke, who is a Professor at Cardiff Law School and has drafted a number of Private Members Bills (and 10 Minute Rule Bills) aimed at improving the rights of people experiencing social exclusion in which capacity he helped draft and pilot through Parliament the Carers (Recognition and Services) Act 1995 and the Carers (Equal Opportunities) Act 2004.

25th October – a trip to **Frodsham** market and **Lady Heyes Craft Centre**.

13th December – the **Family Tree Xmas meal** at The Manor, Greasby.

In addition we are planning a **pantomime** trip in December or January (Oh yes we are !!!) – if you are interested please contact the Family Tree office so that we know how many tickets to reserve.

Atos wins bulk of PIP contracts

In a surprising, and for many people deeply dismaying, decision the DWP have announced that Atos have won the biggest share of contracts for carrying out personal independence payment (PIP) medicals. A smaller share has gone to Capita.

PIP is due to begin replacing disability living allowance (DLA) for working age claimants from April next year, with all current working age DLA claimants having to be reassessed for the new benefit. The contracts for PIP medicals are worth up to £1bn in total and have attracted the attention of many multinational companies.

Atos have won Lot 1 and Lot 3 in the bidding for the contracts. Lot 1 covers Scotland, NE England, NW England & Isle of Man while Lot 3 covers London and South England. Capita have won Lot 2, which covers Wales and Central England.

Lot 4 which covers Northern Ireland has not yet been awarded and Lot 5 is also up for grabs, but the DWP have said they do not intend to use Lot 5 unless things go wrong with regional suppliers.

Atos are deeply unpopular with many claimants and disability organisations due to their

methods of assessing claimants for employment and support allowance. On Monday of this week, the company was the subject of a Panorama documentary and a Dispatches documentary looking at alleged failings in the way they carry out the work capability assessment.

Capita, which runs the Criminal Records Bureau on behalf of the Home Office has no history of carrying out medical assessments for state benefits. The company has been involved in a number of less than successful public service contracts in the past, however, including Individual Learning Accounts which were subject to fraudulent claims on an unprecedented scale and which were shut down after just one year.

Amongst the unsuccessful bidders for the contracts so far awarded are G4S who are still reeling from the Olympics security fiasco, Serco, Avanta, Ingeus Deloitte, APM UK, Reed In Partnership and Vertex.

You can read more about PIP's on the DWP website:

<http://www.dwp.gov.uk/policy/disability/personal-independence-payment/>

Tips for claiming DLA

Need help claiming Disability Living Allowance (DLA)? Website www.benefitsandwork.co.uk is offering free advice that may help you to increase your DLA.

After registering your details, Benefits and Work will email Seven Top Daily DLA Tips. Examples of the types of information offered include:

- The simplest way to get an award of DLA
- Why using your worst day is the worst DLA advice
- There are no magic DLA words, but there are material DLA numbers
- Dealing with 'detective' doctors.

Even if you have been turned down for DLA before, Benefits and Work claims that they may be able to help.

The advice is free, there is no obligation and the company assures that your details will not be passed on to third parties.

For more information visit: <http://www.benefitsandwork.co.uk/disability-living-allowance-dla>

Know your welfare rights

At the end of April Brian Buckley from the Wirral Welfare Rights Unit came to address a Family Tree carer group on the subject of Benefits and Tax Credits.

The Welfare Rights Unit is run by 2 people and accept telephone or email queries – unfortunately due to staffing cuts they are no longer able to offer a drop-in service but appointments for a face-to-face consultation may be made over the telephone.

They can be contacted by telephone on 0151 666 4570 (from 9:30 to 12:30 Mon, Tues, Thurs, Fri) or by email at welfarerights@wirral.gov.uk.

Brian dealt with questions on a number of topics and gave some very helpful information – particularly regarding the Work Capability assessment for Employment Support Allowance.

Following the introduction of ESA in 2008 to replace Incapacity Benefit and Income support for new DWP customers many people have had to be assessed regarding their capability for work. For more information re ESA see: <http://www.dwp.gov.uk/docs/dwp1001.pdf>

Whereas previously you may have been categorised as either “capable” or “incapable” of working, now you may be assessed on a

sliding scale to denote the extent of your limited capability. As a result, the bar for being classed as incapable has been raised and more people will be considered to have capacity to work.

The criteria – or “ESA Descriptors” – for the Work Capability Assessment to determine eligibility for Employment Support Allowance can be found at:

http://www.direct.gov.uk/prod_consum_dg/groups/dg_digitalassets/@dg/@en/@disabled/documents/digitalasset/dg_177366.pdf

Brian stressed the high importance of evidence to support any claims you may have as to incapacity for work. Evidence may come from professionals such as consultant psychiatrists but also from GP's, neighbours, family members, etc.

Whilst you might think that a statement from a psychiatrist should carry enormous weight it will have much more influence if it relates to the criteria as outlined in the descriptors above.

If you have any concerns or questions regarding existing benefits, proposed changes etc. please do not hesitate to contact the Wirral Welfare Rights Unit as described above; their role is to ensure that people fully understand the complex and ever-changing system and that they receive the financial support to which they are entitled.

Carers Group in Pensby

There is a monthly Carers Support Group at St. Michael & All Angels Church Hall, on the corner of Gills Lane & Pensby Rd, opposite the shops, called '**Carers Get Together**'.

The group meets on 2nd Thursday in each month except August at 11.45am - 1.30pm. A cooked meal is provided and either a speaker or fun activity is organised.

For more information contact Carol Jordan - email carolb63@btinternet.com

Ask an expert

Here at Family Tree we receive help and advice from a range of professionals in many areas related to mental health. If you have any questions or concerns regarding any variety of matters, then please do not hesitate to get in touch: Call us on 0151 488 7708 ext 3843, or email us at family.tree@cwp.nhs.uk or iain.mayoll@cwp.nhs.uk and we'll see if we can help.

A guide for caregivers of people with bipolar disorder

What is Bipolar, episodes and symptoms?

- Bipolar disorder involves episodes of extreme mood that affects a person's thinking and feelings and disturb daily functioning.
- People with bipolar experience mania, hypomania, depression or mixed mania;
 - * Mania is characterised by excessive elation of irritability (e.g. grandiose ideas, sleep disturbance, distracted).
 - * Hypomania is similar to mania but milder and less disruptive.
 - * A depressive episode occurs for at least two weeks (e.g. lack of energy, sleep disruption, difficulty in concentration, feelings of worthlessness).
 - * A mixed episode involves symptoms of both mania and depression at the same time for a week.

Occurrence, Treatment and Management

- This disorder affects about 1 in a 100 adults but symptom expression and impact on daily life affects each individual differently.
- Bipolar disorder doesn't tend to follow a distinct pattern; some people can be symptom free between episodes for long periods of time whereas others can experience mild symptoms between episodes fairly frequently.
- Treating and managing BD can be achieved in a number of ways. Most typically medical treatment will be in the form of medication (e.g. Lithium, Lamotrigine, Olanzapine, Clozapine). This can also be combined with psychological treatments such as Cognitive Behavioural Therapy and Family Focused Therapy.
- Reducing individual stressors can help reduce the rate of episode relapse such as; stressful life events, disrupted sleep patterns, disrupted routine, excessive stimulus, alcohol and illegal drugs, conflict with others and lack of illness management.
- Also being aware of warning signs can help a caregiver manage the person, for instance, elevated moods, disruption to sleep, heightened senses.

Supporting the person during illness

- There are many ways to support a person when ill and the choice is up to the individual. Some suggestions would include communicating calmly, monitoring the illness, helping the person access treatment. Also letting the person know you care and encouraging small activity goals during depression may also be of benefit. Try not to take over but instead offer patience and attention. Also know your limits particularly when considering risky behaviours and try to stall decisions that may be if risk to the person.
- Be prepared for crisis – know who you need to contact in an emergency and what information to provide (e.g. history of their illness, what treatments are preferred).

Caring for yourself

- The role of a caregiver can be extremely stressful so make sure that you also take time to look after yourself properly.
- Coping strategies can help to reduce stress. These can involve getting organized; taking time to restore your energy; maintaining boundaries and setting limits; getting rid of unrealistic expectations; and developing your own support system.
- Care about your health; make sure you develop good habits to look after yourself, such as regular exercise and eating healthy meals.
- Look out for signs of your own stress or depression. These can include being more anxious; overeating or loss of appetite; feelings of worthlessness or excessive guilt.

The above information has been based on “[A guide for caregivers of people with bipolar disorder](http://bipolarcaregivers.org/wp-content/uploads/2010/07/guide-for-caregivers.pdf)”. Find the complete guide at: <http://bipolarcaregivers.org/wp-content/uploads/2010/07/guide-for-caregivers.pdf>

Consultations by the DoH

The Department of Health is holding consultations on two proposals.

One proposal focuses on the **implementation of a new licensing regime for providers of NHS services** and the issues covered will include:

- who will be required to hold a licence from Monitor?
- how can providers challenge proposed changes to licence conditions?
- what is the maximum fine that Monitor could impose for breach of licence conditions?

The second concentrates on **regulations to protect patients' interests by ensuring that commissioners always deliver best value**. The consultation sets out proposals for requirements to:

- ensure good procurement practice by commissioners including requirements to act transparently, avoid discrimination and purchase services from the providers best placed to meet patients' needs
- ensure that commissioners enable patients to exercise their rights to choose as set out in the NHS Constitution
- prohibit commissioners from taking actions that restrict competition where this is against patients' interests
- ensure that commissioners manage conflicts of interest and that particular interests do not influence their decision-making.

To respond to the consultation, visit:

<http://healthandcare.dh.gov.uk/consultation-licensing/>

<http://www.dh.gov.uk/health/2012/08/consultation-commissioners/>

IF YOU DON'T HAVE ACCESS TO THE INTERNET BUT WOULD BE INTERESTED IN ANY OF THE INFORMATION FOUND AT WEBSITES FEATURED IN OUR NEWSLETTER, PLEASE CONTACT FAMILY TREE AND WE WILL PRINT OFF THE PAGES AND POP THEM IN THE POST FOR YOU!

INSPIRATIONAL WORDS

Don't Quit

When things go wrong, as they sometimes will,
When the road you're trudging seems all uphill,
When the funds are low and the debts are high,
And you want to smile, but you have to sigh,
When care is pressing you down a bit,
Rest, if you must, but don't you quit.

Life is queer with its twists and turns,
As every one of us sometimes learns,
And many a failure turns about,
When he might have won had he stuck it out;
Don't give up though the pace seems slow--
You may succeed with another blow.

Often the goal is nearer than,
It seems to a faint and faltering man,
Often the struggler has given up,
When he might have captured the victor's cup,
And he learned too late when the night slipped down,
How close he was to the golden crown.

Success is failure turned inside out--
The silver tint of the clouds of doubt,
And you never can tell how close you are,
It may be near when it seems so far,
So stick to the fight when you're hardest hit--
It's when things seem worst that you must not quit.

Author unknown



Carer's Short Breaks—Closing Soon !!

Wired have been commissioned by the Wirral GP Commissioning Groups to deliver a short break program for carers. Vouchers for £250 are available to provide either a break for you and someone to look after the person you care for OR a wellbeing session for you (e.g. complementary therapy treatment, hairdresser etc.) OR a break for yourself or with the person you care for. For more information ring 0151 670 0777 and ask about Carer's short breaks.



Book Break for Carers

Do you care for someone? Do you need a break?

Try **Book Break for Carers** for relaxation with a brew, some biscuits and a book



Thursdays 1.00pm – 3.00pm
The Lauries Community Centre, Birkenhead

It's like going on holiday without packing your bags
GIR Member & Carer



Once we get into the book and the discussion, I don't think about anything worrying me – I just concentrate and that's my little world for a while. It's like a bit of freedom

GIR member

If you're interested in trying out the group, please contact Helen on 07807106693 or helenwilson@thereader.org.uk, or just turn up!

Family Tree Mailing List

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Don't forget our website www.familytreewirral.co.uk