

CARE ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 – Care and Support

Next steps after assessments

Section 24 – The steps for the local authority to take

171. This section sets out the steps local authorities must take after carrying out the needs assessment or carer’s assessment (and the financial assessment where relevant).
172. *Subsection (1)* requires a local authority which has a duty under section 18 or section 20 or has exercised its discretion under section 19 or section 20 to meet needs for care and support to do the following:
- Prepare a care and support plan for an adult with needs for care and support, or a support plan for a carer (as specified in section 25).
 - Inform the adult which of their needs it will meet and where direct payments may be used to meet needs.
 - Help the adult in deciding how to have the needs met.
173. *Subsection (2)* requires the local authority to provide those whose needs it is not required to meet, and has decided not to meet, with the following:
- A written explanation of the reasons why it is not going to meet the needs (e.g.; this could be the adult is ordinarily resident elsewhere, or their needs are being met by a carer).
 - Information and advice in writing on how the adult can meet or reduce their needs independently, including information on how the adult can prevent or delay their needs (unless the adult or carer has received such advice already as required by section 13).
174. *Subsection (3)* applies where the adult has eligible needs for care and support, but the local authority does not have a duty to meet these needs (because, for example, the adult does not want to have their needs met by the local authority). It requires the local authority to prepare an independent personal budget (as required by section 28).