

# **CARE ACT 2014**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 1 – Care and Support**

##### **Establishing where a person lives, etc.**

##### *Section 40 – Disputes about ordinary residence or continuity of care*

268. If two or more local authorities fall into dispute about where a person is ordinarily resident, or about a person's continuity of care and support, and cannot resolve the question locally, the local authorities involved may request a determination of ordinary residence to be made by the Secretary of State or a person appointed by the Secretary of State. Details specifying the dispute resolution process will be set out in regulations and statutory guidance. It is intended that the regulations will also set out the procedure local authorities must follow when a dispute occurs when there is a business failure of a provider of care and support who is regulated by the Care Quality Commission.
269. Local authorities may request a review within three months of the original determination being made.