

CARE ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 – Care and Support

Establishing where a person lives, etc.

Section 41 – Financial adjustments between local authorities

270. Following a dispute under section 40, or by some other process, it may become apparent that a local authority has been funding a person's care and support when that person is not in fact ordinarily resident in their area.
271. In such circumstances, section 41 allows for that local authority to reclaim the costs they have paid for that person's care and support from the local authority where they are or were ordinarily resident.
272. This section does not apply where the local authority has chosen to meet the person's needs in the knowledge they are ordinarily resident elsewhere.