



Care Act 2014

2014 CHAPTER 23

PART 1

CARE AND SUPPORT

Assessing needs

13 The eligibility criteria

- (1) Where a local authority is satisfied on the basis of a needs or carer's assessment that an adult has needs for care and support or that a carer has needs for support, it must determine whether any of the needs meet the eligibility criteria (see subsection (7)).
- (2) Having made a determination under subsection (1), the local authority must give the adult concerned a written record of the determination and the reasons for it.
- (3) Where at least some of an adult's needs for care and support meet the eligibility criteria, the local authority must—
 - (a) consider what could be done to meet those needs that do,
 - (b) ascertain whether the adult wants to have those needs met by the local authority in accordance with this Part, and
 - (c) establish whether the adult is ordinarily resident in the local authority's area.
- (4) Where at least some of a carer's needs for support meet the eligibility criteria, the local authority must—
 - (a) consider what could be done to meet those needs that do, and
 - (b) establish whether the adult needing care is ordinarily resident in the local authority's area.
- (5) Where none of the needs of the adult concerned meet the eligibility criteria, the local authority must give him or her written advice and information about—
 - (a) what can be done to meet or reduce the needs;
 - (b) what can be done to prevent or delay the development of needs for care and support, or the development of needs for support, in the future.

Status: This is the original version (as it was originally enacted).

- (6) Regulations may make provision about the making of the determination under subsection (1).
- (7) Needs meet the eligibility criteria if—
 - (a) they are of a description specified in regulations, or
 - (b) they form part of a combination of needs of a description so specified.
- (8) The regulations may, in particular, describe needs by reference to—
 - (a) the effect that the needs have on the adult concerned;
 - (b) the adult's circumstances.