



# Care Act 2014

## 2014 CHAPTER 23

### PART 1

#### CARE AND SUPPORT

##### *Charging and assessing financial resources*

#### **16 Cap on care costs: annual adjustment**

- (1) Where it appears to the Secretary of State that the level of average earnings in England is different at the end of a review period from what it was at the beginning of that period, the Secretary of State must make regulations under section 15(4) to vary the cap on care costs by the percentage increase or decrease by which that level has changed.
- (2) If a variation is made under subsection (1), each adult's accrued costs are to be varied by the same percentage with effect from when the variation itself takes effect (and local authorities must accordingly ensure that care accounts and other records reflect the variation).
- (3) The "level of average earnings in England" means the amount which represents the average annual earnings in England estimated in such manner as the Secretary of State thinks fit.
- (4) "Review period" means—
  - (a) the period of 12 months beginning with the day on which section 15 comes into force, and
  - (b) each subsequent period of 12 months.
- (5) The duty under subsection (1) does not restrict the exercise of the power to make regulations under section 15(4).