



Care Act 2014

2014 CHAPTER 23

PART 1

CARE AND SUPPORT

Duties and powers to meet needs

18 Duty to meet needs for care and support

- (1) A local authority, having made a determination under section 13(1), must meet the adult's needs for care and support which meet the eligibility criteria if—
 - (a) the adult is ordinarily resident in the authority's area or is present in its area but of no settled residence,
 - (b) the adult's accrued costs do not exceed the cap on care costs, and
 - (c) there is no charge under section 14 for meeting the needs or, in so far as there is, condition 1, 2 or 3 is met.
- (2) Condition 1 is met if the local authority is satisfied on the basis of the financial assessment it carried out that the adult's financial resources are at or below the financial limit.
- (3) Condition 2 is met if—
 - (a) the local authority is satisfied on the basis of the financial assessment it carried out that the adult's financial resources are above the financial limit, but
 - (b) the adult nonetheless asks the authority to meet the adult's needs.
- (4) Condition 3 is met if—
 - (a) the adult lacks capacity to arrange for the provision of care and support, but
 - (b) there is no person authorised to do so under the Mental Capacity Act 2005 or otherwise in a position to do so on the adult's behalf.
- (5) A local authority, having made a determination under section 13(1), must meet the adult's needs for care and support which meet the eligibility criteria if—

Status: This is the original version (as it was originally enacted).

- (a) the adult is ordinarily resident in the authority's area or is present in its area but of no settled residence, and
 - (b) the adult's accrued costs exceed the cap on care costs.
- (6) The reference in subsection (1) to there being no charge under section 14 for meeting an adult's needs for care and support is a reference to there being no such charge because—
 - (a) the authority is prohibited by regulations under section 14 from making such a charge, or
 - (b) the authority is entitled to make such a charge but decides not to do so.
- (7) The duties under subsections (1) and (5) do not apply to such of the adult's needs as are being met by a carer.