



Care Act 2014

2014 CHAPTER 23

PART 1

CARE AND SUPPORT

Duties and powers to meet needs

20 Duty and power to meet a carer's needs for support

- (1) A local authority, having made a determination under section 13(1), must meet a carer's needs for support which meet the eligibility criteria if—
 - (a) the adult needing care is ordinarily resident in the local authority's area or is present in its area but of no settled residence,
 - (b) in so far as meeting the carer's needs involves the provision of support to the carer, there is no charge under section 14 for meeting the needs or, in so far as there is, condition 1 or 2 is met, and
 - (c) in so far as meeting the carer's needs involves the provision of care and support to the adult needing care—
 - (i) there is no charge under section 14 for meeting the needs and the adult needing care agrees to the needs being met in that way, or
 - (ii) in so far as there is such a charge, condition 3 or 4 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 carer'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 carer's financial resources are above the financial limit, but
 - (b) the carer nonetheless asks the authority to meet the needs in question.
- (4) Condition 3 is met if—

Status: This is the original version (as it was originally enacted).

- (a) the local authority is satisfied on the basis of the financial assessment it carried out that the financial resources of the adult needing care are at or below the financial limit, and
 - (b) the adult needing care agrees to the authority meeting the needs in question by providing care and support to him or her.
- (5) Condition 4 is met if—
 - (a) the local authority is satisfied on the basis of the financial assessment it carried out that the financial resources of the adult needing care are above the financial limit, but
 - (b) the adult needing care nonetheless asks the authority to meet the needs in question by providing care and support to him or her.
- (6) A local authority may meet a carer’s needs for support if it is satisfied that it is not required to meet the carer’s needs under this section; but, in so far as meeting the carer’s needs involves the provision of care and support to the adult needing care, it may do so only if the adult needing care agrees to the needs being met in that way.
- (7) A local authority may meet some or all of a carer’s needs for support in a way which involves the provision of care and support to the adult needing care, even if the authority would not be required to meet the adult’s needs for care and support under section 18.
- (8) Where a local authority is required by this section to meet some or all of a carer’s needs for support but it does not prove feasible for it to do so by providing care and support to the adult needing care, it must, so far as it is feasible to do so, identify some other way in which to do so.
- (9) The reference in subsection (1)(b) to there being no charge under section 14 for meeting a carer’s needs for 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.
- (10) The reference in subsection (1)(c) to there being no charge under section 14 for meeting an adult’s needs for care and support is to be construed in accordance with section 18(6).