



# Care Act 2014

## 2014 CHAPTER 23

### PART 1

#### CARE AND SUPPORT

*Transition for children to adult care and support, etc.*

#### **59 Child's needs assessment: requirements etc.**

- (1) A child's needs assessment must include an assessment of—
  - (a) the impact on the matters specified in section 1(2) of what the child's needs for care and support are likely to be after the child becomes 18,
  - (b) the outcomes that the child wishes to achieve in day-to-day life, and
  - (c) whether, and if so to what extent, the provision of care and support could contribute to the achievement of those outcomes.
- (2) A local authority, in carrying out a child's needs assessment, must involve—
  - (a) the child,
  - (b) the child's parents and any carer that the child has, and
  - (c) any person whom the child or a parent or carer of the child requests the local authority to involve.
- (3) When carrying out a child's needs assessment, a local authority must also consider whether, and if so to what extent, matters other than the provision of care and support could contribute to the achievement of the outcomes that the child wishes to achieve in day-to-day life.
- (4) Having carried out a child's needs assessment, a local authority must give the child—
  - (a) an indication as to whether any of the needs for care and support which it thinks the child is likely to have after becoming 18 are likely to meet the eligibility criteria (and, if so, which ones are likely to do so), and
  - (b) advice and information about—

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*Status: This is the original version (as it was originally enacted).*

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- (i) what can be done to meet or reduce the needs which it thinks the child is likely to have after becoming 18;
  - (ii) what can be done to prevent or delay the development by the child of needs for care and support in the future.
- (5) But in a case where the child is not competent or lacks capacity to understand the things which the local authority is required to give under subsection (4), that subsection is to have effect as if for “must give the child” there were substituted “must give the child’s parents”.
- (6) Where a person to whom a child’s needs assessment relates becomes 18, the local authority must decide whether to treat the assessment as a needs assessment; and if the authority decides to do so, this Part applies to the child’s needs assessment as if it were a needs assessment that had been carried out after the person had become 18.
- (7) In considering what to decide under subsection (6), a local authority must have regard to—
  - (a) when the child’s needs assessment was carried out, and
  - (b) whether it appears to the authority that the circumstances of the person to whom the child’s needs assessment relates have changed in a way that might affect the assessment.
- (8) “Carer” has the same meaning as in section 58.