

SOCIAL SERVICES AND WELL- BEING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 24 – Duty to assess the needs of a carer for support

71. **Section 24** requires a local authority to carry out an assessment of a carer's needs for support. See the explanatory note to section 3 for further information about who is a carer for the purposes of the Act.
72. The duty to assess is triggered if it appears to the local authority that a carer may have needs for support. The duty applies regardless of the authority's view of the level of support the carer needs or the level of the financial resources of the carer or the person needing care.
73. The assessment must include an assessment of the extent to which the carer is able and willing to provide the care and to continue to provide the care, the outcomes the carer wishes to achieve and, if a child is the carer, the outcomes the parent of that child (and such other persons as are specified in regulations) wishes to achieve for them. The assessment must also identify the extent to which support, preventative services, or the provision of information, advice or assistance or any other matters could assist in achieving the identified outcomes. In carrying out the assessment, the local authority must involve the carer and, where feasible, the person for whom the carer provides or intends to provide care.
74. The assessment also must have regard to whether the carer wishes to work and participate in education, training or leisure activities and, if the carer is a child, must also have regard to his or her developmental needs and the extent to which it is appropriate for the child to provide the care. This should lead to consideration by the local authority of whether a child carer is actually a child with care and support needs in his or her own right who should be assessed under section 21.
75. The assessment itself must be proportionate and must involve the adult and, where feasible, the adult's carer. Regulations under section 30 may impose further requirements in relation to the assessment.