



# Care Act 2014

## 2014 CHAPTER 23

### PART 1

#### CARE AND SUPPORT

##### *Assessing needs*

### 13 The eligibility criteria

- (1) Where a local authority is satisfied on the basis of a needs or carer's assessment that an adult has needs for care and support or that a carer has needs for support, it must determine whether any of the needs meet the eligibility criteria (see subsection (7)).
- (2) Having made a determination under subsection (1), the local authority must give the adult concerned a written record of the determination and the reasons for it.
- (3) Where at least some of an adult's needs for care and support meet the eligibility criteria, the local authority must—
  - (a) consider what could be done to meet those needs that do,
  - (b) ascertain whether the adult wants to have those needs met by the local authority in accordance with this Part, and
  - (c) establish whether the adult is ordinarily resident in the local authority's area.
- (4) Where at least some of a carer's needs for support meet the eligibility criteria, the local authority must—
  - (a) consider what could be done to meet those needs that do, and
  - (b) establish whether the adult needing care is ordinarily resident in the local authority's area.
- (5) Where none of the needs of the adult concerned meet the eligibility criteria, the local authority must give him or her written advice and information about—
  - (a) what can be done to meet or reduce the needs;
  - (b) what can be done to prevent or delay the development of needs for care and support, or the development of needs for support, in the future.

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*Status: Point in time view as at 17/07/2021.*

*Changes to legislation: Care Act 2014, Section 13 is up to date with all changes known to be in force on or before 18 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (6) Regulations may make provision about the making of the determination under subsection (1).
- (7) Needs meet the eligibility criteria if—
- (a) they are of a description specified in regulations, or
  - (b) they form part of a combination of needs of a description so specified.
- (8) The regulations may, in particular, describe needs by reference to—
- (a) the effect that the needs have on the adult concerned;
  - (b) the adult's circumstances.

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**Modifications etc. (not altering text)**

- C1** Pt. 1 modified (1.4.2015) by [The Care and Support \(Isles of Scilly\) Order 2015 \(S.I. 2015/642\)](#), arts. 1, [2\(2\)\(a\)](#); [S.I. 2015/993](#), [art. 2\(a\)](#)
- C2** Pt. 1 applied in part (with modifications) (1.4.2015 coming into force in accordance with reg. 1(1)) by [The Care and Support \(Children's Carers\) Regulations 2015 \(S.I. 2015/305\)](#), regs. 1(1), [2\(1\)\(a\)\(2\)](#), 4-12; [S.I. 2015/993](#), [art. 2\(q\)](#)
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**Commencement Information**

- I1** S. 13(1)-(6) in force at 1.4.2015 by [S.I. 2015/993](#), [art. 2\(a\)](#) (with transitional provisions in [S.I. 2015/995](#))
- I2** S. 13(7)(8) in force at 1.10.2014 for specified purposes by [S.I. 2014/2473](#), [art. 2\(1\)\(c\)](#)
- I3** S. 13(7)(8) in force at 1.4.2015 in so far as not already in force by [S.I. 2015/993](#), [art. 2\(a\)](#) (with transitional provisions in [S.I. 2015/995](#))

**Status:**

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