



Care Act 2014

2014 CHAPTER 23

PART 1 **U.K.**

CARE AND SUPPORT

General responsibilities of local authorities

5 Promoting diversity and quality in provision of services **E+W**

- (1) A local authority must promote the efficient and effective operation of a market in services for meeting care and support needs with a view to ensuring that any person in its area wishing to access services in the market—
 - (a) has a variety of providers to choose from who (taken together) provide a variety of services;
 - (b) has a variety of high quality services to choose from;
 - (c) has sufficient information to make an informed decision about how to meet the needs in question.
- (2) In performing that duty, a local authority must have regard to the following matters in particular—
 - (a) the need to ensure that the authority has, and makes available, information about the providers of services for meeting care and support needs and the types of services they provide;
 - (b) the need to ensure that it is aware of current and likely future demand for such services and to consider how providers might meet that demand;
 - (c) the importance of enabling adults with needs for care and support, and carers with needs for support, who wish to do so to participate in work, education or training;
 - (d) the importance of ensuring the sustainability of the market (in circumstances where it is operating effectively as well as in circumstances where it is not);
 - (e) the importance of fostering continuous improvement in the quality of such services and the efficiency and effectiveness with which such services are provided and of encouraging innovation in their provision;

Changes to legislation: Care Act 2014, Section 5 is up to date with all changes known to be in force on or before 22 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) View outstanding changes

- (f) the importance of fostering a workforce whose members are able to ensure the delivery of high quality services (because, for example, they have relevant skills and appropriate working conditions).
- (3) In having regard to the matters mentioned in subsection (2)(b), a local authority must also have regard to the need to ensure that sufficient services are available for meeting the needs for care and support of adults in its area and the needs for support of carers in its area.
- (4) In arranging for the provision by persons other than it of services for meeting care and support needs, a local authority must have regard to the importance of promoting the well-being of adults in its area with needs for care and support and the well-being of carers in its area.
- (5) In meeting an adult's needs for care and support or a carer's needs for support, a local authority must have regard to its duty under subsection (1).
- (6) In cases where a local authority performs the duty under subsection (1) jointly with one or more other local authorities in relation to persons who are in the authorities' combined area—
 - (a) references in this section to a local authority are to be read as references to the authorities acting jointly, and
 - (b) references in this section to a local authority's area are to be read as references to the combined area.
- (7) “Services for meeting care and support needs” means—
 - (a) services for meeting adults' needs for care and support, and
 - (b) services for meeting carers' needs for support.
- (8) The references in subsection (7) to services for meeting needs include a reference to services, facilities or resources the purpose of which is to contribute towards preventing or delaying the development of those needs.

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. 5 in force at 1.4.2015 by [S.I. 2015/993](#), **art. 2(a)** (with transitional provisions in [S.I. 2015/995](#))

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 15(2)-(3B) substituted for s. 15(2)(3) by [2022 c. 31 s. 166\(2\)](#)
- s. 26(1)-(2A) substituted for s. 26(1)(2) by [2022 c. 31 s. 166\(4\)](#)