



# Care Act 2014

## 2014 CHAPTER 23

### PART 1

#### CARE AND SUPPORT

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

#### **61 Child's carer's assessment: requirements etc.**

- (1) A child's carer's assessment must include an assessment of—
  - (a) whether the carer is able to provide care for the child and is likely to continue to be able to do so after the child becomes 18,
  - (b) whether the carer is willing to do so and is likely to continue to be willing to do so after the child becomes 18,
  - (c) the impact on the matters specified in section 1(2) of what the carer's needs for support are likely to be after the child becomes 18,
  - (d) the outcomes that the carer wishes to achieve in day-to-day life, and
  - (e) whether, and if so to what extent, the provision of support could contribute to the achievement of those outcomes.
- (2) A local authority, in carrying out a child's carer's assessment, must have regard to—
  - (a) whether the carer works or wishes to do so, and
  - (b) whether the carer is participating in or wishes to participate in education, training or recreation.
- (3) A local authority, in carrying out a child's carer's assessment, must involve—
  - (a) the carer, and
  - (b) any person whom the carer asks the local authority to involve.
- (4) When carrying out a child's carer's assessment, a local authority must also consider whether, and if so to what extent, matters other than the provision of support could contribute to the achievement of the outcomes that the carer wishes to achieve in day-to-day life.

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**Changes to legislation:** Care Act 2014, Section 61 is up to date with all changes known to be in force on or before 09 June 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

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- (5) Having carried out a child's carer's assessment, a local authority must give the carer—
- (a) an indication as to whether any of the needs for support which it thinks the carer is likely to have after the child becomes 18 are likely to meet the eligibility criteria (and, if so, which ones are likely to do so), and
  - (b) advice and information about—
    - (i) what can be done to meet or reduce the needs which it thinks the carer is likely to have after the child becomes 18;
    - (ii) what can be done to prevent or delay the development by the carer of needs for support in the future.
- (6) Where, in the case of a carer to whom a child's carer's assessment relates, the child becomes 18, the local authority must decide whether to treat the assessment as a carer's assessment; and if the authority decides to do so, this Part applies to the child's carer's assessment as if it were a carer's assessment that had been carried out after the child had become 18.
- (7) In considering what to decide under subsection (6), a local authority must have regard to—
- (a) when the child's carer's assessment was carried out, and
  - (b) whether it appears to the authority that the circumstances of the carer to whom the child's carer's assessment relates have changed in a way that might affect the assessment.
- (8) “Carer” has the same meaning as in section 60.

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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. 61 in force at 1.4.2015 by [S.I. 2015/993](#), art. **2(q)** (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\(4\)](#)