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STATUTORY INSTRUMENTS

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**2014 No. 2824**

**The Care and Support (Independent  
Advocacy Support) Regulations 2014**

**Matters to which a local authority must have regard in deciding whether an individual would experience substantial difficulty of the kind mentioned in section 67(4) of the Act**

3. In deciding whether an individual would experience substantial difficulty of the kind mentioned in section 67(4) of the Act (difficulty in understanding information etc.), a local authority must have regard to—

- (a) any health condition the individual has;
- (b) any learning difficulty the individual has;
- (c) any disability the individual has;
- (d) the degree of complexity of the individual's circumstances, whether in relation to the individual's needs for care and support or otherwise;
- (e) where the assessment or planning function is the carrying out of an assessment, whether the individual has previously refused an assessment<sup>(1)</sup>; and
- (f) whether the individual is experiencing, or at risk of, abuse or neglect.

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<sup>(1)</sup> See sections 11, 28(7), 58(4), 60(3) and 63(4) of the Act.