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**Changes to legislation:** Care Act 2014, Cross Heading: Financial adjustments is up to date with all changes known to be in force on or before 18 April 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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## SCHEDULES

### SCHEDULE 1

#### CROSS-BORDER PLACEMENTS

##### *Financial adjustments*

- 6 (1) This paragraph applies where—
- (a) an adult has been provided with accommodation in England, Wales, Scotland or Northern Ireland, and
  - (b) it transpires (whether following the determination of a dispute under paragraph 5 or otherwise) that an authority in another of the territories was, for some or all of the time that the accommodation was being provided, liable to provide the adult with accommodation.
- (2) The authority which made the arrangements may recover from the authority in the other territory the amount of any payments it made towards the making of the arrangements at a time when the other authority was liable to provide the adult with accommodation.
- (3) A reference to an authority is a reference to a local authority in England, Wales or Scotland or a Health and Social Care trust in Northern Ireland.

#### **Commencement Information**

- II** Sch. 1 para. 6 in force at 1.4.2015 by [S.I. 2015/993](#), [art. 2\(x\)\(i\)](#) (with transitional provisions in [S.I. 2015/995](#))

- 7 (1) In section 86 of the Social Work (Scotland) Act 1968 (adjustments between authorities providing accommodation), in subsections (1) and (10), after “a local authority in England or Wales” insert “ and to a Health and Social Care trust in Northern Ireland ”.
- (2) In subsection (2) of that section, after “the ordinary residence of a person shall” insert “, in a case where there is a dispute about the application of any of paragraphs 1 to 4 of Schedule 1 to the Care Act 2014 (cross-border placements), be determined in accordance with paragraph 5 of that Schedule; and in any other case, the question shall ”.
- (3) After subsection (10) of that section insert—
- “(10A) A person who, as a result of Schedule 1 to the Care Act 2014 (cross-border placements), is treated as ordinarily resident in an area in England, Wales or Northern Ireland (as the case may be) is to be treated as ordinarily resident in that area for the purposes of this section.

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(10B) A person who, as a result of that Schedule, is not treated as ordinarily resident anywhere in England or Wales (as the case may be) is not to be treated as ordinarily resident there for the purposes of this section.”

(4) In section 97 of that Act (extent)—

- (a) in subsection (1), for “sections 86 and 87” substitute “ section 87 ”, and
- (b) after that subsection insert—

“(1A) Section 86 of this Act shall extend to England and Wales and to Northern Ireland.”

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**Commencement Information**

**I2** Sch. 1 para. 7 in force at 1.4.2015 by [S.I. 2015/993](#), [art. 2\(x\)\(i\)](#) (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\(4\)](#)