



Care Act 2014

2014 CHAPTER 23

PART 1

CARE AND SUPPORT

General responsibilities of local authorities

2 Preventing needs for care and support

- (1) A local authority must provide or arrange for the provision of services, facilities or resources, or take other steps, which it considers will—
 - (a) contribute towards preventing or delaying the development by adults in its area of needs for care and support;
 - (b) contribute towards preventing or delaying the development by carers in its area of needs for support;
 - (c) reduce the needs for care and support of adults in its area;
 - (d) reduce the needs for support of carers in its area.
- (2) In performing that duty, a local authority must have regard to—
 - (a) the importance of identifying services, facilities and resources already available in the authority's area and the extent to which the authority could involve or make use of them in performing that duty;
 - (b) the importance of identifying adults in the authority's area with needs for care and support which are not being met (by the authority or otherwise);
 - (c) the importance of identifying carers in the authority's area with needs for support which are not being met (by the authority or otherwise).
- (3) Regulations may—
 - (a) permit a local authority to make a charge for providing or arranging for the provision of services, facilities or resources, or for taking other steps, under this section;
 - (b) prohibit a local authority from making a charge it would otherwise be permitted to make by virtue of paragraph (a).

Changes to legislation: Care Act 2014, Section 2 is up to date with all changes known to be in force on or before 23 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

- (4) The regulations may in particular (in reliance on section 125(7)) make provision by reference to services, facilities or resources which—
- (a) are of a specified type;
 - (b) are provided in specified circumstances;
 - (c) are provided to an adult of a specified description;
 - (d) are provided for a specified period only.
- (5) A charge under the regulations may cover only the cost that the local authority incurs in providing or arranging for the provision of the service, facility or resource or for taking the other step.
- (6) In cases where a local authority performs the duty under subsection (1) jointly with one or more other local authorities in relation to 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) Sections 21 (exception for persons subject to immigration control), 22 (exception for provision of health services) and 23 (exception for provision of housing etc.) apply in relation to the duty under subsection (1), but with the modifications set out in those sections.
- (8) “Adult” means a person aged 18 or over.

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\(q\)](#)

Commencement Information

- I1** S. 2(1)(2)(5)-(8) in force at 1.4.2015 by [S.I. 2015/993](#), [art. 2\(a\)](#) (with transitional provisions in [S.I. 2015/995](#))
- I2** S. 2(3)(4) in force at 1.10.2014 for specified purposes by [S.I. 2014/2473](#), [art. 2\(1\)\(a\)](#)
- I3** S. 2(3)(4) 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](#))

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\(4\)](#)