
STATUTORY INSTRUMENTS

2015 No. 313

The Care and Support (Eligibility Criteria) Regulations 2015

Needs which meet the eligibility criteria: carers

- 3.—(1) A carer's needs meet the eligibility criteria if—
- (a) the needs arise as a consequence of providing necessary care for an adult;
 - (b) the effect of the carer's needs is that any of the circumstances specified in paragraph (2) apply to the carer; and
 - (c) as a consequence of that fact there is, or is likely to be, a significant impact on the carer's well-being.
- (2) The circumstances specified in this paragraph are as follows—
- (a) the carer's physical or mental health is, or is at risk of, deteriorating;
 - (b) the carer is unable to achieve any of the following outcomes—
 - (i) carrying out any caring responsibilities the carer has for a child;
 - (ii) providing care to other persons for whom the carer provides care;
 - (iii) maintaining a habitable home environment in the carer's home (whether or not this is also the home of the adult needing care);
 - (iv) managing and maintaining nutrition;
 - (v) developing and maintaining family or other personal relationships;
 - (vi) engaging in work, training, education or volunteering;
 - (vii) making use of necessary facilities or services in the local community, including recreational facilities or services; and
 - (viii) engaging in recreational activities.
- (3) For the purposes of paragraph (2) a carer is to be regarded as being unable to achieve an outcome if the carer—
- (a) is unable to achieve it without assistance;
 - (b) is able to achieve it without assistance but doing so causes the carer significant pain, distress or anxiety; or
 - (c) is able to achieve it without assistance but doing so endangers or is likely to endanger the health or safety of the carer, or of others.
- (4) Where the level of a carer's needs fluctuates, in determining whether the carer's needs meet the eligibility criteria, the local authority must take into account the carer's circumstances over such period as it considers necessary to establish accurately the carer's level of need.