



# Care Act 2014

## 2014 CHAPTER 23

### PART 1

#### CARE AND SUPPORT

##### *Duties and powers to meet needs*

#### **18 Duty to meet needs for care and support**

- (1) A local authority, having made a determination under section 13(1), must meet the adult's needs for care and support which meet the eligibility criteria if—
  - (a) the adult is ordinarily resident in the authority's area or is present in its area but of no settled residence,
  - (b) the adult's accrued costs do not exceed the cap on care costs, and
  - (c) there is no charge under section 14 for meeting the needs or, in so far as there is, condition 1, 2 or 3 is met.
- (2) Condition 1 is met if the local authority is satisfied on the basis of the financial assessment it carried out that the adult's financial resources are at or below the financial limit.
- (3) Condition 2 is met if—
  - (a) the local authority is satisfied on the basis of the financial assessment it carried out that the adult's financial resources are above the financial limit, but
  - (b) the adult nonetheless asks the authority to meet the adult's needs.
- (4) Condition 3 is met if—
  - (a) the adult lacks capacity to arrange for the provision of care and support, but
  - (b) there is no person authorised to do so under the Mental Capacity Act 2005 or otherwise in a position to do so on the adult's behalf.
- (5) A local authority, having made a determination under section 13(1), must meet the adult's needs for care and support which meet the eligibility criteria if—

*Status: Point in time view as at 17/07/2021.*

*Changes to legislation: Care Act 2014, Section 18 is up to date with all changes known to be in force on or before 22 May 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)*

- (a) the adult is ordinarily resident in the authority's area or is present in its area but of no settled residence, and
  - (b) the adult's accrued costs exceed the cap on care costs.
- (6) The reference in subsection (1) to there being no charge under section 14 for meeting an adult's needs for care and support is a reference to there being no such charge because—
- (a) the authority is prohibited by regulations under section 14 from making such a charge, or
  - (b) the authority is entitled to make such a charge but decides not to do so.
- (7) The duties under subsections (1) and (5) do not apply to such of the adult's needs as are being met by a carer.

#### **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**

- II** S. 18(1)(a)(c) (2)-(4) (6) (7) in force at 1.4.2015 for specified purposes by [S.I. 2015/993](#), **art. 3** (with [art. 5\(a\)](#)) (and with transitional provisions in [S.I. 2015/995](#))

**Status:**

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