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**Carers and the 2014 Care Act**

**Introduction**

The 2014 Care Act introduced new legal duties for local authorities in relation to carers. Essentially, the Care Act puts carers on the same legal standing as adults with care needs. The main points of the Act are set out below.

**Carer Needs Assessments**

* Local authorities must offer a carer assessment where an individual provides or intends to provide care for another adult and it appears that the carer may have any level of needs for support.

**Offering Support to Carers**

* Local authorities must provide information and advice to carers in relation to social care.
* Local authorities must provide support to carers to prevent, delay and reduce the need for care and support.
* Local authorities must ensure that a carer’s “eligible needs” are met. A carer’s needs are “eligible” if they meet all three of the conditions listed below. These are determined as a result of carrying out a Carer Needs Assessment.
	1. The needs arise as a consequence of providing necessary care for an adult
	2. The effect of the carer’s needs is that any of the circumstances specified in the Eligibility Regulations apply to the carer. To be eligible, a carer must be unable to achieve any of the following outcomes:
* Carrying out any caring responsibilities for a child
* Providing care to other persons
* Maintaining a habitable home
* Managing and maintaining nutrition
* Developing and maintaining family / other relationships
* Engaging in work, training, education or volunteering
* Making use of necessary facilities in the local community
* Engaging in recreational activities
	1. As a consequence of that fact there is, or there is likely to be, a significant impact on the carer’s wellbeing.
* Carers must be given a copy of their Carers Needs Assessment and a copy of the decision that has been made on their eligibility for support.
* Any support that the local authority is putting in place must be set out in a Support Plan which is reviewed regularly.
* The local authority has discretion over whether to charge people for support, although there are some exceptions to this that are listed [here](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#charging-and-financial-assessment). Where the local authority decides to charge for respite or replacement care, it must be the direct recipient of the service (i.e. the service user) who is charged, rather than the carer.
* The Care Act sets out the option for carers to take a direct payment from the local authority to purchase their own support, rather than local authorities providing support directly. A local authority must make direct payments if doing so meets the [conditions and regulations](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#Chapter12) set out in the Care Act.

The statutory guidance that accompanies the Care Act and contains more details in relation to carers can be found [here](https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance#safeguarding-1).