Care Act Quick Guide 7: Carer's eligibility

Introduction

The Care Act 2014 introduces a **national eligibility threshold** for carers, which sets out three conditions, all of which must be met for a person's needs to be eligible for care and support.

Carers can be eligible for support in their own right whether or not the adult for whom they care has eligible needs.

All councils across England have to apply the new national minimum threshold for eligibility making the system clearer and fairer for people

Eligibility for care and support must always be based on the carer's needs and how these impact on their wellbeing. The determination should be made without consideration of whether or not the adult the carer cares for, has eligible needs. The threshold is based on the impact their caring role has on their wellbeing.

Carer's eligibility threshold

In considering whether a carer's needs are eligible, staff must consider whether they are providing **necessary care for an adult**. For example, if the carer is providing care and support for needs which the adult is capable of meeting themselves, the carer may not be providing necessary support.

If the carer does have needs caused by providing necessary care staff must consider whether:

- The carer's physical or mental health is, or is at risk of, deteriorating; or
- Because of their caring role, the carer is unable to achieve any one or more of the following specified outcomes:

- **Carrying out any caring responsibilities the carer has for a child:** staff should consider any parenting or other caring responsibilities the carer has for a child. For example, the carer might be a grandparent parent with caring responsibilities for their grandchildren while the grandchildren's parents are at work. Or the carer may have young children or children with disabilities or other particular needs that require their attention;
- **Providing care to other persons for whom the carers provides care:** staff should consider any additional caring responsibilities the carer may have for other adults. For example, a carer may also have caring responsibilities for an elderly parent in addition to caring for the adult with care and support needs; or be providing some low level care to elderly neighbours;

- **Maintaining a habitable home environment in the carer's home:** staff should consider whether the condition of the carer's home is safe and an appropriate environment to live in and whether it presents a significant risk to the carer's wellbeing (whether or not this is also the home of the adult needing care). A habitable home should be safe and have essential amenities such as water, electricity and gas. Caring responsibilities may prevent the carer from carrying out essential maintenance;
- **Managing and maintaining nutrition:** staff should consider whether the carer has the time to do essential shopping and to prepare meals for themselves and their family. Where the person cared for requires support at mealtimes this may mean that the carer needs ideally to be in two places at once;
- **Developing and maintaining family or other personal relationships:** staff should consider whether the carer is in a position where their caring role prevents them from maintaining key relationships with family and friends or from developing new relationships where the carer does not already have other personal relationships. A carer may have children who live with a former partner that they can only see at weekends and this might conflict with caring responsibilities; or have close friends who live at some distance where it is not possible for the person cared for to join any visits;
- **Engaging in work, training, education or volunteering:** staff should consider whether the carer can continue in their job, and contribute to society, apply themselves in education, volunteer to support civil society or have the opportunity to get a job, if they are not in employment. Work, education and volunteering usually involve making a commitment of time that is predictable e.g. working in the charity shop every Wednesday afternoon;
- **Making use of necessary facilities or services in the local community including recreational facilities or services:** staff should consider whether the carer has an opportunity to make use of the local community's services and facilities and for example consider whether the carer has time to use recreational facilities such as gyms or swimming pools, or going to a weekly church service;
- **Engaging in recreational activities:** staff should consider whether the carer has leisure time, which might for example be some free time to read or engage in a hobby, go for a walk or enjoy a drink in the pub.

Staff must also be aware that 'being unable' to achieve an outcome includes any circumstances where the carer is:

- Unable to achieve the outcome without assistance. A carer might, for example, be unable to fulfil their parental responsibilities unless they receive support in their caring role
- Able to achieve the outcome without assistance but doing so causes or is likely to cause the carer significant pain, distress or anxiety. A carer might for example be able to care for the

adult and undertake fulltime employment, but if doing both, this causes the carer significant distress, the carer should not be considered able to engage in employment; or

- Able to achieve the outcome without assistance, but doing so endangers or is likely to endanger the health or safety of the carer or any adults or children for whom the carer provides care. A carer might for example be able to provide care for their family and deliver necessary care for the adult, but, where this endangers the adult with care and support needs, for example, because the adult receiving care would have to be left alone while other responsibilities are met, the carer should not be considered able to meet the outcome of caring for their family.

Determining the impact on wellbeing

Finally, staff must consider whether, as a consequence there is, or is likely to be, a **significant impact on the carer's wellbeing**. Staff should determine whether:

- The carer's needs impact on an area of wellbeing in a significant way; or,
- The cumulative effect of the needs impact on a number of the areas of wellbeing to such an extent that they have a significant impact on the carer's overall wellbeing.

To do this, staff should consider how the carer's needs impact on the following nine areas of wellbeing in particular:

- Personal dignity (including treatment of the individual with respect);
- Physical and mental health and emotional wellbeing;
- Protection from abuse and neglect;
- Control by the individual over day-to-day life (including over care and support provided and the way it is provided);
- Participation in work, education, training or recreation;
- Social and economic wellbeing;
- Domestic, family and personal relationships;
- Suitability of living accommodation;
- The individual's contribution to society.

In making this judgement, staff should look to understand the carer's needs in the context of what is important to them. The impact of needs may be different for different individuals, because what is important for the individual's wellbeing may not be the same in all cases.