Eligibility criteria for adults with care and support needs under S13 of the Care Act 2014

When determining eligibility, local authorities must consider the following **three conditions**.

**Condition 1**
The adult’s needs for care and support arise from or are related to a physical or mental impairment or illness and are not caused by other circumstantial factors. **These needs**

- managing and maintaining nutrition;
- maintaining personal hygiene;
- managing toilet needs;
- being appropriately clothed;
- being able to make use of the adult’s home safely;
- maintaining a habitable home environment;
- developing and maintaining family or other personal relationships;
- accessing and engaging in work, training, education or volunteering;
- making use of necessary facilities or services in the local community including public transport, and recreational facilities or services; and
- carrying out any caring responsibilities the adult has for a child.

This includes if the adult has a condition as a result of physical, mental, sensory, learning or cognitive disabilities or illnesses, substance misuse or brain injury.

**Condition 2**
As a result of the adult’s needs, the adult is unable to achieve two or more of the outcomes specified in the regulations and outlined in the section.

Local authorities must also be aware that ‘being unable’ to achieve an outcome includes any circumstances where the adult is:

- unable to achieve the outcome without assistance. This includes where an adult would be unable to do so even when assistance is provided. It also includes where the adult may need prompting. For example, some adults may be physically able to wash but need reminding of the importance of personal hygiene.
• able to achieve the outcome without assistance but doing so causes the adult significant pain, distress or anxiety. For example, an older individual with severe arthritis may be able to prepare a meal, but doing so will leave them in severe pain and unable to eat the meal.
• able to achieve the outcome without assistance, but doing so endangers or is likely to endanger the health or safety of the adult, or of others. This would include, for example, cases where the health or safety of another member of the family, including a child, could be endangered when an adult attempts to complete a task or an activity without relevant support;
• able to achieve the outcome without assistance but takes significantly longer than would normally be expected. For example, a physically disabled adult is able to dress themselves in the morning, but it takes them a long time to do this, leaves them exhausted and prevents them from achieving other outcomes.

Local authorities must consider whether the adult is unable to achieve the whole range of outcomes contained in the criteria when making the eligibility determination. There is no hierarchy to the eligibility outcomes – all are equally important.

**Condition 3**

**As a consequence of being unable to achieve these outcomes, there is, or there is likely to be, a significant impact on the adult’s wellbeing**, determining whether:

• the adult’s needs impact on at least one of the areas of wellbeing in a significant way or
• the cumulative effect of the impact on a number of the areas of wellbeing means that they have a significant impact on the adult’s overall wellbeing.
• The term ‘significant’ must be understood to have its everyday meaning, as it is not defined by the Regulations, but see the section