

Care advice and support

A need for care advice or support can arise over time or can be the result of a health problem that necessitates a stay in hospital.

The obligations of local authorities and other bodies in relation to the assessment of care needs were clarified in the Care Act 2014.

The Care Act aims to:

Aims of the Care Act 2014

- Improve people's independence and wellbeing
- Places an obligation on local authorities to provide or arrange services to prevent people developing needs for care and support
- To provide service and support to delay people's health deteriorating and needing a higher level of support.
- Creates a single consistent route to identify adults with care and support needs
- Establishes an entitlement to support for carers.

The Care Act achieves this by establishing a legal duty for an adult eligible "needs" to be assessed and met by the local authority, subject to the person's financial circumstances.

The adult who wishes or needs support must:

- Have eligible needs
- Be ordinarily resident in the local area.

Assessment of needs

The most important obligations that the local authorities have is to carry out an assessment where a person is found to have eligible needs. The local authority must carry out an assessment and prepare a report and a plan. It is at this point that funding becomes relevant.

The assessment is supposed to be person-centred and to assess the needs in terms of the person's wellbeing.

As a result of the Care Act, care needs assessments and care plans have become fundamental in the provision of all types of care and care support. Every person receiving care in their own home or who is in a care home should have a care plan based on a care needs assessment. These should be recorded in a written form and the care delivered recorded in a daily log. It is important that if the person's circumstances change a further care needs assessment is made and the plan updated.

We have many years of experience working within the Care Act 2014 and in assisting people in their dealings with the local authority and in obtaining the appropriate support for them. We have contacts within a range of voluntary and other support organisations, with care providers and other parties who are able to provide support for a person who is agreed to have care needs.

Meet our team



Phillipa Bruce-Kerr
Partner, Private Client

T: 03301 075 965

M: 07725 242 162

E: pbkerr@hcrlaw.com



Tonina Ashby
Partner and Notary Public,
Private Client

T: 01604 463 167

M: 07468 014 117

E: tashby@hcrlaw.com



Lauren McGurk
Senior Associate (TEP),
Private Client

T: 01242 246 473

M: 07715 063 130

E: lmcgurk@hcrlaw.com



Georgia O'Reilly
Associate, Private Client



Stephanie Waters
Solicitor, Private Client



Elizabeth Hunt
Paralegal, Private Client



Alia Moorhouse
Paralegal, Private Client



Hila Habibi
Paralegal, Private Client