



# **The Care and Support (Eligibility Criteria) Regulations 2015**

**This factsheet is about eligibility for adult social care. The eligibility criteria for adults who need care and support, and anyone caring for them, are now set out in law. The eligibility criteria are the same across the country. People asking for help from the Council have an assessment before a decision about eligibility is made. A copy of the assessment will be given to you. This will say whether you are eligible for care and support or not.**

**The information below is taken from the regulations.**

## **1. Adults who need care and support**

1. An adult's needs meet the eligibility criteria if:
  - a. the adult's needs arise from or are related to a physical or mental impairment or illness;
  - b. as a result of the adult's needs, he or she is unable to achieve two or more of the outcomes specified in paragraph (2) below
  - c. as a consequence there is, or is likely to be, a significant impact on the adult's wellbeing.
2. The specified outcomes are:
  - a. managing and maintaining nutrition
  - b. maintaining personal hygiene
  - c. managing toilet needs
  - d. being appropriately clothed
  - e. being able to make use of the adult's home safely

- f. maintaining a habitable home environment
  - g. developing and maintaining family or other personal relationships
  - h. accessing and engaging in work, training, education or volunteering
  - i. making use of necessary facilities or services in the local community including public transport, and recreational facilities or services
  - j. carrying out any caring responsibilities the adult has for a child.
3. For the purposes of this regulation, an adult is to be regarded as being unable to achieve an outcome if he or she is:
  - a. unable to achieve the outcome without assistance
  - b. able to achieve it without assistance, but doing so causes the adult significant pain, distress or anxiety
  - c. 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
  - d. able to achieve it without assistance but this takes significantly longer than would normally be expected.
4. In determining whether the adult's needs meet the eligibility criteria, and where the level of an adult's needs fluctuates, we must take into account the adult's circumstances over such period as we

consider necessary to establish the adult's level of need accurately.

## 2. Carers who need support

1. A carer's needs meet the eligibility criteria if:
  - a. the needs arise as a consequence of providing necessary care for an adult
  - b. the effect of the carer's needs is that any of the circumstances specified in paragraph (2) apply to the carer
  - c. as a consequence of the above, there is, or is likely to be, a significant impact on the carer's well-being.
2. The circumstances specified in this paragraph are as follows:
  - a. the carer's physical or mental health is, or is at risk of, deteriorating;
  - b. the carer is unable to achieve any of the following outcomes:
    - i. carrying out any caring responsibilities the carer has for a child
    - ii. providing care to other persons for whom the carer provides care
    - iii. maintaining a habitable home environment in the carer's home (whether or not this is also the home of the adult needing care)
    - iv. managing and maintaining nutrition
    - v. developing and maintaining family or other personal relationships
    - vi. engaging in work, training, education or volunteering
    - vii. making use of necessary facilities or services in the local community, including recreational facilities or services
    - viii. engaging in recreational activities.

3. For the purposes of paragraph 2, a carer is to be regarded as being unable to achieve an outcome if the carer is:
  - a. unable to achieve the outcome without assistance
  - b. able to achieve it without assistance, but doing so causes the carer significant pain, distress or anxiety
  - c. able to achieve the outcome without assistance but doing so endangers or is likely to endanger the health or safety of the carer, or of others.
4. In determining whether a carer's needs meet the eligibility criteria, and where the level of a carer's needs fluctuates, we must take into account the carer's circumstances over such period as we consider necessary to establish the carer's level of need accurately.

## Contact information

Phone: 0300 500 80 80 - Monday to Friday: 8am to 6pm (Calls cost 3p a minute from a BT landline. Mobile costs may vary).

Email: [enquiries@nottscc.gov.uk](mailto:enquiries@nottscc.gov.uk)

Website: [www.nottinghamshire.gov.uk](http://www.nottinghamshire.gov.uk)

Minicom: 01623 434993

Phone 0300 500 80 80 if you need the information in a different language or format.