

# Handout: Carers' eligibility

## Introduction

The Care Act 2014 introduces a national eligibility threshold for carers, which consists of three criteria, all of which must be met for a carer's needs to be eligible. The carers' eligibility threshold is based on identifying:

- whether a carer's needs are a consequence of providing necessary care for an adult;
- to what extent the carer's needs affect their ability to achieve specified outcomes, or puts their health at risk; and
- whether and to what extent this impacts on their wellbeing.

Carers can be eligible for support whether or not the adult for whom they care has eligible needs. The eligibility determination must be made 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.

Local authorities can decide to meet needs that do not meet the eligibility criteria. Where they decide to do this, the same steps must be taken as would be if the carer did have eligible needs (for example, the preparation of a support plan). Where local authorities choose to exercise this power to meet other needs, they must inform the carer that they are doing so.

The needs or conditions of the person cared for may fluctuate, and, in a similar way, the needs of carers are likely to fluctuate over time.

## National carers' eligibility threshold

Firstly, in considering whether a carer's needs are eligible, local authorities must consider whether the carer's needs for support arise as a consequence of **providing necessary care** for an adult. The carer's needs for support must be because they are providing care and that care must be deemed to be 'necessary'. 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 that were the case you should provide information and advice about how the person being cared for can use their own strengths or services available in the community to meet their needs.

If the carer does have needs caused by providing **necessary** care the local authority 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**:
  - i. **Carrying out any caring responsibilities the carer has for a child**

Local authorities 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.
  - ii. **Providing care to other persons for whom the carers provides care**

Local authorities 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.
  - iii. **Maintaining a habitable home environment in the carer's home**

Local authorities 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.
  - iv. **Managing and maintaining nutrition**

Local authorities 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.
  - v. **Developing and maintaining family or other personal relationships**

Local authorities 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.

**vi. Engaging in work, training, education or volunteering**

Local authorities 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.

**vii. Making use of necessary facilities or services in the local community including recreational facilities or services**

Local authorities 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.

**viii. Engaging in recreational activities**

Local authorities 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.

The regulations provide that 'being **unable to achieve**' specified outcomes includes 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
- is 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
- is 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.

Finally, and crucially, local authorities must consider whether, as a consequence there is, or is likely to be, a **significant impact** on the carer's **wellbeing**. Local authorities 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, local authorities should consider how the carer's needs impact on the following nine areas of wellbeing in particular (but note that there is no hierarchy of needs or of the constituent parts of wellbeing):

- 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, the local authority should look to understand the carer's needs in the context of what is important to him or her. 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. Circumstances which create a significant impact on the wellbeing of one individual may not have the same effect on another.

The following case studies – given in the statutory guidance - provide examples of how local authorities may judge whether a carer is eligible for support.

**Case study 1: Deirdre Bello**

Deirdre is 58 and has been caring for her neighbour for the past six years. Deirdre has been coping with her caring responsibilities, which include checking in on her neighbour, doing her shopping and cleaning and helping her with the cooking every other day. Deirdre works 20 hours a week at the local school, and she is also helping her daughter by picking up her grandchild after school. Deirdre’s son is concerned that she is taking on too much and notices that she is tired. Deirdre’s son persuades her to ask the local authority for a carer’s assessment.

Caring for	Needs	Impact	Result
Neighbour with COPD.	<p>Deirdre enjoys the variety that her working life and caring role provide. She would like to be able to spend more time with her grandchild in the afternoons, but recognises that there is a balance between doing this and caring for her neighbour. Deirdre’s needs impact on the following outcomes:</p> <ul style="list-style-type: none"> <li>▪ carrying out caring responsibilities the carer has for a child</li> <li>▪ engaging in recreational activities.</li> </ul>	<p>Deirdre’s needs are impacting on a few outcomes. Deirdre enjoys her caring responsibility for her grandchild and would like more free time. On the other hand, her caring roles are fulfilling so although Deirdre is tired at the end of the day, her local authority does not think her wellbeing is significantly affected</p>	<p><b>Not eligible:</b> The local authority decides that Deirdre is not eligible because her wellbeing is not significantly affected.</p> <p><b>Next action:</b> The local authority recognises that Deirdre could do with some advice to help her manage her day so that she can find some time for herself and so she does not get tired. They advise on how she may reduce some of her tasks such as sitting down with her neighbour to order their food shopping online rather than carrying them home. They make contact with a local carers’ organisation and the local authority makes sure Deirdre is able to access it. The organisation is able to provide additional advice.</p>

**Case study 2: Sam Abarno**

Sam is 38 and cares for his mother who has early-stage dementia. Sam’s mother has telecare, but he still checks in on her daily, and does her shopping, cooking and laundry. Sam is a divorced father of two children, who live with him every other week. Sam works fulltime in an IT company and has come forward for an assessment as he is starting to feel unable to cope with his various responsibilities in the weeks when he looks after his children. Sam has made an arrangement with his employer that he can work longer hours on the weeks when the children are with their mother and fewer when he has the children.

Caring for	Needs	Impact	Result
<p>Mother with early stage dementia.</p>	<p>Sam wants to spend more time with his children and for instance be able to free up an hour in the afternoon to help them with their homework, so it doesn’t have to be done in the evening when the children are tired. Sam’s needs impact on the following</p> <p>Outcomes:</p> <ul style="list-style-type: none"> <li>▪ carrying out caring responsibilities the carer has for a child</li> <li>▪ engaging in recreational activities.</li> </ul>	<p>Sam’s responsibilities impact on a few important outcomes. Sam is starting to feel like he is failing as a parent and it affects the relationship he has with his children, his ex-wife, and his mother. He also worries that his ability to stay in work would be in jeopardy unless he receives support. Sam seems quite stressed and anxious.</p>	<p><b>Eligible:</b> The local authority decides that Sam’s fluctuating needs are eligible for support, because it perceives that they have a significant impact on his wellbeing. If the local authority supports Sam to maintain his current role, everyone is better off, because Sam can stay in employment, sustain his family relationships and provide security for his mother.</p> <p><b>Next action:</b> The local authority gives Sam a direct payment which he uses to pay for a care worker to come in for three days every other week to check on his mother and make her a meal. This gives Sam more time to spend with his children, doing homework with them and spending some more relaxed time with them. The local authority directs Sam to a carers’ organisation which provides Sam with information about his rights at work and how to speak to his employers.</p>