

# Eligibility and Assessment of the Carer



Dorset  
Council

## Contents

<b>Eligibility and Assessment of the Carer Policy</b>	2
<b>1. Induction</b>	3
<b>2. Purpose</b>	4
<b>3. Scope of the policy</b>	4
<b>4. Legal context</b>	4
<b>5. Promoting wellbeing</b>	5
<b>7. Providing information, advice and guidance</b>	6
<b>8. Carrying out a carer's assessment</b>	7
<b>9. Refusal of assessment</b>	8
<b>10. Transition to adult social care (child's carer's / young carer's assessments)</b>	8
<b>11. Eligibility</b>	10
<b>12. Fluctuating needs/eligibility</b>	11
<b>13. Informing people about eligibility decisions</b>	11
<b>14. Creating a support plan</b>	12
<b>15. Refusal of Support Planning and Disputes</b>	13
<b>16. Reviewing a support plan</b>	13
<b>17. Data Protection</b>	14
<b>18. Equality &amp; Diversity</b>	14
<b>19. Comments, Compliments and Complaints</b>	15
<b>20. References and Related Information</b>	15
<b>21. Glossary</b>	15



# Eligibility and Assessment of the Carer Policy

## Policy Details

<b>Purpose</b>	<p>The Care Act 2014 sets out how Local Authorities should provide care in England. The Act requires the council to make sure that people who live in Dorset receive services that:</p> <ul style="list-style-type: none"><li>• prevent their care needs from becoming more serious or delay the impact of their needs</li><li>• provide the information and advice they need to make good decisions about care and support</li><li>• offer a range of high quality, appropriate services to choose from</li><li>• ensure more control over how their care and support is organised</li></ul> <p>This policy is based on <a href="#">statutory guidance</a> and it has been written to help Dorset Council achieve compliance with those measures.</p>
<b>Scope</b>	<p>This policy applies only to:</p> <ul style="list-style-type: none"><li>• adult carers who care for another adult, including adults who self-fund their care and support</li><li>• adult carers (of a child with care and support needs) who are eligible for a child's carer's assessment under section 60 of the Care Act 2014</li><li>• young carers under 18 (who care for an adult) who are eligible for a young carer's assessment under section 63 of the Care Act 2014</li><li>• staff in Adult Social Care, brokerage and commissioning teams</li><li>• any delegated organisation authorised by the council to provide Adult Social Care services for carers.</li></ul> <p>Delegated organisations must meet the requirements of this policy when acting on behalf of the council.</p>
<b>Underpinning Guidance and Legislation</b>	<p><a href="#">The Care Act 2014</a> and <a href="#">associated guidance</a> and <a href="#">regulations</a>.</p> <p>This policy must be read in context of other applicable Dorset Council Adult Care policies.</p>
<b>Equality Impact Assessment</b>	<p>The Department of Health (DH) prepared an <a href="#">Impact Assessment</a> to understand the costs, benefits and implications of the Care Act 2014. The Dorset Council policy</p>



	<p>can rely on the Government's Impact Assessment as it is designed to ensure compliance with the Act.</p> <p>The Department of Health's Impact Assessment did not identify any unlawful discrimination relevant to this policy. In fact, the evidence considered in development of the Act, as well as the consultation and engagement work demonstrated that it has a positive impact for a wide range of groups.</p>
<b>Date policy approved</b>	February 2025
<b>Policy approved by</b>	Quality Assurance and Operations Group
<b>Date for review</b>	February 2027 / 2 years after approved, or earlier if underpinning legislation changes
<b>Status</b>	<p>Live.</p> <p>The policy will be mandatory for all colleagues and delegated organisations to whom it applies.</p>
<b>Lead author</b>	Izzy de Saeger, Policy & Engagement Lead

## 1. Induction

- 1.1 The intention of this policy is to make clear Dorset Council's responsibilities under the Care Act 2014 when providing services for unpaid carers by Adult Social Care.
- 1.2 The council will work to promote carer's wellbeing and independence. This is achieved, in part, by enabling informed decision making. We must ensure that people have the relevant knowledge to consider all their options along with the impact of the decisions they make.
- 1.3 A carer is a person of any age who provides informal practical or emotional support to another person. This could include looking after a family member, partner or friend who needs help because of frailty, physical or mental illness, or disability. This does not usually apply to those who are paid, employed or volunteer to act as formal carers.



## 2. Purpose

2.1 This policy sets out the framework for a carers assessment and eligibility for the council and applies to all:

- council employees who are responsible for assessing care and support needs or have a decision-making role under the Care Act 2014, including brokerage and commissioning teams.
- staff of any organisation to which the council has delegated the authority to carry out assessments, reviews or undertake activity on the council's behalf.

## 3. Scope of the policy

3.1 This policy applies to all carer's assessments under the Care Act 2014:

- adult carers who care for another adult, including adults who self-fund their care and support
- adult carers (of a child with care and support needs) who are eligible for a child's carer's assessment under section 60 of the Care Act 2014
- young carers under 18 (who care for an adult) who are eligible for a young carer's assessment under section 63 of the Care Act 2014

## 4. Legal context

4.1 This policy was created from the following legislation and government guidance:

- [The Care Act 2014](#)
- [The Care and Support \(Assessment\) Regulations 2014](#)
- [The Care and Support \(Eligibility Criteria\) Regulations 2015](#)
- [Care and Support Statutory Guidance issued under the Care Act 2014 by the Department of Health as revised](#)

4.2 Other related legislation includes but is not limited to:

- [The Mental Capacity Act 2005](#)
- [The Human Rights Act 1989](#)
- [The Equalities Act 2010](#)
- [The Children Act 1989](#)
- [The Children and Families Act 2014](#)

4.3 The Armed Forces Covenant



In addition to the eligibility guidance set down in the Care Act 2014, staff must also be aware of the duties that Dorset Council has signed up to in the [pan-Dorset Armed Forces Community Covenant 2015](#).

## 5. Promoting wellbeing

- 5.1 The council recognises and values the contribution that unpaid carers provide to individuals, and the impact that caring responsibilities can have on carers and their physical, mental and emotional wellbeing.
- 5.2 The council will promote and support the wellbeing of carers throughout Adult Social Care services. All individual's needs should be considered of equal importance. We recognise that everyone's needs are different and personal to them, and therefore we will promote carer's wellbeing by holistically looking at each carer's specific needs.

## 6. Prevention and early intervention

- 6.1 The council recognises the pivotal role that carers have in preventing, reducing and delaying the cared for persons potential development for further need of care and support. In turn, the council will work to prevent carers developing needs for care and support themselves because of their caring duties.
- 6.2 When we come into contact with carers, we will take into considerations:
  - if the carer is willing and able to continue to provide care for the adult(s)
  - strategies and support measures that could assist the carer in preserving, regaining or enhancing their independence and / or to reduce or delay the onset of needs for support in undertaking their caring role
  - assess if the caregiving responsibilities of the young carer is appropriate, excessive or affects their welfare, wellbeing, development or education. We will also ensure that we consider the young carers wishes, age and functional levels.



## 7. Providing information, advice and guidance

- 7.1 The council will continue to provide personalised information, advice and guidance relevant to the individual. We are accessible via phone, online and in person. Using a person-centred strengths-based approach we work with carers to establish their desired outcomes. We explore opportunities for early intervention and prevention by linking carers with community organisations and partner agencies. In addition, we consider approaches to meeting carer's needs by using appropriate equipment and assistive technology, once an assessment has been completed and eligible needs have been identified.
- 7.2 The council recognises that providing the right information and advice at the right time is crucial to enabling people to make well-informed choices about their care and how they fund it. Not only does information and advice help to promote people's wellbeing by increasing their ability to exercise choice and control, but it is also an important factor when supporting carers to prevent, reduce or delay need for care and support.
- 7.3 The council will maintain a service for providing its residents with information and advice relating to care and support for carers.
- 7.4 The council will endeavour to provide the right information at the right time to its carers in relation to care and support. We will also maintain our information and advice service for the whole population of the local authority area, not just those with carers needs or already known to us.
- 7.5 In some circumstances following a Care Act 2014 carers assessment a person's eligible needs can be met by providing relevant information, advice and guidance.
- 7.6 The council will ensure that information and advice services cover a range of care and support related areas, including but not limited to; addressing the prevention of care and support needs, finances, employment, housing, health, what to do in cases of abuse or neglect of an adult and other areas where needed.
- 7.7 Further information for carers is available here:
  - [Carers' support - Dorset Council](#)
  - [Dorset Young Carers Service - Dorset Council](#)



## 8. Carrying out a carer's assessment

- 8.1 The council will offer a carer's assessment to adult carers who are caring for another adult and who appear to need support.
- 8.2 We will respect the carer's decision if they choose not to undergo a carer's assessment under the Care Act 2014 leading to an eligibility decision. This is contingent on their mental capacity to make such a decision. If they are assessed to lack the mental capacity to make this decision, we will adhere to the [Mental Capacity Act 2005](#) to make a best interest decision.
- 8.3 Carers who decline and / or withdraw from an assessment maintain the right to request a new assessment if they would like to have one.
- 8.4 The assessment will be person-centred and proportionate to the carer's needs and circumstances.
- 8.5 Carers may invite individual(s) and/or agencies involved to support them during the assessment.
- 8.6 We will ensure that carers have access to an independent advocate should they meet the following two conditions as outlined in [7.4 of the Care Act 2014 Statutory Guidance](#):

*“[...]If an independent advocate were not provided then the person would have substantial difficulty in being fully involved in these processes and second, there is no appropriate individual available to support and represent the person’s wishes who is not paid or professionally engaged in providing care or treatment to the person or their carer.[...].”*

- 8.7 When a full carer's assessment has been completed the council will:
  - ensure the carer has a copy of their assessment and eligibility outcome
  - provide a copy of their assessment to anyone they wish to share it with
  - ensure that the assessment information is a clear representation of their eligible needs, outcomes and the impact on the carer's wellbeing



## 9. Refusal of assessment

- 9.1 Carers have the right to refuse a carer's assessment. In circumstances where a carer chooses not to have a carer's assessment, the council is not required to carry one out. However, where a carer refuses a carer's assessment, if the council thinks that the needs or circumstances of the carer or the adult needing care have changed, then the council must offer a new assessment (but this is still subject to further refusal).
- 9.2 Carers retain the right to request a new assessment even if they previously declined a request for a carer's assessment.

## 10. Transition to adult social care (child's carer's / young carer's assessments)

- 10.1 This section applies to:
  - adult carers (of children with care and support needs) who are eligible for a child's carer's assessment under section 60 of the Care Act 2014
  - young carers (carers aged under 18 who provide care for adults with care and support needs) who are eligible for a young carer's assessment under section 63 of the Care Act 2014.
- 10.2 The purpose of a child's carer's / young carer's assessment is to provide information in advance about whether the carer's needs are likely to meet Care Act 2014 eligibility criteria when the cared for child / the young carer turn 18.
- 10.3 The council will assess the needs of a child's carer or young carer where:
  - the carer appears likely to need support when the cared for child / the young carer turn 18
  - the assessment would be of significant benefit to the carer, and they consent to have an assessment
  - We will respect the carer's wishes if they would prefer not to have an assessment except where a young carer:
    - lacks capacity / is not able to consent and we are satisfied that assessment is in their best interest  
or
    - is experiencing or at risk of abuse or neglect.



10.4 Young carers (or their parents) and child's carers may request the relevant carer's assessment. The request should be made in time for the council to carry out the assessment and provide advice before the young carer / cared for child turns 18.

10.5 If the council declines a request for an assessment, we will provide:

- our written reasons for the decision  
and
- information and advice about what might help to prevent, reduce or delay the development of needs for support as a carer.

10.6 Carers retain the right to request a new assessment even if they / the council have previously declined one.

10.7 The assessment will be appropriate and proportionate to the carer's needs and circumstances.

10.8 If all parties agree, the council may combine the assessment with another related assessment / plan / review, such as for a cared for child's health or educational needs.

10.9 We will actively support carers to be involved in their assessment.

We will include:

- a young carer's parents
- any suitable adult that the carer (or their parents in the case of a young carer) wishes to be involved in their assessment
- anyone needed to support involvement, such as an independent advocate

10.10 When the assessment process has been completed the council will:

- assure itself that assessment information is an accurate and complete reflection of the carer's likely needs, how needs are likely to impact on their wellbeing and what they wish to achieve.
- write to the carer to give an indication of what their needs are likely to be when they / the cared for child turns 18 and which if any needs are likely to meet Care Act 2014 eligibility criteria.
- provide information about what information, advice and guidance may be available to them if they are not eligible.

10.11 When the young carer / cared for child turns 18, the council may decide to use the information gathered during the young carer's / child's carer's assessment



completed under [section 17ZA of the Children Act 1989](#) to inform a carer's assessment under the Care Act 2014 (see [section 8 Carrying out a Carer's Assessment](#)) depending on:

- when the transition assessment occurred, and
- whether or not the carer's needs and circumstances have changed.

## 11. Eligibility

11.1 The council recognises that carers can be eligible for support in their own right. The national eligibility threshold for carers is also set out in the [Care and Support \(Eligibility Criteria\) Regulations 2015](#). The threshold is based on the impact a carer's needs for support has on their wellbeing.

11.2 Needs will be determined to be eligible when:

- The carer's needs arise as a result of providing necessary care to the adult. Necessary care means that the adult is not able to meet their needs without support.

and

- As a result of the carer's needs, the carer's physical or mental health is / is at risk of deteriorating, or the carer is unable to achieve any of the outcomes specified in the Eligibility Regulations. Being unable to achieve an outcome means that the carer:
  - is unable to achieve the outcome without assistance, or
  - is able to achieve the outcome without assistance but doing so causes or
  - is likely to cause significant pain, distress or anxiety, or
  - is able to achieve the outcome without assistance but doing so is likely to endanger the health or safety of the carer or any adults or children for whom the carer provides care.

and

- As a consequence, there is or is likely to be a significant impact on the carer's wellbeing.

11.3 Carers should contact the council to request a re-assessment if their needs and / or circumstances change. Please refer to [section 16, reviewing a support plan](#) for further information.



## 12. Fluctuating needs/eligibility

- 12.1 The council acknowledges that a carer's needs can fluctuate due to their own needs and/or the person they're providing support to, therefore when establishing the on-going level of need the council will consider their care and support history over a suitable period of time. Whilst assessing, we will consider both the frequency and degree of fluctuation.
- 12.2 The assessment will also take account of the carer's wider care and support needs. This may include types of care and support the individual has received in the past and their general medical history, which may be indicative of their current care and support needs. The council will continue using a holistic approach when making consideration of a carer's wider wellbeing.

## 13. Informing people about eligibility decisions

- 13.1 When the eligibility decision has been made, if a care and support plan is needed as the person has eligible needs, we will provide the person with a written copy of the assessment and the care and support plan and any other relevant persons that have been agreed by the person that it can be shared with. We will also provide a confirmation of the eligibility determination and the reasons for the decision.
- 13.2 Where a carer does not have eligible needs, we will provide written advice and information to assist the person providing care including, what can be done to prevent or delay the development of support needs for carers in the future.
- 13.3 This policy only applies to Dorset residents that are supported by Adult Social Care. Upon establishing the carer's needs, the council will clarify that the cared for person is an ordinary resident of Dorset. This is because carers' needs are met by the council where the adult with the needs for care and support lives, not the council where the carer lives. However, the council also recognises that determining ordinary residence at this stage should not lead to a delay in meeting eligible needs, as outlined in [chapter 19 in the Care and Support statutory guidance](#).



## 14. Creating a support plan

- 14.1 During the support planning process, we will make sure that this will be person-centred and person-led throughout, supporting the carer to have as much choice and control as possible. The council will involve any named persons or organisations that the carer has requested, for example an independent advocate to support and represent the person to facilitate and represent them during the assessment process. We recognise each carer's needs are individual to them and that support plans should reflect this.
- 14.2 The council will ensure that a support plan contains the following information:
  - a) all the needs identified by the carer's assessment
  - b) which of these needs are eligible using the national eligibility criteria
  - c) which needs the council is going to meet and how it is going to meet them
  - d) the personal budget for the carer concerned
  - e) information and advice about what can be done to meet or reduce the needs in question
  - f) information and advice about what can be done to prevent or delay the development of needs for support in the future
- 14.3 If some or all of the carer's needs are being met using a direct payment, the plan must demonstrate which needs the direct payment is being used to meet as well as the amount and frequency of direct payments.
- 14.4 The council will ensure that the support plan is proportionate to the needs identified in the carer's assessment.
- 14.5 While preparing a joint support plan, the council must involve the carer for whom it is being prepared and any other person the carer asks the council to involve.
- 14.6 The council will provide a copy of the support plan to the carer it is being provided for as well as any other person they wish to share it with.
- 14.7 Where a carer and the person they care for consent, the council can combine the support plan with a care and support plan.
- 14.8 Young carers can also have their support plans combined, provided they have capacity or are competent to agree and do so agree. If a young carer lacks capacity or is not competent to agree, the council can combine the support plan if it is satisfied that doing so is in the best interests of the young carer.



## 15. Refusal of Support Planning and Disputes

- 15.1 There is no requirement to carry out support planning if the person being assessed (if they have capacity to make this decision) does not wish to proceed. However, it should be made clear they will be responsible for meeting their own needs. The council will support the person to understand the implications of their choice and to be aware of other choices open to them. If the person decides not to have a support plan, they will be provided with details of who to contact should their decision or circumstances change.
- 15.2 If the person refuses support planning and appears to lack the capacity to make this decision, then a mental capacity assessment will be completed. If they are assessed as lacking capacity a best interest decision will be made within the requirements of the Mental Capacity Act 2005. Where there is reason to believe that the person may be at risk from self-neglect or abuse, a safeguarding referral must be made.
- 15.3 In the event that the plan cannot be agreed with the person, or any other person involved, we will state the reasons for this in writing and the steps which must be taken to ensure that the plan is signed-off. This may require going back to earlier elements of the planning process. If a dispute remains, and we feel that all reasonable steps have been taken to address the situation, we will direct the person to our [complaints procedure](#).

## 16. Reviewing a support plan

- 16.1 The council has a statutory duty to carry out a regular review, of each carer's support plan. All support plan reviews are undertaken using the same principles, processes, and criteria as those described above for the initial assessment. The council will conduct a review which should be around 6-8 weeks following completion of the support plan. Following initial review, reviews will be held annually, which is called a planned review. This is to ensure that identified outcomes are being achieved and that support is appropriate, within the value of the personal budget and any risks identified.
- 16.2 In addition to planned reviews, the council will also undertake the following reviews:
  - a. A requested review: A request can be made by or on behalf of the carer. The council will carry out a requested supported plan review to assess if the plan remains sufficient to meet the carer's needs. The review may result in a re-assessment.



b. Unplanned reviews: Where information or evidence suggests that a carer's circumstances will affect the ability to meet the cared for person's needs, the council will conduct a review of the support plan to assess if it needs revising. The review may result in a re-assessment.

## 17. Data Protection

The council are dedicated to protecting your privacy when using our services. For advice about how we use your personal information and protect your privacy please see the council's website: [Data Protection Guide - Dorset Council](#).

## 18. Equality & Diversity

18.1 [The council's Equality, Diversity and Inclusion Strategy](#) will help make sure that the council meets its legal equality duty. [The Equality Act 2010](#) requires the council to take a proactive approach to equality and diversity. The Act sets out the different ways in which it is unlawful to treat someone, such as direct and indirect discrimination, harassment, victimisation and failing to make a reasonable adjustment for a disabled person.

18.2 When making decisions, the council adhere to the Equality Act 2010 in order to:

- eliminate discrimination, harassment and victimisation;
- advance equality of opportunity;
- foster good relations between different parts of the community.

18.3 These cover:

- Age
- Disability
- Gender reassignment and gender identity
- Marital or civil partnership status
- Pregnancy and maternity
- Race (including ethnic or national origin colour and nationality)
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation

18.4 In addition to the characteristics defined in the Equality Act 2010, Dorset Council has adopted further characteristics, the list is below:

- people who are rurally isolated
- people on low incomes/in poverty



- single parents
- people with a military background and their families
- gender identity
- gender expression

## 19. Comments, Compliments and Complaints

We believe in continuously improving our services, so if you have a [comment](#), [compliment](#) or a [complaint](#) we would like you to tell us. Anyone who is dissatisfied with the council's services, or a Council decision, or believes that they have been treated unfairly, has the right to make a complaint. If the person remains dissatisfied, they may refer to the Local Government and Social Care Ombudsman.

## 20. References and Related Information

- [Equality and Diversity Policy](#)
- [Armed Forces Covenant](#)
- [Mental Capacity Act 2005](#)
- [The Care Act 2014](#)

## 21. Glossary

Term	Definition
'The council', 'we' and 'us'.	<p>In this policy, the term 'the council' refers to Dorset Council. The terms 'Councils' refers to local authorities generally, or as made clear in the text.</p> <p>The terms 'we' or 'us' etc. also refer to Dorset Council.</p>
Wellbeing	<p>The term 'wellbeing' is a broad concept, however the Care Act 2014 states that Dorset Council must take into consideration the following when assessing a carer's needs, in order to promote their wellbeing:</p> <ul style="list-style-type: none"> <li>• personal dignity</li> <li>• control over their day-to-day life</li> <li>• physical health</li> <li>• mental health</li> <li>• emotional wellbeing</li> </ul>



<b>Term</b>	<b>Definition</b>
<b>Strengths-based</b>	The term ‘strengths-based’ is intended to focus on the person’s abilities, skills and support networks. This can include social and community groups. This term is designed to encourage focus on the person as a whole and the wider network(s) available to promote their wellbeing.
<b>Person-centred</b>	Being ‘person-centred’ is about focusing care on the needs of the individual. Ensuring that the person’s preferences, needs and values guide decisions, and that care is provided which is respectful of and responsive to them.
<b>Young carer</b>	A young carer under 18 preparing for adulthood themselves.
<b>Adult carer</b>	An adult carer of a young person preparing for adulthood, this is equivalent to the term ‘child’s carer’ in the Care Act 2014 itself.
<b>Support Plan</b>	A “support plan” is a detailed document setting out what services will be provided, how they will meet your needs, when they will be provided, and who will provide them.

