



## **LATER LIFE PLANNING: GENERAL GUIDANCE DOCUMENT**

### *Why plan ahead for later life?*

- Improve your choice and control in later life
- Prevent crises
- Have important information to hand so you don't panic when you need it immediately
- Make your money go further; spend and save more wisely
- Be a more effective family carer
- Better physical and mental health – better quality of life

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## About Dementia

Dementia affects the functioning of the brain and can impact on your day to day life. Recognising the [symptoms](#) and getting a diagnosis will help you get the right treatment and support to stay independent and continue to enjoy life.

### **How to best prevent a wide range of medical issues including dementia**

- Exercise
- Healthy diet
- Stay socially and cognitively active
- Minimize Stress

### **Worried about dementia?**

- GP is always first port of call
- S/he may do a cognitive assessment and then refer on to a Memory Clinic for further tests including brain scans
- Also refer to Social Services in order to carry out care and financial assessments
- First of all delirium – temporary “acute confused state” -
  - caused by infection (chest and urinary tract infections most common in older adults), reactions to medications, dehydration, severe pain – and therefore treatable
  - symptoms can include confusion, disorientation, visual or auditory hallucinations, anger and aggression, paranoia, severe drowsiness

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[NHS - About Dementia](#)

[Alzheimers Society - about dementia](#)

[Which - elderly care](#)

### **Information on:**

Symptoms and diagnosis/ living with dementia/ care and support

Symptoms and diagnosis/ types of dementia/ getting support  
National Dementia Helpline: 0300 222 11 22

General health and wellbeing/ treatment/getting support/staying independent.

**Your local council may operate a Community Dementia Support Service.**



## Staying independent

A Dementia diagnosis does not mean you have to stop living a full and active life. Focus on what you can do and as some things get harder, be prepared to make a few [adjustments](#).

A good starting point is to think about small practical changes you and your family can make quickly and simply which will make your life easier. For instance, use a calendar to remind you about appointments and keep a to-do list somewhere you will see it every day.

You may want to make use of the growing range of [assistive technology](#). There are many [products](#) and services available to support you to live safely and independently, which are readily available.

Think about how you could use your resources and those of your local community to help you stay independent. Look out for local businesses that are [dementia friendly](#).

Look after yourself and carry on doing the things you enjoy and seeing the people you love.

### **Types of Meaningful Activity**

- Clubs and groups, tailored towards
  - Hobbies and interests (e.g. Bridge or arts & crafts)
  - Gender (e.g. men in sheds)
  - Culture (e.g. Henna Asian Women's Group)
  - Sexual-orientation (e.g. Older Lesbian Network)
- Coffee mornings and tea dances
- Support networks and groups
- A healthy range of activities include activities that are
  - Social
  - Leisure & entertainment
  - Intellectual
  - Creative
  - Vocational, or 'work-like'
  - Spiritual
  - Physical
  - Sensorial
  - Spiritual

<https://www.ageuk.org.uk/services/in-your-area/social-activities/>

### **Where do you find activities?**

- Public resources: Libraries, community centres, Leisure Centres, Churches
- Private venues and event spaces (e.g. cafes)
- Free Borough / Local Authority Magazine
- Online resources
  - hub for groups and activities: [www.meetup.com](http://www.meetup.com)



- events listing platforms e.g. Time Out, RecommendMe
- Local social network connecting you with neighbours: [www.nextdoor.com](http://www.nextdoor.com)
- Local Authority and Age UK Websites
- Social Media groups – e.g. facebook and twitter
- Charities and Social Enterprises, for example
  - University of the 3<sup>rd</sup> Age
  - Arts4Dementia
  - Borrow My Doggy
  - Casserole Club
  - Songhaven
  - The Good Gym
  - Growing Support

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#### Information on:

[Which - elderly care - staying independent](#)

Tips on living well with dementia/practical ways to stay independent/exercise options and ideas/individual activities to enjoy/ group activities to try out/cognitive exercise and mental health

[NHS - Staying independent with dementia](#)

Living at home when you have dementia/technology help at home/working/driving/planning ahead

[Telmenow.com - technology for independent living](#)

Tips on managing the effects of memory loss/time orientation/routine/making your home safe/looking after yourself

[Alzheimer's Society - staying independent](#)

Advice and practical tips on living alone/driving and dementia/equipment, adaptations and improvements to the home/assistive technology/ holiday and travel

[Age UK information and advice guides](#)

Relevant to all older people and their carers, includes health and wellbeing/home and care/work and learning/travel and hobbies.

Age UK offers a befriending service over the phone and with volunteers visiting you at home.

Advice Line – free confidential national phone service 0800 055 6112

**You can also contact your local council's Adult Social Care Services for information and advice.**



## Support from family and friends

If daily activities are becoming difficult for you, it is likely you will start to rely more on your family and friends.

Try to have an honest conversation with your family/friends about how you prefer to be supported and what you can expect from each other. Some forward planning can make life easier for you all.

By recognising the pressure your family/friends may be under as their caring role grows, you can help them to help you.

### **Loneliness and isolation**

- People can be surrounded by other people, yet still feel lonely
- Loneliness is as bad for you as smoking 15 cigarettes a day and worse for you than obesity (Holt-Lunstad, 2010)
- Lonely people are more likely to suffer from dementia, heart disease and depression. (Valtorta et al, 2016; James et al, 2011; Cacioppo et al, 2006)
- Loneliness is likely to increase your risk of death by 29% (Holt-Lunstad, 2015)
- There are 1.2 million chronically lonely older people in the UK (Age UK 2016, No-one should have no one).
- <https://www.campaigntoendloneliness.org/>

Providing care long term can be exhausting, and can affect your carer's health and wellbeing. They may lose contact with friends, and may even have to give up work, which then affects them financially. This can lead to resentment and feelings of guilt on both sides, and may affect your relationship.

By recognising the pressure your carer may be under, you can help your carer to help you –

- Make sure your family/ friends/carer know what matters to you and how and where you want to be cared for
- Try to understand what other commitments your family and friends are having to juggle and be realistic about how much support you can expect from them.
- Find outside help for tasks that could be done by others – your housework and gardening are a good example.
- Make sure your carer gets a regular break, whether this an hour or two each day, or getting away on holiday, or a combination of both. You may have to accept occasional outside help to make this possible, but if this means your



carer can carry on, it will be worth the sacrifice. By making it a regular thing, it will become easier for you to cope with. It may even make your life richer, by having someone else to talk to.

- Have a contingency plan in case your carer is ill or has an emergency. Your local council can advise you how to put this together and may have a Carers Emergency scheme you can register with.
- Consider assistive technology – there is a range of telecare equipment that can help keep you safe and give your carer peace of mind.
- Think about your finances and how you would pay your bills if you no longer have the physical or mental capacity to do so.
- Consider setting up a Lasting Power of Attorney, so you choose who make decisions about your finances, health and welfare, if you are no longer able to do so.

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[The Contented Dementia Trust](#)

**Information on:**

Practical help and resources for people with dementia and their carers/articles/SPECAL method – innovative way of understanding dementia/ real life case studies.

[NHS - carers' breaks and respite care](#)

Replacement care/direct payments/ home care/ residential or nursing care/low cost holidays/accessible holidays

**Further information and advice are available from your local council's Adult Social Care Services and your local Carers organisations.**



## Being a carer

A carer is “anybody who looks after someone who needs help because of their illness, frailty or disability”.

You will probably see yourself, first and foremost, as a partner/son/ daughter and so on, and you may not realise you are also a carer with needs in your own right.

Being a carer is rewarding and it can also be challenging. It can take a huge amount of your time and energy, with little left for other relationships, work or leisure. You may gradually stop doing the things you love as your whole day becomes dominated by your caring role, particularly if you care for more than one person. You may feel you don't have the right skills and knowledge and are “making it up as you go along”.

Providing care can take a toll on your health and wellbeing, your relationship with others, and can affect your finances.

Let your GP know you are a carer so that he/she can offer you advice and support and record your caring role on your medical record. You can ask for a carer's assessment from the local council, who may be able to provide you with some support.

You are entitled to a carer's assessment from the local council, even if the person you care for is not known to them. The assessment gives you the opportunity to discuss the impact of your caring role and the support and services you need to carry on caring, if this is what you want to do.

The assessment will cover -

- your caring role (s) and how it affects your life and wellbeing
- your physical, mental and emotional health
- your feelings and choices about caring
- work, learning, leisure
- relationships and social activities
- any housing issues
- planning for emergencies (e.g. you become ill)

A carer's assessment is usually done independently of the person(s) you care for, unless you both decide to have a combined assessment. You can have an independent advocate to support you during the assessment.

The local council will consider your needs and whether they are eligible for support from the council. If they are eligible, the local council will work with you to draw up a carer's support plan and may provide some funding towards the



costs of the identified services. This can be done as a [direct payment](#) to you giving you the freedom to choose the services you need, when you need them.

There is no charge for the assessment, and it is unlikely your local council will charge you for services to support you in your caring role. However, if a service is provided direct to the person you care for (eg respite care, replacement care while you have a break), the person you care for is likely to be charged.

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#### Information on:

[NHS England](#)

Practical guide for carers/case studies

[Carers UK - practical advice for carers](#)

Tips and [practical advice](#) on looking after someone/carers benefits/equipment and technology/training/online forum/research and campaigning

[Carers UK - carers statutory rights at work](#)

help and advice for carers who work or wish to work, or want to study

[Laterlife - caring-for-elderly-parents](#)

caring for parents and relations/feelings/care options

[The Contented Dementia Trust](#)

practical help and resources for people with dementia and their carers/articles/SPECAL method – innovative way of understanding dementia/ real life case studies.

[NHS UK - practical tips if you care for someone](#)

medicines/sharing your home/how to feed someone you care for/how to help someone you care for to keep clean/ how to care for someone with communication difficulties/ how to move, lift and handle someone else

[NHS - support and benefits for carers](#)

Carer's assessments, including a checklist to help you prepare/ Carers breaks and respite care/benefits/help for young carers/advocacy

[Carers Trust - about young carers](#)

effects of caring/about young carers/carers stories/key facts

[NHS - carers' breaks and respite care](#)

Replacement care/direct payments/ home care/ residential or nursing care/low cost holidays/accessible holidays

[Alzheimer's Society - carer's allowance information](#)

eligibility for carers allowance/Carer's credits/overlapping benefits

[Alzheimer's Society - legal matters](#)

Becoming a deputy for a person with dementia/duties of deputy/how to apply



## Getting Formal Support

There may come a time when you need more formal support. This may be help to live safely at home or moving to extra care housing or [residential care](#). You may even consider moving in with family, or have family move in with you. All these [options](#) need careful consideration.

If you have not already done so, this is a good time to contact your local council's Adult Social Care Services and ask for an [assessment of your needs](#). If you can't make the call yourself, you can ask another person to do it for you. Adult Social Care will need your consent to speak to the other person.

You will be asked for your personal details and some details of your health, the benefits you receive, your living arrangements, and how you are managing on a day to day basis. The local council will give you some initial advice and information and may ask you to try some of the advice out before providing a full assessment.

It is likely you will have to wait a few weeks for a full assessment, so don't wait until you/your family are really struggling.

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### Information on:

[NHS - getting an assessment](#)

what happens at the assessment/preparing for your assessment/have someone with you/paying for care/how to complain

[Gov.uk - needs assessment by social services](#)

enter your postcode to find out which council to contact for an assessment.

[Alzheimer's Society - getting support](#)

ways to make life easier and more enjoyable/ staying independent/ help with informal and formal care/ legal and financial matters

[NHS UK - care and support plans](#)

how to get a care and support plan/ what is included/reviews

[First Stop - Care and Support at home](#)

factsheets on assessments/care and support plan/funding/benefits/home adaptation/equity release



## Help to stay at home

There is no place like home - being in familiar surroundings, with your treasures around you can be reassuring. Being at home can also be scary if you feel isolated, unsafe, or you are finding the responsibility of your home is getting too much. Most of these issues and concerns can be overcome with the right support.

There is often more than one way to meet your needs, so knowing what matters to you will help you decide on what is right for you.

If you have had an [assessment](#) from your local council, your assessor will help you put together a [care and support plan](#) and they will advise you which parts of the plan can be provided by the local council.

There is a wide range of services and support available, such as homecare, day centres, meals services, sitting services, equipment and adaptations. However, you don't have to be constrained by these traditional services. You can ask your assessor about a [direct payment](#) which is money provided by the local council for you to [buy](#) the support/services in your care and support plan.

If you prefer not to go through your local council, you will need to arrange your care and support yourself or ask your family/friends to help you.

### **Stay at home with “domiciliary care” or “Live in care”**

- Carers visit or live in one's home and provide care
- Carers can help with personal care, household tasks, keeping someone company, keeping someone safe
- Visiting carers can be from 15 minutes (increasingly rare) to several hours
- Live-in carers can stay for days, nights, or 24/7
- Sourced and paid for privately or via the state
- Privately sourced carers tend to be more flexible with their hours and less expensive
- Agency Carers tend to ensure rota management, training and insurance for if something goes wrong. Regulated by the CQC
- Live-in care fees are often similar or cheaper than a care home

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[First Stop Care Advice and Information Service](#)

### **Information on:**

Independent, impartial and free service offering advice and information to older people, their families and carers about housing and care options for later life.



[Housing Care -information for older people](#)

Housing options tool to help identify difficulties with your current housing and provides suggestions to deal with them

[Housing.org - self funding](#)

self-funded care

[Age UK information and advice](#)

How to arrange care/paying for care/problems with care/help from carers/home safety

**Your local council will have information on help to live at home available in your area**



## Housing with Care Options

If your home is no longer suitable for your needs, or it is becoming too difficult to live at home even with support, you may want to consider moving somewhere more suitable, such as -

- moving to a bungalow or flat that is easier to maintain, and perhaps is closer to family
- moving in with family or having family move in with you
- Extra Care or sheltered housing - self-contained accommodation, designed for a person with dementia, with communal facilities and activities
- Residential/nursing care, with your own room and dementia trained care staff available 24 hours a day

Moving home can be very stressful and can exacerbate your dementia symptoms, so you and your family need to be sure it is the right decision for you and the timing is right. For instance, if you move to sheltered housing too late, you may find it hard to adjust, and instead of making life easier for you, your needs may increase. Moving too early, particularly if you are considering [residential](#) care, could mean giving up your independence before you are ready.

For each option you need to weigh up the pros and cons and whether it could be a long-term solution. This particularly important if you are considering [sharing a home](#) with your family or friends.

For extra care, sheltered housing, residential/nursing care you may have to go via your local council, unless you can afford to make private arrangements.

**Extra Care Housing** includes 'Sheltered Housing/Care' and 'Assisted Living'

### Sheltered Housing

- 24-hour security
- Assistance with daily living including medication management, bathing and dressing.
- Bought or rented
- Private or state via local council or housing association
- <https://www.which.co.uk/elderly-care/housing-options/sheltered>

### Assisted Living

- Independent living in a specialist complex
- Facilities differ in terms of what they offer, but usually provide nurses and care staff to attend at any given time.
- Choose how much or little you participate in optional communal areas and activities
- <https://ukcareguide.co.uk/assisted-living/>



There are also **'retirement housing'**

- Anything from an estate to a full village-sized development – including a combination of bungalows, flats, houses, care homes and/or extra care housing.
- Most larger villages include leisure & hobby facilities, restaurants, shops, hairdressing salon, etc
- <http://www.housingcare.org/jargon-retirement-village.aspx>

#### **Cooperative housing**

- Instead of owning actual real estate, own a part of a corporation that owns the building
- Cooperative housing usually includes an apartment building or buildings.
- <http://www.cch.coop/what-is-co-operative-and-mutual-housing/>

#### **Co-housing**

- An intentional community of private homes clustered around shared space
- Households have independent incomes and private lives, but neighbours collaboratively plan and manage community activities, services and shared spaces
- The legal structure is typically a homeowner association or housing cooperative
- One example is the Older Women's Co-Housing Project: <http://www.owch.org.uk/>

#### **Move into a "Residential Care Home" or a "Nursing Home"**

- An institution providing accommodation and care for people of varying dependency levels
- Nursing homes include medically qualified nursing staff – implying higher needs of residents
- All homes will be regulated by the CQC so you can check their quality rating
- Average size of care home is
- 80% of people living in care homes present signs of dementia
- <https://www.nhs.uk/conditions/social-care-and-support/care-homes/>

#### **Short stay in "Respite care"**

- Often around one to two weeks in a care home.
- Respite breaks can be planned or unplanned or in cases of emergency
- Typically arranged to give a family carer a holiday from their care-related duties
- <https://www.nhs.uk/conditions/social-care-and-support/breaks-for-carers-respite-care/>



[Which - sheltered housing](#)

**Information on:**

pros and cons/ reasons for considering sheltered housing/additional costs/extra care housing/buying sheltered housing/renting privately/housing association & council schemes/checklist

[Age UK information and advice](#)

How to arrange care/paying for care/problems with care/help from carers/home safety

[Housing Care.org - moving to a more suitable property](#)

Self-help tool to help you think about your home and how you live in it.

## Paying for Care

Under current [legislation](#) your local council can charge you for most of the services/support they provide to you. The amount you pay is worked out through a financial assessment which looks at your income and savings/capital. For [long term residential/nursing care](#) the value of your home will also be considered.

You can decline a financial assessment, but this means you will pay the full cost of your care. You will also pay full cost if you have savings/capital above £23,250.

Some care and support is provided free, including –

- Aids and minor adaptations costing £1000 or less
- Intermediate care and reablement – short term support and rehabilitation for people who have been in hospital
- Support services to carers

If you have decided to arrange and pay for your own care, it is a good idea to get independent financial and legal advice first and shop around for services.

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[Alzheimers UK - legal and financial](#)

paying for care

[Age UK information and advice](#)

paying for care

[NHS - paying for your own care \(self-funding\)](#)

arranging and paying for care



[Society of Later Life Advisors](#)

helps people and their families in finding trusted accredited financial advisers who understand financial needs in later life.

**Your Local Council will have a local charging policy on their website**



## Money matters

As your dementia progresses, you are likely to be entitled to [disability benefits](#) such as

- attendance allowance or personal independence payment (if under 65)
- reduction in your council tax banding
- Disabled Facilities Grant to adapt your property
- Severe disablement premium (if you receive qualifying benefits)

Most benefits are paid direct into your bank account. If you are the sole account holder, you need to think about how you will access your money as your dementia progresses. Some banks will agree to arrangements for another person to have access to your account. However, these arrangements may end if you lose mental capacity to manage the account, leaving you without the means to access your money or pay bills.

Joint accounts are another option but they are risky and not recommended if you are unable to keep a check on what is going on.

If you just use your bank account for your state benefits, and have less than £5000 in it, the account can be run on your behalf by an [appointee](#). This can be a friend, relative or organisation (eg solicitor, or local authority) authorised by the Department of Work and Pension to manage your state benefits.

If you have other assets, [more formal arrangements](#) may be needed.

### **State benefits - Personal Independence Payment (PIP)**

- For people who may need help with daily activities or getting around because of a long-term illness or disability
- Has two parts - a daily living component and a mobility component
- Replaced the Disability Living Allowance for anyone making a new claim
- <https://www.ageuk.org.uk/information-advice/money-legal/benefits-entitlements/personal-independence-payment/>

### **State benefits - Attendance allowance**

- To help with personal support if the person is both physically or mentally disabled *and* aged 65 or over
- Depends on the level of care one needs because of their disability - could be £57.30 or £85.60 a week
- <https://www.gov.uk/attendance-allowance>

### **State benefits - Continuing healthcare**

- Anyone who is assessed as having a certain level of needs may receive full funding via NHS Continuing Healthcare
- Not dependent on diagnosis or finance
- Need must be primarily health-related and not just a social care need
- Eligibility criteria is extremely high
- <http://www.adviceoncare.co.uk/nhs-continuing-healthcare.html>



### **State benefits – Carers Allowance and Carers Credits**

- Carers Allowance is £64.60 a week
  - if you care for someone >35 hours a week and they receive benefits e.g. PIP, DLA, AA
  - You don't have to be related to, or live with, the person you care for
  - You must earn no more than £120 a week after tax and expenses
- Carers Credits are National Insurance credits towards your pension while you're not making any contributions yourself because of your caring role
  - If you spend more than 20 hours a week caring for someone but don't qualify for Carer's Allowance and aren't yet receiving a State Pension

### **State benefits – Winter Fuel Allowance / 'Heating Allowance'**

- Annual tax-free payment of between £100 and £300 which helps people born on or before 5 July 1952 to pay for their heating in the winter
- Payments based on your age, and whether you receive certain benefits

### **State benefits – Council Tax Reduction if living with 'permanent severe mental impairment'**

- If you or someone you are living with has dementia, you may be eligible for Council Tax Reduction
- You can apply for reimbursement if overpaid in the past
- <https://www.dementiauk.org/you-could-be-missing-out-on-significant-council-tax-discounts/>

### **VAT exemption**

- If you're disabled or have a long-term illness, you won't be charged VAT on products designed or adapted for your own personal or domestic use
- Also won't be charged VAT on the installation and any extra work needed as part of this, repairs or maintenance and spare parts or accessories.
- The types of products that you can get VAT-free include: Adjustable beds/ Stair lifts / Wheelchairs / Medical appliances to help with severe injuries / Alarms / Building work like ramps, widening doors, installing a lift or toilet

### **Equity Release**

- A range of products letting you access the equity (cash) tied up in your home if you are over the age of 55
- You can take the money you release as a lump sum or, in several smaller amounts or as a combination of both
- <https://www.moneyadvice.service.org.uk/en/articles/equity-release>

### **Investments**

- In general, to invest is to allocate money (or sometimes another resource, such as time) in the expectation of some benefit or return on investment in the future

### **Annuities**

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- A means of retaining use of a house or other object which has capital value, while also obtaining a lump sum or a steady stream of income, using the value of the house
- Primarily used as an income stream for retirees
- The income-provider must be repaid at a later stage, usually when the homeowner dies
- Created and sold by financial institutions, which accept and invest funds from individuals and then, upon annuitization, issue a stream of payments at a later point in time
- <https://www.investopedia.com/terms/a/annuity.asp#ixzz5IWcLU9v6>

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**Information on:**

[Age UK - money and legal](#)

Benefits and entitlements/benefits calculator/debts and savings/income and tax/legal issues/pensions advice/scams and fraud

[Gov.uk - benefits for people with disabilities](#)

Attendance allowance/personal independence payments/carers allowance/Disabled Facilities Grant/Blue Badge Scheme/equipment

[Citizens Advice - reduction scheme for disabled people](#)

council tax reduction for people who are substantially and permanently disabled

[Money Advice Service](#)

Pros and cons of opening a joint bank account

[Gov.uk - appointeeship](#)

Becoming an appointee/responsibility

[Turn2Us](#)

national charity helping people when times get tough/provides financial support to help people get back on track/ grant guides and search facility



## Support to make important decisions

Managing your finances and making significant decisions about your life can be daunting at the best of times. When you have dementia, and you are becoming forgetful and confused, it can feel overwhelming.

There may come a time when making decisions about your finances and health and welfare becomes too much for you. You may already have a family member or friend helping you, but if you lose [mental capacity](#) to make decisions, they cannot take over unless you have given them the legal power to do so.

Having someone who can act on your behalf ensures your financial affairs stay in order and there is no delay in making decisions around your health and welfare, so it is wise to plan ahead by putting arrangements in place, in case you lose mental capacity. You can do this by setting up a [lasting power of attorney](#) with someone you trust to act on your behalf in decisions around your –

- financial affairs and property
- health and welfare

Unless you choose a professional, such as your solicitor, to be your power of attorney, the only costs will be those associated with setting up the documents, registering them and any out of pocket expenses. Professionals can also charge for their time. If you don't have a lasting power of attorney, and you lose capacity, the only option available is for the Court of Protection to appoint a deputy. This is a costly and time-consuming process, and requires the deputy to produce detailed annual reports.

Giving someone power of attorney is a major decision, and you will need to think carefully about the people who you nominate as your attorney. Before you sign you will need to show that you understand the advantages and risks of giving control to another person. If you aren't able to do this, the power of attorney cannot go ahead.

### **Advance Directives**

- Also known as an Advance Decision to Refuse Treatment, or a **Living Will**
- Advance Decisions are legally binding in England and Wales, as long as they meet certain requirements
- Can be written by the person themselves or can use a free form online
- Includes situations in which you'd want to refuse certain treatments
- Important to inform those close to you and your GP



### **Advance statement**

- An advance statement of wishes explains your likes and dislikes and anything that is important for you to be comfortable
- should be considered by all those involved your care
- not legally binding
- <https://www.ageuk.org.uk/information-advice/money-legal/legal-issues/advance-decisions/>

### **Power Of Attorney – “in case I don’t want to or can’t make decisions in the future”**

- A Lasting power of attorney (LPA) is an authorized person that represents or acts on another's behalf in terms of their health and welfare and/or finance & property
- The person authorizing the other to act is the principal, grantor, or donor (of the power)
- One can apply to authorise an LPA themselves for £82 and it usually takes <10 weeks to process and be registered
- Solicitors can help an individual to apply for typically £300-600
- Solicitors can also be appointed as LPAs
- LPA can be effective immediately (at the point of registration) or upon clinical assessment of lack of mental capacity to make a decision
- Highly recommend that everyone register an LPA so that later life wishes are respected
- <https://www.gov.uk/power-of-attorney/register>

### **Deputyship orders – on behalf of someone currently unable to make decisions about their care**

- Application can be made to become someone’s deputy if they ‘lack mental capacity’. This means they cannot make a particular decision(s) for themselves at the time it needs to be made. They may still be able to make decisions for themselves at certain times
  - As with LPAs, one can be a health & welfare and/or finance & property
  - One can apply to authorise a deputyship themselves for £400 and it usually takes <3 months to process and be registered
  - There are additional fees
    - £500 for if the Court of Protection decides a hearing is needed
    - £100 for new deputy assessment
    - Annual supervision fees of £320
  - Solicitors can help an individual to apply
  - Solicitors can also be appointed as deputies
-



- <https://www.gov.uk/become-deputy>

### **Last Will and Testament**

- A will carries out the wishes of the Testator – the person who makes a will – after death
- If you die without a will, certain rules dictate how the money, property or possessions should be allocated
- Unmarried partners and partners who have not registered a civil partnership cannot inherit from each other unless there is a will
- It may be possible to reduce the amount of tax payable on the inheritance
- A will is only legal if it passes 4 requirements and is properly signed by the Testator and 2 witnesses
- Regularly review and update your will
- You can use a solicitor to help you write your will. Fees vary from £60 - £500 depending on complexity

### **Statutory wills**

- When someone who has not made a Will loses mental capacity, it is possible to apply to the Court to make a Statutory Will
- This is often required where the person's estate would otherwise be distributed to someone they would not have wanted it to go to
- <https://www.gov.uk/apply-statutory-will>

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[Alzheimers.org - legal and financial section](https://www.alzheimers.org/legal-and-financial-section)

### **Information on:**

benefits/ Lasting Power of Attorney/Living wills

[Gov.uk - becoming a deputy](https://www.gov.uk/becoming-a-deputy)

Guidance on eligibility to be a Court of Protection appointed deputy/responsibilities/how to apply/ supervision/ accounts/ annual reports

[Society of Later Life Advisors](https://www.societyoflaterlifeadvisors.org/)

helps people and their families in finding trusted accredited financial advisers who understand financial needs in later life.



## Social Care Legislation

There is key legislation relating to adult social care, governing the work of your local council, health authority and care providers -

- Care Act 2014
- Equality Act 2010
- Mental Capacity Act 2005
- Human Rights Act 1998
- Data Protection Act 1998
- Mental Health Act 1983
- Housing Grants, Construction and Regeneration Act 1996

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[Care and support statutory guidance](#)

**Information on:**

guidance for local authorities on how to implement the Care Act 2014, includes sections on: promoting wellbeing/ assessment & eligibility /carers/support planning/charging/direct payments/case studies

[Gov.uk - legislation](#)

National archive for UK legislation



## Safeguards

Having dementia can make you more vulnerable to abuse and neglect such as physical, sexual, financial, psychological abuse and discrimination.

Sometimes abuse is deliberate, such as someone taking your money for themselves. At other times, it may be a well-intentioned act such as holding back your medication because they believe it is bad for you.

The abuser could be anyone - your family, friend, neighbour, carer or professional, or it could be a complete stranger who has seen an opportunity to take advantage of you.

If there is something happening that makes you scared or uncomfortable you need to tell someone you trust as soon as possible. If the person you think is abusing you is the person you would normally tell your concerns to, you can talk to your GP or social worker or call Action on Elder Abuse. If you think a crime has been committed you can call the police.

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### [Elder Abuse](#)

Advice service for people experiencing abuse  
Helpline: 080 8808 8141

### [Age UK](#)

factsheet on safeguarding older people from abuse and neglect

### [NHS abuse and neglect of vulnerable adults](#)

Different forms of abuse/abuse in your own home/who to tell/advice for carers



## When things go wrong

From time to time, things can go wrong with your care. Start by speaking directly with the person/service about your complaint and what outcome you want. If this doesn't work, you may decide to use a more formal approach. Most organisations will have their complaints policy and procedure on their websites and may have an online complaints facility.

If you are still getting nowhere, there are organisations that can help you take your complaint further.

In extreme circumstances, you may decide to take legal action which can be expensive and time-consuming and you may need specialist legal advice.

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### Information on:

[Citizens Advice - complaining about social care services](#)

Advice on how to complain/where to start/complaints procedures/who to go to/going to court

[Local Government Ombudsman](#)

Provides an independent review of individual complaints about adult social care provided or commissioned by the local authority or organisations registered with the Care Quality Commission

[Care Quality Commission](#)

Independent regulator for health and social care services – responsible for monitoring/ inspecting/ regulating the quality of residential and home care. They do not investigate individual complaints but they take comments to build a picture of a service.

[Healthwatch](#)

Help making a complaint relating to adult social care/NHS services/GPs/NHS services/mental health services

[Disability Law Service](#)

Free legal advice to people with disabilities and their carers who have experienced discrimination or improper care



## **Disclaimer in relation to links to third party websites and services**

Our website contains links to websites which may be of interest to you and which are owned and operated by third parties. If you click on these links, you leave Dementia Home Consultancy Group website and will be redirected to another website. These links are provided for your information and convenience. Dementia Home Consultancy Group does not endorse or guarantee the content of such websites or third-party services. Dementia Home Consultancy Group has no control over the content of any linked websites, their accuracy or their availability.



## Needs assessment – additional information

There is no charge for an assessment. You will be assigned an assessor, who will be trained and have experience of working with someone with dementia, and who may also be qualified as a Social Worker, Occupational Therapist, or Nurse.

You can decide where you want your assessment to take place, although it is usual for your assessor to visit you at home. If your situation is complex, your assessor may visit you more than once.

You can decide who you want to involve in your assessment, such as family and friends. If you are having difficulty taking part in your assessment, and have no-one to support you, you are entitled to have an independent advocate there. Your assessor will arrange this for you.

Your assessor will talk to you about what is working well for you, what you can do (your strengths), your needs and what matters to you. Your assessor will also speak to your carers, other professionals involved, and anyone else you want to contribute to your assessment.

Once your assessment is complete, your assessor will confirm whether you have needs that are [eligible](#) for support. If you have eligible needs, your assessor will use a “resource allocation system” to work out an indicative budget for you so you can plan your care and support.

You will get a copy of your assessment and eligible needs.

The next step is to put together a [Care and Support Plan](#)



## Care and Support Plan – additional information

You have had an assessment by the local council, and you have been given an indicative budget so you can start planning your care. You can do this yourself, or with help from others, such as family, friends or your local council.

If you are intending to meet your needs through traditional services, such as home care or residential care, organised by the local council, you may not need a detailed care and support plan.

An alternative to traditional services is a [direct payment](#) which is money your local council gives you to pay for the care and support you need which gives you freedom to find creative solutions. If you are having a direct payment from the local authority, you are likely to need a comprehensive support plan covering -

- The outcomes you want from meeting your needs (this can include needs that are not eligible for local council funding)
- What is important to you
- How you will spend your money – this includes the direct payment and any other money available for your support, the cost of the services, goods and equipment you will buy and resources that are available free of charge
- How you will manage your support
- A contingency plan in case something goes wrong
- An action plan setting out what needs to happen next to get the plan up and running, along with timescales

To stretch your budget, you could consider what services and resources are available to you at no or low cost and shop around for services to get a good price. If you choose an expensive service when a lower cost service is available and can meet your needs, your local council will usually expect you to use the lower cost service or cover the extra costs from your own resources. However, there is no hard and fast rule, as some higher cost services may come with additional benefits, making them better value in the long run. Your local council will take these factors into consideration when your care and support plan is submitted for authorisation.

Once approved, the total cost of the support covered by the local council is called your “personal budget”. This may be more or less than the indicative budget you started planning with.

Your care and support can now start. If you are having a direct payment, your local council will start making payments, and will monitor how you are doing. They will do a formal review a few weeks after your plan is up and running to make sure everything is working well and help you make any adjustments needed.



## Direct Payments -additional information

A direct payment is cash from your local council to enable you to arrange and pay for the care and support you need. Although direct payments are the preferred way to provide support, your local council can refuse if they feel it inappropriate or you would not be able to manage it even with support. A direct payment will not be offered where your assessed charge is greater than the cost of your support.

You can have some of your services commissioned by your local council and a direct payment for the rest. This tends to happen when a service you need is only available via your local council.

Having a direct payment is huge responsibility so you need to understand the rules and be able (with or without assistance) to arrange your care and deal with any issues that might arise. If you [lack mental capacity](#), your local council will only consider you for a direct payment if you have a representative with the legal power to manage the money, such as Lasting Power of Attorney, or Court appointed Deputy for property and affairs. Appointees cannot manage direct payments as they are only authorised to manage your benefits from the Department of Work and Pensions.

A direct payment gives you freedom to arrange flexible and creative support of your choice and puts you in control. You can spend your direct payment on any services as long as they are legal, meet your needs and keep you safe. You cannot use it for -

- Anything that is against the law
- Gambling
- Permanent residential or nursing care (although you can use it for short term breaks for up to 4 weeks)
- Anything that does not meet your social care needs
- Health services
- Household bills (gas, electricity etc.)

### **Employing a personal assistant**

Many people use their direct payment to employ a personal assistant (PA), rather than rely on a care agency. You would have to abide to employment law, and health and safety. Most councils offer -

- a payroll service to help with processing time sheets, tax and national insurance and pension payments, in accordance with your instructions.
- An advice service to help you recruit PAs, set up employment contracts and do necessary checks.

However, you/your representative are still ultimately responsible for all employee issues, poor performance, sickness and holiday cover, setting up insurances and providing a pension.

### **Employing a family member**



The rules are -

- You can employ a close family member living in the same household only in exceptional circumstances, and with the prior permission of your local council.
- There is no restriction on employing family members who do not live with you.

You need to think very carefully about employing a family member. It may seem the ideal solution but it can be fraught with problems. Many families find it hard to separate the paid from the unpaid caring role, and don't realise they have to abide by employment law, even if they just do a few hours here and there. If something happens to you and the caring ends, your relative has to cope with their personal feelings and loss of employment and income. If your relative is not providing the care you need, you have to deal with this, which could cause a rift in your relationship. There can be difficulties around replacement care, as your relative is entitled to paid annual leave and sick leave.

If you pay a relative who is also your Lasting Power of Attorney/Court appointed deputy for property and affairs, there may be a conflict of interest if you later lost mental capacity, if the same relative takes over your finances.

### **Monitoring**

Periodically, your local council will monitor that you are spending your direct payment in line with your care and support plan and will need to see your records, such as timesheets, receipts, bank account statements. They will also check that you are using your assessed charge towards your support.

The first monitoring usually takes place within a few weeks of support starting, so that any problems can be picked up and sorted early. It is then done annually unless there are reasons to monitor more often and may be done as part of the annual review of your support plan.

If you have money left over, your local council may reclaim it, and may adjust your payments going forward.



## Residential or nursing home care – additional information

### **Paying for long term residential/nursing care – eligible for support from your local council in England**

Long term residential/nursing care is expensive and most people need [support](#) with the costs from their local council.

Your local council will complete a financial assessment to work out how much you have to pay towards your residential/nursing care. If you own your own home, the local council will take its value into consideration; there are a few exceptions which your local council will explain to you during the financial assessment process. If you have more than threshold of £23250 you will have to pay the full cost of your residential care. You can claim attendance allowance if you are paying the full cost of your care.

If your capital is tied up in your home, the local council will pay your care home fees (less your assessed charge) and will accrue a debt against your home until it is sold and you can repay them. The local council will put a legal charge on your home to protect the money you owe them. The debt only starts to accrue after you have been in the care home for 12 weeks.

If you do not want to sell your home straight away you can request a deferred payment agreement (DPA) which means your home does not have to be sold in your lifetime. You must have mental capacity to understand the DPA or have a representative (power of attorney or court appointed deputy over your finances) to act on your behalf.

Under a DPA, your care home fees, paid on your behalf by your local council, will build up as a debt against your home up to the local limit (usually between 70% and 90% of the value of the property). Once you have reached this limit, no further fees will accrue. Your local council will update your financial assessment to work out your weekly assessed charge and the local council will pay the balance. The DPA remains in place until you die, or until you terminate it by paying the money owed. You can claim attendance allowance until fees stop accruing.

If your local council agrees your request, you or your representative will be asked to sign a legal agreement and you may be asked to pay a set up fee. You may also be charged interest on the debt.

You will remain liable for the upkeep and maintenance of the property and will need to keep it insured. To cover these costs, you can keep up to £144 a week from your income. You may be able to rent your property out and use the rental income to reduce the accrued debt.

Before committing yourself, it is strongly recommended that you/your representative get legal and financial advice.

### **Personal allowance**

You get to keep £24.90 from your income as a weekly personal expenses allowance.



## **Long-term residential/nursing care**

Going into permanent long term residential or nursing care is a big decision and ideally is planned ahead. You/your family will need to think about

- How will you pay for it?
- How will you choose the right care home?
- What will happen to your current home?
- What will happen to your pets?
- What are the most important attributes of a home for you?
- What if you don't like it?
- Who will decide if you can't?

If you lack capacity to make decisions around going into a care home, someone will have to make the decision for you. This may be your power of attorney if you have one, or it may be a professional from your local council and they have to decide what is in your best interest.

## **Deprivation of Liberty Safeguards**

It is possible that the arrangements at the care home will place some restrictions on you. You may be closely supervised, or prevented from leaving, to keep you safe. If these restrictions appear to deprive you of your liberty and the care home manager doubts your mental capacity to understand and agree to them, they have to advise the local council who will carry out specialist assessments to ensure arrangements are necessary and proportionate to the risks you face.

## **Self funding**

This applies where you have available capital of £23,250 or above, and/or sufficient income to cover your care home fee. It usually means you will have to make private arrangements and cover all the costs. In some circumstances, such as

- Your capital is close to the threshold
- You have lost mental capacity and have no power of attorney or deputy
- There are safeguarding concerns

your local council will arrange your care home placement, even though you are over the financial threshold.

## **Finding the right home**



Take time to look [look around](#) the care homes available, and compare fees and services in your area. Check the [latest inspection report](#) by the Care Quality Commission, and, if possible, speak to residents and families about their experience of living there. If you have a pet, look out for care homes where you can take your pet with you.

Check the care home's policy on accepting local council funding if you run out of money and get them to confirm in writing. Some homes will not or cannot accept people under local council funding, so you could be forced to move if you run out of money, which would be very distressing for you and your family.

### **What to do if you run out of money**

Keep a check on your finances so you can work out when your capital will drop to £23250. About 3 months before, contact your local council and request an assessment. Assuming your assessment confirms you are eligible for residential care funding, your local council will start contributing to the costs once you reach the threshold. However, there may need to be some negotiation on the fees and this can be a tense time, as there is no guarantee that the care home and council will reach an agreement, particularly if the fees are substantially higher than the council usually pays.

### **Top ups**

These are additional weekly payments made by a third party to cover additional facilities at the home, such as a larger room/room with a view. It may also apply if you **choose** an expensive care home even though your local council has offered you less costly alternatives homes that have rooms available and can meet your needs and personal circumstances.

Top-ups cannot be used to cover high/complex needs.

A top-up has to be agreed when the local council is arranging your placement. It cannot be applied later.

Unless you are on a deferred payment agreement, you cannot top up your fees. It has to be from a third party, using their own money, and the third party cannot recover the money from you later.

Top-ups are a long-term commitment, and failure to keep up the payments could mean you having to move to a smaller room, or may even mean you are given notice to leave. It is strongly advised that anyone considering paying a top-up, takes independent financial and legal advice from an advisor who understands the rules around to-ups.

### **Nursing costs**

Nursing homes are generally more costly than residential homes. Your local council can only arrange nursing care for you, if your local Clinical Commissioning Group (CCG) has assessed you as needing nursing care and are contributing to the nursing costs (£158.16 per week in England).



If you have very high/complex physical and/or mental health needs, you may be eligible for continuing health care (CHC). This is arranged and funded by your CCG and you do not have to pay an assessed charge. You will have a review after about 12 weeks, and if you are still eligible for CHC, your care will remain the responsibility of the CCG. If you are no longer eligible, your local council will take over the arrangements, and you will start paying towards your care, or you will become a private resident.