

Caring for an Elderly Relative

a guide to your legal responsibilities

Roche Legal



“We help people just like you. Dealing with Powers of Attorney and making sure your loved one’s wishes and finances are being looked after when they are becoming frail can be very worrying. We can help find the best solutions and will do everything we can to make things that little bit easier.”

Rachel Roche is a specialist private client solicitor who, along with the Roche Legal team, provides families and carers with expert guidance and advice on the sensitive issues around planning an elderly relative’s future and managing their estate.

These can be very complex issues and Rachel and her team aim to be a reassuring listening ear, demystify legal jargon and address issues in a practical way.



Introduction

Almost all of us will be responsible for caring for an elderly relative at some stage in our lives. Though this is a huge commitment, it can also be extremely rewarding.

In order to provide the best care for your loved one, you will need to navigate a great deal of unfamiliar rules, regulations and systems.

This booklet has been put together as a guide to help you understand your legal responsibilities as a carer. It also contains advice on what to do when you need to arrange care for someone and how to understand the, sometimes confusing, workings of the English care system.

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Whether you're caring for a parent, grandparent, aunt, uncle or spouse, this guide will clearly set out your legal responsibilities and improve your understanding of how to navigate the care system to ensure they receive the best support available.



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Talk to them

Contact your local authority

Speak to a solicitor

Where to Start

It can be very difficult to know what to do when an elderly relative is finding it difficult to cope on their own. In cases like these we generally recommend the following three steps as a first port of call:

Step one: talk to them

Wherever possible it's important to have a discussion with the elderly person in question to find out what help and support they feel they need. Many relatives put this off as they are concerned that it will be an uncomfortable conversation, but they're often pleasantly surprised by the response. Often elderly people either don't realise that additional care and support is available to them, or they feel unable to ask for what they need.

If the elderly relative in question no longer has the mental faculties to make these decisions, or if they persistently refuse the help you feel they desperately need, you may need to go straight to step two.

Step two: contact your local authority

Once it becomes necessary to make decisions about full or part time care for your elderly relative, you will need to contact your local authority. This is the case regardless of your financial situation.

Step three: speak to a solicitor

If you and your elderly relative haven't yet made provision to cover legalities such as Lasting Power of Attorney or making a will, this would be a good time to do it. There is a time limit on these things as your elderly relative will only be able to make these decisions while they are considered legally well enough to do so.

If you don't have these legalities in place, it can be much more difficult to gain the right to make decisions on behalf of your elderly relative once they become unwell, so it is important to make this provision before it's too late.



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The role of Adult Social Services

The role of social workers

The role of the NHS

What will happen when you contact your local authority?

When you contact your local authority about an elderly person who is in need of support, their case will be passed on to Adult Social Services.

The adult social services department (sometimes called social care services) is responsible for assessing the needs of individuals who require care and support. Once these needs have been considered, adult social services will also decide whether the local authority will meet and pay for those needs, either in full or in part, or whether they need to be dealt with privately.

Every case will be subject to two separate assessments:

1. **A needs assessment** - At this stage the individual's personal care requirements will be considered. Adult Social Services will investigate whether the individual needs assistance with things such as getting dressed, washing, cooking, eating, transport and socialising. Once they have a clearer picture of these needs, they will be better able to understand what services the individual will need to access in the future.
2. **A means assessment** - This is when the individual's financial situation will be considered. Factors such as personal income, savings and property ownership will all impact on whether care and support will be paid for by the local authority or if the individual will be responsible for paying for it themselves. The rules of the assessment are different depending on whether your elderly relative will be receiving care at home or in a care facility.

It's important that you contact the local authority even if you don't expect your elderly relative to receive any financial support towards the care and support they need. Adult Social Services have a responsibility to assess every case that is referred to them, and will be able to signpost you to other organisations and care providers that will be able to help.

The role of social workers

In some cases, your elderly relative may be assigned a social worker. This could happen if they have been referred to social services by their GP, another medical professional, or even a family member. Once social services have been made aware of an individual in need of support, they are required by the Care Act 2014 to carry out an assessment.

A social worker will work with the elderly individual and their family with the aim of improving their quality of life. They will be able to act as an advocate for your elderly relative and direct you to services they may benefit from.

The role of the NHS

If an elderly person has a health condition that needs day to day medical care, this may be funded by the NHS. This could be provided either in a care home, or in their own home with visits from a registered nurse.

There is more information about NHS funded care on page 49 of this booklet.



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What is a care plan?

Who is involved in putting together a care plan?

What happens with a care plan after it has been put in place?



Starting care after a hospital admission

In many cases it becomes apparent that an elderly individual requires additional support after they have been admitted to hospital. If your elderly relative goes into hospital and is deemed not well enough to go home without ongoing care, the hospital will not be able to discharge them until a care plan has been put in place.

What is a care plan?

A care plan is a document that details how the needs of an elderly individual are going to be met. It is likely to include provision from NHS services such as occupational therapists, physiotherapists and nurses, as well as the social care team. A care plan will usually set out whether the elderly individual would be best cared for in their own home, a care home or a community hospital.

Who is involved in putting together a care plan?

A number of people will be involved in putting together a care plan. Collectively these professionals will be referred to as the multidisciplinary team.

This may include:

- social workers
- doctors
- physiotherapists
- occupational therapists
- speech therapists
- mental health nurses
- dieticians

The elderly individual in question should be involved in putting together their own care plan as much as is possible. They will be involved in the assessment process and have a right to have their views and preferences taken into account. Family carers can also request to be involved.

If the elderly individual is too unwell to contribute, they may be represented by an independent advocate. Independent advocates are independent of social services and the NHS and will act to protect the best interests of the elderly individual. These professionals are funded by the local authority.

Alternatively, if the elderly individual has made provision for a relative or friend to hold Lasting Power of Attorney for health matters, that person will be able to be involved in the care planning process on their behalf.

What happens with a care plan after it has been put in place?

- The Local Authority has a duty to follow up after the elderly individual has been discharged from hospital and ensure the provision set out in their care plan is working for them.
- This follow up should be completed within two weeks if the elderly individual has been discharged to community care services, or within a few days if the person lives alone.
- Care plans should be reviewed at least once per year.



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Care at home

Who can support you with this?

Care in a care home or nursing home

Are there other options?

Deciding on the type of care

At this stage you will need to make some big decisions about the type of care that is right for your elderly relative. This can be an extremely daunting task. Not only can the care system be confusing to navigate, there are also likely to be a number of emotional and personal hurdles to overcome.

Most families find this part of the process the hardest as you and your elderly relative will need to decide whether or not they are able to continue living in their own home.

The findings of the local authority's assessment will help you to determine what help and support the elderly person needs and where that support can best be provided.

Option one: care at home

When the option is available, many elderly people prefer to stay in their own home. This can enable them to retain much of their independence and avoid the stress of moving away from a house they may have lived in for a long time.

In order for this to happen, elderly people often need to have a lot of extra support, either from family members or from paid carers.

The extent of this support depends completely on your elderly relative. They may only need a carer or family member to visit for short periods of time in order to help with more difficult tasks, or they may require round the clock care.

There are a wide range of different types of home care available, and almost all options are very flexible. Carers can help with things such as:

- Housework
- Shopping
- Preparing meals
- Getting washed and dressed
- Nursing and healthcare
- Companionship
- Getting out and about

Who can support you with this?

The NHS

In cases where the elderly person has a long term medical condition, they may be eligible to receive nursing care at home from the NHS. If you think this type of care might be appropriate for your elderly relative, speak to your local authority in the first instance.

Agencies

There are a number of professional care agencies who specialise in providing care at home.

The benefits of choosing an agency is that they will be responsible for finding carers for your elderly relative, vetting them and training them. They will also be able to cover any absences due to illness or holiday.

Your local authority will be able to provide you with a list of home care agencies in your area. Alternatively, you could do a search for providers on the NHS Choices website: (www.nhs.uk/Conditions/social-care-and-support-guide).

It can also be a good idea to ask around for personal recommendations.

Personal assistants

If you don't want to use an agency, you could choose to employ a carer directly. The advantage of this is that you will have total control over the support your elderly relative receives and who provides it. Employing one single carer can also help your relative to build a trusting relationship with them.

The disadvantages of this option is that you will be wholly responsible for the recruitment process, checking qualifications and experience, and training them. You will also need to take on other responsibilities of an employer including payroll, taxes, and arranging cover for when time off is required.

Respite care

Even if you choose to provide most of the support your elderly relative needs yourself, there is still support available. Many home care agencies will provide short term care as and when it is required. This could be so that you can go on holiday, have a regular night off, or even just take a break. This is called respite care at home.

Day centres

Many elderly people benefit from attending a day centre. These are typically run by local authorities or voluntary organisations such as the Alzheimer's Society.

Day centres provide daytime care for elderly people. This includes meals, activities, exercise and companionship. They can be beneficial for elderly people who live alone but need company during the day, or for elderly people who live with family but need assistance while family members are out at work.

Option two: care in a care home or nursing home

In some cases, care at home just isn't an option. In these situations, you will need to explore the various types of care homes and nursing homes that are available.

Care homes are not all alike. They can be run by private companies, local authorities or voluntary organisations. The type of support on offer also varies hugely from home to home. Some care homes will specialise in offering a particular type of support such as Dementia care. If your elderly relative has a primary healthcare need they will need a nursing home as these are staffed by qualified nurses as well as a general care team.

Many elderly people really enjoy living in a care home. Residents receive a great deal of company and interaction, which can be a real improvement to quality of life, especially if your elderly relative has been living alone. Staff at care homes will also provide daily activities as well as events and trips out.

It is important to visit a number of different homes with your elderly relative before you make a decision about which one is right for them.

Part time care in a care home

It is possible for your elderly relative to temporarily receive care from a care home or nursing home. This is particularly helpful for elderly people who are usually cared for by family members. A respite break can give family carers time off or the chance to go on holiday.

Are there other options?

If you and your elderly relative decide that neither of these two options are quite right, you may want to consider other avenues.

These could include:

- Retirement housing
- Warden assisted accommodation
- Sheltered housing
- A shared lives placement (an initiative that pairs people who need care with approved shared lives carers).



Who has the legal right to make decisions?

These decisions are not easy to make. You may find that your elderly relative is resistant to change, even though they are desperately in need of support. It is perfectly natural for an elderly person to want to retain their independence for as long as possible, and it can be extremely difficult to accept that they are no longer able to cope on their own.

If your elderly relative is refusing to accept help, you may be unsure who to turn to. Every situation is different, but if you don't know how to proceed you'll need to seek advice from your local authority or from a solicitor. There may be scope to enable you to make decisions in the best interest of your relative under the Mental Capacity Act 2005.



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Lasting Power of Attorney

Appointee for Benefits

Court of Protection

Statutory wills

Managing financial interests of an elderly relative

If an elderly person requires personal and practical care, they may also need support to manage their money. Depending on your individual circumstances, you might want to consider some of the options that are available for making financial decisions on behalf of somebody else.

Lasting Power of Attorney

A Lasting Power of Attorney (LPA) is a legal document that allows an individual to appoint someone else (or a group of people) to make decisions on their behalf once they are no longer able to. This needs to be completed while the individual in question is still able to understand and participate in legal processes.

If your elderly relative is starting to need additional assistance, it is important for them to consider making a Lasting Power of Attorney sooner rather than later. If they become very unwell, they may no longer be in a position to make one and it will be more difficult for you to make decisions for them.

There are two types of Lasting Powers of Attorney:

1. *Health and care* - This involves making decisions about their daily routine such as medical care, moving into a care home, and giving or declining life sustaining treatment.
2. *Financial* - This involves making decisions about money and property such as paying bills, collecting benefits, and selling or renting property.

In order for a Lasting Power of Attorney to be valid, it needs to be registered with the Office of the Public Guardian. There is a fee for the registration process and it can take up to eight weeks.

Appointee for Benefits

An appointee for benefits is someone who has been designated by the Department for Work and Pensions to receive welfare benefits on behalf of someone who is unable to manage their own affairs. This is usually because of mental incapacity or in cases of serious disability.

If you are made appointee for an elderly relative, you will be responsible for making and maintaining any benefit claims, for signing their benefit claim form, and for informing the benefit office of any changes in your relative's circumstances. Only one appointee can act at a time.

The process for becoming an appointee differs depending on the type of benefits your elderly relative receives. In order to get started, you'll need to contact the Department for Work and Pensions for advice. More information is available on the www.gov.uk website.

Court of Protection

If your elderly relative is very unwell and is therefore no longer able to take part in legal processes such as making a Lasting Power of Attorney, it may be necessary to make an application to the Court of Protection to become their deputy.

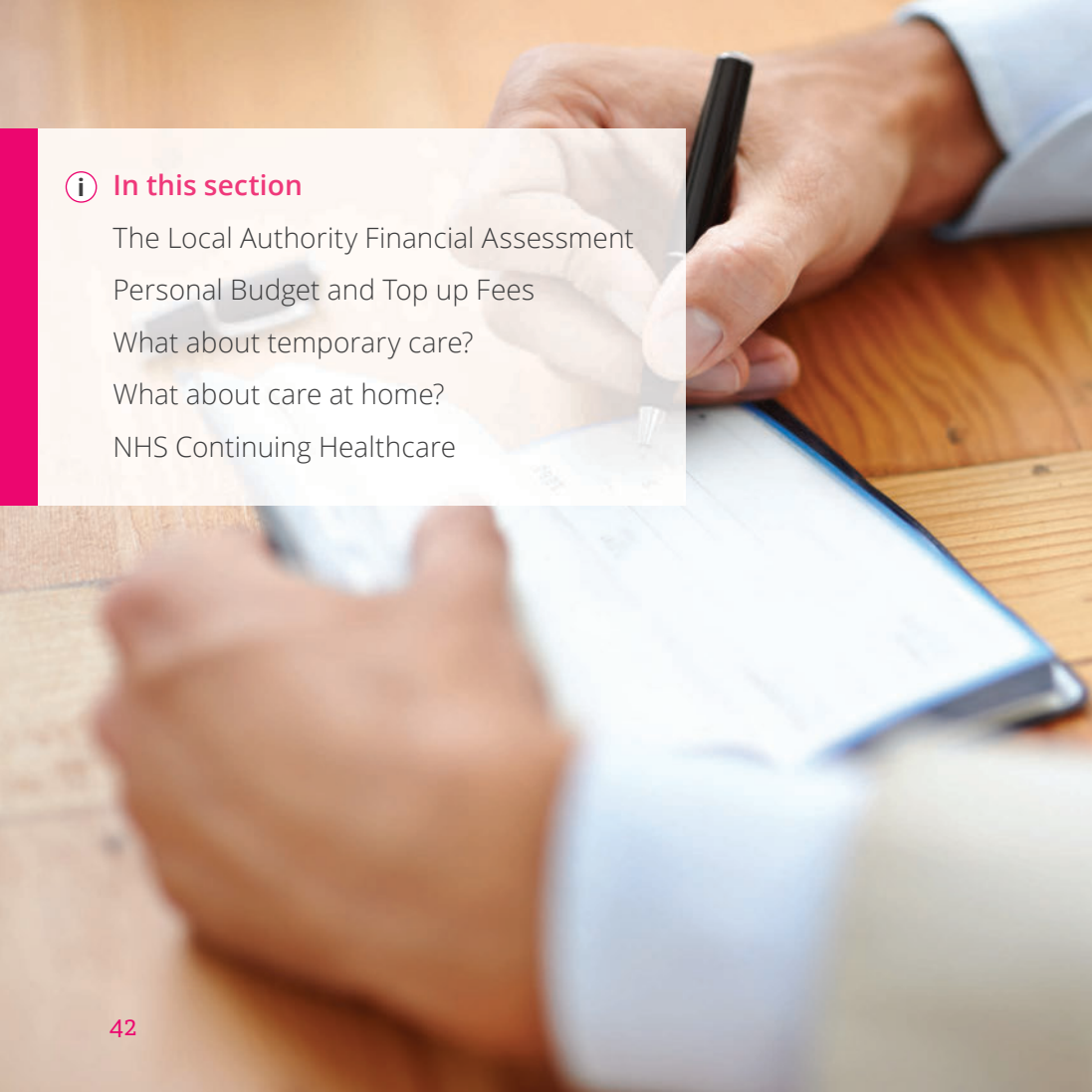
If you are made deputy, you will have the court-appointed right to make decisions about your elderly relative's property and financial affairs. In some cases a deputy will also be able to make choices related to health and care.

Statutory wills

If your elderly relative is unable to make or amend a will because they no longer have testamentary capacity, you may be able to apply to the Court of Protection for a will (or an amendment to an existing will) to be made on their behalf.

The court will endeavour to replicate what the individual in question would do if they were able to do it themselves. This will include considering their beliefs, personal values, and how they've acted and made decisions for themselves in the past.

In cases where the elderly person is likely to only have a short time to live, it is possible to make an emergency application.



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The Local Authority Financial Assessment

Personal Budget and Top up Fees

What about temporary care?

What about care at home?

NHS Continuing Healthcare

Who pays for care?

Whether or not an elderly person will have to pay for their own care depends on what their needs are and what their financial situation is.

When the local authority has assessed an individual and concluded that they need additional support, they will be given a follow up financial assessment. This assessment will determine where the necessary funds will come from.

Please note that any figures in this section are correct for April 2018-19.

The Local Authority Financial Assessment

During this assessment the local authority will look at an individual's income and capital in order to determine whether they will have to pay for all or some of their care, or if it will be paid for by the local authority.

Assessing capital

The term 'capital' refers to a number of things including savings, stocks, shares, investment bonds and the value of any property. If the elderly individual owns capital that is shared with someone else, such as a spouse, in most cases it will be considered a fifty/fifty split.

Not all capital is always taken into account. The value of an elderly individual's home will not be taken into account if it is occupied by:

- A. Their partner or former partner, unless they are estranged
- B. Their estranged or divorced partner, but only if they are a lone parent
- C. A relative who is aged sixty or over
- D. A relative who is disabled.

The value of property is also disregarded for the first twelve weeks of permanent care. After this, however, the cost of any financial help will be charged against the value of the elderly individual's home and will be recovered from the eventual sale proceeds.

In addition to this, investment bonds are not currently taken into account when they are linked to a life insurance policy. There are always exceptions to these rules and in certain cases the local authority can use their discretion to not take capital into account. This is a complex area, however, and you are likely to need specialist legal advice.

As a general rule, if an elderly individual owns capital amounting to more than £23,250 then they will be liable to pay for their own care.

Amount of capital	How it will be treated
Over £23,250	The elderly individual will need to pay for their own care.
Between £14,250 and £23,250	The elderly individual will need to pay a contribution towards their care but the local authority will help.
Under £14,250	The local authority will usually meet the full cost of the elderly person's care.

Assessing income

The local authority will look at the elderly person's income from a range of sources including employment income, income from property and pension income. In some cases, interest from savings accounts will also be considered as income. This is referred to as tariff income.

Personal Budget and Top up Fees

If the local authority will be contributing to the cost of care, they will provide a document called a Personal Budget. This will set out the amount of money that the local authority has agreed to pay towards care.

In these cases, the local authority will allow care home fees to be 'topped up'. This may allow the elderly person to have more choice about the kind of care home or nursing home they wish to move into. However, the top up can only be paid by a third party, such as a relative. It cannot be paid for by the individual who is receiving care.

What about temporary care?

If an elderly individual needs to go into care temporarily, these rules are different. The cost of their home will not be taken into account as it is assumed that they will return to it once they are well enough to do so.

What about care at home?

When an elderly individual chooses to be cared for at home, they will still need to undergo a financial assessment from the local authority. Just as if they were going into a care home, this is in order to assess how much they can afford to pay towards their care.

The assessment process in this case will differ slightly. The value of their home will not be taken into account, and the assessors will also consider how much of the elderly person's income will be required to pay for general living expenses such as bills, maintenance and groceries.

NHS Continuing Healthcare

If your elderly relative has what is known as a 'primary healthcare need', they may be eligible to receive NHS Continuing Healthcare. This is when the NHS provide ongoing medical assistance to a person in their own home or in a care home. NHS Continuing Healthcare is free for everyone, regardless of their financial situation.

It is difficult to say who will be eligible for NHS Continuing Healthcare and who won't. Elderly people with a long term illness or disability can generally access this service if they require day-to-day nursing care.

Eligibility will be decided by the Decision Support Tool (DST) process which will be completed by a health professional before the elderly person is discharged from hospital.

Decision Support Tool (DST)

The Decision Support Tool (DST) is designed to help determine whether or not an elderly person has a primary healthcare need and will therefore require support from NHS Continuing Healthcare.

Whether or not an elderly person is considered to have a primary healthcare need will be determined by looking at twelve key areas (sometimes referred to as 'care domains'). These are:


1. Behaviour
2. Cognition
3. Psychological or emotional needs
4. Communication
5. Mobility
6. Nutrition
7. Continence
8. Skin (particularly whether they have any wounds or ulcers)
9. Breathing
10. Medication

11. Altered states of consciousness (for example, whether they are in a coma)
12. Other significant care needs

Each of these twelve areas is assessed on a scale. The overall score will be used to decide whether or not the elderly individual has a primary healthcare need, in which case their care should be provided by the NHS.

In some cases, an individual may be assessed as needing nursing care but not being eligible to receive the full NHS Continuing Healthcare package. In these cases, the NHS will pay for any necessary nursing care, but the individual or the local authority will have to pay for any non-medical support they receive.

If you or your elderly relative are not happy with the decision, you can ask for it to be reviewed.



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State Pension

Attendance Allowance

Carer's Allowance

Personal Independence Payments (PIP)

Other benefits

What do you need to know about benefits?

There are a number of benefits available to elderly people who need additional help to look after themselves and/or are on a low income. It is well worth looking into this as you may discover that your elderly relative is entitled to more than they are currently claiming.

The most common types of benefits for elderly people to claim are listed below. Each case is different, however, and it is important to get in touch with your local authority to discuss individual circumstances.

All figures listed below are correct for April 2018-19.
More information about benefits can be found by visiting www.gov.uk.

State Pension

The State Pension is a regular payment from the government that most people will receive once they reach pensionable age. The exact amount each individual receives depends on a number of factors including how many years of National Insurance (NI) contributions they built up during their working life.

The rules for state pensions have recently changed. Women born after 5th April 1953 and men born after 5th April 1951 will now have to have built up thirty five years of NI contributions in order to receive the full pension amount.

Attendance Allowance

Individuals who are aged 65 or over can claim an Attendance Allowance if they need help with personal care (e.g getting washed or dressed). This is an extra income of either £57.30 per week if they need help during the day, or £85.60 if they need help during the day and during the night.

This is a tax free payment and eligibility doesn't depend on the financial position of the claimant. It is also paid directly to the elderly individual and therefore they are able to choose how they spend it.

Carer's Allowance

If you are caring for an elderly relative, you may be able to claim a carer's allowance of £64.60 per week. You don't need to live with them in order to qualify, but there are a number of other requirements:

1. You must spend at least thirty-five hours caring for them per week
2. The elderly individual must be in receipt of certain benefits, such as Attendance Allowance
3. You must not be in full time education
4. You must not be earning more than £120 per week.

Personal Independence Payments (PIP)

For all new claimants, Disability Living Allowance has been replaced by Personal Independence Payments (PIP). Anyone aged between 16 and 64 who has trouble walking or needs help to look after themselves can claim PIP.

There are two components to PIP: a daily living component and a mobility component. Each part is paid at two separate rates depending on the severity of the claimant's situation. It is possible to claim for both components or just one.

Daily Living Component	Weekly Rate
Standard	£57.30
Enhanced	£85.60
Mobility Component	Weekly Rate
Standard	£22.65
Enhanced	£59.75

Other benefits

Older people and their carers may also be entitled to a range of other low income benefits such as:

- Pension Credits
- Council Tax Support
- Housing Benefit

The best way to check that you and your elderly relative are receiving the correct benefits is to speak to your local authority.



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What to do if you are concerned that an elderly person is being abused

Safeguarding your elderly relative

When you are making decisions about the care of a loved one, you will want to ensure that they are going to be receiving the best care possible. There are laws in place to make sure elderly and vulnerable people are kept safe.

What to do if you are concerned that an elderly person is being abused

The World Health Organisation defines elder abuse as:

“A single or repeated act or lack of appropriate action, occurring within any relationship where there is an expectation of trust, which causes harm or distress to an older person.”

Elder abuse can be perpetrated by family members or carers and can take many forms. This could include physical abuse, emotional abuse, financial abuse or neglect.

If you have concerns that your elderly relative is being abused in any way, it's important to act as soon as possible. The Action on Elder Abuse helpline (080 8808 8141) will be able to advise you on what to do.



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Requesting a carer's assessment



Getting help as a carer

It is not easy caring for an elderly relative. Ensuring that all their needs are met is a very big responsibility. If you are in this position, please be aware that you don't have to do it all yourself. As a carer you have a legal right to help and support.

Requesting a carer's assessment

The Care Act 2014 gave every carer the right to request an assessment from their local authority. This assessment is not designed to establish how good you are at caring for your relative, but to look at how the role is impacting on your health and wellbeing.

The carers assessment will assess how much support you need. Depending on the results, you could be offered help with:

- Housework
- Staying in touch with friends and family
- Respite care
- Emotional support

You can find more information about the support that may be available to you at:

www.nhs.uk/Conditions/social-care-and-support-guide.

Helpful organisations

In addition to the services provided by local authorities and the NHS, there are numerous other organisations that can provide support to elderly people and their carers.

These agencies can provide valuable help, advice and assistance to those who need it.

The GOV.uk website

Find your local authority in order to establish what help and support is available.

[www.GOV.uk/
find-your-local-council](http://www.GOV.uk/find-your-local-council)

Age UK

A charity that provides information and advice for older people in the UK.

[0800 169 8787](tel:08001698787)
(general enquiries)
[0800 169 6565](tel:08001696565) (advice line)
contact@ageuk.org.uk
www.ageuk.org.uk

Alzheimer's Society

A charity that provides information and advice for people living with dementia, their family and carers.

[0300 222 1122](tel:03002221122) (helpline)
enquiries@alzheimers.org.uk
www.alzheimers.org.uk

The Red Cross

A charity that can provide assistance with health and social care, as well as help with independent living. The Red Cross also supply a range of mobility aids.

0344 871 11 11 (switchboard)

information@redcross.org.uk
(general enquiries)

www.redcross.org.uk

Action on Elder Abuse

A specialist organisation leading the fight against adult abuse.

080 8808 8141 (this is a free and confidential helpline, and the number will not appear on your phone bill).

enquiries@elderabuse.org.uk

www.elderabuse.org.uk

The Silver Line

A helpline older people can call for information, friendship and advice.

0800 4 70 80 90 (helpline)

info@thesilverline.org.uk

www.thesilverline.org.uk

Carers UK

A charity that provides information and advice to carers about their rights and how to access support.

0808 808 7777 (this free helpline for carers is staffed between 10am-12pm and 2pm-4pm on Wednesdays and Thursdays).

info@carersuk.org

www.carersuk.org

Carers Trust

A charity that works to improve support, services and recognition for anyone caring for a family member or friend who is ill, frail, disabled or has mental health problems.

0844 800 4361

info@carers.org

www.carers.org

The Care Quality Commission

Regulates, inspects and reviews all adult social care services in the public, private and voluntary sectors in England.

0300 0616161

enquiries@cqc.org.uk

Solicitors for the Elderly (SFE)

A national independent association of lawyers who help older people, their families and carers. Rachel Roche at Roche Legal is a Solicitor and Full Professional Member of SFE.

Search for specialist SFE lawyers by visiting www.sfe.legal

The Local Government Ombudsman

An independent organisation that investigates complaints about councils and care providers and helps to find a resolution.

0300 061 0614

advice@lgo.org.uk



Glossary of legal terms

Below you will find definitions for many of the legal terms used in this booklet.

The Care Act 2014

This act replaced much of the existing legislation on adult social care. It covers a wide range of things that affect elderly people, their families and carers. This includes the role of local authorities, how care needs are assessed, standards of care, and the safeguarding of elderly and vulnerable people.

Mental Capacity Act 2005

The Mental Capacity Act 2005 applies to anyone in England or Wales who is involved in the care, treatment or support of an individual who is unable to make some or all decisions for themselves. This will apply to you if you are an Attorney under a relative's Lasting Power of Attorney. In this case you will have to agree to abide by the principles of the Mental Capacity Act.

Lasting Power of Attorney (LPA)

A Lasting Power of Attorney (LPA) is a legal document that allows an individual to appoint someone else (or a group of people) to make decisions on their behalf once they are no longer able to.

The Office of the Public Guardian

An executive agency sponsored by the Ministry of Justice that protects people in England and Wales who don't have the mental capacity to make decisions for themselves.

Court of Protection

An office of the High Court that has the power to make decisions about the property, financial affairs, healthcare and general welfare of individuals who don't have the mental capacity to do so themselves, usually by appointing a deputy on their behalf. The court is also able to decide whether or not an elderly individual still has the capacity to make their own decisions.

We can help with a range of legal and practical matters:

- ✔ Wills
- ✔ Trusts and Tax Planning
- ✔ Estates and Probate
- ✔ Powers of Attorney
- ✔ Court of Protection



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