

# Planning Ahead and the Future

Financial and Legal Affairs

Future Developments

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# Capacity

- An important medico legal concept (MCA 2005)
- In essence- whether an individual has the ability to make their own decision (does not have to be a wise decision)
- Capacity is situational specific
- It may fluctuate.
- Capacity will inevitably be lost as dementia progresses.

# Future Wishes

- Make decisions and plans early whilst an individual has the capacity to express their wishes
  - Have an up to date will
  - Consider setting up a Lasting Power of Attorney
  - Consider an Advanced Decision about the type of care you may or may not want in the future
  - Discuss with family and carers about the future and type of care you may want.

# Financial Issues

- Talk to the bank about 3<sup>rd</sup> Party Mandates to allow someone else to deal with bank accounts. (Joint accounts may be problematic)
- Consider 'chip and signature' cards so a PIN does not need to be remembered
- Benefits-
  - dementia sufferer. If >65 Attendance Allowance (<65 Personal Independence Payment). If still working then other in work benefits may apply
  - Carers may be eligible for Carers Allowance

# Financial and Legal Issues

- Benefits
  - Council tax exemption may apply
  - Social services, Age UK and Citizen Advice Bureau can all provide help and guidance.
- Contact the DVLA
- Inform you car insurer.

# Lasting Power of Attorney

(Enduring Power of Attorney)

- Allows you (donor) to appoint someone you trust (your attorney) to make decisions on your behalf if you are no longer able to do so
- 2 types-
  - Property and Financial Affairs
  - Personal Welfare
- The LPA must be signed by a certificate provider. They must be someone you know well or a professional person, such as a doctor, social worker or solicitor.
- Needs to be registered with the Office of Public Guardian
- Property and Finance can be enacted at anytime but Personal Welfare relies of the loss of capacity of the donor before the attorney can make decisions on their behalf

# Court of Protection

- If a person lacks capacity and has not created a LPA then an application to the CoP will have to take place
- They will nominate a Deputy (who acts like an attorney) to take care of the patients affairs
- Individuals can apply to the Court to be appointed a Deputy.
- It is expensive and time-consuming.

# Deprivation of Liberty Safeguards

- DOLS- introduced in 2009 in response to criticism from European Court of Human Rights
- Usually applies to patients without capacity in care homes or hospital.
- If a person is identified as being deprived of their liberty then the *local supervisory body* (North Somerset Council if in care home) have to be informed and an assessment made.
- A DOLS is valid for a year only
- The Coroner has to be informed if a patient dies with a DOLS in place.



# Developments in Dementia

- Political commitment
  - G8 dementia summit in December 2013
  - World Dementia Council
  - UK dementia Strategy-
  - Awareness- Dementia Friends
- Research
  - Diagnosis- medical training, biological markers, scanning
  - Prevention- vaccination? (control hypertension, diabetes, obesity)
  - Treatment- immunotherapy, medications
- Prevention- works best at a population level-
  - Healthy heart = healthy mind

# Dementia

World  
Alzheimer's Month

September

Alzheimer's Disease  
International

## Can we reduce the risk?



2

**Be physically  
active**



3

**Follow a  
healthy diet**



4

**Challenge  
your brain**



1

**Look after  
your heart**



5

**Enjoy social  
activity**

To find out more visit:

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