

Who can look after my affairs if I do not have anyone I can trust?

ELDERLY CLIENT

It is always a wise decision to get your paperwork and affairs up to date and in order and consideration should be given to making Lasting Powers of Attorney ("LPAs") whilst you are still able to communicate your wishes. It may be that an Enduring power of Attorney ("EPA") is already in place but this would only deal with property and financial affairs and it may be sensible to consider also putting in place LPA for health and welfare. It could be that the Attorneys you have appointed in your EPA are now too frail to act for you and you need to make a new LPA for your property and financial affairs.

We pride ourselves in dealing with our older generation who may not have their trusted family or friends close by and it is on those occasions when we can offer our services by the appointment of a partner of the firm acting on your behalf. At the point of giving us instructions we would also take full details of your wishes so that, if you lost mental capacity, you could rest assured that your specific wishes would be carried out in your best interests. We strive to assist our clients in a friendly and caring manner, listening to their concerns and endeavouring to assist, if we can.

Our clients best interests are always our main concern and we understand that the majority of people wish to remain living in their own home and would always respect their wishes and assist them in obtaining the help they need to enable them to continue to do so.

Our experts can manage all of your financial affairs, from assisting in connection with the sale of your house (if this is in accordance with your wishes) to ensuring that the correct benefits are being applied for and that all your bills are kept up to date. This would include, where necessary, obtaining specialist advice in connection with any investment of assets to ensure that your quality of life would continue on the same basis as already in place. If there is something which is outside our area of expertise then we ensure that the correct advice is obtained from another source.

A number of our clients believe that if they have a Will in place then all of their affairs are in order but it is very important that you also have someone you trust to deal with your affairs whilst you are still alive. Of course a Will is a very important document to put in place but this only deals with your affairs once you have passed away. In order for someone you trust to look after your property and financial affairs and health and welfare it is important to make "LPAs" and if you need any further advice or assistance then please contact one of our experts in our Wills, Trust and Probate team.

It is obviously preferable to prepare an LPA whilst you retain your mental capacity but sadly people often leave this too late. If someone you know is at the point losing mental capacity, due to disability, illness, accident or advancing years, then an application can be made to the Court of Protection to appoint a Deputy for that person. Again, if there is no family member or friend suitable to act then we are able to offer the

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services of our partners to be appointed in this role. We are able to assist in connection with the general management of property and financial affairs ensuring that the client's needs and wishes are always at the forefront.

In a recent review of the firm undertaken by the Office of the Public Guardian we were advised that we were effectively managing our Deputyships in accordance with the guidelines set out in the Mental Capacity Act 2005 and the Professional Deputy Standards and were complimented on our security and compliance systems which are "strong and positive". of the Public Guardian we were advised that we were effectively managing our Deputyships in accordance with the guidelines set out in the Mental Capacity Act 2005 and the Professional Deputy Standards and were complimented on our security and compliance systems which are "strong and positive".

CONTINUING HEALTHCARE AND BENEFITS

NHS Continuing Healthcare ("CHC") is also known as fully funded NHS care. This is a package of care provided free which is arranged and funded by the NHS. It can be provided either in the adult's own home or in a registered care home. It is for care provided to persons aged 18 or over to meet physical or mental health needs.

There are strict criteria to be met which start first of all by an assessment. If an adult is not eligible for full NHS CHC funding they may get a small weekly payment towards their nursing costs called NHS Funded Nursing Care ("FNC"). This is when the NHS will pay a contribution towards the cost of the registered nursing care.

None of these benefits are indefinite and can be withdrawn at a later stage following further assessments and we can assist with the process of this benefit, if required, and also offer friendly advice and reassurance. We can also assist in ensuring that the correct benefits are applied for.

We are committed to serving the local community by offering expert legal advice in a way which is understandable by all and any of the above issues can

be discussed with one of our expert lawyers. If you are unable to attend at any of our offices then we are more than happy to visit you at home at no additional charge.

DOLS

DoLS stands for the Deprivation of Liberty Safeguards in order to safeguard an adult who lacks mental capacity. DoLS ensures that there is a procedure in place to ensure that an assessment is carried out by the Local Authority ("LA") in the area where the adult is ordinarily resident.

CONTACT US

You can contact our caring and experienced Private Client lawyers today:

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