



PLANNING FOR LATER LIFE

Many of us are guilty of putting our heads in the sand when it comes to looking at what may befall us in later life. As people are living longer, the incidence of strokes, dementia and loss of mental capacity is becoming more prevalent.

Many of us will live to a ripe old age without facing these issues, but nevertheless, a few simple planning meetings with the relevant professionals, will help ensure that things go as smoothly as they can.

Working with a reputable lawyer such as a member of SFE will ensure that you have all the legal documents in place to get you what you have planned for and that you have considered the pit falls that may face you in later life and ways to avoid them if at all possible.

Wills

A Will enables you to decide what happens to your property and possessions after your death. You can also set out what you would like for your funeral including, for example, if you would prefer charitable donations to your favourite charity as opposed to flowers.

Without a Will, your assets may be distributed according to 'the intestacy rules' rather than your wishes.

An SFE member can advise you and draft your Will to be so that it is tax and administratively efficient and reduce the risk of a claim being made against your estate after your death.

Gifts

By making timely gifts or putting assets into trust during your lifetime, you can pass on your estate before you die. Any proposed gift needs careful consideration of the benefits, risks and implications on tax, your financial security and any future liability for care. It is dangerous to make a gift without getting the right advice, as you may find that you are denied state funding at the time you most need it. An SFE member will be able to advise you on this.

Lasting Power of attorney (LPA)

An LPA enables you to nominate people to make decisions on your behalf if you become unable to. There are two types of LPA – you may need both.

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OR CALL 0844 567 6173

The first covers your financial decisions. The second covers your health and welfare decisions.

SFE members can advise on the type of document you may need, who to choose as your Attorney and safeguards to protect you from the misuse of the LPA, and draft it to suit your particular circumstances and needs.

Without an LPA, if you lose mental capacity to make decisions, it may be necessary to get an order from the Court of Protection. This is more expensive, cumbersome and time consuming and you will have no control over who is making decisions for you.

Advance Decisions/Living Wills

An advance decision enables you to set out details of any medical treatment you do not want in the event you are later unable to communicate your wishes. SFE members can draft the document and advise on how it applies in practice.

Care funding

This is the domain of both a financial adviser and a lawyer. It is important to seek advice which will help you plan for various scenarios: remaining in your own home, moving into sheltered or care home accommodation.

You will have certain legal entitlements which an SFE member can advise you on including your entitlement to benefit support. This could take the form of welfare benefits, social funding, or equipment from social services and health care, funded by the NHS.

The rules are complex, but an SFE member will be able to provide advice to maximise what you receive from the state and avoid using your own assets unnecessarily.

Why use an SFE member?

SFE is a national association of independent lawyers who specialise in older client law. As specialists, SFE members are also trained in older client care so that they are able to take into account any difficulties both mental and physical which can affect older and vulnerable clients and are aware of the health and social problems that people may face.

SFE members will provide independent advice, which is in the best interests of older or vulnerable clients, respecting their dignity and understand their need for a holistic approach to problem solving. All advice given is confidential.

They will endeavour to follow a plain English policy ie they will always communicate in easy, understandable language and will explain any necessary legal terminology.

Their wealth of experience and training will help to put people at their ease when dealing with complex, life changing issues.

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