SHORT GUIDE

Planning ahead: the short guide

Legal matters and planning ahead: the short answer from each of our 9 guides, with the address of the full guide.

This is a summary, not the whole story. Each full guide explains the conditions, exceptions and sources behind its short answer. They are online at the addresses below, and together in our full handbook, **www.dayandnightcare.co.uk/leaflets/brochure-planning-ahead.pdf**.

Lasting Power of Attorney: a guide for families

A Lasting Power of Attorney (LPA) is a legal document that lets you choose people you trust to make decisions for you if you cannot make them yourself. There are two types, one for property and financial affairs and one for health and welfare. You must make it while you still have mental capacity, and registering each one with the Office of the Public Guardian costs £92.

Full guide: **www.dayandnightcare.co.uk/guides/lasting-power-of-attorney/**

Advance care planning: making your wishes known

Advance care planning means thinking ahead and recording what matters to you about your future care, so the people around you can follow your wishes if you become too unwell to tell them. It can include an advance statement of your wishes, a legally binding advance decision to refuse treatment, a ReSPECT form agreed with a clinician, and a Lasting Power of Attorney for health and welfare.

Full guide: **www.dayandnightcare.co.uk/guides/advance-care-planning/**

Mental capacity and best interests: a guide for families

Under the Mental Capacity Act 2005, everyone aged 16 or over is assumed able to make their own decisions unless it is shown that they cannot make a particular decision at a particular time, even with help. When someone lacks capacity for a decision, it must be made in their best interests, involving them and the people who know them, and choosing the option that restricts their freedom least.

Full guide: **www.dayandnightcare.co.uk/guides/mental-capacity-and-best-interests/**

Planning end of life care at home: a gentle guide

Many people would like to spend their last weeks at home, and with the right team around them it is often possible. The GP and district nurses lead the medical care, hospice and palliative care teams add specialist support, and carers, including live-in carers, help day and night. The NHS can fund care in full through the Continuing Healthcare Fast Track when someone's condition is rapidly deteriorating and may be entering a terminal phase.

Full guide: **www.dayandnightcare.co.uk/guides/planning-end-of-life-care-at-home/**

Safeguarding and scams: protecting older people

Abuse and neglect can happen anywhere, including at home and within families, and scams increasingly target older people by phone, post, email and at the door. If you are worried, raise a safeguarding concern with the local council's adult social care team, call 999 if someone is in immediate danger, and report fraud to Report Fraud on 0300 123 2040, the national service that replaced Action Fraud in December 2025.

Full guide: **www.dayandnightcare.co.uk/guides/safeguarding-and-scams/**

How to complain about care: providers, councils, NHS and CQC

Complain first to the organisation responsible, in writing, normally within 12 months of the problem or of you finding out about it. If you are not satisfied with its final response, social care complaints, including care people pay for themselves, go to the Local Government and Social Care Ombudsman, and NHS complaints go to the Public Service Ombudsman, the new name since 1 October 2026 for the Parliamentary and Health Service Ombudsman. Both are free; if anyone is at risk of harm, raise a safeguarding concern straight away.

Full guide: **www.dayandnightcare.co.uk/guides/how-to-complain-about-care/**

Deprivation of liberty at home: what families should know

If someone who lacks mental capacity is cared for at home under restrictions they do not agree to, such as locked doors, constant control or being stopped from going out, the arrangement may be a deprivation of liberty that needs authorisation from the Court of Protection. Since the Supreme Court's judgment of 2 June 2026, fewer people cared for at home are likely to be in that position: the whole situation is now weighed up, and a person who is settled and content with their care can give valid consent through their wishes and feelings. If you are in doubt, ask the council to review it.

Full guide: **www.dayandnightcare.co.uk/guides/deprivation-of-liberty-at-home/**

Deputyship: when there is no Lasting Power of Attorney

If someone can no longer make their own decisions and never made a Lasting Power of Attorney, a relative or friend can apply to the Court of Protection to be appointed as their deputy. It costs much more and takes much longer than an LPA: £432 to apply, a £100 assessment fee, usually £320 a year in supervision fees and often a security bond, and property and affairs applications took a median of about 16 weeks in 2025. Check first whether a simpler route, such as becoming a DWP appointee, would be enough.

Full guide: **www.dayandnightcare.co.uk/guides/deputyship-when-there-is-no-lpa/**

What to do when someone dies: a practical guide for families

When someone dies there is usually no need to rush: if the death was expected, call the GP practice, the out-of-hours service or the nursing team rather than 999, and if it was sudden or unexpected, call 999. A medical examiner checks the cause of death, then you register the death within five days of being told you can, and the registrar gives you a reference number to tell most government departments at once through Tell Us Once. Care services, equipment, benefits and contracts need to be told too, and this guide lists them.

Full guide: **www.dayandnightcare.co.uk/guides/what-to-do-when-someone-dies/**

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