

# Financial and legal sources of support



### Financial support

When someone is diagnosed with dementia, it is natural to have concerns about how it will affect their finances and those of the people who care for them. However, there are a number of financial benefits that can help with general living costs, health and social care.

Please be aware that benefits eligibility and rates of payment are subject to change. The information in this leaflet is correct at the time of publication, but you can find the most recent details at

➤ [gov.uk/browse/benefits](https://www.gov.uk/browse/benefits)

You may also like to use a benefits calculator, eg:

- entitledto benefits calculator:  
➤ [entitledto.co.uk/benefits-calculator](https://entitledto.co.uk/benefits-calculator)
- Policy in Practice Better Off calculator:  
➤ [betteroffcalculator.co.uk](https://betteroffcalculator.co.uk)
- Turn2us benefits calculator:  
➤ [benefits-calculator.turn2us.org.uk](https://benefits-calculator.turn2us.org.uk)
- UK Government benefits checker:  
➤ [gov.uk/check-benefits-financial-support](https://www.gov.uk/check-benefits-financial-support)

Eligibility for benefits may change if circumstances change – for example if an unpaid carer who has taken a career break returns to work, or if the person with dementia moves into a care home. Always inform the benefit provider if there are any changes in circumstances.

## Attendance Allowance

**What is it?** A benefit for people over State Pension age who need care because of a physical or mental disability. It is paid directly to the person with the disability. State Pension age is regularly reviewed so please check the latest information at [▶ gov.uk/state-pension-age](https://www.gov.uk/state-pension-age)

**Who is eligible?** Attendance Allowance can be claimed by people who have a physical and/or mental disability that requires care or supervision, for their own or other people's safety. They must have required this care for at least six months (unless it is thought that they have under six months to live).

The person does not currently need to have a paid carer in order to claim, and they do not have to spend their Attendance Allowance on care – it could, for example, be used to pay for a cleaner, gardener, taxis to appointments, etc.

There are two weekly rates:

- lower rate: for people who need **either** frequent help **or** constant supervision during the day, or supervision at night
- higher rate: for people who need help or supervision throughout **both** day and night, or who have been told by a medical professional that they may have under six months to live

Attendance Allowance is not means-tested and will not reduce any other benefits the person receives. Some benefits may increase if they receive Attendance Allowance, such as Pension Credit, Council Tax discount or Housing Benefit (this is being replaced by Universal Credit – please see p14 for more information).

**How to claim:** In England, Scotland and Wales, download a claim

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form at [gov.uk/government/publications/attendance-allowance-claim-form](https://www.gov.uk/government/publications/attendance-allowance-claim-form). For assistance or to request a paper copy of the form by post, call **0800 731 0122**.

In Northern Ireland, download an application form at [nidirect.gov.uk/publications/attendance-allowance-claim-form-and-guidance-notes](https://nidirect.gov.uk/publications/attendance-allowance-claim-form-and-guidance-notes) or contact the Disability and Carers Service for a paper copy on **0800 587 0912** or at [dcs.post@dfcni.gov.uk](mailto:dcs.post@dfcni.gov.uk)

If it is thought that the person may have under six months to live, their application may be fast-tracked under ‘special rules’ using a form that can be provided by their GP or other medical professional.

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### Carer’s Allowance

**What is it?** A payment to the carer of someone who receives benefits such as Attendance Allowance, Personal Independence Payment or Disability Living Allowance (at middle or higher rate).

**Who is eligible?** The main criteria for claiming Carer’s Allowance are:

- 16 years of age or over
- spending at least 35 hours a week caring for someone
- earning no more than £151 a week after tax, National Insurance and expenses (maximum earnings for eligibility may change – please see [gov.uk/carers-allowance/eligibility](https://www.gov.uk/carers-allowance/eligibility) for the latest figure)

For further eligibility criteria, please visit [gov.uk/carers-allowance/eligibility](https://www.gov.uk/carers-allowance/eligibility) or in Northern Ireland, [nidirect.gov.uk/articles/carers-allowance#toc-o](https://nidirect.gov.uk/articles/carers-allowance#toc-o)

The carer cannot receive a full State Pension and full Carer’s Allowance at the same time, although they may receive a payment for the difference if their pension is below a certain amount.



If the person shares caring responsibilities with someone else, only one of them can claim Carer's Allowance.

The person being cared for may lose some of their benefits if their carer receives Carer's Allowance. You can find out which benefits could be affected at [▶ gov.uk/carers-allowance/effect-on-other-benefits](https://www.gov.uk/carers-allowance/effect-on-other-benefits), or in Northern Ireland, [▶ nidirect.gov.uk/articles/carers-allowance#toc-3](https://nidirect.gov.uk/articles/carers-allowance#toc-3)

**How to claim:** In England, Scotland and Wales, apply online at [▶ gov.uk/carers-allowance/how-to-claim](https://www.gov.uk/carers-allowance/how-to-claim). If you cannot apply online or would like a paper form, please call the Carer's Allowance Unit on **0800 731 0297**.

In Northern Ireland, apply online at [▶ nidirect.gov.uk/services/apply-carers-allowance-online](https://nidirect.gov.uk/services/apply-carers-allowance-online). If you cannot apply online or would like a paper form, please call the Disability and Carers Service on **0800 587 0912** or email [▶ belfastcastlecourt.caenquiries@dcfni.gov.uk](mailto:belfastcastlecourt.caenquiries@dcfni.gov.uk)

### Carer's Credit

**What is it?** A 'credit' that covers any gaps in National Insurance that occur as a result of caring for someone. This means a person can take on caring responsibilities without it affecting their State Pension (eg if they have to leave work for a period). It is not a direct payment.

**Who is eligible?** Carer's Credit is not dependent on the carer's income, savings or investments. The person needs to be:

- caring for someone for at least 20 hours a week
- over 16 but under State Pension age
- looking after someone who gets specific benefits like Attendance Allowance or Disability Living Allowance

**How to claim:** In England, Scotland and Wales, download the Carer's Credit claim form online at [gov.uk/government/publications/carers-credit-application-form](https://www.gov.uk/government/publications/carers-credit-application-form) or request a copy by post by calling **0800 731 0297**.

In Northern Ireland, apply online at [nidirect.gov.uk/publications/carers-credit-claim-form-cc1-guidance-notes-and-care-certificate](https://nidirect.gov.uk/publications/carers-credit-claim-form-cc1-guidance-notes-and-care-certificate). If you cannot apply online or would like a paper form, please call the Disability and Carers Service on **0800 587 0912**.

If the carer already receives Carer's Allowance or Child Benefit for a child under 12, they do not need to make a claim as Carer's Credits will be applied automatically.

## Council Tax discount/exemption for ‘severely mentally impaired’ people (England, Scotland and Wales)

**What is it?** Council Tax is a fee that local authorities charge to people living in residential properties to help meet the cost of local services. People with a ‘severe mental impairment’ (SMI) may qualify for a Council Tax discount/exemption. ‘Severe mental impairment’ is a term that many find upsetting, but it includes dementia.

**Who is eligible?** The person with dementia will receive a 100% discount on Council Tax if they are considered to have an SMI and one of the following applies:

- They live on their own
- Any other adults in their household also qualify as having an SMI or are otherwise ‘disregarded’ for Council Tax purposes (eg if they are a full-time student or a live-in carer who is not a family member – you can check who is disregarded at [gov.uk/council-tax/who-has-to-pay](https://www.gov.uk/council-tax/who-has-to-pay))

A person who lives with someone who has a SMI will qualify for a 25% discount if there are no other adults in the household; or if everyone else in the household is disregarded.

The person with dementia will need a doctor’s certificate stating that they have an SMI and they must be able to prove to their council that they are eligible for certain benefits: for example, Attendance Allowance (see p3), Employment and Support Allowance (see p12), or Personal Independence Payment (see p17).

**How to claim:** Contact your local Council Tax department, who will advise you on how to find out if you or the person with dementia is eligible for a Council Tax discount or exemption and if so, direct you to the relevant claim form. Please visit [gov.uk/apply-for-council-tax-discount](https://www.gov.uk/apply-for-council-tax-discount) to find the details of the Council Tax department.

### Council Tax Disabled Band Reduction Scheme (England, Scotland and Wales)

**What is it?** A Council Tax reduction for a person who lives in a property that is bigger than they would need if they or someone they live with were not disabled. If the person qualifies, their Council Tax bill will be reduced to the next lowest band – for example, if their property is in band D, they will pay the lower band C rate. If the home is band A (the lowest band), they will receive a 17% discount on their Council Tax instead.

**Who is eligible?** The person will need to prove that their home is the main home of at least one disabled person, and that they have either:

- an extra bathroom, kitchen or other room that the disabled person needs
- extra space inside the property for a wheelchair

**How to claim:** Visit [gov.uk/apply-for-council-tax-discount](https://www.gov.uk/apply-for-council-tax-discount)

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### Lone Pensioner Allowance (Northern Ireland)

**What is it?** A 20% reduction in rates for people over 70 who live alone. People can be awarded the benefit alongside the Disabled Person's Allowance on rates (see p10).

**Who is eligible?** The person must be over 70 and live alone. People who do not live alone may also be eligible if they:

- live with a carer who is not their spouse or partner
- provide care for someone who lives with them who is not their spouse or partner





- live with anyone under the age of 18
- live with someone who has a severe mental impairment such as dementia, including their spouse or partner

There is no need for the person to be claiming other benefits such as Attendance Allowance to be awarded Lone Pensioner Allowance.

**How to claim:** apply online at [▶ nidirect.gov.uk/publications/lone-pensioner-allowance-application-form](https://www.nidirect.gov.uk/publications/lone-pensioner-allowance-application-form) or request a paper form on **0300 200 7801** or by email at [▶ applicationbased.raterelief@finance-ni.gov.uk](mailto:applicationbased.raterelief@finance-ni.gov.uk)

### Disabled Person's Allowance on rates (Northern Ireland)

**What is it?** A similar benefit to the Council Tax Disabled Band Reduction Scheme. It provides a 25% discount on rates.

**Who is eligible?** Disabled Person's Allowance is available to people who have, or live with someone who has, a disability, and whose property has been adapted internally or has additional features to support the disabled person's needs. There must be a clear link between how the property has been adapted and the person's disability.

**How to claim:** Download a claim form at [nidirect.gov.uk/publications/disabled-persons-allowance-application-form](https://nidirect.gov.uk/publications/disabled-persons-allowance-application-form) or call 0300 200 7801 or email [applicationbased.raterelief@finance-ni.gov.uk](mailto:applicationbased.raterelief@finance-ni.gov.uk) to request a form.

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### Disabled Facilities Grant

**What is it?** A grant to cover disability adaptations to the home, eg a stairlift, accessible shower room or access ramps. The maximum grant depends on which country the person lives in. It is not available in Scotland.

**Who is eligible?** Disabled Facilities Grants may be made to people who have a disability or live with someone who is disabled. It may be paid to the owner of the property, the tenant or the landlord. How much the person receives will depend on their household income and savings (this does not apply if a landlord submits the application).

The council must be satisfied that the work:

- is necessary and appropriate to meet the disabled person's needs
- is reasonable and can be done

You can check your eligibility at [▶ foundations.uk.com/how-we-help/adapt-my-home/](https://foundations.uk.com/how-we-help/adapt-my-home/)

**How to claim:** In England and Wales, you will need to apply via your local council: visit [▶ gov.uk/disabled-facilities-grants/how-to-claim](https://gov.uk/disabled-facilities-grants/how-to-claim). A home assessment may be required.

In Northern Ireland, you should apply to your local Health and Social Services Trust: you can find its address at [▶ nidirect.gov.uk/contacts/health-and-social-care-trusts](https://nidirect.gov.uk/contacts/health-and-social-care-trusts). A GP or social worker can apply on your behalf.

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## Disability Premium

**What is it?** An extra payment that is added to Income Support, income-based Employment Support Allowance (ESA), income-based Jobseeker's Allowance (JSA) or Housing Benefit. There are three types:

- Disability Premium
- Enhanced Disability Premium
- Severe Disability Premium

The rate of payment depends on which level of premium the person qualifies for. They may qualify for more than one level. Couples who both qualify will receive a single joint payment.

**Who is eligible?** To receive the basic Disability Premium, the person must be under Pension Credit age and receiving certain benefits (eg Disability Living Allowance, Personal Independence Payment, Attendance Allowance).

If the person does not qualify through receiving benefits, they may still be able to claim if they have been unable to work for at least a

year. People who are registered blind are also eligible regardless of which benefits they receive.

There are different eligibility criteria for Enhanced and Severe Disability Premiums: please see [▶ gov.uk/disability-premiums/eligibility](https://gov.uk/disability-premiums/eligibility)

**How to claim:** You do not have to apply for Disability Premium as it is automatically added to your Income Support, JSA, ESA or Housing Benefit if you are eligible. Find out more at [▶ gov.uk/disability-premiums](https://gov.uk/disability-premiums) or, in Northern Ireland, at [▶ nidirect.gov.uk/articles/premiums-people-disabilities](https://nidirect.gov.uk/articles/premiums-people-disabilities)

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### Employment and Support Allowance (ESA)

**What is it?** A benefit paid to people whose illness or disability affects their ability to work. It contributes to a person's living costs and provides support for the person to return to work if they are able. It is sometimes referred to as 'new style ESA'.

The person will receive an initial pre-assessment rate of ESA when they first claim. Then, after 13 weeks, they will receive a lower rate if they are in the 'work-related activity group' (ie if they are likely to be able to return to work in the future) or a higher rate if they are in the 'support group' (ie if it is not expected that they will return to work).

**Who is eligible?** The person must:

- be under State Pension age
- have an illness or disability that affects their ability to work
- have paid enough National Insurance/received enough National Insurance credits in the past two to three years



People who are claiming JSA or Statutory Sick Pay cannot claim ESA.

If the person receives ESA in the support group, they are also eligible for the Enhanced Disability Premium (see p11).

In Northern Ireland, the criteria differ slightly: please see [▶ nidirect.gov.uk/articles/employment-and-support-allowance#toc-0](https://www.nidirect.gov.uk/articles/employment-and-support-allowance#toc-0)

**How to claim:** If possible, apply online at [▶ gov.uk/employment-support-allowance/how-to-claim](https://www.gov.uk/employment-support-allowance/how-to-claim). If you cannot apply online or are applying on behalf of someone else, please call the Jobcentre Plus new claims helpline on **0800 055 6688**.

In Northern Ireland, apply online at [▶ nidirect.gov.uk/services/claim-new-style-employment-and-support-allowance](https://www.nidirect.gov.uk/services/claim-new-style-employment-and-support-allowance) or call **0800 085 6318**.

### Universal Credit (UC)

**What is it?** A payment to help with living costs for people who are on a low income, out of work or unable to work. It is replacing:

- Child Tax Credit
- Housing Benefit
- Income Support
- Income-based Jobseeker's Allowance (JSA)
- Income-related Employment and Support Allowance (ESA) – 'new style' disability-related ESA is not included
- Working Tax Credit

Everyone who claims one or more of these will be moved across to UC by 2028. This will happen automatically if they report a change of circumstances relating to any of the above benefits. Otherwise, at some point the person will receive a 'Migration Notice' which means they must move to UC within three months.

The rate of payment is specific to the person's circumstances, including their age and whether they live with a partner. They may be able to claim extra UC if, for example, they have a disability or health condition (which may include dementia) or care for someone who has; or if they have children.

**Who is eligible?** The person must:

- live in the UK
- be aged 18 or over
- be under State Pension age



- have under £16,000 in money, savings and investments (this amount may change – please check current eligibility at [gov.uk/universal-credit/eligibility](https://www.gov.uk/universal-credit/eligibility))

**How to claim:** In England, Scotland and Wales apply online via [gov.uk/universal-credit/how-to-claim](https://www.gov.uk/universal-credit/how-to-claim). If you cannot apply online, call the Universal Credit helpline on **0800 328 5644** or apply in a Jobcentre.

In Northern Ireland, applications must be made online: please see [nidirect.gov.uk/articles/how-you-make-claim-universal-credit](https://www.nidirect.gov.uk/articles/how-you-make-claim-universal-credit). If you are unable to apply online, your local Jobs and Benefits Office can help: visit [nidirect.gov.uk/contacts/jobs-and-benefits-offices](https://www.nidirect.gov.uk/contacts/jobs-and-benefits-offices) for details.

### NHS continuing healthcare funding (CHC)

**What is it?** A package of care that is fully paid for by the NHS. It is for adults with long-term, complex health needs. Normal NHS healthcare, such as GP or hospital treatment, is free; CHC covers health and social care costs such as home carers or care home fees.

There is no fixed rate of CHC funding – it depends on the person’s individual needs.

CHC is available in England, Wales and Northern Ireland. The benefit is slightly different in Scotland and is called Hospital Based Complex Clinical Care.

**Who is eligible?** This depends on the person’s individual needs and is not specific to their diagnosis. They will need to be assessed by a team of healthcare professionals who will look at:

- what help they need
- the complexity of their needs
- how intense their needs can be
- how unpredictable they are

A person who lives in a nursing home but does not qualify for CHC may still qualify for NHS-funded nursing care. This is where the NHS pays for the nursing care component of nursing home fees (but not the care/residential elements). This is paid at a flat rate. It does not usually require a separate assessment as it will be covered by the CHC assessment.

**How to claim:** A healthcare professional or social worker will carry out an ‘initial checklist’. If the person meets certain criteria, they will then need a full assessment by at least two healthcare professionals.



For more information, please visit [nhs.uk/conditions/social-care-and-support-guide/money-work-and-benefits/nhs-continuing-healthcare/](https://www.nhs.uk/conditions/social-care-and-support-guide/money-work-and-benefits/nhs-continuing-healthcare/) and see Sources of support on p26 for our guide to continuing healthcare.

For information on Hospital Based Complex Clinical Care in Scotland, please visit [gov.scot/policies/independent-living/hospital-care/](https://www.gov.scot/policies/independent-living/hospital-care/)

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## Personal Independence Payment (PIP)

**What is it?** A benefit to help with the extra costs of living with a long-term physical or mental health condition or disability that causes difficulty with everyday tasks and/or getting around. The amount received will depend on how much the person's condition affects them.

PIP is tax-free and may be paid alongside most other benefits. It does not depend on whether the person works or has savings.

**Who is eligible?** The person must be aged 16 or over and usually have not reached State Pension age to claim. They must have a health condition or disability that causes difficulties with daily living or getting around (or both), such as dementia. Find out more at [gov.uk/pip](https://www.gov.uk/pip)

**How to claim:** In England, Scotland and Wales, check for eligibility at [gov.uk/pip/eligibility](https://www.gov.uk/pip/eligibility). You can then start your claim by calling the PIP new claims phone line on **0800 917 2222**. You can also request a form by post by writing to:

Personal Independence Payment  
New Claims  
Post Handling Site B  
Wolverhampton  
WV99 1AH

In Northern Ireland, you can start the claim by contacting the Personal Independence Payment Centre on **0800 012 1573** or writing to:

Personal Independence Payment Centre (Northern Ireland)  
FREEPOST RTRT-EKUG-KXJR  
PIP MOU  
PO Box 42  
Limavady  
BT49 4AN

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### Help with NHS health costs (England)

**What is it?** Free or discounted health services including prescriptions, dental care, eye tests, glasses and contact lenses, and wigs. Prescriptions are free for everyone living in Scotland, Wales and Northern Ireland.

**Who is eligible?** Many people are automatically eligible for help with health costs, for example:

- people over 60
- people who have proof of receiving benefits including income-based ESA, income-based JSA and Income Support
- people with certain medical conditions (eg cancer, some forms of diabetes, some types of epilepsy, and stoma) – this is known as a medical exemption and can be arranged by speaking to the GP or specialist

Other people may qualify for free or discounted health services under the NHS Low Income Scheme (LIS). To check for eligibility, please visit

➔ [nhsbsa.nhs.uk/check-if-youre-eligible-help](https://nhsbsa.nhs.uk/check-if-youre-eligible-help)

**How to claim:** To apply online, visit [▶ services.nhsbsa.nhs.uk/apply-for-help-with-nhs-costs/apply-online](https://services.nhsbsa.nhs.uk/apply-for-help-with-nhs-costs/apply-online)

To download a form to fill in offline, visit [▶ nhsbsa.nhs.uk/nhs-low-income-scheme](https://nhsbsa.nhs.uk/nhs-low-income-scheme)

To order a paper copy visit [▶ applications.nhsbsa.nhs.uk/LISWebAppStaticData/begin.do](https://applications.nhsbsa.nhs.uk/LISWebAppStaticData/begin.do)

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### **Paying for care: personal budgets and personal health budgets**

Provision of care in the UK is the joint responsibility of the NHS, which provides healthcare, and the local authority, which provides social and personal care.

Services that the NHS provides are mostly free, but social care (eg home carers or care home fees) may need to be partly or fully paid for by the person themselves, depending on their income and savings.

For more information on paying for care and support, please visit [▶ nhs.uk/conditions/social-care-and-support-guide/money-work-and-benefits/](https://nhs.uk/conditions/social-care-and-support-guide/money-work-and-benefits/)

A person who is eligible for financial support with their health and social care needs can receive this as a personal health budget and/or personal budget. The following information explains what these are. Personal health budgets and personal budgets may also be joined together into one package of care.

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### **Personal health budget**

**What is it?** A personal health budget is an amount of money to support a person's health and wellbeing needs, which is planned and agreed between them (or someone who represents them) and their local NHS team. It allows them to manage their healthcare and

support such as treatments, equipment and personal care in a way that best suits them.

A personal health budget can be managed in one of three ways:

- **Notional budget:** the person is told how much money is available, and together with their NHS team, they decide how to spend that money to meet their care needs. The NHS then arranges the care for them
- **Third party budget:** an independent organisation holds the money and arranges and pays for the person's care
- **Direct payment:** the person receives the money directly into their bank account and then arranges and pays for their care themselves. They must be able to prove how they spend the money

**Who is eligible?** Personal health budgets are available to adults who receive NHS continuing healthcare (please see p16), meet the eligibility criteria for the local wheelchair service, or qualify for section 117 aftercare after being detained under certain sections of the Mental Health Act. Local NHS organisations are free to offer personal health budgets to other people on a voluntary basis if they think they will benefit from it.

**How to apply:** Talk to the local NHS team that has main responsibility for your care (or the care of the person you support).

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### Personal budget

**What is it?** A personal budget is similar to a personal health budget but covers social care rather than healthcare. It is an amount of money from a local authority to help people manage their care in a way that suits them.

The aim of personal budgets is to give people greater choice over the care and support they receive, including choosing their care providers.

A personal budget can be managed in different ways:

- The local authority chooses the care provider and pays them directly
- The person chooses their own care provider and the local authority pays the provider directly
- The person receives the money into their bank account and uses it to pay their care provider themselves (known as a 'direct payment')

**Who is eligible?** The person must have been assessed as requiring social care, and the payment must be used to purchase the services that the person needs.

**How to apply:** You can request information about a personal budget by contacting your local Social Services and asking for a needs assessment (for the person with dementia) or a carer's assessment (for an unpaid carer who has support needs related to their caring responsibility).

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### Legal issues

When someone is diagnosed with dementia, it is important that they put certain legal provisions in place to ensure their wishes are respected in the future. These rely on the person having mental capacity (the ability to make informed decisions). As their dementia progresses, they are likely to lose capacity, so they should make these plans as soon as possible after their diagnosis. For more information on capacity and decision-making, please see Sources of support on p27.

It is advisable to involve a solicitor when making important legal decisions. You can find a solicitor in your area at:

- [👉 \*\*solicitors.lawsociety.org.uk\*\*](https://solicitors.lawsociety.org.uk) (England and Wales)
- [👉 \*\*lawscot.org.uk/find-a-solicitor/\*\*](https://lawscot.org.uk/find-a-solicitor/) (Scotland)
- [👉 \*\*lawsoc-ni.org/solicitors\*\*](https://lawsoc-ni.org/solicitors) (Northern Ireland)

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### Lasting power of attorney

Lasting power of attorney (LPA) is a legal process where a person appoints one or more trusted people (known as the attorney) to make health, welfare and/or financial decisions on their behalf if they lack the capacity to do so themselves. There are two types of LPA:

- health and welfare – for decisions about health and personal welfare, such as day-to-day care, moving into a care home and medical treatment
- property and financial affairs – for decisions about finances, such as selling a house or managing a bank account

The person can apply for one or both types of LPA, and nominate the same or different people as their attorney for each.

To apply for an LPA you can:

- apply online at [👉 \*\*gov.uk/power-of-attorney/make-lasting-power\*\*](https://gov.uk/power-of-attorney/make-lasting-power)
- download and print the forms to fill in by hand at [👉 \*\*gov.uk/government/publications/make-a-lasting-power-of-attorney\*\*](https://gov.uk/government/publications/make-a-lasting-power-of-attorney)
- request a paper form by post by calling the Office of the Public Guardian on **0300 456 0300**



- make an LPA with a solicitor

There is a registration fee for making an LPA, unless the person qualifies for an exemption (eg if they receive means-tested benefits) – you can check the current fee at [▶ gov.uk/power-of-attorney/register](https://www.gov.uk/power-of-attorney/register). Making an LPA with a solicitor will also incur the solicitor's own fees.

An LPA is only valid in England and Wales. In Northern Ireland, it is called Enduring Power of Attorney: please visit [▶ nidirect.gov.uk/contacts/office-care-and-protection](https://nidirect.gov.uk/contacts/office-care-and-protection).

In Scotland, it is called Power of Attorney: please visit [▶ publicguardian-scotland.gov.uk/power-of-attorney](https://publicguardian-scotland.gov.uk/power-of-attorney)

It is very important for the person with dementia to make an LPA or equivalent as soon as possible. If they lose capacity and do not have an LPA, the person wishing to make decisions on their behalf will have to apply to the Court of Protection, which can be a complex process – please see p24.

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A Power of Attorney made in England or Wales before October 2007 is called an Enduring Power of Attorney (EPA) – this is different from an Enduring Power of Attorney in Northern Ireland. Existing EPAs are still valid but cover only property and financial affairs.

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### Deputyship under the Court of Protection

The Court of Protection in England and Wales deals with issues relating to people who lack capacity to make decisions for themselves. If someone lacks capacity and has not set up a power of attorney, the court can appoint a ‘deputy’ to take control of their affairs. This is usually only necessary if there are doubts about whether decisions will be taken in the person’s best interests (eg if there are family disagreements) or if a specific, time-sensitive decision needs to be made (eg to move the person into a care home).

Applying for deputyship can be a complex and expensive process, so it is always best to ensure the person with dementia makes an LPA or equivalent as soon as possible.

To find out more about becoming a deputy please visit

➤ [gov.uk/become-deputy](https://www.gov.uk/become-deputy)

In Northern Ireland, the equivalent of deputyship is being a ‘controller’ – please see ➤ [justice-ni.gov.uk/articles/how-apply-become-controller](https://www.justice-ni.gov.uk/articles/how-apply-become-controller)

In Scotland, the equivalents are intervention orders and guardianship orders – please visit ➤ [publicguardian-scotland.gov.uk](https://www.publicguardian-scotland.gov.uk)





## Wills

Making a Will is the only way to ensure that when someone dies, their money, property and possessions are left to the people and causes of their choosing. If someone dies without making a Will, this is called ‘intestate’ and their assets may not go to the people they would have chosen.

It is best to consult a solicitor when making or amending a Will, unless it is very simple. We have free Will-writing offers for anyone who wishes to make or update a Will – please see Sources of support on p26.

A person with dementia can make or amend a Will if they fully understand what they are doing. If they lack capacity and have not made a Will, or if their current Will is not up to date, someone else may be able to do this on their behalf – this is called a ‘statutory Will’. It can be a complicated process that involves filling in a number of forms, providing evidence such as a family tree and the person’s financial accounts, and possibly attending a court hearing. Please see [▶ gov.uk/apply-statutory-will](https://www.gov.uk/apply-statutory-will) for information.

## Sources of support

To speak to a dementia specialist Admiral Nurse about financial and legal matters or any other aspect of dementia, please call our Helpline on **0800 888 6678** (Monday-Friday 9am-9pm, Saturday and Sunday 9am-5pm) or email **helpline@dementiauk.org**

To book a phone or video appointment with an Admiral Nurse, please visit **dementiauk.org/book**

### Dementia UK resources

#### Attendance Allowance

➤ [dementiauk.org/attendance-allowance](https://dementiauk.org/attendance-allowance)

#### The carer's assessment

➤ [dementiauk.org/the-carers-assessment](https://dementiauk.org/the-carers-assessment)

#### Employment and young onset dementia

➤ [dementiauk.org/employment](https://dementiauk.org/employment)

#### Free Will-writing offers

➤ [dementiauk.org/freewills](https://dementiauk.org/freewills)

#### Finance and young onset dementia

➤ [dementiauk.org/finance-and-young-onset-dementia](https://dementiauk.org/finance-and-young-onset-dementia)

#### Guide to NHS continuing healthcare funding

➤ [dementiauk.org/guide-to-continuing-healthcare-funding](https://dementiauk.org/guide-to-continuing-healthcare-funding)

#### Lasting power of attorney

➤ [dementiauk.org/lasting-power-of-attorney](https://dementiauk.org/lasting-power-of-attorney)

### **Legal and financial information section**

➤ [dementiauk.org/financial-and-legal-support](https://dementiauk.org/financial-and-legal-support)

### **Mental capacity and decision-making**

➤ [dementiauk.org/capacity-decision-making](https://dementiauk.org/capacity-decision-making)

### **Other resources**

#### **Citizens Advice**

➤ [citizensadvice.org.uk](https://citizensadvice.org.uk)

#### **entitledto – benefits advice**

➤ [entitledto.co.uk](https://entitledto.co.uk)

#### **Government benefits information**

➤ [gov.uk/browse/benefits](https://gov.uk/browse/benefits)

#### **Needs assessment**

➤ [nhs.uk/conditions/social-care-and-support-guide/help-from-social-services-and-charities/getting-a-needs-assessment/](https://nhs.uk/conditions/social-care-and-support-guide/help-from-social-services-and-charities/getting-a-needs-assessment/)

#### **NHS guide to money, work and benefits**

➤ [nhs.uk/conditions/social-care-and-support-guide/money-work-and-benefits/](https://nhs.uk/conditions/social-care-and-support-guide/money-work-and-benefits/)

#### **Northern Ireland Government benefits information**

➤ [nidirect.gov.uk/information-and-services/benefits-and-money](https://nidirect.gov.uk/information-and-services/benefits-and-money)

#### **Turn2us – the charity for financial security**

➤ [turn2us.org.uk](https://turn2us.org.uk)

**To speak to a dementia specialist Admiral Nurse  
about any aspect of dementia:**

Contact our Helpline:  
**0800 888 6678** or [👉 helpline@dementiauk.org](mailto:helpline@dementiauk.org)

Book a virtual appointment:  
[👉 dementiauk.org/book](https://dementiauk.org/book)

**Our charity relies entirely on donations to fund our  
life-changing work. If you would like to donate to help us  
support more families:**

- Call **0300 365 5500**
- Visit [👉 dementiauk.org/donate](https://dementiauk.org/donate)
- Scan the QR code

**Thank you.**



**DementiaUK**  
Helping families face dementia



**dementiauk.org • info@dementiauk.org**

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