



## ASK THE ADVISER

9) Getting older -The latest in a series of articles by Iain Gregory of Caithness CAB

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Behind the stern military exterior my late father was a very kind man, but, by the time he reached his eighties he had developed one or two strong dislikes. In third place were the MOD because of the way that they treated our loyal Gurkhas and many outraged letters were sent to the Editor of *The Times* as a result. Next were the self-appointed guardians of his health who said he should give up his pipe and brandy - he explained to such people that "between 1939 /1945 he had had enough trouble with interfering dictators" and this tended to get rid of them. But at number one were the big banks whom he predicted were, due to their greed and stupidity, one day going to come an almighty cropper.

When he expired I telephoned his bank, advised them of his demise and asked them to cancel his credit card. A few days later a letter arrived, addressed to said deceased parent, in which the writer expressed her surprise at his decision and promised many wondrous benefits should he change his mind. I wrote back, reminding them that my father was in fact dead. He was, in short, performing an excellent impression of the Monty Python parrot and his Doctor, a most experienced physician, held the opinion that the condition would probably prove to be permanent. Thus, he was unlikely to wish to take out a new card. Finally, I set them a little puzzle - would they like to guess which foul bank was not going to get its sticky mitts on any of his estate?

All of which brings us to today's topic - getting older. Luckily my father had left very clear instructions and had planned wisely for old age and left a clear and simple will, but that is far from always being the case. So what do we need to think about?

Well firstly, as the years pass, make sure that you are getting all of your entitlements. The State Pension has undergone many changes over the last few years - it used to be the case that men needed 44 years contributions and women 39 years to get maximum SRP and it was payable at 65 and 60 respectively. Then it became 30 years to get maximum for men and women and now, for people reaching retirement age after 6th April 2016, you need 35 years and the age has increased greatly - there are quite a few anomalies and the treatment of women in particular is simply not fair. I cannot recommend

strongly enough that you check your pension age and get a pension forecast as early as possible via [GOV.UK](https://www.gov.uk) or simply call at Caithness CAB and we will do it for you. You might also be entitled to Pension Credit and again we can help you to find out quickly and easily. What if you are in poor health and need someone to look after you? Attendance Allowance is designed to help people over 65 with care needs and Carers Allowance is there to pay some money to the person who takes care of you. It is very important to get help from CAB if you are going to claim AA - it can be quite complex and we have a staff member who specialises in completing the claim forms and you have a much better chance of receiving your rights if he does it for you. Our colleagues in Health and Social Care are also very helpful if you have other needs and we can refer you quickly and simply. Also, despite the wishes of the state broadcaster you are still entitled to a free TV Licence at age 75 - make sure you get it. The "Blue Badge" for parking concessions can be very useful for you and your family. Again come to us and we will apply for you. And remember - you have worked all your life so these "benefits" are yours by right. They are not "charity" and you have paid for them. And don't forget your bus pass - probably the best tool for social inclusion ever introduced in Scotland – and make sure you get your Heating Allowance.

It is never too early to make a will - it can be disastrous if you die without one - and the sooner that you get one drawn up the better. You do not have to use a solicitor but it is a very good idea to do so - she or he will make sure that everything is exactly as you want it and it means that your family and friends will not be faced with complex issues after you pass on. We also need to think about arranging a Power of Attorney - the idea of this is simply to make sure that someone of your choice is able to handle your affairs for you if you become unable to do so due to ill health or infirmity. A solicitor should always be used to set this up for you, but you decide who will be your Attorney - usually a family member or close friend. The problem comes in if you are suddenly unable to manage your affairs and a POA is not in force. If this happens then the only real option is for the family to go to the Sheriff Court to appoint an Intervener or Guardian and this can be complicated, lengthy and expensive. Getting the POA in place is far better.

And now to the greatest worry most of us have. Paying for care. We all tend to live longer today and the end result is that quite a lot of us will end up in a care home. This is extremely expensive. Our friends at Silver Line Scotland (0800 4 70 80 90) will give you lots of top-quality help, Age Scotland produce some excellent fact-sheets and Caithness CAB can of course facilitate access to all the advice you need as well. The bad news is that if you have "assessed capital" of more than £16250 (as at April 2016) then you are going to have to start paying. The value of your home will be taken into account and if ever there was a social injustice then this is it. The value will be disregarded for the first 12 weeks of your stay (or if the stay is temporary) and will also be disregarded if your life partner is still resident (there are other categories of resident as well which can entitle you to a disregard). There is a lot that you need to know about this subject and I really would advise you to come and see us. You might also have seen adverts from various firms offering to "find ways around the rules". There are issues here. Firstly "Deliberate Deprivation"

is the term used where a local authority deems that you have given away income or capital to avoid paying care home fees. Scottish Government guidance suggests that timing and motive is paramount in deciding whether this is or is not the case. Secondly, giving away assets or title to property can have other consequences for both you and the person to whom the asset is transferred. Again this is one of those areas where we would firmly advise seeking the advice of a local Scottish Solicitor and, as always, the sooner you do this the better. There have been a few court cases with different verdicts on the whole subject of "Deprivation of Assets" and it is far from simple. From what I can see timing, and the reason for the transfer, is the key and the local authority are going to have to prove that the reason for the transfer was to avoid paying the fees , so see your solicitor and do so quickly.

Finally, life assurance is a must and, as always, shop around. Come and see us at CAB and our Money Advice Service Adviser will point you in the right direction. Whilst it is not a pleasant thought funeral expenses are increasing drastically and the state is very reluctant to pay for them. Consider a prepaid funeral plan or make sure you have the money put aside - none of us want to land our offspring with a huge bill when we depart and making sure things are in order is our final service to our family. We can guide you on all these things and will do so confidentially and discretely.

And my letter to the bank? Well, as I bunged it in the post box, marked "large cheque enclosed" to make sure they opened it despite my having accidentally forgotten to apply a stamp, I would swear that I heard an approving chuckle plus the whiff of Condor tobacco and the aroma of an excellent brandy from up above. And in due course I received a reply blaming a "computer error" etc and, not long after that, I did indeed reinvest my father's estate. And no, they didn't get one penny which served them right".