



Preparing for adulthood

Managing your finances –
what you need to know

Employment

Independent living

Community inclusion

Health

ADULT SOCIAL CARE

Working together to
enable people to 'live
well' and independently
in Telford and Wrekin.

Contents

- 2** Preparing for adulthood – money and financial support
- 4** What financial support is available?
- 7** Decision making – after turning 18 years old
- 13** Paying for your care once you turn 18

Preparing for adulthood – money and financial support

Preparing for adulthood should start from the earliest opportunity. This includes planning for any future financial support for further independent living, further education, training and employment.

We understand that transition can be a difficult time, but change can also be exciting!

We want you to be involved fully in your transition and we will work with you, your family and/or carers to support. We have devised some top tips for a successful transition that can help you to be in control of the process.

Top tips for transition

- 1 Get involved!** Be a part of your review, even if you don't want to attend your review(s) make sure your wishes, feelings and wants are discussed. You can do this by speaking to your parents, carers, siblings, teacher or social worker about what you want the people at your review to know and consider.
- 2 Consider all the options and opportunities** available to you
- 3 If you're not sure about something ask.** Even if you think it's a silly question chances are it is not – always ask! This way you will have all the information you need to make a decision.
- 4 Think about your future,** think about what you want, be aspirational about your next step!
- 5 Talk to your social worker** – let them know how you're feeling, what you want and if there is something worrying you.

Preparing for adulthood is not an event that stops, it is a process which takes time, the sooner we start planning the better!

What financial support is available?

Education, training and employment financial support.

16 to 19 bursary fund

You could get a bursary to help with education-related costs if you're aged 16 to 19 and:

- studying at a publicly funded school or college in England (not a university);
- on a training course, including unpaid work experience.

A publicly funded school is one that does not charge you for attending it.

Find out more at: www.gov.uk/1619-bursary-fund

Employment and Support Allowance (ESA)

You can apply for Employment and Support Allowance if you have a disability or health condition that affects how much you can work.

ESA gives you:

- money to help with living costs if you're unable to work;
- support to get back into work if you're able to.

You can apply if you're employed, self-employed or unemployed.

Find out more at: www.gov.uk/employment-support-allowance

Disabled Students Allowance (DSA)

Disabled Students' Allowance is support to cover the study-related costs you have because of a mental health problem, long-term illness or any other disability. This can be on its own or in addition to any student finance you get. The type of support and how much you get depends on your individual needs – not your household income.

Find out more at: www.gov.uk/disabled-students-allowance-dsa

Access to Work

Access to Work can help you to get or stay in work if you have a physical or mental health condition or disability.

The support you get will depend on your needs. Through Access to Work, you can apply for:

- a grant to help pay for practical support with your work;
- support with managing your mental health at work;
- money to pay for communication support at job interviews.

Find out more at: www.gov.uk/access-to-work

What financial support is available?

Being more independent at home

Universal Credit

Universal Credit is a monthly payment to help with your living costs. You may be able to get it if you're on a low income or out of work.

You might get an extra amount of Universal Credit if you have a health condition or disability that prevents you from working or preparing for work.

Your monthly payment is based on your circumstances, for example your health condition or disability, income and housing costs.

When you apply for Universal Credit, you'll be asked if you have a health condition or disability that affects your ability to work. If you do, you'll be asked to complete an assessment form and provide medical evidence.

You'll then be told if you need an appointment for a Work Capability Assessment. This is to see how much your illness or disability affects your ability to work. The assessment can be either in person, by video call or on the phone. If you need an appointment, you'll get a letter telling you what you need to do.

Find out more and apply at: www.gov.uk/health-conditions-disability-universal-credit

Housing Benefit

Housing Benefit can help you pay your rent if you're unemployed, on a low income or claiming benefits. It's being replaced by Universal Credit.

You can only make a new claim for Housing Benefit if you're in supported, sheltered or temporary housing.

If you're in supported, sheltered or temporary housing, you can make a new claim if:

- you're living in temporary accommodation, such as a B&B arranged by your council;
- you're living in a refuge for survivors of domestic abuse;
- you're living in sheltered or supported housing (such as a hostel) which provides you with 'care, support or supervision'.

If you do not get 'care, support or supervision' through your supported or sheltered housing, you can apply for Universal Credit to help with housing costs.

If you're in supported, sheltered or temporary housing, you can apply for Universal Credit to help with other living costs. There are some restrictions to when you can access Housing Benefit.

Find out more and apply at: www.gov.uk/housing-benefit

Council Tax Reduction

You could be eligible if you're on a low income or claim benefits. Your bill could be reduced by up to 100%.

You can apply if you own your home, rent, are unemployed or working.

What you get depends on:

- where you live – each council runs its own scheme;
- your circumstances (for example income, number of children, benefits, residency status);
- your household income – this includes savings, pensions and your partner's income;
- if your children live with you;
- if other adults live with you.

Find out more at: www.gov.uk/apply-council-tax-reduction

Personal Independence Payments

Personal Independence Payment (PIP) can help with extra living costs if you have both:

- a long-term physical or mental health condition or disability;
- difficulty doing certain everyday tasks or getting around because of your condition.

You can get PIP even if you're working, have savings or are getting most other benefits.

There are two parts to PIP:

- a daily living part – if you need help with everyday tasks;
- a mobility part – if you need help with getting around.

Whether you get one or both parts and how much you get depends on how difficult you find everyday tasks and getting around.

Find out more at: www.gov.uk/pip

Decision making – after turning 18 years old

After you turn 18, there is a lot to consider. The information below is to support your understanding of some of the changes and how they may impact you. The law supporting you may change when you turn 18 years old.

This means that you may have received an assessment from Adult Social Care and may be receiving support to further develop your independence, accessing work, training and/or employment or advice and information about changes you may experience.

Parental responsibility

Until you turn 18, your parents and/or carer or the local authority may have Parental Responsibility (PR) for you. PR means ‘all the legal rights, duties, powers, responsibilities and authority a parent has for a child and the child’s property’. Therefore, your parents and/or carer or local authority have the right to make decisions about your care and upbringing.

If both your parents have PR then they must agree on any important decisions that they make regarding their child.

Important decisions include deciding:

- where you live;
- whether or not you receive particular medical treatment;
- how and where you are educated;
- whether you can leave the country, either on holiday or permanently;
- what happens with your property.

Parents and/or carers generally, don’t often consider their legal responsibilities in this regard.

However, once you reach the age of 18 then your parents and/or carers lose PR and no longer have any legal responsibilities or automatic rights to make decisions about you.

For parents or carers of a child with a disability or vulnerability they are often surprised to find out that this is the case and that their role as a decision maker changes considerably.

So what changes and how can you prepare you and your parents or carers for it?

Health and welfare decisions

Probably the most important type of decisions but also the least straight forward covers decisions about medical treatment, where to live and what care is given etc.

The starting point is to consider each decision separately and establish you are able to make these decisions.

We identified the Mental Capacity Act supports decision making from 16 years old. We know one of the five rules of the Mental Capacity Act 2005 (MCA) is that we must assume that everyone has the capacity to make a decision for themselves unless it can be shown that they lack capacity.

There may be things you, or others, can do to assist you to make a decision. For example, finding ways to present information about the options in a different way, discussing the options in a comfortable environment or at a particular time of day when you are more likely to be able to listen and think about the information presented to you.

If it is clear that you are not able to make a particular decision then the decision must be taken on your behalf and the Mental Capacity Act sets out how this must be done.

The person making the decision may vary depending on the type of decision required. It could be a carer, a health professional, a social worker or a parent. This person must consider a number of factors before the decision is made and it is the most important principle of the Mental Capacity Act that any decision must be made in your 'best interests'.

It is important for you and your parents and/or carer to have a good understanding of the Mental Capacity Act and how the decision making process should work when a decision needs to be made for you. Any person making a decision for you should consider whether it is appropriate to consult others, including your parents, and/or carers. This will help to identify their views on what is in your best interests.

If there is a dispute in the decision making process then attempts should be made to resolve these. It might be necessary to obtain a second opinion on a particular matter or hold a 'best interests' meeting or conference with everyone involved.

It is hoped the majority of decisions can be made in your best interests without any disputes or, where there may be a disagreement, a suitable option can be found for you.

There are a number of good guides for you and your family and/or carers that can give you more information about the Mental Capacity Act, these include:

www.mencap.org.uk

www.gov.uk
mental capacity guides

www.nhs.uk
making decisions for someone

www.scie.org.uk
Mental Capacity Act guide

The Mental Capacity Act 2005

The Mental Capacity Act (MCA) protects people, from age 16, who cannot make decisions for themselves. It provides clear guidelines for carers and professionals about who can take decisions in which situations. This applies whether decisions are life changing events or day to day matters. You may need to be supported through a Mental Capacity Assessment from 16 years old with any decisions you need to make or about the care and support you may receive.

The Mental Capacity Act uses five rules to make sure it works for the person and keeps their needs, wishes and wants at the centre of discussions.

These are:

- **presumption of capacity** – everyone will be presumed to have capacity unless it is proven otherwise;
- **support to make a decision** – everyone should be supported to enable them to make decisions, it should be evidenced how a young person has been supported to enable them to make the specific decision that is being considered. All practical steps must be taken to support them;
- **ability to make unwise decisions** – making an unwise decision does not mean the young person lacks capacity, we all have the right to make mistakes and unwise decisions in life;
- **best interest** – if the young person is deemed to lack capacity then the decision must be made in their best interest and those people important to the person must be a part of this process;
- **least restrictive** – any decision made must be the least restrictive for the young person; the decision should not put unnecessary restrictions on the young person's rights and freedoms.

A mental capacity assessment(s) will always include the people important to you. If you are found to lack capacity the assessment is followed by a Best Interest meeting(s) to support any decisions taken on your behalf in the least restrictive way.

What is the Court of Protection?

The Court of Protection has the power to make decisions on behalf of a person who lacks the mental capacity to make their own decisions or they can appoint a deputy who is given specific powers to make decisions on behalf of that person.

For most situations and decisions that need making, following the Mental Capacity Act will enable decisions to be taken that are in the best interests of you. There should be no need to involve the court and it is generally considered a last resort to apply to the court. However, it may be necessary to apply to the court in some circumstances and these are generally where:

- the decision to be made concerns medical treatment for you and you cannot consent;
- the decision is difficult or complex and requires the court to decide;
- there is a dispute between the people supporting you over a particular proposed course of action;
- you need ongoing help with decisions and the appointment of a deputy is considered the best way of helping you with the decision making.

The type of application made will vary depending on the circumstances at the time. The court could be asked to make a decision about a number of things including where you should live or what treatment you should or shouldn't have. The court can also be asked to appoint a deputy who will have certain powers to make decisions on your behalf for a specific period of time. **Read more about the role of the deputy on page 11.**

In some situations an emergency application can be made to the court if a decision is required urgently and there is a risk of harm to you.

An application to the court on health and welfare matters needs to be carefully considered.

The court can order your parent and/or carer to pay any costs and fees personally if they determine that the application was unnecessary.

If you do have mental capacity to make decisions for yourself we would recommend that they consider putting a Health and Welfare Lasting Power of Attorney in place, to appoint someone or a group of people to make decisions on your behalf if you were unable to do so in the future.

For more information on Lasting Powers of Attorney please visit: www.gov.uk/power-of-attorney

Financial affairs

You, your family and/or carers need to think about what financial matters you may need help with. What assets (bank accounts, Premium Bonds, savings) do you have in your name? What income do you receive?

If you are receiving benefits then you should check if you would benefit from having an appointee. An application should be made to the Department for Work and Pensions to become an appointee.

A family/carer can apply for the right to deal with the benefits of someone who cannot manage their own affairs because they are unable to do so due to their disability.

Only one appointee can act on behalf of someone who is entitled to benefits (the claimant) from the Department for Work and Pensions (DWP).

An appointee can be:

- an individual, for example a friend or relative;
- an organisation or representative of an organisation, for example a solicitor or the local authority.

Appointee's responsibilities

An appointee is responsible for making and maintaining any benefit claims. They must:

- sign the benefit claim form;
- tell the benefit office about any changes which may affect what you are entitled to;
- spend the benefit (which is paid directly to you) in your best interests;
- tell the benefit office if they stop being the appointee, for example if you can manage on your own.

If the benefit is overpaid, depending on the circumstances, an appointee could be held responsible.

More information can be found at:

www.gov.uk/become-appointee-for-someone-claiming-benefits

Lasting Power of Attorney (LPA)

A Lasting Power of Attorney (LPA) is a legal document that lets you (the 'donor') appoint one or more people (known as 'attorneys') to help you make decisions or to make decisions on your behalf.

This gives you more control over what happens to you if you have an accident or an illness and cannot make your own decisions (you 'lack mental capacity').

You must be 18 or over and have mental capacity (the ability to make your own decisions) when you make your LPA.

You do not need to live in the UK or be a British citizen. There are two types of LPA:

- health and welfare;
- property and financial affairs.

Health and Welfare LPA

Use this LPA to give an attorney the power to make decisions about things like:

- your daily routine, for example washing, dressing, eating;
- medical care;
- moving into a care home;
- life-sustaining treatment.

It can only be used when you're unable to make your own decisions.

Property and Financial Affairs LPA

Use this LPA to give an attorney the power to make decisions about money and property for you, for example:

- managing a bank or building society account;
- paying bills;
- collecting benefits or a pension;
- selling your home.

It can be used as soon as it's registered, with your permission.

For more information on Lasting Power of Attorney please visit:

www.gov.uk/lasting-power-attorney-duties

Any organisations you have assets with may not allow your family and/or carer to manage those assets once you are 18. For example, banks will require you to take control of your account and they usually only accept instructions directly from the account holder.

If you are deemed not to have the mental capacity to manage these assets then your parent and/or carer should consider applying to the Court of Protection to become their deputy for financial matters.

The court will require evidence that your child is unable to manage their financial affairs and they will require full details of their financial circumstances.

Any application for a deputyship will be considered by the court and, if approved, they will issue a Deputy Order appointing the deputy and setting out what the deputy can and can't do. The order is often restricted so a deputy can't sell a property without further approval from the court or they can't make gifts on behalf of the person they are acting for. The court also requires the deputy to provide an annual report and fulfil other duties and obligations.

The Deputy Order will then give your deputy the necessary legal authority to manage your financial affairs.

More about the deputy role.

A deputy can be appointed to someone who has been deemed to lack capacity, an application can be made to become someone's deputy if they 'lack mental capacity'. This means they cannot make a decision for themselves at the time it needs to be made. They may still be able to make decisions for themselves at certain times.

People may lack mental capacity because, for example:

- they've had a serious brain injury or illness.
- they have dementia;
- they have severe learning disabilities.

A deputy will be authorised by the Court of Protection to make decisions on a person's behalf.

There are two types of deputy:

- **property and financial affairs deputy** – support with paying bills or organise their pension.
- **personal welfare deputy** – make decisions about medical treatment and how someone is looked after.

A person cannot apply to become someone's personal welfare deputy if they're under 16.

You and/or your family and/or carer should get independent legal advice if you/they think the court needs to make a decision about your care.

The court will usually only appoint a personal welfare deputy if:

- there's doubt whether decisions will be made in someone's best interest, following their Mental Capacity Assessment; for example because the family disagree about care;
- someone needs to be appointed to make decisions about a specific issue over time; for example where someone will live.

Full guidance about this and further details on becoming a deputy can be found at:
www.gov.uk/become-deputy

A person can apply to be just one type of deputy or both. If they are appointed, they will receive a court order highlighting what they can and cannot do on the individual's behalf. You can request a copy of this to support an individual's financial assessment for their client contribution. To become a deputy the individual will have to pay a fee, for each application, to become a deputy and then an annual fee thereafter. There may also be a court charge if a hearing is needed.

The person may also need to set up a 'security bond' for property and affairs deputies before they can be appointed. This is a type of insurance that protects the finances of the person they are becoming deputy for.

When they become a deputy, they must also send an annual report to the Office of the Public Guardian (OPG) each year explaining the decisions they have made.

Remember the person does not need to be a deputy if they are just looking after someone's benefits. They can apply to become an appointee with DWP.

Once the application is made to The Court of Protection they will check:

- whether the person needs a deputy or some other kind of help;
- there are no objections to the appointment.

If they are appointed, the Office of the Public Guardian will support the person with carrying out their responsibilities. The person will continue to be a deputy until the court order is changed, cancelled or expires.

For more information on deputyships visit:
www.gov.uk/become-deputy

You and/or your family and/or carers should always seek independent legal advice

Paying for your care once you turn 18

Depending on your financial circumstances you may be asked to pay a financial contribution towards your care and support. You, your family and/or carer will be asked to complete a financial assessment to calculate the amount of financial contribution you will pay. For more information and an indicative amount please visit our Online Financial Assessment tool - www.telford.gov.uk/OFA

This is a **means tested** amount – this is because your client contribution is calculated based on your income, benefits, savings etc. these are all taken into account to calculate your client contribution. Before your care starts you can have a pre support financial assessment which will let you know what your client contribution may be. Your allocated worker can support you with this.

Your client contribution charge will be billed on a four week period and will take into account the care and support that has been arranged for you. Consideration to support provided by Adult Social Care will impact on how much you will pay and how your charge is calculated.

For example, a young person in a residential setting will pay a different contribution level to a young person living at home who is accessing community support.

Once a financial assessment has been completed, the Financial Case Management team will advise of a breakdown of your client contribution.

The young person, their carer and/or family should be advised of the impact of any client contribution they may pay as soon as possible. It is the responsibility of your allocated worker in adult social care to ensure you and/or your family is kept up to date and informed of your client contribution.

You and/or your family and/or carer should not feel you are having to chase for information, or being referred to a number of different individuals. The allocated worker should be and remain your point of contact.

As part of your financial assessment you will be asked to consider any **Disability Related Expenditure** you may have. Disability Related Expenses (DRE) are the extra costs a person pays because of their disability, for example needing extra heating or specialist food linked to a health condition or disability.

We may consider any reasonable costs of help or support you need to be able to live independently, as a result of your disability. Expenses are not limited to what is necessary for care and support, or what is contained within the care and support plan, although this is a starting point when considering disability related expenditure.

For example, above average heating costs can be considered, which are due to disability. Allowances for disability-related expenses can be made when:

- the expense is a necessary need specifically related to the person's disability or illness;
- the expense cannot be provided for a lower cost or for free by another agency/service;
- the expense exceeds the cost a person without a disability or medical condition would have to pay for the same item or service;

- the expense is not being met by the council as part of a person's personal budget or by other council directorates;
- the expense should not be met by the NHS. Examples of expenses to be met by the NHS can include chiropody, physiotherapy, nutritional supplements, some items of equipment and travel to medical appointments.

Getting independent legal advice is recommended. If you are unsure of something, please speak to your allocated worker.

Remember, preparing for adulthood is not an event that stops, it is a process which takes time, the sooner we start planning the better!



Notes

Preparing for adulthood

Managing your finances – what you need to know



Employment

Independent living

Community inclusion

Health