

## Private Client Bulletin October 2011

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### News

#### Cemetery worker attacked

A 73-year-old Wigan cemetery worker was attacked as he prepared to lock graveyard gates.

[BBC News, 1 October](#)

#### Retirement age

The default retirement age in the UK has been fully abolished after being phased out from April this year.

[BBC News, 1 October](#)

#### A retirement home for gay people in Spain

Work is expected to start soon on Spain's first ever retirement home for gay and lesbian residents.

[BBC News, 3 October](#)

#### Dundee care home to close

A Dundee care home is to close after being branded "unsatisfactory" by inspectors.

[Courier, 3 October](#)

#### Dormant bank accounts

The distribution of millions of pounds from dormant bank accounts to third sector organisations in Scotland has moved a stage closer.

[Scottish Government, 4 October](#)

#### Energy Assistance eligibility extended to carers

Carers who look after family or friends will qualify for free energy assistance help.

[Scottish Government, 4 October](#)

#### Withdrawal of medical treatment

Comment on a very important Court of Protection case.

[Law Society Gazette, 4 October](#)

[Legal Knowledge Scotland, 12 October](#)

#### UK Government Welfare reform rejected

UK Government's plans to change the welfare system have been rejected by the Scottish Parliament.

[Herald 5, October](#)

#### Care home pledge

Health Secretary Nicola Sturgeon has pledged to double care home inspections despite budget cuts.

[Herald 5, October](#)

#### New West Lochar genealogical database planned

People living in West Lochar are being asked to help with the creation of a planned new genealogical database by submitting details of their family trees.

[BBC News, 7 October](#)

### OSCR under fire

The Scottish charities watchdog has faced criticism after it was revealed that nearly 800 charities are more than six months late in filing their accounts.

[Herald, 7 October](#)

### West Dunbartonshire mental health patients face 100-mile trip for care

Mental health patients are facing a 112-mile round-trip for treatment following the closure of the Vale of Leven Hospital's Christie Ward.

[Lennox Herald, 7 October](#)

### Woman endured broken hip in Church of Scotland care home

An 81-year-old woman living in a Church of Scotland run care home endured six weeks with a broken hip despite relatives raising concerns.

[BBC News, 7 October](#)

### Death at Connolly House care home in South Shields 'not suspicious'

Police say the death of an elderly man at a Tyneside care home is not being treated as suspicious.

[BBC News, 8 October](#)

### Work on three Highland Council care homes progressing

Work to upgrade toilets, bathing facilities and a hairdressing room at Grant House in Granttown-on-Spey has started, with further revamps due in 2012.

[BBC News, 10 October](#)

### New 'Death tax for England & Wales'

The UK Government is being urged to scrap a so-called 'death tax' set to be included in the UK Government's Health and Social Care Bill.

[Telegraph, 10 October](#)

### Eversheds advises on the purchase of former Southern Cross care homes

Eversheds has advised the charity Royal Mencap Society on its acquisition of seven former Southern Cross care homes.

[Eversheds, 10 October](#)

### 'Pauper funerals' in Wales increase due to burial costs

The number of public health funerals in Wales is increasing with some families unable to pay to bury their loved ones.

[BBC News, 11 October](#)

### Organ donors should be offered funeral expenses

Patients who donate their organs should have their funeral expenses paid for by the NHS according to a leading ethics body.

[BBC News, 11 October](#)

### Funding for carer support in Glasgow

The Princess Royal Trust Pollok Carers Centre, Glasgow South East Carers Centre and the Glasgow South West Carers Centre have been awarded more than £210,000 by the Scottish Government.

[Scottish Government, 11 October](#)

### Care home nurse suspended

A nurse who put residents and staff at an Argyll and Bute care home at "serious risk" by leaving his shift early has been suspended for 12 months.

[BBC News, 12 October](#)

### UK Government's Health and Social Care Bill

UK Government win key vote in the House of Lords.

[BBC News, 12 October](#)

### Elderly care standards in English hospitals

Claim that too many hospitals in England are falling short in the most basic care they are giving elderly patients.

[BBC News, 13 October](#)

### Website passwords left in Wills

Over 10% of British people have or intend to leave website passwords in their Wills.

[The Register, 13 October](#)

### Borders mental health care standards praised

The Mental Health Commission for Scotland has praised efforts to treat a greater number of patients in the community

[BBC News, 14 October](#)

### Charitable status for independent schools

Both the Charity Commission of England and Wales and the Independent Schools Council claim victory on the issue of what independent schools must do to justify their charitable status. Also a claim that private schools in Scotland look set to retain their status as charities in a ruling expected next month.

[BBC News, 14 October](#)

[Third Sector, 14 October](#)

[Scotsman, 23 October](#)

### New fund gives breaks to Scottish carers

The Scottish Government has announced funding to allow more than 3,500 carers to have short breaks from their responsibilities.

[BBC News, 16 October](#)

[Scottish Government, 16 October](#)

### GPs and dementia diagnosis

A major conference staged to examine the treatment of dementia in the Borders heard criticism of some local GPs who are being accused of dragging their feet when it comes to diagnosing the disease. The second article defends the role of GPs.

[Southern Reporter, 16 October](#)

[Southern Reporter, 24 October](#)

### Golden Charter revamp

Golden Charter, the UK's biggest independent funeral business, has reinvented itself as a direct seller of funeral plans and "end of life products", creating more than 100 jobs in its call centre in Glasgow.

[Herald, 17 October](#)

### NHS hospitals drain money from elderly care

Claim that care services for older people are being denied vital funding because "under-performing" NHS hospitals are soaking up public money.

[Telegraph 17, October](#)

### Retirement home storage

Britain faces a shortage of housing for older people unless planning changes proposed by the UK Government are amended to encourage more development.

[Age UK, 18 October](#)

### European court ruling threatens stem cell work

Europe's highest court says stem cells from human embryos cannot be patented in a case that could have implications for medical research.

[BBC News, 18 October](#)

### Charity calls for help freeing up family homes

Older people should be encouraged to move into smaller homes to help tackle the "housing crisis".

[BBC News, 19 October](#)

### Charity calls for 'democratic revolution' in care homes

A health charity has called for a "democratic revolution" in the way care homes in Britain are run.

[BBC News, 19 October](#)

### Life expectancy gap widens

The life-expectancy gap that sees Scots die earlier than the English has widened, despite people living longer in general, official figures have revealed.

[Scotsman, October 20](#)

### Solicitors confront online estate fraud

Fraudsters are increasingly targeting the estates of the deceased for valuable internet hosted assets such as online bank accounts.

[Law Society Gazette, 20 October](#)

[Legal Knowledge Scotland, 23 October](#)

### Ninewells Hospital wards colour makeover

NHS Tayside is to spend more than £1.3m redesigning wards to make them easier to use for elderly patients and those with dementia.

[BBC News, 21 October](#)

### Kinfauns Church plans get the go-ahead

After a drawn-out 20-year battle by various owners, controversial plans to convert historic Kinfauns Church into a luxury home have finally been given the green light.

[Perthshire Advertiser, 21 October](#)

### Boiler scrappage scheme

A sixty per cent increase in funding for the Scottish Government Boiler Scrappage Scheme has been announced.

[Scottish Government, 21 October](#)

[Age Scotland, 24 October](#)

### Details of poet's SNP cash revealed

Details of a legacy left by Scotland's former national poet to the SNP have been revealed.

[Stornoway Gazette, 23 October](#)

### Sturgeon backs organ donor campaign

The latest drive to urge Scottish people to sign up to the organ donor register has been launched by Scotland's Health Secretary.

[Fife Gazette, 25 October](#)

### Selling homes to pay for care

Claim that people are being forced to sell their homes to pay for care that they should be receiving for free.

[Age Cymru, 25 October](#)

### Call for new charity levy

The English and Welsh Charity Commission would like to see a new levy on charities.

[Third Sector, 25 October](#)

### Call for review of free services

Scottish Ministers are to be urged to carry out an "immediate" review into whether policies such as the council tax freeze and free personal care should be continued in their current form.

[West Lothian Courier, 26 October](#)

[Daily Express, 27 October](#)

### Unannounced inspections

England's Care Quality Commission has been asked by the UK Government's Health Secretary to carry out 700 unannounced inspections of care homes.

[Daily Mail, 26 October](#)

### Scotland's rising population

Scotland's population is expected to reach six million within 50 years sparking fears of a looming crisis in housing, care and social services.

[Herald 27, October](#)

[Scottish Government, 26 October](#)

### Care Quality Commission issues damning report

England's Care Quality Commission publishes a damning report into deaths at two hospitals and warns patients remain at risk.

[Guardian, 27 October](#)

### Winter deaths

Fewer deaths were recorded in Scotland last winter than during the previous 20 winters despite unusually cold weather.

[BBC News, 27 October](#)

### Elderly struggling to cope with social care cuts

Claim that an extra £2 billion given to English and Welsh local authorities, that was meant to be spent on care homes, meals on wheels and daily help for the elderly and disabled, has not reached the front line.

[Guardian, 28 October](#)

### Crematorium and graveyard cutbacks

Funeral directors have welcomed news that Perth Crematorium is to stay in council hands but have also slated the local authority for service cutbacks which will impact on grieving families.

[Perthshire Advertiser, 28 October](#)

### OAP attacker jailed

A convicted rapist who was linked to four attacks on elderly women through his car's sat-nav system has been placed on a lifelong restriction order.

[BBC News, 28 October](#)

### Row over respite breaks for carers

The Labour party have accused Scottish Ministers of "fiddling the figures" on the provision of respite breaks for carers.

[Herald, 29 October](#)

### Care inspectors may have to be rehired

Scotland's care watchdog may have to rehire staff it has made redundant in a desperate effort to plug a shortfall of inspectors.

[Herald, 30 October](#)

### Awards for Angus carers

Angus Carers Centre and Dundee Carers successfully secured funding to provide training.

[Abroath Herald, 31 October](#)

### Man held over death of OAP in Edinburgh

The body of a 74-year-old was found at a sheltered housing complex in Longstone Park on Sunday.

[BBC News, 31 October](#)

### Scots charities hit by £100m cash squeeze

The voluntary sector in Scotland has seen incomes fall by almost £100 million in the past year.

[Scotsman, 31 October](#)

## Law Reform

### Registration of Civil partnerships, same sex marriage and related issues

Scottish Government consultation seeking views on the possible introduction of religious ceremonies for civil partnerships and the possible introduction of same sex marriage. Responses requested by 9 December 2012. The consultation can be found [here](#).

### Council Tax on Long Term Empty Properties and Housing Support Grant

Scottish Government consultation on two proposals to make better use of housing resources. The Scottish Government proposes (1) to allow Councils the discretion to increase Council Tax charges for homes that are left empty for longer than six months in order to encourage owners to make their homes available for rent or sale, and (2) to remove the legislation which currently requires the Scottish Government to provide funds through a 'Housing Support Grant' to local authorities whose housing debts reach a certain level. Responses requested by 10 January 2012. The consultation can be found [here](#).

### Mental Health strategy

Scottish Government consultation to plot the strategy for mental health service provision in Scotland over the next four years. Responses requested by 31 January 2012. The consultation can be found [here](#).

## The following consultations closed in the last month.

### Patient Rights (Scotland) Act 2011

Scottish Government consultation on the proposed secondary legislation to support implementation of the Patient Rights (Scotland) Act 2011 and in particular the regulations and directions relating to the treatment time guarantee, patient feedback, comments, concerns and complaints and the Health Care Principles to be upheld by relevant NHS bodies and service providers.

### Adults with Incapacity

Scottish Government consultation on "Certification of Incapacity for Medical Treatment". This consultation sought views on four issues under part 5 of the Adults with Incapacity (Scotland) Act 2000. The issues are: widening the range of institutions which can offer training; whether dentists should be required to undertake training for this purpose; whether multiple section 47 medical treatment certificates should be required in some circumstances; and whether other medical practitioners not specified should be enabled to certify incapacity for medical treatment.

## Official guidance

### Office of the Public Guardian (Scotland)

The OPG has put updated its Inventory & Management Plan Forms on its website. The updated forms can be found [here](#).

### Respite care statistics

Scottish Government publication presents information on respite care services provided or purchased by Scottish local authorities. Respite Care is a service intended to benefit a carer and the person he or she cares for by providing a short break from caring tasks. The document can be found [here](#).

### Winter Weather Review Group Report

This report outlines the work undertaken by the Scottish Government's Winter Weather Review Group during the summer of 2011 and sets out its conclusions in respect of how Scotland can improve its resilience to winter weather. The document can be found [here](#).

### HMRC toolkits

These toolkits provide guidance on areas of error that HMRC frequently see in returns and set out the steps that you can take to reduce those errors. HMRC has published an updated Inheritance Tax Toolkit effective for deaths occurring from 6 April 2010. Updates include emphasizing the importance of providing HMRC with a copy of the will and any codicils when submitting the form IHT400.

The toolkits can be found [here](#).

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