



Private Client Bulletin October 2011

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NEWS

Palliative care unit for the Borders

A public campaign has been launched to raise funds for a new unit to care for terminally ill patients in the Borders.

[BBC News, 2 September](#)

Not all care homes are bad

An industry expert has argued that many care homes provide first-rate care irrespective of the never-ending negative media coverage.

[CARDI, 5 September 2011](#)

Integrating Scottish health and care services

Integrating health and care services is essential if standards are to be maintained says the architect behind the Scottish Parliament's policy of free care for the elderly.

[BBC News, 6 September 2011](#)

England's Health and Social Care Bill

The UK Government's overhaul of the NHS in England has met further criticism.

[BBC News, 6 September](#)

Office of the Scottish Charity Regulator

OSCR has published its annual report and accounts. In the last year OSCR handled 1,134 applications for charitable status.

[OSCR, 7 September](#)

Family dispute causes problems at funeral

A Vicar threatened to have a grieving daughter ejected from her mother's funeral.

[Essex Chronicle, 8 September](#)

Office of the Public Guardian (England & Wales)

OPG fees are set to increase sharply.

[Law Gazette, 8 September](#)

Funeral home fire

A Serious fire has occurred at the Chisholm funeral home in Inverness.

[BBC News, 10 September](#)

Births, deaths and marriages in Scotland

The Registrar General for Scotland has published provisional figures for births, deaths, marriages and civil partnerships.

[General Register Office for Scotland, 8 September](#)



Care post-code lottery

ENABLE Scotland has again claimed that there is a postcode lottery of care charging in Scotland.

[*Enable, 12 September*](#).

A similar claim was made by the Herald newspaper.

[*Herald, 16 September*](#)

Health of carers

A report by The Princess Royal Trust for Carers claims that caring has a major impact on the health of older carers.

[*The Princess Royal Trust for Cares, 12 September*](#)

Care home officially opened

The latest state-of-the-art care home commissioned by the City of Edinburgh Council has had its official opening.

[*City of Edinburgh Council, 13 September*](#)

Cost of long term care

A report by the Chartered Insurance Institute claims that the public is still in denial about the real cost of long-term care.

[*Chartered Insurance Institute, 13 September*](#)

Cost of dying increasing

The costs associated with dying have increased by 20% over the last four years.

[*BBC News, 13 September*](#)

[*AgeUK, 14 September*](#)

North Aberdeenshire crematorium given go-ahead

Aberdeenshire councillors have approved plans to build a new crematorium in north Aberdeenshire.

[*Buchan Observer, 14 September*](#)

Care home inspections

All care homes in Scotland will now be subject to an unannounced inspection at least once a year. Social Care and Social Work Inspection Scotland will also now be renamed the "Care Inspectorate".

[*Scottish Government, 15 September*](#)

National Audit Office report on English care homes

The National Audit Office warns that greater safeguards are needed when a firm runs into financial trouble as happened recently with Southern Cross homes.

[*National Audit Office, 15 September*](#)

[*BBC News, 15 September*](#)

Criticism of England's Care Quality Commission

The Prime Minister has urged the CQC to act on recent criticisms.

[*BBC News, 14 September*](#)

England's Care Quality Commission

England's CQC has published its third annual report into the state of health and adult social care in England.

[*Care Quality Commission, 15 September*](#)

Dementia diagnosis in the Borders

Alzheimer Scotland claims that the Borders is lagging behind the rest of Scotland when it comes to the diagnosis of dementia even though it is the region with the highest percentage of its population over the age of 65.

[*Southern Reporter, 18 September*](#)

Care home inspections

A Scottish Parliamentary inquiry has been told that inspectors should use undercover surveillance to monitor failing care homes in Scotland and impose stiff financial penalties when they fail to heed warnings about improving standards.

[Herald 18, September](#)

Scottish Government Spending Review and Draft Budget

The Scottish Government has published its spending plans for the next three financial years and its draft Budget for 2012-13.

[Scottish Government, 21 September](#)

Integration of health and care services

The Scottish Government is to prioritise the integration of Scotland's health and care services.

[Scottish Government, 21 September](#)

Hospital deaths at weekends

Hundreds of people die every year in London due to fewer hospital consultants being available at weekends.

[BBC News, 21 September](#)

Dumfries and Galloway care home

A revised plan for specialist housing to replace a council-run care home in Dumfries and Galloway has been recommended for approval.

[BBC News, 22 September](#)

New Midlothian hospital

Health Secretary Nicola Sturgeon has opened an £18m community hospital in Midlothian for frail elderly patients and elderly mental health patients.

[BBC News, 26 September](#)

Disabled man is 'trapped' at ERI

A delay in completing a care plan has meant that a man suffering from neurone disease could not be discharged from hospital,

[Edinburgh Evening News, 27 September](#)

Fife care homes plan

Fife Council has failed to find a private partner for its care homes plan.

[Courier, 27 September](#)

Convicted former solicitor sues sister

A former solicitor, who was jailed for three-and-a-half years for embezzling £400,000 from a pensioner's estate, is bidding to recover assets that he transferred to his sister and brother-in-law.

[Scotsman, 28 September](#)

Southern Cross update

Care home operator Southern Cross is to hand around a third of its properties over to new companies as part of its winding up process.

[AgeUK, 28 September](#)

[BBC News, 30 September](#)

New care home for Edinburgh

A new 90 bed care home is to open in Edinburgh in spring 2013.

[BBC News, 28 September](#)

Funeral delayed again

A new legal challenge will again delay the burial of a Black Watch soldier.

[Fife Today, 28 September](#)

Ownership of care homes

The Labour party announced a new care home ownership policy at its party conference.

[*BBC News, 28 September*](#)

Call for care homes transfer to be delayed

The Labour party has called for the transfer of dozens of former Southern Cross care homes to be delayed.

[*Herald, 29 September*](#)

The 100 Club

The number of people in Scotland living for more than a century has reached a new high.

[*Caledonian Mercury, 29 September*](#)

Inheritance murder plot

Two girls have been sentenced for a plot to kill their 89-year-old grandfather.

[*BBC News, 29 September*](#)

Elsie Inglis nursing home

Edinburgh City Council has said that the absence of an external manager in the company which ran the crisis-hit Elsie Inglis nursing home appears to have played a major part in the problems that arose.

[*Edinburgh Evening News, 29 September*](#)

Right to life case

An English High Court judge has ruled that a brain-damaged woman should not be allowed to die.

[*BBC News, 28 September*](#)

[*Herald, 29 September*](#)

Cemetery worker attacked

A 73-year-old Wigan cemetery worker was attacked as he prepared to lock the 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*](#)

Inheritance to top £1 trillion

A report by HSBC has revealed that the amount of money left to family or friends will rise to £1.1 trillion by 2047.

[*AgeUK, 3 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*](#)

LEGISLATION

Scottish Government legislative programme

The Scottish Government's has set out its legislative programme for the coming year. Note in particular: "The Social Care (Self-directed Support) Bill".

Scottish Government, 7 September

The programme is available [here](#).

The news release is available [here](#).

LAW REFORM

Patient Rights (Scotland) Act 2011

The Scottish Government has launched a 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. Responses requested by 14 October 2011. The consultation can be found [here](#).

Adults with Incapacity

The Scottish Government has launched a consultation on "Certification of Incapacity for Medical Treatment". This consultation seeks 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. Responses requested by 10 October 2011. The consultation can be found [here](#).

Mental Health strategy

A consultation to plot the strategy for mental health service provision in Scotland over the next four years has been launched by the Scottish Government. Responses requested by 31 January 2011. The consultation can be found [here](#).

Regulation of care for older people

The responses to the Scottish Parliament's Health and Sport Committee's short "inquiry into the regulation of care for older people" can be found [here](#).

Care charging consultation

The responses to the Convention of Scottish Local Authorities' "Community Care Charging Guidance Review" consultation can be found [here](#).

The following consultations closed in the last month.

Gifts of pre-eminent objects and works of art to the nation – closed 21 September

HMRC consultation on providing an incentive for owners of pre-eminent objects to encourage them to donate objects to the nation during their lifetime.

Dishonest tax agents – closed 16 September

HMRC consultation on fresh proposals to clamp down on dishonest tax agents.

Reform of the taxation of non-domiciled individuals – closed 9 September

HMRC consultation on the detailed policy design of the changes announced in the 2011 Budget on the taxation of non-domiciled individuals.

Statutory residence test – closed 9 September

HMRC consultation document proposing the introduction of a statutory definition of tax residence for individuals.

OFFICIAL GUIDANCE

HMRC has substantially rewritten the pages of its inheritance tax guidance manual that deal with gifts claimed to be “normal expenditure out of income”. The updated pages are available [here](#).

The Scottish Government has updated its publication: “What to do after a death in Scotland”. The updated document is available [here](#).

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