

October 2005

## **Guidance for Health and Social Services Staff:**

### **Older clients with mental health problems/issues**

This guidance has been produced to assist Health and Social Services staff to enable clients to find the support they need when accessing Community Care Services. The promotion of independent advice for the client is demonstrative of the holistic approach that is being developed within public services in Wales.

Overleaf are the details of all of the solicitor firms within Wales with Community Care specialists. Any of these firms would be happy to take on referrals for clients. Before referring, please check whether any mental health specialist dealing with the patient, has already made a Community Care referral.

### **Mental Health clients**

- Many older people affected by dementia are admitted to hospital informally with the co-operation of family. It should be acknowledged that these patients are unprotected by the Mental Health Act, the right to review and the duty to review. It is therefore particularly important that specialist community care advice is considered both during the time at hospital and at the time of discharge, as such patients will not have had the benefit of a Tribunal or Hearing, nor, usually, the benefit of a mental health adviser.
- In the more severe cases, especially when there are no family, or inadequate family connections, the involvement of the Official Solicitor may be necessary, but in any event the advice of a specialist community care adviser will be the first step. Patients in this category will very often be discharged into care homes, rather than ordinary homes with domiciliary support. Discharge to a care home raises issues such as Continuing NHS Care or Social Care under the National Assistance Act, charging, treatment of capital and property,

choice of accommodation, and others. Specialist Community Care advice at this time is essential.

### **Other clients**

- Patients upon discharge from (non mental health) wards will need advice on discharge, continuing care, community care in the home, support to carers, admission to care homes and the issues arising from these, such as charging, treatment of capital and property, choice etc. Signposting or referral to a Community Care specialist should be made if the client so wishes.

### **Community Care Specialists - Wales**

Please contact any of these firms to establish links for any current or future patients.

#### **Salter Kelly**

18 Walter Road  
Swansea  
SA1 5NQ  
01792 470707 (t)  
01792 466489 (f)

[salterkelly@tiscali.co.uk](mailto:salterkelly@tiscali.co.uk)

#### **Salter Kelly**

31 Quay Street  
Ammanford  
SA18 3BS  
01269 592023 (t)  
01269 597848 (f)

[salterkelly2@aol.com](mailto:salterkelly2@aol.com)

#### **Anthony & Jarvie**

6 Court Road  
Bridgend  
CF31 1BW  
01656 652737 (t)  
01656 657532 (f)

[law@anthonyjarvie.co.uk](mailto:law@anthonyjarvie.co.uk)

#### **Merlin Phillips**

1 Gelliwastad Road  
Pontypridd  
CF37 2BL  
01443 402420 (t)  
01443 485288 (f)

[merlinphillips@btconnect.co.uk](mailto:merlinphillips@btconnect.co.uk)

#### **Julie Burton**

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LL57 2ZG  
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