LGBT+

Navigating later life

AgeUKIG02

Information written with you in mind.

This information guide has been produced with the help of older people, carers and expert peer reviewers.

This guide has been kindly peer reviewed by the National LGBT Partnership.

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What this guide is about

Most of the issues, advice and policies that relate to later life apply to everyone in the same way – but there are some things that affect lesbian, gay, bisexual and trans (LGBT+) people differently.

As part of a wider shift in views and attitudes, laws affecting LGBT+ people have changed over time – mainly in a positive way. Unfortunately, some prejudices do remain.

As an LGBT+ person, you have rights that are recognised by law. This guide can help you understand your rights and make sure they're respected. It can also help you navigate systems that might feel confusing.

As far as possible, the information in this guide applies across the UK. This symbol indicates where information differs for Wales and Northern Ireland.

You might find that some topics in this guide aren't relevant to your situation right now – but they could be helpful in the future. And if you ever need advice or support, there are lots of organisations you can get in touch with. There's a directory of these on pages 45-51.

We understand that everyone has their own preferences about how to describe their experiences and identities as LGBT+ people. We're committed to reflecting this diversity – but we acknowledge that language used in this guide may vary in its usage or become outdated.

Next steps

It's a good idea to find out the number for your local council. They'll be able to provide a lot of the support and information mentioned in this guide.

My local council phone number is:

Money and legal issues

Thinking about money and legal issues can be daunting at any age. But as we get older, it can feel more overwhelming.

Your benefits and pension

There are lots of different benefits available – and you might qualify for more than one. You could be able to get:

- **Attendance Allowance** if you're over State Pension age (66 years old) and have personal care needs (or Personal Independence Payment if you're under State Pension age).
- **Carer's Allowance** if you care for someone with a disability or health problem for at least 35 hours a week.
- **Pension Credit** if you're above State Pension age and on a low income. If you receive Pension Credit, you'll be eligible for other benefits and savings, such as free NHS dental treatment, Winter Fuel Payment and Housing Benefit.
- **State Pension**, which is based on your National Insurance contributions and can be claimed at State Pension age.

Next steps

Get a free benefits check at your local Age UK, or use our online calculator at **www.ageuk.org.uk/benefits-check**. In Wales, contact your local Age Cymru for a benefits check.

For more information about financial support, see our guide **More money in your pocket**. Age Cymru and Age NI have their own versions of this guide.

Your will

Many of us find it difficult to think about death – and this sometimes means we put off making a will. But having a will can give you and your loved ones peace of mind.

In a will, you set out how you'd like your estate to be distributed after you die.

It's a good idea to make a will if you're in a committed relationship, regardless of whether you're married or in a civil partnership. That way, you know that your loved ones will be looked after and your **estate** will benefit any causes or charities you care about. It's particularly important to have a will if you think your wishes may be contested after your death.

Your **estate** is everything you own – including your money, property, possessions and investments.

When making your will, it's usually best to get advice from a lawyer (for example, a solicitor or chartered legal executive). You might want to speak to one who specialises in wills and probate. It's important to review and update your will regularly to avoid complications when your estate is dealt with.

Next steps

You can find a solicitor in England or Wales by contacting the Law Society (page 48). In Northern Ireland, contact the Law Society of Northern Ireland (page 48).

See our guide **Wills and estate planning** for more information.

If you have a partner

Your rights and responsibilities as an LGBT+ couple might be different from those of heterosexual couples. This section covers some things to consider if you're thinking of getting married or forming a civil partnership.

Marriage and civil partnership

Getting married or forming a civil partnership is a great way for you and your partner to celebrate your love for one another. It also gives you greater legal rights around property, medical care and inheritance – and can mean you'll be more secure later in life or if one of you dies.

Marriage

You can choose to have either a civil or religious marriage ceremony. If you and your partner are already in a civil partnership, you can convert this into a marriage if you want to. But it's worth noting that not all faith organisations will marry same-sex couples – and they're not legally obliged to.

Civil partnership

A civil partnership involves almost all the same rights and responsibilities as marriage. It's created when 2 people sign a civil partnership document in the presence of a registrar and witnesses. The ceremony can take place in a registry office or other registered premises, such as a hotel. If they agree to it, it can also take place in a religious building – but the ceremony itself can't have religious content.

Financial and legal considerations

When it comes to your finances, civil partners and married same-sex couples have almost the same rights as heterosexual married couples – but there are some differences.

Pensions

Can I claim my partner's State Pension?

The State Pension is based on your own National Insurance (NI) contributions. In general, you can't claim on your spouse or civil partner's contributions – but if you reached State Pension age before 6 April 2016 and don't have enough NI contributions in your own right, you might qualify for a pension based on theirs.

Can I claim my partner's private pension?

You're entitled to a survivor's pension from your spouse or civil partner's workplace pension if they die. However, workplace pension schemes are only required to grant survivor benefits to same-sex couples based on contributions from 2005 onwards, so you might be entitled to less money than heterosexual couples. This is in line with the law and only applies to non-contracted out pension schemes.

Whether arranged by an individual or by an employer, private pension schemes aren't required to extend survivor benefits to unmarried or unregistered partners – but your partner can nominate you to benefit from their pension if they die.

Next steps

Contact your pension provider or the Pension Service (page 50) for more information.

Claiming benefits

Most older people are entitled to the State Pension – but you don't get it automatically. You should get a letter from the Pension Service around 4 months before you reach State Pension age explaining what to do next. If you still haven't received this letter with 2 months to go, contact the Pension Service (page 50).

If you live with your partner, you'll be treated as a couple even if you're not married or civil partners. This can reduce the overall amount of money you're entitled to compared with claiming separately as single people who don't live together.

For example, the amount you might be entitled to from means-tested benefits – such as Pension Credit, Universal Credit, Housing Benefit (Rate Relief in Northern Ireland) or Council Tax Reduction (also known as Council Tax Support) – could be affected because both your income and your partner's income are included in the assessment.

If you receive means-tested benefits, let the office that pays them know if you have a civil partner or spouse or if you live with a partner. If you don't, you might have to repay any overpaid benefit and it could be seen as fraudulent.

Living together doesn't affect non-means-tested benefits such as State Pension or disability benefits such as Attendance Allowance or Personal Independent Payment. These are calculated on the basis of your individual circumstances.

Tax relief

If either you or your spouse or civil partner were born before 6 April 1935, you can claim the Married Couple's Allowance, which can reduce your tax bill.

If you aren't eligible for the Married Couple's Allowance, you might be able to claim the Marriage Allowance instead, depending on your income. This lets you transfer some of your tax-free Personal Allowance to your partner.

Tenancy rights

If you live in your partner's rented property, you might be able to get your name added to the tenancy. You shouldn't need to be married or in a civil partnership to do this. It might be easier if you live in a council or housing association property – but check the terms of the tenancy and your landlord's policies to see what they say.

If your partner dies and you were joint tenants, the tenancy should automatically transfer to you. If your partner was the sole tenant, the rules depend on the type of tenancy they had. This can be complicated, so it's a good idea to get further advice if you're not sure.

If you and your partner didn't get married or register a civil partnership, you might need to provide evidence of your relationship – for instance, joint accounts and bills or being registered on the electoral roll at the same address.

In Wales, tenants are now known as 'contract holders' and tenancy agreements are referred to as 'occupation contracts'. Get advice from Shelter Cymru (page 51) if you're unsure of your rights.

Next steps

Contact Stonewall Housing (page 51) if you need more advice on your housing situation.

Our factsheet **Preventing evictions** has more information. See Age Cymru's factsheet **Renting your home in Wales – rights or problems regarding your rent** if you're threatened with eviction in Wales.

Wills and inheritance

When you marry or enter a civil partnership, your existing will is automatically cancelled. This means you and your new partner must both make new wills (see page 7).

Civil partners and spouses can inherit money and property from their partner without paying Inheritance Tax (IHT) – regardless of the size of the estate.

This rule doesn't apply to couples who live together but haven't married or registered their partnership. In that case, if the value of the assets (such as a house) exceeds the IHT nil rate band, the surviving partner might have to sell it to pay the tax debt after their partner's death.

Same-sex partners who aren't civil partners or spouses should consider taking out appropriate life insurance to pay any IHT. If this applies to you, it's important to get independent financial advice first.

Next steps

See our factsheet **Dealing with an estate** for more information.

Registering a death and claiming bereavement support

Civil partners and same-sex spouses register the death of their partner in the same way as heterosexual married couples. They're also entitled to Bereavement Support Payment.

You could be entitled to a lump sum payment and 18 monthly payments if:

- your partner paid enough National Insurance contributions
- you were under State Pension age when they died
- you weren't divorced or the civil partnership hadn't been dissolved before they died
- you were living in the UK (or another country that pays bereavement benefits) when they died.

Eligibility for Bereavement Support Payment has been extended to unmarried couples with dependent children. Contact the Department for Work and Pensions (DWP) Bereavement Service (page 47) for more information or to claim. In Northern Ireland, contact the Bereavement Service (page 46).

Next steps

See our guide **When someone dies** for more information about the practical things that need to be done after a death. Our guide **Bereavement** has advice about coping with the emotional side of things.

Health and wellbeing

It's important to look after yourself – both physically and mentally. There's support and services to help with this.

Health services

Health services have a duty to provide care that's fair and equal. LGBT+ people face the same general health concerns as everyone else – but some issues can affect LGBT+ people specifically.

It's important to see a healthcare professional if you're concerned about your health. Every doctor's surgery should have a policy on equality and diversity, which you can ask to see at any time. Any information you share with NHS staff is confidential and there are strict laws to ensure health records are kept secure.

Poor past experiences with health services or a worry you'll be misunderstood or discriminated against might put you off trying to access care in the future – even when you think something might be wrong. But avoiding seeing the doctor could put your health at risk.

If you've been treated unfairly by a health service because of your sexual orientation or gender identity, you can make a complaint (see pages 36-37 for more information).

Next steps

Talk to your doctor if you have concerns. You can also visit the NHS website in England, or the equivalent website if you live in Wales or Northern Ireland (page 49).

Sexual health

Sexual contact can put you at risk of sexually transmitted infections (STIs). It's possible to get an STI through non-penetrative as well as penetrative sex. The best way to prevent STIs is to have safer sex using condoms and dental dams.

Not all STIs have symptoms – so it's important to have regular sexual health checks. This generally means getting a sexual health check every time you change sexual partners.

If you'd prefer not to see your usual doctor, you can make an appointment at a sexual health clinic or genitourinary medicine (GUM) clinic. Some of these are drop-in centres where you don't need an appointment.

Next steps

The NHS website (page 49) has specific sections for lesbian and bisexual women, gay and bisexual men, and trans people. In Wales, visit the LGBTQ+ health section of the NHS 111 Wales website (page 49).

In England, find your local NHS sexual health clinic online at **www.nhs.uk/service-search/find-a-sexual-health-clinic**. In Wales, visit **111.wales.nhs.uk/localservices** to find your local Sexual and Reproductive Health clinic.

Mental health

Lots of people experience mental health issues – and even though it can feel difficult to talk about, it's nothing to be ashamed of. Common symptoms include feeling sad, hopeless or losing interest in things you previously enjoyed. There can also be physical symptoms, such as sleeping too much or too little, a change in appetite, or various aches and pains.

Feeling this way isn't part and parcel of getting older. Older LGBT+ people's mental wellbeing can be specifically affected by certain experiences – such as facing prejudice. Whatever your situation, there's support available.

Talking to someone about how you're feeling can seem daunting – even scary – but it can really help. Making an appointment with your doctor is a great place to start. You can ask someone to come with you if you don't want to go alone.

Your doctor can discuss treatment options with you. These might include self-help, lifestyle changes, prescribed medication or talking therapies. If you'd prefer to speak to someone anonymously, whether over the phone or online, organisations such as the Samaritans (page 51) can help at any time of day.

Next steps

Book an appointment with your doctor to have a chat about how you're feeling. In Wales, you can also contact the C.A.L.L. Helpline. In Northern Ireland, contact Cara-Friend. See page 46 for contact details.

See our guide **Your mind matters** for more information.

Bereavement

It can be incredibly hard to cope with the death of a friend or loved one – and it might not affect you in the way you expect. Everyone deals with death differently, and there's no right or wrong way to grieve.

You might find that you experience lots of different emotions, and that some days are worse than others. It's important to know that if you need someone to talk to, there's always help available.

"When my partner died my whole world fell apart. But I'm starting to get back on my feet. Talking has really helped."

Bernie, 82

Good to know

Switchboard (page 51) has a dedicated UK-wide helpline offering support and practical information to LGBT+ people on a wide range of issues, including bereavement.

See our guide **Bereavement** for more information.

Feeling connected

Getting out and about and connecting with others can help you feel happier and healthier. Keeping in touch with friends and family and taking part in social activities is good for your mental and physical health – and it can also help prevent feelings of loneliness.

There are lots of social groups for older people – including some specifically for older LGBT+ people. There are activity-based groups for LGBT+ people of all ages too. LGBT Consortium (page 48) can help you find groups online or local to you.

If you find it difficult to get out and about, you can stay in touch online – over email or through video calls, for instance. Social networks like Facebook are also a good way to stay connected, share photos and find out about local events. Some people find love online too. Online dating is now one of the most common ways to meet a partner – and there are lots of LGBT+ dating sites and apps.

When you're using the internet, it's important to be careful about giving out your personal information and meeting up with online friends in real life. Our **Avoiding scams** guide has more information on staying safe online.

Next steps

If you need help getting online, your local Age UK or Age Cymru might offer digital training sessions.

Call Switchboard (page 51) for advice about relationships, as well as information about local social groups and activities.

Telling services about yourself

Service providers should only ask questions about your sexual orientation or gender identity if it's relevant to your care.

Although these questions can feel personal – even intrusive – your answers can help service providers know whether what they're offering is right for you.

If you've had negative experiences after sharing personal information in the past, it's normal to worry it could happen again. It's up to you whether you provide information about your sexual orientation or gender identity – and you have the right to ask why it's being requested.

It can be reassuring to remember that health and public services are increasingly used to supporting LGBT+ people of all ages and backgrounds. There are also strict laws about confidentiality and privacy, as well as the protections against discrimination in the Equality Act – so any personal information you share must be kept private, and health and care workers must treat you fairly.

Home and care

As you get older, you might find you need some more help in day-to-day life. It's important that you're comfortable with the care you receive and feel confident that it's right for you.

Getting help at home

We don't always want to admit it, but as we get older, we can find it more difficult to look after ourselves.

If you're having difficulty managing at home, ask your local council for a care needs assessment. The council must assess you if it appears you may have care and support needs – and there's no charge for the assessment. It can be carried out in various ways, but must be appropriate for you. If necessary, a social worker or assessor should visit you at home to find out about how you're managing.

If the council decide you're eligible for help, they should work with you to create a care and support plan that outlines how your needs will be met. The plan could include homecare, specialist equipment or adaptations to make your life easier.

The council will also do a financial assessment to see if you're eligible for help with paying for your home support. This is based on your income and any assets that you have, such as savings. If you're eligible, you'll be allocated a personal budget. This sets out the cost of meeting your needs and what you'll need to pay towards it.

In Wales, services are generally means-tested, although there's a maximum weekly charge for homecare. The personal budget system doesn't apply in Wales, though you can opt for direct payments (see page 22).

Care should be provided by trained staff who treat you with dignity and respect. You should feel safe talking to them.

In some cases, you might be reluctant to ask for help because you're worried about intolerant or insensitive reactions. There's more information and advice about dealing with these issues on pages 34-37.

"My local Age UK helped explain things to me."

Simon, 65

Next steps

Contact the adult social services department of your local council to arrange a care needs assessment. See our guide **Getting help at home** for more information.

Arranging your own care through direct payments

If you're eligible for financial support, you can choose to receive your personal budget via direct payments. This means you get money from the council so you can arrange the care and support you need based on your agreed care plan – rather than having the council arrange it on your behalf.

You need to meet certain criteria to qualify for this, and your local council needs to be satisfied that you're spending the payment on services that meet your needs.

Some older LGBT+ people find that direct payments offer them more freedom to organise their own care, with providers they feel most comfortable with.

The council should offer you information and advice about arranging your own care using direct payments – for example, your duties as an employer if you choose to employ a care worker directly.

If you don't want to arrange your own care through direct payments, you don't have to. The council has a duty to arrange your care if this is what you'd prefer.

Next steps

See our factsheet **Personal budgets and direct payments in social care** for more information. In Wales, see Age Cymru's factsheet **Direct payments for social care services in Wales**. In Northern Ireland, contact Age NI.

Housing and residential care

If you're finding it harder to manage at home, even with support or adaptations, there are other housing options that could make life easier.

- **Sheltered housing** allows you to live independently with occasional support if needed. This generally means visits or phone calls from staff (but not personal care services), a 24-hour emergency alarm system and communal areas.
- **Extra care housing** provides different levels of care and support if you need assistance with your daily routine – for example, washing, dressing, using the toilet and taking medication. Domestic help and meals are sometimes provided too. You still live independently and have your own front door.
- **Care homes** provide 24/7 personal care and may offer social activities. Unlike in extra care housing, you don't live in a self-contained flat or house.
- **Care homes with nursing** provide personal care and assistance from qualified nurses.

Sheltered and extra care housing are both types of supported housing. You might hear care homes (both with and without nursing) referred to as 'residential care'.

Finding the right home

The right place for you depends on your preferences and needs. There are very few specialist housing options for older LGBT+ people in the UK – but when you're considering supported housing or residential care, you're entitled to ask managers and staff questions to find out more about their attitudes.

All staff should be properly trained and be aware of the issues affecting LGBT+ people. You might want to ask how the home accommodates personal relationships and whether there's a code of practice on privacy.

How will I pay for a care home?

You might be entitled to help with the cost of a care home from your local council. First, they must agree that you need to live in a care home following a needs assessment. Then they'll carry out a financial assessment that looks at your income and capital (such as savings and property) to determine whether you're entitled to help and, if so, how much you'll have to pay towards the cost.

If you own your home, it won't be included as capital in the financial assessment if your placement is temporary. If your placement is permanent, your home won't be included if your partner still lives there. In some circumstances, it isn't included if another relative still lives there.

Next steps

Stonewall Housing (page 51) provides housing advice.

See our guides **Care homes** and **Housing options** for more information. In Wales, also see Age Cymru's factsheet **Paying for a permanent care home placement in Wales**.

If you're a carer

Becoming a carer for a relative or loved one is a difficult adjustment for anyone – but as an LGBT+ person, you might find yourself coping with additional feelings and issues relating to your identity.

If you're caring for your partner, you may feel pressure to 'come out' to home visitors and health professionals involved in their care. You might be assumed to be just a friend rather than a partner – or if your relationship is known, you might feel it isn't seen as important as that of a heterosexual couple.

If you're caring for a parent, your own identity may feel pushed to one side – particularly if you're living with them and can no longer live as you did before. You might not be able to socialise in the same spaces or express yourself as you normally would.

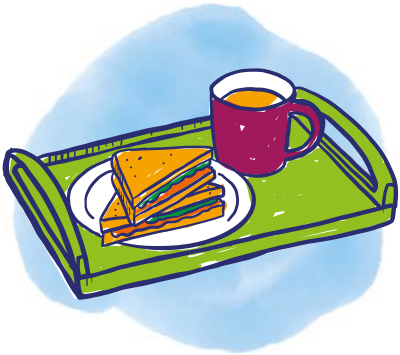
"It was a lot harder to find time for myself after Dad started needing more care."

Bea, 62

Carer's assessment

Caring for someone is a demanding role, and it's important to make time for yourself too. To help with this, social services must carry out a separate carer's assessment if you ask them to. This looks at the impact caring has on your life, including your emotional, mental and physical wellbeing.

You should talk about the level of care you're able to provide and it should be recorded in the care and support plan of the person you care for. In turn, they should explain to you the services and support available to help – such as respite breaks if you need time away, or financial support. There may be a charge for some carer support services, depending on your circumstances.



Next steps

See our guides **Advice for carers**, **Caring for someone with dementia** and **Carer's Allowance** for more information. Carers UK (page 46) also provides information and advice, plus practical and emotional support.

Contact the adult social services department of your local council to arrange a carer's assessment.

Planning for the future

Some of us tend not to think about the future until we have to – but planning ahead can give you peace of mind that your wishes will be respected.

Arranging for someone to act on your behalf

There may come a point in the future when you need someone to make decisions for you or act on your behalf because you've lost **mental capacity**. This could happen if, for example, you have an accident or stroke, or develop dementia. By creating a lasting power of attorney (LPA) you can choose someone you trust to make decisions on your behalf if you lose mental capacity. This person is known as your 'attorney'. You can choose more than one attorney if you like.

Mental capacity means someone's ability to make and understand the consequences of their decisions.

When you're choosing an LPA, make sure it's someone you trust to act in your best interests if you're unable to make a decision.

There are 2 types of LPA available in England and Wales:

- **Financial decisions.** This covers things such as paying bills or dealing with your home. You can arrange for this to be used while you still have mental capacity if you want to.
- **Health and care decisions.** This can only be used when you've lost mental capacity. It covers things such as medical treatment and changing accommodation, including moving into a care home. Having an LPA for health and care decisions can be particularly relevant if you have family members who might exclude your partner or friends in the future. The attorney can decide who you have contact with, where you'd like to live, and consent to or refuse care or medical treatment on your behalf. It's worth noting this doesn't cover decisions about life-sustaining treatment unless you specifically state that you want the attorney to make those decisions for you.

In Northern Ireland, an enduring power of attorney (EPA) for financial affairs and property can be used if you lose mental capacity.

Next steps

You can get the forms to set up an LPA from the Office of the Public Guardian website or by calling their helpline (page 50). They have information about the registration fee and who's entitled to help with this. You don't have to use a solicitor to create an LPA – but if you do, remember to check the costs first. The LPA must be registered before it can be used.

For more information, see our guide **Power of attorney** and our factsheet **Arranging for someone to make decisions on your behalf**. In Northern Ireland, contact Age NI.

Thinking about medical treatment

Planning for the future can reassure you that you won't receive any medical treatment that's against your wishes if you're unable to make decisions at the time.

Advance decision to refuse treatment

An advance decision to refuse treatment can be used if there comes a time when you lose mental capacity. You must state the exact treatments you don't want and the circumstances in which you don't want them. You can share your wishes with your doctor – but if you want to refuse life-sustaining treatment, your advance decision must be in writing, signed and dated in the presence of a witness who must also sign it.

In England and Wales, valid and applicable advance decisions are legally binding so health professionals treating you have to follow it. Our factsheet **Advance decisions, advance statements and living wills** explains this further.

In Northern Ireland, an advance decision isn't legally binding but should be taken into account in decisions about treatment.

If you haven't made an advance decision, and you don't have mental capacity at a time when you need treatment, your healthcare professionals must make decisions in your best interests. They should take different factors into account – such as your medical needs, your known wishes and feelings, and the views and opinions of your friends and family.

They may decide it's in your best interests to have a treatment you would've refused if you were able to make the decision yourself. To be sure you won't be given medical treatment you wouldn't want, you can make it clear by creating an advance decision.

You can also create an LPA for health and care decisions, which gives your attorney or attorneys the authority to consent to or refuse treatment on your behalf, in your best interests. You can include instructions in your LPA if you want your attorney or attorneys to act in a certain way – for example, to refuse certain treatment on your behalf.

What happens if I've made both an advance decision and an LPA for health and care decisions?

If you've made an advance decision and an LPA for health and care decisions, it's important to know which will apply to your medical treatment if that situation arises. This depends on the order you made them in:

- If you make your advance decision **after** creating your LPA for health and care decisions, then your attorney or attorneys can't agree to any treatment that's refused in the advance decision.
- If you make your advance decision **before** creating your LPA for health and care decisions, then your attorney or attorneys can choose not to follow the advance decision if you give them the authority to consent to – or refuse – the same treatment.

Advance statement to outline your care preferences

You can make an advance statement to outline your general wishes regarding how you'd like to be treated and cared for in the future. It can cover things such as your food preferences, the clothes you wear, and how you prefer to be addressed. It isn't legally binding – but it can be helpful for your carers and reassuring for you.

Who will speak for me if I don't have anyone else?

If you lack mental capacity to make important decisions and have no family or friends to speak for you, an Independent Mental Capacity Advocate (IMCA) must be appointed by the relevant body – such as the NHS or your local council – to support and represent you. The advocate must try to find out what you would've wanted and represent your interests when the person in charge of your care or treatment is making a decision on your behalf.

Next of kin status

If you're admitted to hospital, you can nominate your 'next of kin' to be kept updated on your condition. This can be a partner, close friend or relative.

Your next of kin will only be a point of contact for staff to inform about your medical care – they can't make any decisions on your behalf, because next of kin has no legal status when it comes to healthcare. The patient is the only person who can consent to or refuse treatment if they have mental capacity. If the patient lacks mental capacity, the healthcare professionals will make the decision about treatment on their behalf in their best interests – unless they've appointed an LPA for health and care decisions or made a valid, applicable advance decision.

There have been instances of same-sex partners being excluded from consultations, refused information, or even denied the right to visit a partner in hospital by medical staff or family members. If you've been treated unfairly, see pages 34-35 for details of your legal rights against discrimination.

Next steps

For more information, see our factsheet **Advance decisions, advance statements and living wills**, and our guides **Power of attorney** and **Thinking about end of life**.

Brenda got advice from her local Age UK about powers of attorney.

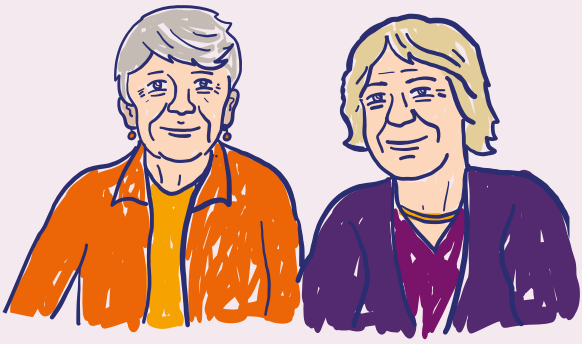
As Brenda got older, she worried about her wishes being met if she became unable to make decisions herself.

'I don't have a big family, just a brother and a few cousins dotted around the country. I have lots of close friends though, who are just as important to me – I think of them as my second family. As I've got older, I've started to worry that my family aren't nearby, and I've wondered how my friends would be involved if I were to get ill.

'I was very worried that my oldest friend, Marjorie, wouldn't be seen as the person to be contacted about my condition if I were in hospital. I spoke to my local Age UK who told me that I can nominate who I'd like to be contacted and it doesn't have to be a partner or relative.

'I already feel more at ease knowing that I can nominate Marjorie as the person to be contacted if I do ever end up in hospital. And now that I've started planning for the future, I've followed the advice of my local Age UK and set up my lasting power of attorney. It was all surprisingly simple to set up.

'It feels very empowering to put it down on paper. It's a big weight off my mind to know that Marjorie can make decisions for me if I'm ever unable to do so myself.'



If things go wrong

No one should ever treat you badly because of your sexual orientation or gender identity – but it's sadly something LGBT+ people do experience. You shouldn't have to tolerate prejudice or intimidation though – you can make a complaint or report it.

Protection from prejudice

Whether it's intimidation, intolerance, verbal abuse, violence, discrimination or any other form of mistreatment, it's not OK. It's important to remember that there are laws in place to protect you, and lots of organisations that can offer support.

Homophobia, biphobia and transphobia

If a crime is motivated by homophobia, biphobia or transphobia, the police can take this into account and it can be used in sentencing.

If you're being intimidated or harassed, or if you experience violence, you should seek help. You can either report it to the police or turn to one of the relevant support organisations listed in the back of this guide. If you're unhappy with the police's response, you can contact the professional standards department of the relevant police force.

Next steps

Contact the Galop helpline (page 47) for help and information relating to homophobic, biphobic or transphobic crime.

The law on discrimination

The Equality Act 2010 protects you from discrimination. It sets out personal characteristics that are protected by law – these are called 'protected characteristics' and include age, disability, gender reassignment, sexual orientation and sex. The Act covers you at work, and when accessing goods and services. It includes:

- care homes
- healthcare providers
- shops
- hotels.

The Act means an organisation can't usually refuse you services or treat you differently to others because of your sexual orientation or your gender identity. There are some circumstances in which this doesn't apply – for example, in relation to some single-sex spaces.

If you have a complaint, you should go through the organisation's standard complaints process. If you're unhappy with the response, you might need to seek further advice about how to take your case forward, depending on the organisation.

Next steps

Our factsheet **Equality, discrimination and the Public Sector Equality Duty** explains the Equality Act 2010 in more detail. Contact the Equality Advisory and Support Service helpline (page 47) for further support.

Dealing with problems with health or care services

If you feel you've been treated unfairly, you can make a complaint. You shouldn't worry that you're making a fuss or causing problems – everyone deserves to be treated with dignity and respect.

Making a complaint about care

It's important to know what to do if problems arise when receiving care. For example, you might find that the care services arranged for you aren't meeting your needs, or that you're not being treated with dignity and respect. If you can't resolve any issues informally, there are formal options.

If your local council provides your care, you should make a complaint using the council's complaints procedure. If you've arranged your care privately, you can make a complaint using the care provider's complaints procedure. Explain what's gone wrong and what you'd like to happen to resolve things.

If you're unhappy with the outcome of your complaint, whether you complained to the council or the care provider, you can contact the Local Government and Social Care Ombudsman in England (page 49).

In Wales, contact the Public Services Ombudsman for Wales (page 50). In Northern Ireland, contact the Northern Ireland Ombudsman (page 50).

Making a complaint about NHS services

You have the right to expect good-quality services from the NHS and to be treated with dignity and respect. If you're not happy with the service you receive, or feel you've been treated unfairly, you can make a complaint.

Step 1
Make your complaint directly to the organisation concerned. All NHS organisations must have a complaints procedure explaining who to contact and how it investigates and responds to a complaint. You can also make a complaint directly to the organisation that arranges any local services you receive.

Step 2
If you're not happy with the way your complaint has been dealt with, in England ask the Parliamentary and Health Service Ombudsman (PHSO) to look into it (page 50). The PHSO consider all complaints they get and try to resolve them quickly. You need to contact them within a year of the incident.

In Wales, contact the Public Services Ombudsman for Wales (page 50). In Northern Ireland, contact the Northern Ireland Ombudsman (page 50)

Getting support with a health services complaint

An advocate from the Independent NHS Complaints Advocacy Service can help you think through your concerns and write letters. Whether or not they provide it themselves, every local council in England must make this service available. In Wales, you can access a similar service through Llais (page 49).

Next steps

For more information, see our factsheet **How to resolve problems and complain about social care**. In Wales, see Age Cymru's version of this factsheet.

Your local Healthwatch (page 47) can tell you who provides the NHS Complaints Advocacy Service in your area. In Wales, contact Llais (page 49).

Abuse and neglect

Everyone deserves to feel safe and supported when receiving care services or medical treatment. If you or someone you know is experiencing abuse or neglect, or is at risk of it, report it to your local council as soon as possible. The council has a safeguarding duty to investigate your concerns.

If you or someone else is in immediate danger, call the police straight away on **999**.

Next steps

Call Hourglass (page 48) to speak confidentially about any concerns you have about abuse or neglect.

See our factsheet **Safeguarding older people from abuse and neglect** for more information. In Wales, see Age Cymru's version of this factsheet.

Domestic abuse

Domestic abuse can take many different forms – and it can affect anyone from any background or identity. It can build up over time, and it might not be clear that what's happening is abuse. While it can be a one-off incident, it's more commonly a pattern of incidents that can leave you feeling confused, frightened or like you're walking on eggshells.

Domestic abuse can include emotional, economic, sexual and psychological abuse as well as physical violence. It can also include controlling and coercive behaviour, so-called honour-based violence, and forced marriage. It can be difficult to recognise this kind of abusive behaviour when the person is someone you're close to – but it could be a current or former partner or an adult family member, such as a child, grandchild or sibling.

If you feel like you might be experiencing domestic abuse, there's specialist LGBT+ help available. You can also contact any of the national domestic abuse helplines.

Good to know

If you're in immediate danger or feel threatened, call the police straight away on **999**.

Otherwise, you can contact the National Domestic Abuse Helpline (page 49), the Men's Advice Line (page 49) or Galop, who run the National LGBT+ Domestic Abuse Helpline (page 47) for help and information relating to violence and abuse at home. In Wales, you can also contact the Live Fear Free Helpline (page 48).

If you're trans

Your experience of being trans can be influenced by how old you were when you transitioned, if you took medication as part of your transition, and when that was.

If you're an older trans person and you've been taking medication for some time, it's likely you'll have different health needs to someone starting medication more recently. If you sense, see or feel any unexpected changes in your body, seek medical advice as soon as you can. It's a good idea to have a health check at least once a year too. Contact the team providing your gender-based care if you have concerns.

What does 'trans' mean?

'Trans' describes people whose gender identity differs from their sex. It's an umbrella term that embraces different identities – but this section focuses on trans people who have transitioned or are seeking to **transition**.

Transitioning is the process of making changes – whether medical or non-medical – to be recognised in your current gender identity.

Transitioning can involve medical treatments, but you don't have to undergo medical treatment to live in your acquired gender. We go through some considerations here – but for more detail, see our factsheet **Trans issues and later life**.

"I was never male. I never actually changed sex at all.'

Barbara, 81

Transitioning in later life

The decision to transition is a personal one. You might think you're too old to transition – but transitioning can bring feelings of relief and self-acceptance at any age. Older people can successfully transition and start living in their acquired gender.

If you're considering medical interventions such as hormone therapy or surgery, it's important to seek advice from a healthcare professional who'll be able to discuss the limits and potential impacts of these treatments with you. If you'd like to know more, speak to your doctor, who can refer you to a Gender Identity Clinic. You might also like to speak to a trans advocacy organisation.

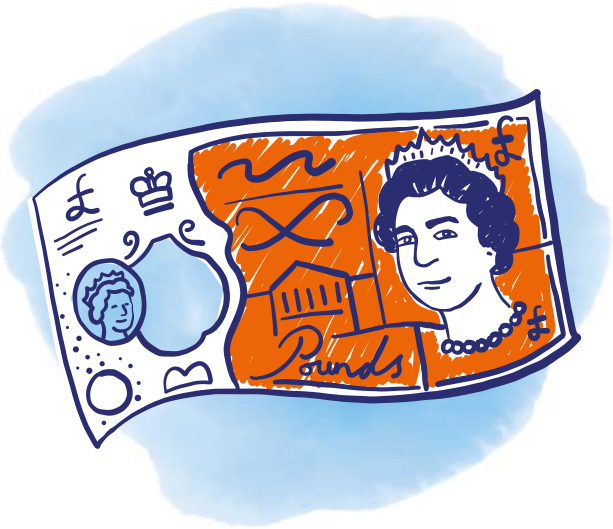
Legal recognition of your acquired gender

The Gender Recognition Act 2004 gives you the right to apply to be recognised in your acquired gender if you identify as a man or a woman. You'll receive a Gender Recognition Certificate (GRC) and a new birth certificate if you were born in the UK.

Anyone can legally change their name by deed poll or Statutory Declaration. Make sure you're clearly identified in your will if you use more than one name or have legally changed your name – it might be that you need a new will. If you're named in someone's will by your former name, you'll need your GRC or other paperwork with evidence of your past identity.

Next steps

Visit **www.gov.uk/change-name-deed-poll** to find out more about deed polls. In Northern Ireland, you can change your name with the General Register Office for Northern Ireland. See NI Direct for more information (page 49).



Pension and benefits

If you have a GRC, you're treated as being in your acquired gender for all legal purposes. Obtaining a GRC can affect National Insurance contributions, tax liability, and your entitlement to any benefits and State Pension that you or your spouse or civil partner may be receiving now or in the future. You may wish to seek advice from an independent financial adviser in advance of any legal change of gender.

Next steps

Contact the Department for Work and Pensions (DWP) Gender Recognition Team (page 46) for more information.

Housing and residential care

If you're thinking of moving to supported or residential accommodation, it's important to visit the places you're considering. Think about your privacy needs and what you'll need to maintain your mental and physical health.

When planning for the future, you could write down clear instructions for what should happen if you lose mental capacity to make your own decisions – such as what you'd like to wear and how you'd like to be addressed. You might wish to write an advance statement to make clear how you'd like to be treated or think about creating a lasting power of attorney (see pages 27-28 for more details).

Your rights

The Equality Act 2010 gives you legal protection against discrimination (see page 35 for more details). You can expect to have access to the services you need and be treated as the gender you identify with.

Next steps

Call the Equality Advisory and Support Service (page 47) if you feel you've been discriminated against. In Northern Ireland, contact the Equality Commission Northern Ireland (page 47).

Receiving care

If you're finding it harder to cope by yourself at home, there's help available. Start by contacting your local council to request an assessment of your needs (see pages 20-21).

It's important to discuss your needs with the service that provides your care. This is because you might have specific requirements relating to gender reassignment or any associated treatment.

Remember that care staff have a duty to promote your wellbeing and should always treat you with dignity and respect. Topics you should discuss include your personal care and privacy needs – such as medication, or maintaining your hair or wig. If your local council provides your care, any specific issues should be taken into account during your care needs assessment and included in your care and support plan.

You have the option to receive direct payments so you can arrange your own care services, rather than the council making the arrangements on your behalf (see page 22 for more information on this).

Next steps

Contact Switchboard (page 51) for further help and support.

Useful organisations

Age UK

We provide information and advice for people in later life through our Age UK Advice Line, publications and website.

Age UK Advice: 0800 169 65 65
Lines are open seven days a week from 8am to 7pm.
www.ageuk.org.uk

In Wales, contact Age Cymru Advice: **0300 303 44 98**
www.agecymru.org.uk

In Northern Ireland, contact Age NI: **0808 808 7575**
www.ageni.org

In Scotland, contact Age Scotland: **0800 124 4222**
www.agescotland.org.uk

Bereavement Service Northern Ireland

In Northern Ireland, the Bereavement Service will record the date of death and notify each office that paid benefits to the person who died. Also takes claims for Bereavement Support Payments and Funeral Expenses Payments.
Tel: **0800 085 2463**

C.A.L.L. Helpline – Community Advice & Listening Line

Offers a confidential support and listening service on mental health and related matters in Wales.
Tel: **0800 132 737**
www.callhelpline.org.uk

Cara-Friend

Offers counselling, befriending, advice and support for LGBT+ people in Northern Ireland.
Tel: **0808 8000 390**
www.cara-friend.org.uk

Care Rights UK

Offers information, advice and support to older people using care services, as well as their relatives and friends.
Tel: **020 7359 8136**
www.carerightsuk.org

Carers UK

General help and advice for all carers.
Tel: **0808 808 7777**
www.carersuk.org

Department for Work and Pensions (DWP)

The Department's Gender Recognition Team provides information on your state pension entitlement if you have a Gender Recognition Certificate or a spouse or civil partner.
Tel: **0191 218 7622**

DWP Bereavement Service

Carries out eligibility checks on surviving relatives to see what benefits they can claim. Also takes claims for Bereavement Support Payments and Funeral Expenses Payments.
Tel: **0800 151 2012**

Equality Advisory and Support Service

Advises and assists individuals on issues relating to equality and human rights, across England and Wales.
Tel: **0808 800 0082**
www.equalityadvisoryservice.com

Equality Commission Northern Ireland

Provides advice to individuals relating to equality and human rights matters.
Tel: **028 90 500 600**
www.equalityni.org

Galop

An LGBT+ anti-violence charity who run the National LGBT+ Domestic Abuse Helpline that can offer advice on dealing with hate crime or act as a safe third party if you're anxious about going directly to the police.
Tel: **0800 999 5428**
www.galop.org.uk

GIRES (Gender Identity Research and Education Society)

GIRES supports and empowers trans and gender nonconforming individuals, including those who are non-binary and non-gender, as well as their families.
Tel: **01373 235 481**
www.gires.org.uk

Healthwatch

In England, your local Healthwatch can put you in contact with your local NHS Complaints Advocacy service.
Tel: **03000 683 000**
www.healthwatch.co.uk

Hourglass
Works to protect vulnerable older adults and prevent abuse.
Tel: **0808 808 8141**
www.wearehourglass.org

Law Society of England and Wales
Provides a searchable database of solicitors on its website.
Tel: **020 7320 5650**
solicitors.lawsociety.org.uk

In Northern Ireland, contact **Law Society of Northern Ireland**
Tel: **028 9023 1614**
www.lawsoc-ni.org

LGBT Consortium
Supports LGBT+ groups, organisations and projects. Has a directory where you can search for LGBT+ services.
Tel: **020 7064 6500**
www.lgbtconsortium.org.uk

LGBT+ Cymru Helpline
Provides general information, advice and confidential support on issues that affect LGBT+ people, their families and friends.
Tel: **0800 917 9996**
www.lgbtcymru.org.uk

LGBT Foundation
Offers a wide variety of support and information services for LGBT+ people.
Tel: **0345 3 30 30 30**
lgbt.foundation

Live Fear Free Helpline
A free 24-hour helpline for Wales, providing advice to people who are experiencing or have experienced domestic abuse and sexual violence and to those concerned about someone else.
Tel: **0808 80 10 800**
www.gov.wales/live-fear-free

Llais

Independent body representing people's views on health and social care in Wales. Offers support with complaints about NHS or social care services.
Tel: **02920 235 558**
www.llaiswales.org

Local Government and Social Care Ombudsman

Investigates complaints about adult social care in England.
Tel: **0300 061 0614**
www.lgo.org.uk

Men's Advice Line

Respect provides a free, confidential helpline that offers advice and emotional support to male victims of domestic abuse and those supporting them.
Tel: **0808 8010 327**
www.mensadviceline.org.uk

National Domestic Abuse Helpline

Refuge provides a free 24-hour helpline for people who are experiencing, or have experienced, domestic abuse. Their website also has live chat, a BSL interpreter service and lots of useful information.
Tel: **0808 2000 247**
www.nationaldahelpline.org.uk

NHS

Provides information about health conditions, treatments and services in England.
Tel: **111**
www.nhs.uk

In Wales, visit **NHS 111 Wales**
Tel: **111**
www.111.wales.nhs.uk

In Northern Ireland, visit **NI Direct**
www.nidirect.gov.uk

Northern Ireland Ombudsman

Can look into complaints about health and social care providers in Northern Ireland.
Tel: **0800 34 34 24**
www.nipso.org.uk

Office of the Public Guardian (OPG)

For information about lasting powers of attorney.
Tel: **0300 456 0300**
www.gov.uk/government/organisations/office-of-the-public-guardian

Parliamentary and Health Service Ombudsman

The Ombudsman can investigate complaints about NHS services in England when they've not been resolved locally.
Tel: **0345 015 4033**
ombudsman.org.uk

Pension Service

For details of State Pensions, including forecasts and how to claim your pension.
State pension claim line: **0800 731 7898**
Future pension centre: **0800 731 0175**
www.gov.uk/browse/working/state-pension

Public Services Ombudsman for Wales

The Ombudsman looks to see whether people have been treated unfairly by a public body. The Ombudsman can also help those fully self-funding their social care services.
Tel: **0300 790 0203**
www.ombudsman.wales

Rainbow Call Companions

Re-engage run a friendship telephone service across the UK specifically for LGBT+ people. It matches an LGBT+ person over 75 with an LGBT+ volunteer for regular friendship calls.
www.reengage.org.uk/join-a-group/get-a-rainbow-call-companion

Samaritans
Confidential non-judgemental support for people in distress.
Tel: **116 123**
www.samaritans.org

Shelter
Provides advice to people with housing problems, including tenancy rights.
Tel: **0808 800 4444**
www.shelter.org.uk

In Wales, contact **Shelter Cymru**
Tel: **08000 495 495**
www.sheltercymru.org.uk

Stonewall
Provides details on LGBT+ rights.
Tel: **0800 050 2020**
www.stonewall.org.uk

In Wales, contact **Stonewall Cymru**
Tel: **029 2023 7744**
www.stonewallcymru.org.uk

Stonewall Housing
Provides specialist housing support to LGBT+ people in London and signposts to helpful organisations nationally.
Tel: **0800 6 404 404** (weekdays, 10am-1pm)
www.stonewallhousing.org

Switchboard – the LGBT+ helpline
Information and support for anyone in the UK dealing with issues relating to their sexuality.
Tel: **0800 0119 100**
www.switchboard.lgbt

What should I do now?

You may want to read some of our relevant information guides and factsheets, such as:

- **More money in your pocket**
- **Advice for carers**

You can order any of our guides or factsheets by giving our Advice Line a ring for free on **0800 169 65 65** (8am-7pm, 365 days a year).

Our friendly advisers are there to help answer any questions.

All of our publications are available in large print and audio formats.

There's plenty of really useful information on our website, too. Visit **www.ageuk.org.uk/lgbt** to get started.

If contact details for your local Age UK are not in the below box, call Age UK Advice free on **0800 169 65 65.**

0800 169 65 65
www.ageuk.org.uk

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