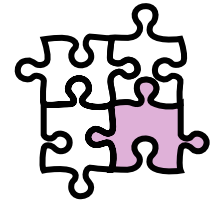


Living in a Care Home Relatives and making decisions



When someone you have a close relationship with moves into a care home, perhaps someone you have been a carer for, difficult decisions and uncomfortable situations may arise that cause problems between you and the home. It is in everyone's best interest, especially the resident, for there to be good, collaborative relationships between all parties but as a relative or friend of a resident in a care home your status is quite vague. If there are questions about the resident's care should you be consulted? Should you be involved in making decisions on their behalf? Should you be informed about their medication or health care? Relatives and friends can feel hurt and frustrated if decisions are taken without them being involved. In some cases relatives finding out about decisions after they have been taken can cause suspicion and a breakdown in trust.

Capacity to make decisions

As far as possible, residents should make decisions about their own lives. This is true of all residents including those with dementia. A resident's capacity to make decisions may vary, depending on the type and seriousness of the decision to be made, so while most residents, either by words or actions, will be able to indicate what they want to eat or wear, many will lack the capacity to make big decisions.

If the resident has made a **Lasting power of Attorney (LPA)** they have already planned for this eventuality and appointed someone to make decisions on their behalf. No-one, not even a spouse, can make a decision on behalf of a resident who cannot make decisions themselves unless the resident has appointed them by creating an **LPA**.

If there is no **LPA** and the resident is unable to make a particular decision the responsibility does not then fall to a relative or next of kin. In these circumstances all the professionals concerned with caring for the resident should act in their best interests and consulting those closest to a resident should form part of the decision making process. It is when there is disagreement about what is in the resident's best interest that conflicts arise.

Should you be consulted?

If the resident lacks capacity relatives should be included in the discussion about the decision that needs to be made. Your views on the resident's beliefs and attitudes and your knowledge of their history will be very valuable in trying to judge what is in the resident's best interests. Because families and relationships are complicated there are no rules about who should be consulted. Homes are likely to consult family members much more readily than friends, irrespective of the history of the relationship. This can be particularly hard for gay and lesbian partners of residents who have chosen not to be explicit about the nature of their relationship.

From the home's point of view

A resident in a care home may have a number of relatives who feel they should have the final say over anything that affects their loved one's care. Homes are not in the business of solving disputes or bringing disparate people together and it may be tempting to by-pass relatives altogether.

If the resident has a number of family members try to discuss situations amongst yourselves beforehand so that the home does not get conflicting or contradictory messages. If there is conflict which can not be resolved you could consider employing an independent advocate to represent the resident's interests.

If relationships breakdown

Sometimes homes refuse entry to relatives or friends. If the home is acting on the clearly expressed wishes of the resident then the home is acting correctly. But if the resident has not asked the home to refuse entry, the home should be able to show that the decision was taken in the residents' best interests after consulting other interested parties – depending on the nature of the problem – such as other relatives, the resident's GP or the inspectors. Homes must also consider the best interests of other residents so it may be that a person may be banned from visiting because of the effect the visit has on other residents. Unfortunately there is little guidance to help homes make decisions in this area and little help for visitors who have been banned although it may be possible to arrange for an independent advocate or social worker to mediate between the resident, the home and the visitor.