

Advance Care Planning

Planning for your future - today



About Advance Care Planning in Wales

Advance care planning helps individuals maintain control and continue to be part of the decision making for their care.

It is an integral part of the Welsh Government's work to ensure person-centred care continues, even if an individual's health deteriorates and the capacity to make decisions in the future is lost.

For more information, contact your doctor or other healthcare professional, or visit **www.advancecareplan.org.uk**.

About the Older People's Commissioner for Wales

The Older People's Commissioner for Wales protects and promotes the rights of older people throughout Wales, scrutinising and influencing a wide range of policy and practice to improve their lives. She provides help and support directly to older people through her casework team and works to empower older people and ensure that their voices are heard and acted upon. The Commissioner wants Wales to be the best place in the world to grow older.

For more information, contact us on:

Email: ask@olderpeoplewales.com

Tel: 029 20 445 030

Website: www.olderpeoplewales.com

Advance Care Planning

Thinking about, discussing and writing down your future plans are all known as **Advance Care Planning**, often written as **ACP**.

Sharing your wishes and preferences for the future with your family, friends and health and social care professionals can help you, and the people close to you, understand what you feel is important for your future. It ensures that your wishes and preferences are respected and that your voice and opinions continue to be heard, even if you are unable to speak for yourself.

Advance care planning can benefit everyone

There may be times in your life when you think about the consequences of becoming seriously ill or disabled. This could be either temporarily, as a result of an accident, or because of a major life changing event.

Advance care planning can help you live your life to the full with peace of mind that your affairs are in order.

This booklet provides you with information about how you can make plans for your future.

Advance Care Planning may include

- An advance statement
- An Advance Decision to Refuse Treatment (ADRT)
- Lasting Power of Attorney (LPA)
- Do Not Attempt Cardio Pulmonary Resuscitation (DNACPR)
- Last Will and Testament
- Organ donation

This publication is a companion to the **How to Age Well** guide from Ageing Well in Wales. It provides an overview of some of the key topics to consider if you want to increase your chances of having a good later life. You can get a copy of How to Age Well from the Ageing Well in Wales website (www.ageingwellinwales.com) or by phoning 029 20 445 030.

Advance Statement

An **advance statement** is the term used for how you record your future wishes and preferences. An advance statement will vary from person to person. Talking to friends and family about your wishes can be a good way to start the process of writing your own advance statement.

When making an advance statement, it's important that it ensures that your future wishes are clear to others.

Some recommendations for writing an effective advance statement:

- Write your wishes down in plain language that is easily understood by others.
- Sign the statement, and have your signature witnessed.
- Include the date that you made the statement.
- Review and update your statement at least every year.
- Make several copies.
- Share copies with those involved in caring for you. This could include a nominated family member or friend, your doctor, health professionals and carers.

These recommendations will confirm to people reading the statement that it is yours and that it reflects your most recent wishes and preferences.

An advance statement is not legally binding but if the above guidelines are followed it can be used to guide your care if at any time in the future you are unable to speak for yourself.

Advance statements can include anything that is important to you:

- The name of anyone who you wish to be consulted on your behalf at a later time.
- Your thoughts on different treatments or types of care that you might be offered.
- Your choice about where you would like to be cared for, whether at home, in a hospital, a care home or a hospice.
- Where you would like to be cared for at the end of your life and who you would like to be with you.
- How you might want any religious or spiritual beliefs you hold to be reflected in your care.
- How you like to do things, for example preferring a shower instead of a bath, or sleeping with the light on.
- Concerns or solutions about practical issues, such as who will look after your pet should you become ill.

Advance Decision to Refuse Treatment (ADRT)

As part of your advance care planning, you may want to think about kinds of treatment and care that you **do not want** in the future.

Whilst you are not able to insist on a particular treatment, you do have the right to refuse treatment.

This can be done by completing an **Advance Decision to Refuse Treatment**, sometimes shortened to **ADRT**.

This is a formal way for you to write down and share any decisions to refuse treatment. An ADRT is legally binding if completed accurately. You can write an ADRT yourself as long as you have the mental capacity to do so and your ADRT meets the necessary criteria for it to be considered valid and applicable.

It can be very difficult to think about what sort of care or treatment you would not want in the future. If you can, discuss your decision with a healthcare professional. They can talk you through some of the treatments that could be used and most importantly the consequences of a refusal.

There are some important things to think about when making an ADRT to ensure it is legally valid:

- It must be clearly written in plain language.
- It should include a statement that indicates you are aware of the risks and consequences of each decision you have made, such as 'even if my life is at risk as a result of this decision'.
- It must be signed and your signature must be witnessed.
- Both your signature and that of your witness must include the date.

To ensure that your ADRT is effective, you should:

- Review and update it regularly (at least every year is recommended).
- Make several copies.
- Share copies with those involved in caring for you. This could include a nominated family member or friend, your doctor, healthcare professionals and carers.

It is important to remember that your ADRT is only used if at some time in the future you lose the ability to make your own decisions about your treatment. You can change your mind at any time. It's really important to make sure that you update your ADRT to reflect your current decisions.

Lasting Power of Attorney (LPA)

As part of your advance care planning, you may want to complete a **Lasting Power of Attorney (LPA)**. An LPA is a simple, legally robust way of giving a person or people you trust (known as attorneys) the power to make decisions for you if you become unable to make those decisions yourself. The decisions they make are as valid as those made by you.

There are two types of LPA:

- **Health and Welfare LPAs** cover decisions about your health and personal welfare. These may include things such as having medical treatment, day-to-day care or decisions made about where to live. In these cases, the attorney speaks for you only if you cannot speak for yourself at the time.
- **Property and Affairs LPAs** cover decisions made about your finances, such as managing your bank account or selling your house. Here the attorney speaks for you from whenever you authorise them to do so.

Each type of LPA needs to be completed separately. Most people will want to complete both types.

How to make an LPA

There are some important things to consider when making an LPA to ensure it is legally valid:

- You must be over 18 and have capacity.
- It needs to be a written document set out on the statutory form prescribed by the regulations. These prescribed forms are available from the Office of the Public Guardian. You can find information on how to contact the Office of the Public Guardian in the **Useful Resources** section at the end of this guide.
- You have to sign it, as does the attorney.
- There needs to be a certificate completed by an independent third party confirming that you understand what is happening and that there is no evidence of fraud or undue pressure.
- Your LPA will need to be registered with the Office of the Public Guardian before it can be used.

It is not always necessary to get legal advice when completing an LPA, but it should be considered if there are any uncertainties.

Please note: LPA replaces the old Enduring Power of Attorney (EPA) and increases the types of decisions that are covered. If you already have an existing EPA, it may still be valid but it is advisable to check.

Do Not Attempt Cardio Pulmonary Resuscitation (DNACPR)

Cardio Pulmonary Resuscitation (CPR) is an emergency intervention that tries to restart your heart and breathing if they stop.

As part of your advance care planning, you may want to discuss with your healthcare team whether CPR is likely to be appropriate for you and what effect CPR might have on your future health and your quality of life.

Having conversations about CPR can be difficult. A decision to **not** restart your heart, known as **Do Not Attempt Cardio Pulmonary Resuscitation (DNACPR)**, is usually made because it is thought not to be in your best interests. This may be because it is likely to be unsuccessful, may cause you more harm than good, or you may just not want it.

It is advisable to talk with a healthcare professional if you can, as they will be able to describe to you the situations when CPR may not be appropriate and also the consequences of choosing to refuse resuscitation.

Talking about DNACPR can help to minimise distress at a later stage. The important thing is that the professionals providing your healthcare know your views so that if you cannot speak they can take your wishes into account.

DNACPR:

- A specific form needs to be completed by an appropriate healthcare professional to confirm a decision about DNACPR has been made.
- It is important to share your views regarding DNACPR with your family, friends and people close to you.
- It is important to let the healthcare professionals looking after you know straight away if you change your views about DNACPR so that they can discuss this with you.

Last Will and Testament

As part of your Advance Care Planning, it is important to think about writing a **Last Will and Testament**. This lets you decide what happens to your money, property and possessions after your death and helps avoid problems and misunderstandings concerning your final wishes.

If there is no will, the time taken to sort things out can be lengthy and expensive. More importantly, the outcome may not be as you would wish. Writing a will doesn't have to be expensive or complicated, and can provide you with reassurance that your wishes will be respected.

There are some important things to think about when considering writing your will to ensure it is legally valid:

- You can write your will yourself, but you should get legal advice if your will isn't straightforward.
- Your will needs to be signed and witnessed.
- If you want to update your will, you need to make an official alteration or make a new one.
- Your will needs to include a list of all beneficiaries (people who you would like to benefit from your will) and what you would like them to receive.
- It needs to include a list of your possessions including savings, pensions and insurance policies.

- It needs to include any arrangements you would want for your dependants or pets.
- Decide who you would like to be your executor. This is the person who will deal with distributing your money and possessions after your death. You may have up to four executors. It is recommended to have at least two.

Organ Donor Registration

As part of your advance care planning you may want to think about **organ and tissue donation**. In December 2015, Wales introduced a presumed consent system for organ donation to make it easier for people to become a donor. If you do not want to become an organ donor, you must register to 'opt-out'. It is important to be aware that if you want to donate your organs and you have not recorded this decision or discussed it with your family then your decision can be disputed and your wishes may not be respected after your death.

It is the important people in your life that will be asked to consent to organ donation on your behalf after your death. Make sure to let family, friends and carers know about your preferences. This lets them respect your wishes and not be forced to make what can be a difficult decision at a very emotional time for them.

Contact **Organ Donation Wales** to register your preference on organ donation.

Useful contacts and further information

There are many useful templates and guides available to assist you with writing your specific wishes and preferences.

For further support, advice and assistance speak to a health or social care professional, solicitor, your doctor or hospital Consultant.

There are several agencies that also offer additional advice and guidance.

Positive Ageing

How to Age Well

Guide on the important topics to consider if you'd like to age well.

- **Tel:** 029 20 445 030
- **Web:** <https://bit.ly/2i9EiJd>

Advance Care Planning

Advance Care Planning resources

Website of useful resources and advice.

- **Web:** <http://advancecareplan.org.uk/resources/>

Dying Matters in Wales

Organisation helping people to talk more openly about dying, death and bereavement, and to make plans for the end of life.

- **Web:** <https://www.dyingmatters.org/wales>

The Gold Standards Frameworks

Provides a template Advance Care Plan document.

- **Tel:** 01743 291 891
- **Web:** <http://bit.ly/2wYf728>

Mental Capacity

Mental Capacity: An Easy Guide

A practical guide produced by the Older People's Commissioner for Wales.

- **Tel:** 03442 640 670
- **Web:** <https://bit.ly/2LuB1Bh>

Mental Capacity Act: Making decisions

Guidance from the UK Government.

- **Web:** <http://bit.ly/1A2z9le>

Lasting Power of Attorney

Lasting power of attorney

Information and guidance from the UK Government.

- **Tel:** 0300 456 0300
- **Web:** www.gov.uk/power-of-attorney

An easy guide to lasting powers of attorney

A simple guide from the Older People's Commissioner for Wales.

- **Tel:** 03442 640 670
- **Web:** <http://bit.ly/2rW1y4u>

Office of the Public Guardian

Government agency protecting people who may not have the mental capacity to make certain decisions for themselves. Provides an online service to create a lasting power of attorney.

- **Tel:** 0300 456 0300
- **Web:** <http://bit.ly/1Kk2FfG>

Resuscitation

Frequently asked questions about DNACPR

Useful website from the Resuscitation Council UK.

- **Tel:** 020 7388 4678
- **Web:** <http://bit.ly/1RyBayS>

Talk CPR

Website with useful resources from NHS Wales.

- **Tel:** 0845 46 47 (NHS Direct)
- **Web:** www.talkcpr.wales

Organ Donation

Organ Donation Wales

Information from the Welsh Government, including information on how to opt-out of organ donation.

- **Tel:** 0300 123 2323
- **Web:** www.organdonation.gov.wales

Last Will and Testament

Making a will

Practical guidance from the UK Government.

- **Web:** www.gov.uk/make-will/writing-your-will

