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Making a will

It is extremely important that you consider making a will. It allows the people that you love and care about to receive your assets which can then be kept within your family for future generations. If someone dies intestate, (i.e. has not made a will), many problems can arise which often results in relatives having to go to court to resolve issues. A will is a legal document therefore it is recommended that a solicitor is involved to perform any necessary checks and make sure it is accurate. You can fill in necessary paperwork yourself. At www.ageuk.org.uk you will find information regarding making a will yourself if you wish. Age UK has an advice line if you need it; tel 0800 169 2081. Making a will is a straightforward process. Prices charged by solicitors often vary so you should obtain several quotes. Often there is a fixed fee for making the will. It may also be a free service where you may be asked to give a donation to charity. You may be entitled to legal aid. The Legal aid board will be able to tell you which solicitors are part of the scheme and if you qualify for help. For their information line tel 0845 122 8686. You can also visit the website; www.slub.org.uk.



A solicitor will ask certain questions when gathering details for the content of your will. *Beneficiaries* will be established, i.e. who you wish to inherit your estate. You may wish to nominate specific amounts of money or particular items such as jewellery to certain people. You may have investments, cars, pension funds, savings or antiques. It is also relevant to note any debts which you may have such as your mortgage, loans or credit cards. You will also need to decide on an *executor*; this is someone who organises and distributes your estate when you die. It may include any specific arrangements for children/pets, particular funeral arrangements such as burial/cremation, type of service and any donations to charity or your wishes about organ donation. An executor can also be a beneficiary. An executor would need to be available day to day and be able to deal with your home when you die. An executor can also be a solicitor or other professional. You can have a maximum of four executors if you wish. A Dead person's estate covers any expenses including lawyer's charges.

Once the will is made it can be altered whenever you wish. You may wish to do this if your family circumstances change, i.e. through marriage, divorce or having children. This new legal document is called a *codicil*. There are several options of where a will and associated documents may be kept, i.e. at home, with a solicitor or a bank. When you die an executor must have access to the original copy of your will and the death must be registered with the Registers of Scotland within 8 days. An Inheritance tax may be payable on a person's estate after their death; this includes gifts made 7yrs prior to death. The threshold at the moment is £325,000. Any amount above this is taxable at £40%. No tax is payable if the estate is left between husband and wife and the surviving person lives in the UK. The tax must be paid 6mths after death. If without a good reason a late penalty applies. To access current information on inheritance tax visit www.hmrc.gov.uk/inheritancetax or call the helpline 0300 123 1072.

In the case of small estates (less than £30,000) a local sheriff clerk will be able to offer help and prepare the necessary documents. With no will a sheriff clerk or solicitor will appoint an executor, called an "*Executor dative*". For further details visit www.scotcourts.gov.uk If there is no will certain legal rights apply and relatives must be traced. In Scotland there is the Succession (Scotland) Act 1964 and Family Law (Scotland) act 2006. Families will have rights to a part of the moveable estate, i.e. money, jewellery (not property) even if there is a will and they are not named as a beneficiary. With no will and no relatives property falls by law to the crown.

Confirmation to an estate is required by the executor which is a legal document and allows payments to be received from banks or insurance companies within the six month period if they request this. No confirmation is required with a small estate. With a large estate the whole process can be complex and may take a long time. The distribution of property and possessions does not take place until 6mths after death. This allows time for people to make a claim on the estate. Any debts must be settled before an estate can be distributed. A will may be challenged for a number of reasons i.e. if the person was legally incapable of making a will or if they may have been influenced by someone else. If you are making your will yourself, the ageuk website signposts other organisations which may be contacted for assistance in making your will which includes the Citizens Advice Bureau and the Law centres Network.



Poverty Alliance Workshops



Lynn law from Poverty Alliance (PA) held workshops with members of the service user's forum in Bathgate earlier in the year. She was gathering our views of benefits system focusing on the words dignity and respect. MHAP staff who run this group were also allowed to comment. The workshops had four main themes; Personal Independence payment

(PIP)/Finding work/work programme/job centre; Communication with the DWP; Universal credit. Service users were able to reflect on their own personal experiences also allowing the communication of positive ideas as well as negative accounts. Service users were asked about what they would like to change in the future to improve their quality of life. Discussions would allow people to talk about their experiences, feelings, needs and actions. PA hopes they will be able to influence future policies and campaigns by gathering information from their workshops.

On the topic of support at PIP assessments; many participants discussed the importance of someone accompanying them to their assessment. This person should know them well and be able to explain how their mental health affects their daily lives. It is viewed by most that having the PIP assessment is a very worrying time and can affect their mental health; their benefit is needed for people to live their lives. Staff highlighted that losing PIP is a real possibility for some. An example was given of a person having to access a food bank.

Many service users felt that the questions on the form for PIP are directed towards people with physical problems and that the form is too complex. They described how they are left feeling that they do not qualify for support. It would be better if they had a form that was dedicated to mental health. Also, those designing the forms should have training in mental health.

The PIP assessment takes place in Edinburgh. Many service users described travelling, particularly early in the morning particularly stressful as well as having to discuss your mental health with strangers with no training in mental health. Staff explained how this can lead to an inaccurate assessment. Another issue raised is that people's mental health fluctuates and this poorly understood by assessors.

Many participants highlighted that assessors are often judging you by your appearance which is entirely irrelevant as well as your physical abilities. How well you answer questions is also an issue. It was also noted that many of the questions you have to answer are not applicable to mental health. People also need guaranteed support to travel and attend their assessment.

Staff and service users agreed that an assessment should take place within West Lothian or in a person's own home. Staff pointed out that this would result in a real positive difference allowing more control for people. It is also makes it easier for a support worker to be present which can communicate a person's difficulties more effectively. (Support workers often cannot get a whole day out to travel with their client into the city).

Issue raised with DWP letters. Both participants and MHAP staff found understanding DWP letters difficult. These letters cause much fear and anxiety. It was suggested that a shorter letter would be better. Many service users agree that the whole culture of the benefits system worsens mental health regardless of any reassurance they may receive. Many people feel that their lives would be better with a little more money. Phone communication with DWP; many people felt making and receiving calls a source of anxiety and worry and it could be improved if the person

on the other end of the phone knew you and were mental health trained. Reducing waiting times to get through was also highlighted.

On some occasions people are asked to go online to acquire information and that many said that they did not have the IT skills to do this. Some people did not feel comfortable asking strangers for help in a library. Although the Advice shop provides much needed support regarding benefits people still felt reliant and as a result marginalised. Participants discussed the stigma attached to receiving benefits. The reality is that most people would rather be in work. MHAP stated that they have many active volunteers. Their knowledge, experiences and ideas are highly valued and they lead active lives. Volunteering boosts their confidence and self-esteem. Staff also say people fear they will lose their benefits if they volunteer; this is very wrong. Often newspapers and TV portray people on benefits in a negative fashion; this shapes people's perception of those who claim benefits and perhaps even the decisions that the government makes.

Self-Directed Support; several people highlighted how difficult it is gain this benefit. This often means that there are no funds for getting a short holiday or socialising with friends as the benefit may only cover home support. You may be penalised for having savings. This has a negative effect on a person's mental health. Being able to socialise and do things with friends is so important if you have mental health problems. It makes you feel normal and accepted.

Advice

Hate crime and 3rd party reporting

Hate crime is a criminal offence that is motivated by a hatred for someone's particular race, religion, transgender identity, sexual orientation or disability. Examples of such offences include theft or assault which are motivated by prejudice towards the victim. It is so important that it is reported as it allows the police to build up a picture of where hate crime is becoming a particular problem. There are several ways in which you can report hate crime. If it is an emergency dial 999, or 101 if it is not urgent. If you are not comfortable with contacting the police directly you can access and complete the hate crime reporting form online or contact your local 3rd party reporting centre. The police works with a variety of partners often Housing associations, victim support or voluntary groups to offer this service. You can search online to find your nearest centre; visit www.scotland.police.uk. You can also contact Capability Scotland; tel 0131 313 5510 or Email: [advice@capability-Scotland.org.uk](mailto:advice@capability-scotland.org.uk) Centres offer support to make a report which will then be submitted to the police. You can request the crime to be investigated at the same time. There has been a strengthening of hate crime legislation which is applicable to the disabled and LGTB community. The offences (Aggravation by Prejudice) (Scotland) Act 2009 protects disabled people who are victims of violent crime. In court this prejudice will be taken into account when deciding on a sentence. Note: Capability Scotland Advice & Support Service West Lothian is now a 3rd party reporting centre for victims of disability hate crime in West Lothian.



Health & Wellbeing

Flu Vaccinations



Flu vaccinations are still available on the NHS this year if you are seen to be at risk. You may have a long term health condition for example, diabetes, asthma, a heart condition or a weakened immune system. It is routinely available for free if you are over 65yrs old, for children up to year three at school, and for pregnant women.

(In the future the vaccine may become available for older children). It is also free if you have a certain occupation, i.e. if you are a carer or an NHS employee. The vaccine offers protection from flu and is available at your local GPs surgery, your local pharmacy or midwifery service. It is advisable that people receive their vaccination as flu can be serious in certain people. People with the flu can develop complications such as bronchitis or pneumonia. As new viruses appear each year it needs to be repeated annually. If you then go on to develop the flu it is often much less severe and you will recover more quickly. The vaccine is available as a nasal spray for children.

The WHO each year decides on potential flu causing viruses for that year and vaccines are developed to match these viruses. There are three different types of virus, Types A, B and C, A of which is the most severe. Vaccines usually contain 2 type A strains and a type B strain. Vaccines contain viral strains that have been deactivated and purified and are therefore safe. Vaccine production begins in March each year and is used in the Northern Hemisphere, including the UK. The vaccine stimulates the rapid production of Antibodies by your immune system which then attack the virus immediately if it gets into the body with only mild symptoms. This immunity takes around 2 weeks to develop following vaccination. Another reason you need the vaccine every year is that your store of antibodies reduces over time. The flu virus is spread by droplets coughed or sneezed out by an infected person. It may happen suddenly with symptoms such as fever, chills, headaches, aching muscles and a cough or sore throat. If you are fit and healthy it is possible to manage flu on your own successfully. You should take good care of yourself, drink plenty of fluids rest and use painkilling medication if you need it. Most people recover from flu after around 1 week. Good hygiene practice is necessary to protect yourself and other people from the flu virus. If you require advice you can speak to your pharmacist, GP or go through NHS 24. You can also access information on immunisation on the NHS Lothian website; www.nhsllothian.scot.nhs.uk

Health improvement team (HIT) PYWFF Bike Loans



The HIT are currently able to supply a bike if you do not have your own. This service is operating at various venues within West Lothian. Some of these are Lanthorn Community centre, Polbeth and West Calder community garden and Strathbrock family unit. To borrow a bike or make a referral you can contact HIT; tel 01506 775626. Or Email: hit@westlothian.gov.uk

Local news

Changes to local sport & leisure facilities



Plans have been agreed for a number of council services to be transferred to West Lothian Leisure (WLL). Currently Xcite sport and leisure facilities are managed by WLL. (They lease venues from the council). Affected council staff will be transferred to WLL. These changes are necessary to ensure facilities remain open and provide a

better quality of life for people in local communities. Facilities to be transferred include Howden Park Centre, golf facilities at Polkemmet Country Park and several sport and leisure facilities in secondary schools, including swimming pools and sports halls. The transfer of management will come into effect in April 2017. WLL aims to increase use of its local facilities and services, saving around £532,000. It will continue to provide services of the highest standard and which offer people value for money.

Inclusion Scotland



Inclusion Scotland is an organisation that aims to increase the number of people with disabilities getting involved in the political process at all levels. It is funded by the Government and offers advice and support concerning this issue. Currently they are looking for people who can share their experiences and highlight areas of improvement which will then allow more people to become activists at a high level. They will need to write articles and be a source of inspiration for others. At the moment there is only 1 disabled MP in the Scottish Parliament. This needs to be improved. A research project carried out last year by Inclusion Scotland found that with more guidance and support more disabled people will be able to become involved in politics. For the local council elections in 2017 disabled candidates for local council seats will now be able to get financial help from an access fund provided by Inclusion Scotland. Hopefully this may increase the numbers of disabled applicants and promote equality. Inclusion Scotland is also seeking volunteers to supply information and increase awareness surrounding this project. If you would like more information; tel 0131 281 0864 Email: accesspolitics@inclusionScotland.org or visit the website www.inclusionScotland.org

General Interest

Living it up Scotland



Living it Up is a health, wellbeing and self-management website for the over 50's in Scotland. The Living it Up team have been hard at work putting together our new website. We're really excited about it and hope you like it too.

The site has four main sections:

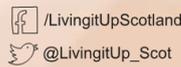
Your Stories is where you'll find personal stories from our lovely readers, info about taking up hobbies, top cooking tips and much more. You'll also find our Experience Guides and our Spotlight On section, which shines a light on themes like Stress and Sleep.

Your Area is the go-to section for local events, local news, volunteering opportunities, resources near you and a quiz to match you up with activities or groups you might like.

Your Condition is full of tips and stories from real people living with or caring for someone with a condition such as Diabetes or COPD.

Tools and Services is the hub for all the interactive tools we host, like Falls Assistant, Community Challenges and our Activity Tracker. We love a good blether so join us at www.livingitup.scot, have a look around and let us know what you think!

WANT THE KNOW HOW TO GET MORE OUT OF LIFE Living it Up is a health, wellbeing and self-management website for people over 50 in Scotland designed to help you get more out of life and stay happier, healthier and safer. The site hosts everything from local event information, tools and technology to help with monitoring health, to inspirational videos and support to find new hobbies. Join in at www.livingitup.scot



Support

Mental health information Station



The mental health information station is a drop in service providing support and information for people with mental health problems and their family and carers. It has recently celebrated its first birthday with over 1000 visitors over the past year. This service is led by occupational therapists from NHS Lothian in partnership with a number of other organisations including Health in Mind, Volunteer

Edinburgh and Outlook adult education project. It is based in Walpole Hall, Edinburgh and takes place every Thursday from 11am – 3pm. This free service is both informal and friendly and those attending will be able to speak directly to advisors. Advisors will also be able to signpost to other local services such as social and other leisure activities, volunteering & employment, benefits advice and housing guidance. For more information contact mentalhealthformation@nhslothian.scot.nhs.uk or tel 0131 537 8650. / Or contact the Health in Mind Communications Manager Doreen Graham; tel 0131 243 0137.

Self-directed Support

Self-directed Support (SDS) from the council allows you to now choose what support is best for you and gives more control over your own health and wellbeing.



A number of options are available allowing you to make the decisions. Within West Lothian people often choose option 2 which allows people to direct their own support and letting the council arrange this for you.

Initially a needs assessment will take place within your home. You may wish for someone to be there to support you, i.e. family, keyworker, housing support worker or indeed Advocacy. Once the forms are complete they are submitted electronically to the Council. A budget for your support will then be calculated which is then used to pay for your support. You may wish to use your money for support at home, leisure activities, college, or indeed a short break away with a friend. Anything you do choose must be relevant to your care plan. From personal experience I found out that the budget is means tested and any savings which you do have may be taken into account. As a result there was no funds for a short break away which I desperately needed. The budget which I did receive paid for housing support, although I did have the option of going on holiday instead of receiving support at home which I decided against. Other service users also found difficulties in getting any money whatsoever and that the whole process takes a very long time and can be very stressful. Another service user did get an award which she used to go on a short break that she really enjoyed.

Useful Contacts

Advice Shop
Telephone: 01506 283000
Website: www.westlothian.gov.uk/adviceshop

AgeUK-Advice
Telephone: 0800 169 2081
Website: www.ageuk.org.uk
Email: info@agescotland.org.uk

Capability Scotland
Telephone: 0131 337 9876
Website: www.capability-scotland.org.uk
Email: advice@capability-scotland.org.uk

Citizens Advice Bureau
Telephone: 01506 432 977
Website: www.cabwestlothian.org.uk
Email: enquiries@cabwestlothian.casonline.org.uk

Health in Mind
Telephone: 0131 225 8508
Website: www.health-in-mind.org.uk
Email: contactus@health-in-mind.org.uk

Health Improvement Team
Telephone: 01506 775 626
Website: www.cabwestlothianchcp.uk
Email: hit@westlothian.gov.uk

Inclusion Scotland
Telephone: 0131 281 0864
Website: www.inclusionscotland.org
Email: accesspolitics@inclusionscotland.org

Living it up
Telephone: 0131 2250630
Website: www.livingitup.scot
Email: LindaThompson@volunteeredinburgh.org

NHS Lothian-health information
Telephone: 0800 22 44 88
Website: www.nhslothian.scot.nhs.uk

Poverty Alliance
Telephone: 0141 353 0440
Website: www.povertyalliance.org
Email: admin@povertyalliance.org

If you have any ideas you think would be of interest for future newsletters or if you just need to ask any questions please phone or e mail advocacy. The help will be very much appreciated! Thanks.

Mental Health Advocacy Project West Lothian SCIO. Mental health Resource centre, Strathbrock Partnership Centre, 189a West Main Street, Broxburn, West Lothian, EH52 5LH [Tel:\(01506\) 857230](tel:01506857230) F: (01506 852954) Email: admin@mhap.org.uk

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This newsletter was produced by Claire. I am a service user with a severe and enduring mental health problem. I currently am a volunteer with the Advocacy project in Broxburn and produce this newsletter for them. I am also a member of the reps group and service users forum that advocacy runs. I am also a member of their Management Committee.

