

Planning together can make  
sure your loved one has a safe  
and happy home

Planning for your loved one's housing can be complicated and difficult. We can help you through the maze.

Mencap Trust Company and Golden Lane Housing (GLH) work together so that **beneficiaries** have a happy home.

This brochure is designed to help you think about the range of options and what might best suit your family.

It sets out the three broad approaches that we use. We can work with you to tailor one approach to your specific circumstances.



## How we can help

GLH is a charity and registered provider, and like Mencap Trust Company Ltd is part of Mencap.

GLH is expert in finding innovative and suitable supported living accommodation for people with a learning disability. Mencap Trust Company is expert in managing and using discretionary **trust funds** to make a difference to each **beneficiary's** life.

Working together we can help make sure your loved one is well supported in the right home for them.

## A message from our chairs



"Everyone wants a happy home, regardless of who they are. When a person has a learning disability this can create a challenge. We work together to find homes where trust beneficiaries are supported to thrive.



If you feel ready to make detailed plans within the next 12 months, please contact our staff directly and they will help you."

**Christine Cryne and Louise Li, chairs of Mencap Trust Company Ltd and Golden Lane Housing**



## Working with you

This is how we can work with you to get things sorted:

- 1 We help you set up a **discretionary trust** (for a description of what this is, see our glossary at the back). You can find out how to do this on page 7.
- 2 We can help with practical advice for actions you might take in the next 12 months or so. This starts with a conversation with a GLH expert.
- 3 You decide whether you want to buy or rent a home for your loved one, or want them to continue to live in the family home. You can find information on each of these housing options on pages 8, 9 and 10.
- 4 We help you arrange the right support. For information, see page 6.

### A plan to help your loved one

Mencap Trust Company and GLH build a relationship with the **beneficiary** and their support team to make sure things continue to work, year after year, as the beneficiary's needs and ambitions change.

Your plan can be updated at any time, to make sure it continues to suit your loved one.



## What is supported living?

Supported living is for adults with a learning disability who would like to live independently in their own home and community. This is achieved by a landlord who understands how to manage and maintain a person's home, working with the support provider who helps the loved one to live the life they choose.

Most people can live in their own home with the right support. People's housing and support is built around them rather than them fitting into a service. People choose who they live with (if anyone), where they live, who supports them, and how they are supported in their home. People's choices often change over time and so their support package, and even the property, may have to change too.

### Needs assessment

For all the housing options your loved one will need support to live in their home. At the appropriate time a needs assessment is carried out by the social services department which determines personal support requirements. It is vital any needs assessment is based on current and future housing requirements.

Once an assessment has been carried out GLH can work with you and your loved one. Mencap Trust Company will work with the important people in your loved one's life to make sure assessments are reviewed as required. The **trustee** can also help by paying for 'extras' to make life more enjoyable.





## Helping people to live the life they choose

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### Putting people first

We start with the individual and ask who they might want to live with (if anyone) and where. We also talk to the important people in their lives. Then we look for the right property and think about how the trust might help meet any extra costs over and above their support and benefit entitlements.

### Joined up approach

GLH can support you to work with commissioners and providers, including Mencap, to access the support needed for a loved one to maintain their tenancy. Whether a person is receiving support through a local authority contract or an individual budget, we want to make sure there's always a joined up approach.

### Specialist landlord services

GLH provides specialist landlord services to all our tenants – including a 24 hour helpline, ways to keep safe and advice on housing related benefits.

### Paying rent

The majority of GLH tenants pay for their rent through Housing Benefit. GLH can help a tenant to apply for their entitlement. If a person isn't eligible for Housing Benefit or their rent is higher than the amount they can claim, we will support them to look at ways to pay for this through other income – such as, using their wages, savings or benefits. The trust fund can also top up rent.



## Using a trust as part of your planning

### Setting up a discretionary trust

A **discretionary trust** is the critical first step in planning your family member's future.

Once the **trust deed** is in place the assets held in trust can be used to help provide a safe and happy home for your loved one. Home may be privately rented, it could be a property bought especially for the person, or it could be the chance to continue living in the family home.

These are the three approaches, which are tailored to each family's circumstances.

### Working for the beneficiary for their lifetime

Mencap Trust Company aims to be with each **beneficiary** for the whole of their life. As beneficiaries get older their needs often change. We always call for reassessment of needs when appropriate. We also work with the beneficiary and the important people in their life to use trust resources to help them through the changes.

### Seeking specialist tax advice

HM Revenue & Customs (HMRC) has specific tax rates for trusts. We recommend you consult a tax specialist for full details of the tax implications in your specific case for your decision to set up a discretionary trust. Mencap Trust Company informs HMRC about the creation of all trusts. We use a specialist third party accountancy service to make sure all trusts fully comply with UK regulations.



## Privately renting a home

GLH can lease a property from landlords, support providers and other owners, which is then rented to people with a learning disability.

The length of the lease is normally between 12 months to three years, although this can be longer. GLH acts as the landlord and liaises directly with the tenants. We call this approach **Great Tenants**.

### Mark's experience of Great Tenants

Mark lived with his Mum in the family home. When she passed away it was a sad and difficult time for him. GLH worked with Mark to find the right home in his local area. They looked at potential flats together and found a small, quiet flat near Mark's family. The trust helped by buying new furniture and paying his moving costs.

"I've now moved in and I like it" says Mark. "I needed some furniture for all my books, video tapes, DVDs as I have a lot, and also I have a lot of clothes and I don't have anywhere to put them. I went to the shop and chose some cupboards that I liked. I've been busy and I go to college. I like the courses I do; arts, crafts and photography. I also go to bingo and line dancing."

You can watch Mark's video at [www.mencap.org.uk/mark-story](http://www.mencap.org.uk/mark-story)





## Buying a home

Many families want to see their loved one settled in a home that has been bought for them.

The **trustee** and/or family may decide to buy (and possibly adapt) a property. If the family buy the property it is later placed in to the trust fund. Assets held in trust are the responsibility of the trustee, and we will work with you before any transfer is made to understand how the arrangement might work for your loved one and your family.

GLH is expert at helping families buy and specially adapt homes for loved ones. If you decide to buy a property, we can help you think about the housing specification and look for a suitable property.

GLH becomes the landlord by entering into a lease arrangement with either you or Mencap Trust Company (for property held in trust). This gives peace of mind that the property will be properly managed and maintained. We call this approach **Our House**.

### Pam's experience of Our House

Pam loves having her own front door. She enjoys going to the local shops and looks forward to visits from her support workers, who help her to live independently. Pam says "I love having all my things around me and no one else touching them."

You can watch Pam's video at [www.mencap.org.uk/pam-story](http://www.mencap.org.uk/pam-story)



## Living in the family home

Families often ask if their loved one can carry on living in the family home or if a suitable alternative can be bought for them when parents are no longer around.

The property, or in special cases, a share of the property, can be placed in trust through Mencap Trust Company. GLH becomes the landlord of the whole property by entering into a lease arrangement with the **joint tenants** or **tenants in common**.

Before the property can be accepted into the trust, GLH will carry out a condition survey to see if any work is necessary, and to make sure the plan is financially viable. A house in poor repair, or one that is very expensive to maintain, may mean that the option of living in the family home is not practical. GLH might look for others to share the home (and therefore the costs). This is only if the **beneficiary** agrees, and with their approval of any new house mates.

If the home is no longer suitable for a person, the **trustee** can use the proceeds from the sale of the property to buy another home and specially adapt it if required.

It may be that, over the years, a property stops being suitable for the beneficiary. If this happens Mencap Trust Company will work with the beneficiary and the important people in their lives to gently help them find a new home.

# Glossary

<b>Beneficiary</b>	The person who will benefit from the trust's assets.
<b>Discretionary trust</b>	A flexible way for parents, family and friends to leave money and property to help a named person. The discretionary trust fund does not affect the beneficiary's means-tested benefits or entitlements.
<b>Great Tenants</b>	Is the name given to GLH's service which finds rental properties chosen by the person with learning disability. GLH negotiates with the owner and becomes the beneficiary's landlord.
<b>Joint tenant</b>	Persons are named on the property title, and an underpinning deed arrangement states that should one joint owner die the survivor has the right to inherit the property.
<b>Our House</b>	Is the name given to the agreement between Mencap Trust and GLH. Property held in trust is leased to GLH who becomes the beneficiary's landlord.
<b>Tenants in common</b>	Mencap Trust Company and persons are named on the property title, and an underpinning deed arrangement sets out what happens and what restrictions apply if the property is sold.
<b>Trustee</b>	The person or body responsible for the assets held in trust for the beneficiary. Mencap Trust Company is the sole trustee of all Mencap Trust Company trusts. The trustee is represented by six volunteer directors who make all decisions about the management and use of each trust fund.
<b>Trust deed</b>	The legal agreement between Mencap Trust Company and the settlor. Mencap Trust Company offers two standard forms of discretionary trust deed, and each is updated by our legal advisors as required by legislation.
<b>Trust fund</b>	The money or assets held by the trustee to be used in accordance with the trust deed.

# Three housing options – adapted for your family so one might be right for you

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## Set up a trust

Set up a Discretionary Trust  
with Mencap Trust Company



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If you want to know more, please contact us. Call Mencap Trust Company on **020 7696 6932** or email **mtc@mencap.org.uk**. Call Golden Lane Housing on **0300 003 7007** or go to **www.glh.org.uk**

Mencap Trust Company is a company limited by guarantee.

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Registered office address: 123 Golden Lane, London EC1Y 0RT. Registered charity number 1071097.

Royal Mencap Society is a registered charity.

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