

Mission Statement

*To provide a caring environment
where the residents may live with the dignity
and respect they deserve.*

*To be cared for at all times by
competent staff that will provide
ongoing holistic care appropriate to their needs.*

.....

Home Philosophy

*To excel in the care of the elderly
To respect and nurture those entrusted to us
To provide a friendly homelike atmosphere
To respect the individuality and privacy of our residents
To listen and respond with care
To innovate and continue to improve the services we deliver.*

TYPE OF SERVICE

Rangiura was established in 1981 as a Charitable Trust on donated land and is surrounded by large picturesque grounds. Its 'wide-open' situation in a quiet location within walking distance of the main centre make it suitable for access to the wider community in safety.

We pride ourselves with being able to provide a caring environment where the residents are treated with dignity and respect.

The facility comprises of 48 Rest Home beds, 14 of these with ensuites. In addition we have 6 studio units (with Rest Home level designation), ideally for semi- independent living in a safe environment. A 51-unit Retirement Village complements the Home, with some units surrounding the complex, whilst the majority are situated in Arts Lane in the town centre. A further 34 Retirement Villas are currently under construction adjacent to the main Rest Home in Matai Crescent.

Rangiura is a 24-hour Residential Stage 2 Care facility catering for high dependency residents up to SN Level 4.

The facility is able to cater for young disabled. (Under 65) with comprehensive physiotherapy back up.

Depending on bed availability we cater for respite care and our day care programme is well established.

Our license does not allow us to have residents that require monitored secure care (stage 3).

Our Manager is available to assess information from a referring agency prior to a resident/consumer being deemed eligible for entry to our facility.

General Care/Health Services

STAFF

Philosophy

Our service is not limited to physical and material things. Our aim is to help older members of the community turn their latter years into a time of fulfillment and completion. It is a time when they should integrate the joys and sorrows, hopes and anxieties of life – which the elderly feel in a particularly sensitive way.

Look at the treasure of humanity and wisdom that is yours in your elderly folk
Love them and be grateful to them

All of the staff at Rangiura are competent in Rest Home care requirements. We practice a policy of ongoing in-house education and training to ensure staff are fully capable of meeting your needs.

Our Manager is responsible for the administration of the Rest Home.

Your Care

Your involvement in planning your own care is really important. There are various formal ways this happens:

- The Residents History and Assessment form is completed either prior to or immediately after admission. This is your opportunity to have your unique needs known.
- A Care Plan will be developed from this, in consultation with you, and your family.

Doctors

We use the Putaruru clinics for medical care. One of these Doctors will be responsible for your medical care. Be sure to advise our Registered Nurses if you are unwell. They will discuss the situation with you and if necessary make arrangements for you to see your Doctor. Rangiura will pay the accounts for residents who are on Rest Home subsidy.

Registered Nurses

We have a team of registered nurses who work in conjunction with your doctors.

Please discuss any medical problems with them and they will be pleased to tend to your health needs.

Medication

The Registered Nurse or the Senior staff member on each shift is responsible for administering medication. Our pharmacist from Heslop Pharmacy dispenses medication for one week, commencing Friday morning.

We have a separate policy for self-medication if appropriate.

Physiotherapists

As part of our team we have registered physiotherapists who provide a large range of services including rehabilitation, mobility, pain management, exercise classes etc. If you have any need for mobility aids they will assess/arrange this.

Activities and Entertainment

We provide a monthly newsletter, which sets out the programme of things happening. We encourage all residents to take part where possible.

Consent Forms

You and/or your family will be asked to sign consent forms as part of admission to the Rest Home.

These cover –

- Resident's medical treatment
- Emergencies such as accidents
- Outings and transportation
- Room Transfers
- Restraint such as cot sides on beds etc.

Visitors

Unrestricted – family and friends always welcome. We ask that all visitors sign the book at reception on arrival and departure – this is a Ministry of Health requirement. We will limit or control your personal visitors at your request only. If you wish your family/friends to be involved with your care ask them to talk it over with the Manager/Registered Nurse.

Residents Meetings

Meetings are held every three months. At these meetings you will be welcome to make suggestions on any matters that concern you or improvements that can be made.

Management will respond to all suggestions.

Complaints

Caring for someone is a two-way process and if it is to work well, all parties need to be open with each other. If for any reason there is cause for you to feel dissatisfied, please talk about it with the care staff, the Manager or any member of the Trust Board. Complaint forms are available from the office. Please ask Management or any staff member should you require one. These are also available in the admission packs.

If you have a complaint that is not adequately dealt with by Management, you should take it to the Health and Disability Commissioner (Phone 09 373 1068), Health Consumer Service (0800 801 482) or the Ministry of Health (Phone 07 834 0013). Rangiura is required to meet standards set by the Ministry of Health and you have the right, if you ever feel that these are not being met, to request that we do.

Your Satisfaction

We regularly conduct surveys to give you an opportunity in an anonymous way to tell us how we can improve our service. We really would like your honest opinion – if you do not tell us, how can we fix it? A suggestion box is situated on the Reception Desk. Suggestions and ideas on how our service can be improved are always welcome.

Weekly Rest Home Fee for Service

The weekly board rate is currently **\$657.86**

The Fee for Service does include:

- All Medical costs for medication prescribed by your doctor (for subsidised residents)
- All incontinent supplies
- All doctors' visits arranged through the Registered nurses (for subsidised residents)

The Fee for Service does not include:

- Clothing
- Personal toiletries e.g. shampoo, soap, toothpaste etc.
- Toll Calls
- Individual phone line
- Individual newspaper
- Insurance for personal belongings
- Dentist
- Optician
- Audiologist
- Hairdresser
- Dry Cleaning
- Solicitors
- Chaplain
- Surcharge for superior(Studio) and ensuited rooms
- GP visits and medication costs (for non-subsidised residents)
- High cost dressings/wound care products

Studio Units

The criteria for the studio units are:

- Must preferably be able to live independently with minimal supervision

Day Charges

9 am - 1 pm \$20.00

9 am - 4 pm \$35.00 (plus \$5.00 transport charge for non-subsidised residents)

Overnight Stay

Overnight stay would be at the everyday rate of \$93.98

CLOTHING REQUIREMENTS

Our Care Team and our Physiotherapists have put together the following recommendations for resident's clothing and footwear.

If you are purchasing new items for residents residing in Rangiura Home please take the following into consideration as these items have proved to be the most comfortable, practical and, in the case of footwear, the safest for our residents.

If you have any queries regarding the suitability of clothing or footwear for you relative, please contact either the care manager or physios who will be pleased to assist you.

Foot Wear

Please ensure residents have appropriate footwear:

- Laced up walking shoes or Velcro fastening shoes.
- Supportive Shoes, definitely not high heeled.
- Slipper with a supportive heel with rubber soles – Velcro and zip fastenings are acceptable.

Underwear

The following quantities of underwear are recommended:

- Singlets 5
- Underpants 5
- Briefs 5
- Bras 3

Clothing

- Nighties & Pyjamas – stretch material please.
- Nightshirts – only if large sizes or in stretch material.
- Polo skivvies – allow for shrinkage in the wash.
- Tracksuit pants – allow for shrinkage in the wash.
- Trousers with elastic waist or inset.
- Skirts with elastic waist
- Blouses – button down front.
- Frocks – button down front.
- Warm jacket for outings.
- Woollen clothing may in some cases be set to the drycleaners. This will incur a fee.
- Polo fleece Sweatshirts are recommended for warmth.

**PLEASE ENSURE THAT ALL RESIDENT CLOTHING IS CLEARLY NAMED.
SEWN ON LABELS ARE PREFERABLE.**

• HOSPITALITY SERVICES

Meals

All meals are prepared on site by our qualified staff. Strict hygiene and food regulations are observed at all times. All staff are appropriately trained and qualified in food preparation and service.

- **Special Dietary Requirements** are catered for according to your Doctor or in consultation with a dietician.
- **Likes and Dislikes** - Some of this information is collected on admission. Please let us know of any allergies or incompatibilities.
- **Cultural Preferences** may influence the sort of food you prefer. Let us know your special needs and we will find ways of meeting them.
- **Visitors** are always welcome and can be catered for with a small charge for main or tea meals - ask your Care Staff how to arrange this.
- **Going Out** - It is a requirement that Staff are advised if you will be out for a meal.
- **Meal Times**

Breakfast in your room	from 7 am
Lunch in the dining room	from 11.45 am
Tea in the dining room	from 4.45 pm

Morning and afternoon teas and supper are served every day.

Laundry

All personal washing will be done for you, or you may wish to have your family do it for you. All clothing **must** be named to avoid confusion.

Spiritual Support

Your own spiritual advisor is welcome to visit you at your convenience.

Transport can be arranged to any Church/Fellowship in town. A church service is held at Rangiora on the 1st, 3rd and 4th Thursdays at 10.15 in the Hall.

Hairdresser

By appointment. Staff will make your appointment if you are unable to. Salon expenses are not included in your fee.

Dry Cleaning

Dry cleaning is picked up and delivered every Tuesday and Friday at reception. Costs are at your own expense.

Recreation

Includes craft sessions, bowls, visiting entertainers, regular outings and various other therapies.

Outings

We have an 11 seater van (with hoist) which we utilize both as a courtesy coach and for fortnightly outings to local places of interest. We also have a courtesy car which we use to transport residents to appointments/clinics, outings and special visits.

Celebrations

We will make available areas where birthdays or other special events can be celebrated with family and friends. Talk to your Care Staff and they will arrange it for you.

Personal Possessions

You may wish to bring a favourite chair, bedding, paintings or ornaments or perhaps your own bed. This is limited only by the space available and by your care needs. Discuss it with the Manager. It is nice to have some of your own things about you. You will need your own insurance for personal items.

Library

You are welcome to go to the Public Library should you desire. A selection of books is also available – ask your Care Staff. The Public Library visits once a fortnight and will select books that you like and bring them to the home for you.

Shopping

We have a shop at the home every Wednesday morning at 9.15 where you can purchase toiletries, fruit etc. The ladies will also go to the Supermarket for you.

Valuables

We are unable to store your valuables, so please make alternative arrangements. We request that you or your family/whanau inform us if your rings/jewelry or any other valuables are removed from the premises.

Postal

Mail may be left at the office for posting. Incoming mail is delivered on arrival.

Newspapers

Morning and afternoon newspapers can be ordered for you –these are at your own cost.

Telephone

You may have your own telephone connected in your room (at your cost). Otherwise there are phones available in the home for your use. Please advise reception if you make a toll call.

Television/Radio/Stereo

You are welcome to bring your own set. We recommend you use earplugs

Holidays

If you are away for a weekend or on holiday your room can be locked to keep your possessions safe until you return.

Smoking Policy

Rangiura has a no smoking policy throughout the Rest Home. We have a designated area outside for those residents wanting to smoke.

Banking

Banking arrangements can be discussed with the Manager or reception.

E-mailing

Rangiura has an email address and we are very happy for relatives to send emails to residents on this address. Also we would encourage residents to reply.

Essential, Emergency and Security Systems

Fire Safety

We have an evacuation scheme which has been approved by the NZ Fire Service. Every 6 months a trial evacuation is carried out and recorded for audit purposes.

In the event of a real fire, a debrief and analysis of the evacuation would take place as per our continuous improvement philosophy. Minutes of the debrief and analysis would be recorded and any outcomes linked to our Risk Management Plan.

We have in place a sprinkler system and smoke detection system. Adequate fire extinguishers and fire proof doors where appropriate to comply with all standards.

All of our staff are trained in emergency preparedness as part of their orientation and on an ongoing basis. In the event of a fire, they know to ring 111 and carry out an evacuation as planned.

Laminated instructions of Communications to Emergency Services are clearly visible beside the main phones to assist the person dialing 111. Signs are mounted on the back of each resident's door in their room explaining what to do in the event of a fire.

Our existing fire risk has been analysed and is documented in our Risk Management Plan and all steps are taken to minimise the risk.

Civil Emergency

In the event of a civil emergency such as an earthquake, flood or volcanic eruption we have on site supplies of water, food, torches, blankets medical equipment and medicines for residents and staff. An inventory of equipment and supplies is kept in the civil emergency cupboard and replenished annually if not used.

Staff receive training in what to do in a civil emergency. Key considerations are communication with residents' and staff families, personal ablutions, hygiene and infection control, potential loss of electricity and medicine management.

Call system

In order to maximise resident independence and safety, we have an easily accessible call bell system within our facility. The call bell system is explained to all residents on entry into the facility and shown to staff as part of the orientation programme.

POLICY REGARDING ELECTRIC WHEELCHAIRS AND SCOOTERS

Residents at Rangiura, who require electric wheelchairs and scooters for mobility purposes, may use them at the home, with the following conditions.

Electric Wheelchairs.

- These may be used within the home by residents who have very restricted mobility, and where recommended by the G.P. or Physiotherapist.
- At all times, the safety of other residents is paramount.
- All wheelchairs are to be driven at the lowest speed within the home.
- Residents who are walking, especially those using walking frames, have right of way.
- When approaching an intersection, residents in wheelchairs will at all times stop and only proceed if the way is clear.
- Where possible wheelchairs are to be charged in the resident's room. This is to be done every night by the caregiver who is responsible for seeing the said resident to their bed.
- The caregiver responsible for assisting that resident in the morning is responsible for unplugging charger and assisting (if required) the resident into the chair.

Scooters.

- Scooters may only be brought to the home after consultation with the manager.
- Scooters are only for use outside and may not be used within the home.
- A location for charging these will be found in consultation with the manager, and it is the responsibility of the owner to place these on charge after use.
- Residents whose scooters are on charge within the home, may exit and enter through an outside door closest to the charge bay, and may not use the corridors of the home.
- When parking the scooter - if the parking bay is within the home,- scooters may only proceed at the lowest possible speed.
- Within the grounds of the home, residents who are walking and especially those using walking frames, have the right of way.

It is a requirement of Rangiura home that residents using either electric wheelchairs or mobility scooters, agree to adhere to this policy. Breaches of this policy may result in the impounding of the vehicle on a temporary or permanent basis - depending on the severity of the infringement.

MOVING INTO A REST HOME

The first step is to make application to D.S.L. (Disability Support Link). This is done by asking your General Practitioner for a referral or by speaking to the Manager of Rangiura.

An initial assessment needs to be made in case there is some way in which your condition can be improved sufficiently to make long term care unnecessary. The assessment is usually carried out in your own home but may be carried out at the Rest Home.

A second assessment is carried out by a Geriatrician (a medical doctor specializing in conditions associated with aging).

Both assessments aim to help those who are referred to achieve the optimum level of functioning and to prevent inappropriate and premature moves into care.

The result of both assessments will determine the level of care required and one of the following may be recommended.

- 1) Continuation at home, perhaps with additional support from Community Health Services, Home Care agencies, Meals on Wheels etc.
- 2) A short stay in the Assessment and Rehabilitation Ward in the Hospital.
- 3) Admission to Elderly Services over a period of weeks for rehabilitation.
- 4) Alternative or intermittent care may be offered, whereby short periods may be spent in a Rest Home or Private Hospital to relieve the care giver.
- 5) Long term care in a Rest Home if assistance is required for activities of daily living.

How is Private Care paid for?

From your own funds if you are able to afford it but as many people require financial assistance to pay the fees the assessment includes investigation of financial matters to see if a subsidy is required as means tested funding is available to those who qualify.

Who qualifies for a Subsidy?

Anyone aged 65 years or over who has been assessed as requiring continuing care by a Geriatrician and who has insufficient income to meet the cost of Rest Home or Private Hospital fees can qualify for a subsidy.

How is the Subsidy means tested?

The subsidy is means tested by Income Support. Asset and income for the past 5 years are taken into consideration. The Rest Home and Private Hospital Subsidy is available to those whose assets do not exceed \$160,000. This will increase by \$10,000 per year from 1 July 2007. If one partner has to move into long term care and the family home is required for the use of the other it is not included as an asset and the person remaining in the home can have \$65,000 plus a car. If both partners leave the family home Income Support views it as a realizable asset. However, if extended family does not wish to sell the home they can contact Income Support and special arrangements can be made to recoup the Rest Home Subsidy from the deceased estate. For further details about this contact Income Support Rest Home section.

How is a suitable Rest Home or Hospital chosen?

Once the assessment is complete and the level of care established the family, in consultation with the person seeking care, is asked to make a choice about placement.

Family members should visit Rest Homes and Hospitals which are likely to appeal and let the Social Worker know their preferences.

See Page 20 of this Booklet for Points to Consider when visiting Rest Homes and Hospitals to give you some guidance about what to look for.

Can a Resident go to the Rest Home or Hospital of his/her choice?

As long as the establishment chosen can provide the level of care the person has been assessed as requiring and there is a bed available there is no reason the person cannot go to wherever they choose.

RANGIURA REST HOME

The Rights & Responsibilities of Residents

Introduction

1. The Staff and Management of Rangiura pride themselves on the excellent care and services offered to residents within their care. To ensure every resident/relative is informed and aware of what is considered essential to our commitment to care we have developed a code of Residents Rights and Responsibilities.
2. Each resident within the complex has the right to be respected as an important individual and should be treated accordingly.
3. However, similarly it is important that each resident recognizes that they are continually relating to other residents, and to staff, within the complex and must give them the respect that they also deserve.
4. The over-riding guideline is that everyone within the complex should treat others as they would wish to be treated themselves.

Your Specific Rights as a Resident

The following is a list of the main specific rights that you have when entering residence within this complex.

1. You have the right as an individual to be treated with respect. You have a right to life, love, moral support and comfort from staff, family and friends.
2. You should receive appropriate and careful personal and health care - according to your needs.
3. You are entitled to an appropriate and high standard of environment, furnishings, food and recreational activities.
4. You have a right to privacy. This includes privacy with respect to:
 - Your room
 - When being bathed, toileted, dressed, or medically treated
 - Receiving visitors, telephone calls, mail or having personal conversations
 - Confidentiality of records
 - Any other factors coming within the Privacy Act 1993

5. You have the right to be made aware of the names and roles of the people caring for you and the right to ask for a different carer if difficulties or dissatisfaction arise.
6. You have the right to treat the complex as your home and to regard yourself as a member of a family consisting of the other residents and staff.
7. You should expect that your safety should be catered for in and around the complex.
8. You have the right to communicate freely and privately with those people of your choice.
9. Residents have the right, if married, or in a stable relationship, to live together. In the event that they are not both residents of the complex, provision should be made so that they can visit each other.
10. You have a right to a rehabilitation and socialization programme that emphasizes your abilities. A variety of constructive and entertaining recreation activities should be available on a voluntary basis within the complex.
11. You have a right to choose and have access to your doctor and have your (reasonable) wishes respected in regard to treatment, for which the complex is responsible for.
12. You have the right to be fully informed, involved at all stages and to give informed consent to all treatments, procedures and activities and to have these clearly and precisely explained to you before any treatment etc. is commenced. You have the right to refuse treatments/activities and if refused all staff will abide.
13. You have the right not to be involved in teaching or research, unless you freely consent to be involved.
14. You have the right to continue with cultural and religious practices and value systems, which have been important to you in the past.
15. You have the right to know about your finances. You should be given the opportunity to manage your own financial affairs, unless you have delegated this responsibility and you can expect special attention if no support person is available (family/trustee) or if decision making ability is impaired.
16. You have a right to understand and to be involved in decisions regarding changes to your daily timetable and accommodation within the complex.
17. You have a right to be free from mental or physical abuse and also to be free from chemical and physical restraint. The only exception to this is to protect your well being, as outlined by a doctor in your medical records. This will take place only after discussion with yourself and/or your next of kin.
18. You have the right to know the regulations involving the running of the complex and to have involvement in decisions that effect your well being. You have the right to receive all this information in a form you are able to understand.

19. You have the right to choose and maintain contact with individuals and groups from the community, through visitors to the complex and via outings and appropriate assistance from staff to reach this goal.
20. You have a right to maintain your personal independence.
21. You have the right to complain about anything that upsets you and if necessary have an independent advocate act on your behalf.
22. You have the right to transfer or discharge yourself from the complex with the understanding that it is your desire, and if inappropriate, at your own risk.

Your Responsibilities as a Resident

Along with rights there are also responsibilities. In order for the complex to be the best possible place to live, you also have responsibilities - which will promote well being and harmony. As this is your home there are no absolute rules or regulations, rather courtesy prevails and consideration and understanding of fellow resident's difficulties and the need for privacy is recognized.

These responsibilities are as follows:

1. You should treat everyone within the complex with courtesy and respect fellow residents as neighbours and part of the family.
2. You should treat the building and environment with care.
3. If you are in charge of your financial affairs, then you should ensure that all financial matters are kept current.
4. You should show consideration to other residents in regard to noise levels, lighting and conduct of visitors.
5. You should ask for clarification or further explanation of treatment or illness if something is unclear or not understood.
6. You should always advise a staff member and fill out the visitors' book when you are leaving the premises and also advise when you expect to return. On re-entering the complex you should ensure that a staff member is aware of your return.
7. Feel very free to inform the Manager of any complaints, difficulties and/or recommendations.

Overall all Residents should be treated with respect and they in turn should treat their fellow residents and members of staff with the same respect

ENDURING POWER OF ATTORNEY

What is a Power of Attorney?

A Power of Attorney is a document you sign appointing another person to be your “attorney”. This gives the attorney the right to make decisions on your behalf.

An ordinary power of Attorney is automatically revoked i.e. becomes invalid if you become mentally incapable. This means that the attorney would not be able to act on your behalf if for example you went into a coma or developed Alzheimer’s disease.

What is an Enduring power of Attorney?

With an enduring power of Attorney, you appoint another person your “attorney” to handle affairs if you become mentally incapable.

This enduring Power of Attorney would become very important if you lost your mental capacity and decisions needed to be made on your behalf. It would provide proof to the residential care facility, bank’s and others that the person making decisions on your behalf has the right to do so. It also provides the residential care facility with someone to contact in an emergency.

Types of Enduring Power of Attorney

There are two types of enduring Power of Attorney.

1. Enduring Power of Attorney in relation to property

This gives the “attorney” the right to act in relation to your property, for example to sign cheques or to sell property. This gives much wider powers than simply granting signing rights in respect of a bank account as the power of attorney will also allow the attorney to sign in relation to any other property belonging to you. You can arrange for the power of attorney to be drafted in any of these ways:

- To give the attorney general authority to act in respect of the whole of your property.
- To limit the attorney’s authority.
- To limit the property to which the power of attorney applies.
- To specify other restrictions on the attorney’s powers.
- The granting of this power of attorney **does not prevent you from continuing to manage your own affairs** until such time as you become mentally incapable.

2. Enduring Power of Attorney in relation to personal care and welfare

This gives the attorney the right to make decisions in respect of matters such as medical treatment and where you will live.

There are certain restrictions on decisions that can be made by the attorney. For example, the attorney cannot make any decisions in relation to your marriage or your adoption of children.

The details of these restrictions are on the bottom of the form which you will fill in. Again, the authority conferred on the attorney may be as broad or as specific as desired.

Only one person may be appointed as an attorney in relation to personal care and welfare.

What is mental incapacity?

You would be mentally incapable if you -

- Became not wholly competent to manage your own property, affairs or
- Lacked (wholly or partly) the capacity to understand the nature and to foresee the consequences of decisions in relation to your personal care and welfare or
- Had the capacity to do this but were unable to communicate your decisions in relation to such matters.

When does an Enduring Power of Attorney come into effect?

An enduring power of attorney in relation to personal care and welfare would take effect only if you became mentally incapable. The enduring power of attorney in relation to property can either take effect once you become mentally incapable or as soon as it is signed, depending on your wishes.

Note that to grant an enduring power of attorney, you must be able to understand the broad essentials of it.

If you had given an enduring power of attorney to a relative and the residential care facility where you were living believed that you had become mentally incapable the facility manager would ask the resident's GP to provide them with an assessment as to whether or not you were mentally incapable taking into account the legal definition of "mentally incapable" and your state of health.

The GP would provide a written report giving his or her assessment as to your mental capacity together with the reasons for this conclusion.. This should be sufficient for the residential care facility to rely upon. The facility could then refer to your attorney for a decision on any matter in which you gave the attorney your authority to act when you signed the enduring power of attorney.

In many cases the attorneys in relation to property and personal care and welfare will be the same person. If you had appointed one person to act in relation to property and another to act in relation to personal care and welfare, then the facility would have to take care to refer to the correct attorney.

You would have the right to object to the attorney making decisions on your behalf. If a dispute arose that could not be resolved the matter could be referred to the Court. The Court would have the final jurisdiction to determine whether or not you were mentally incapable. The Court also has wide powers to intervene including deciding whether your choice of attorney is suitable and giving directions to the attorney as to how he or she should manage your affairs.

Power of Attorney Forms

There are standard forms for enduring powers of attorney. These need to be filled out appropriately and signed by both you and the attorney. An independent party needs to witness the signatures. A lawyer can draft the documents.

Note If the power of attorney is to be relied upon to sell or transfer real estate, it needs to be witnessed by a solicitor or Justice of the Peace.

If a power of attorney is granted to more than one person it should be granted jointly and severally. This means that although two or more attorneys have been appointed one is sufficient to make a decision or to sign a document.

Should someone from the residential care facility hold the Power of Attorney?

KPMG'S legal opinion to Residential Care New Zealand is that it is preferable for you to appoint a relative or trusted friend as your attorney rather than an owner or staff member of a rest home or hospital. This is because there could be perceived conflict of interest where the facility is acting on your behalf and also benefiting financially from your remaining in their care. However, there may be cases where there is no other person willing or able to act and the residential care facility feels obliged to step in. Facilities should have a policy on whether staff is permitted to act as attorneys and if so in what circumstances.

What if you do not sign enduring power of attorney?

If you had not signed an enduring power of attorney and you became mentally incapable, an application could be made to the Family Court. The licensee, manager or any other person in charge of the facility could make the application to the Court. You, a relative, a social worker with the Department of Social Welfare, a medical practitioner, a member of a voluntary group concerned with your welfare, or any other person with the Court's permission may also make an application. It is presumed that every person has the capacity to handle his or her affairs. The onus is therefore on the application to prove that this is not the case.

See the procedure suggested above regarding assessment by your GP.

The Court has the power to make a number of orders, the most common of which are:

- a) **Personal Order** The Court can make an order regarding your personal care and welfare such as where you will live or medical treatment. Note that in this case no person is appointed to make any decision on your behalf.
- b) **Welfare Guardian** The Court can appoint a person to make personal care and welfare decisions on your behalf. The function of the welfare guardian is to promote your best interests to consult you, seek instructions (as far as practicable) when acting on your behalf and to encourage self reliance. In relation to personal care and welfare there are the same restrictions on decisions made by welfare guardians as there are for attorneys appointed through an enduring power of attorney (mentioned above). For example the welfare guardian cannot make any decisions in relation to your marriage, adoption of the children and various forms of medical treatment.
- c) **Property Order** The court appoints a property manager to administer all or part of your property or to carry out related functions. The property manager is required to consult (as far as practicable) with you or any other persons interested in your welfare and at all times should use the property to promote your best interests while encouraging you to develop your own decision making powers.

What if someone acts on your behalf without authority?

It would be important for the facility to take reasonable care to ensure that it consults with a person who is entitled to give instructions in relation to you if you lacked mental capacity. A certain amount of common sense will prevail in most circumstances, but where the decision in question is of some importance, it would be appropriate for the facility to seek legal advice. If a residential care facility or relative dealt with your property without authority to do so the facility or relative (as the case may be) would be liable for any losses incurred.

POINTS TO CONSIDER WHEN VISITING REST HOMES AND HOSPITALS

- **Is the atmosphere warm and friendly?**
- **How many Residents share a room?**
- **What provision is there for privacy?**
- **What furniture is provided? Are Residents allowed to bring their own furniture?**
- **What activities are available for Residents during the day?**
- **Is there a Recreation Programme?**
- **What arrangements are made for medical care? How is this charged for?**
- **What access is there to the outdoors? Is there a garden in which to sit?**
- **Are there menus for meals? Do Residents have a choice?**
- **What staff is available to help Residents - at night? During the day? Does staff have time to sit and talk to Residents?**
- **What arrangements are made for Residents' personal laundry?**
- **How often are Residents able to bath or shower?**
- **Is the facility easy for family and friends to reach for visiting?**
- **Are visitors welcome? Can they visit at any time?**
- **What are the fees? What extra expenses are likely to occur?**
- **What other services are available e.g. hairdressing, shopping etc.**

Finally talk with staff and other Residents to assess, if possible, where you (or your relative) could live happily.

Thank you for your inquiry. We are happy to discuss with you any queries or concerns that you may have about moving into our Home. Please do not hesitate to ask.