

LGBT+

Navigating later life



Information written with you in mind.

Our guides are produced with the help of older people, carers and expert peer reviewers.

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Kindly peer reviewed by Stonewall.



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Their feedback helps us ensure that our information is as useful as possible for older people and their carers, family and friends.

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What this guide is **about**

Most of the issues, advice and policies that relate to later life apply to everyone in the same way – but there are some things that affect lesbian, gay, bisexual and trans (LGBT+) people differently.

As part of a wider shift in views and attitudes, laws affecting LGBT+ people have changed over time – mainly in a positive way. But unfortunately, some prejudices do remain.

As an LGBT+ person, you have rights that are recognised by law. This guide can help you understand these rights and make sure they're respected. It can also help you navigate systems that might feel confusing.

You might find that some topics in this guide aren't relevant to your situation right now – but they could be helpful in the future. And if you ever need advice or support, there are lots of organisations you can get in touch with. There's a list of useful contacts on pages 40-46.



All of the information in this guide applies to England. This symbol indicates where it differs for Wales and Northern Ireland. If you're in Scotland, contact Age Scotland for advice.



We understand that everyone has their own preferences about how to describe their identity. We're committed to reflecting this diversity – but we acknowledge that the way in which some terms in this guide are used may vary or change over time.



Next steps

It's a good idea to find out the number for your local council. They'll be able to provide a lot of the support and information mentioned in this guide.

My local council phone number is:

If you have a partner

Your rights and responsibilities as an LGBT+ couple might be different to those of heterosexual couples. This section covers some things to consider.

Marriage and civil partnership

Getting married or forming a civil partnership isn't just a way for you and your partner to celebrate your love for one another – it gives you greater legal rights around property, medical care and inheritance. It can mean you'll be more secure later in life or if one of you dies.

Marriage

You can choose either a civil or religious marriage ceremony. If you and your partner are already in a civil partnership, you can convert this into a marriage if you like. But it's worth noting that not all faith organisations will marry same-sex couples – and they're not legally obliged to.

Civil partnership

Civil partnership is very similar to marriage. It's created when 2 people sign a civil partnership document in the presence of a registrar and witnesses. The ceremony can take place in a registry office or other registered premises, such as a hotel. It can also take place in a religious building, with permission – but the ceremony itself can't have religious content.

Financial and legal considerations

When it comes to finances, civil partners and married same-sex couples have almost the same rights as heterosexual married couples – but there are some differences.

Pensions

Can I claim my partner's State Pension?

The State Pension is based on your own National Insurance (NI) contributions. In general, you can't claim on your spouse or civil partner's contributions – but if you reached State Pension age before 6 April 2016 and don't have enough NI contributions of your own, you might qualify for a pension based on theirs.

Can I claim my partner's private pension?

You're entitled to a survivor's pension from your spouse or civil partner's workplace pension if they die. However, workplace pension schemes are only required to grant survivor benefits to same-sex couples based on contributions from 2005 onwards – so you might be entitled to less money than heterosexual couples. This is in line with the law and only applies to non-contracted out pension schemes.

Whether arranged by an individual or by an employer, private pension schemes aren't required to extend survivor benefits to unmarried or unregistered partners – but your partner can nominate you to benefit from their pension if they die.



Next steps

Contact your pension provider or the Pension Service (page 45) for more information.

Claiming benefits

Most older people are entitled to the State Pension – but you don't get it automatically. You should get a letter from the Pension Service around 4 months before you reach State Pension age explaining what to do next. If you still haven't received this letter with 2 months to go, contact the Pension Service (page 45).

If you live with your partner, you'll be treated as a couple even if you're not married or civil partners. This can reduce the amount of some other benefits you're entitled to.

For example, the amount you might be entitled to from means-tested benefits – such as Pension Credit or Universal Credit – could be affected because both your income and your partner's income are included in the assessment.

If you receive means-tested benefits, let the office that pays them know if you have a civil partner or spouse or if you live with a partner. If you don't tell them, you might have to repay any overpaid benefit and it could be seen as fraud.

Living together doesn't affect non-means-tested benefits such as State Pension or disability benefits such as Attendance Allowance or Personal Independent Payment. These are calculated on the basis of your individual circumstances.

Tax relief

If either you or your spouse or civil partner were born before 6 April 1935, you can claim the Married Couple's Allowance, which can reduce your tax bill.

If you aren't eligible for the Married Couple's Allowance, you might be able to claim the Marriage Allowance instead, depending on your income. This lets you transfer some of your tax-free Personal Allowance to your partner.

Tenancy rights

If you live in your partner's rented property, you might be able to get your name added to the tenancy. You shouldn't need to be married or in a civil partnership to do this. It might be easier if you live in a council or housing association property – but check the terms of the tenancy and your landlord's policies to see what they say.

If your partner dies and you were joint tenants, the tenancy should automatically transfer to you. If your partner was the sole tenant, the rules depend on the type of tenancy they had. This can be complicated, so it's a good idea to get further advice if you're not sure.

If you and your partner didn't get married or register a civil partnership, you might need to provide evidence of your relationship – for instance, joint accounts and bills or being registered on the electoral roll at the same address.



In Wales, tenants are now known as 'contract holders' and tenancy agreements are referred to as 'occupation contracts'. Get advice from Shelter Cymru (page 46) if you're unsure of your rights.



Next steps

Contact Stonewall Housing (page 46) if you need more advice on your housing situation.

Our factsheet **Preventing evictions** has more information. In Wales, see Age Cymru's factsheet **Renting your home in Wales – rights if you are threatened with eviction**.



Wills and inheritance

When you marry or enter a civil partnership, any existing will you have is automatically cancelled. This means you and your new partner must both make new wills.

Civil partners and spouses can inherit money and property from their partner without paying Inheritance Tax (IHT) – regardless of the size of the estate. This rule doesn't apply to couples who live together but haven't married or registered their partnership. In that case, if the value of the assets (such as a house) exceeds the IHT nil rate band, the surviving partner might have to sell it to pay the tax debt after their partner's death.

Same-sex partners who aren't civil partners or spouses should consider taking out appropriate life insurance to pay any IHT. If this applies to you, get independent financial advice first.



Next steps

See our guide **Wills and estate planning** and our factsheet **Dealing with an estate** for more information.

Claiming bereavement support

Civil partners and same-sex spouses are entitled to Bereavement Support Payment in the same way as heterosexual married couples. Eligibility has been extended to unmarried couples with dependent children too.

Contact the Department for Work and Pensions (DWP) Bereavement Service (page 41) for more information or to claim. In Northern Ireland, contact the Bereavement Service (page 40).

You could be entitled to a lump sum payment and 18 monthly payments if:

- your partner paid enough National Insurance contributions
- you were under State Pension age when they died
- you weren't divorced or the civil partnership hadn't been dissolved before they died
- you were living in the UK (or another country that pays bereavement benefits) when they died.



Next steps

See our guide **When someone dies** for more information about the practical things that need to be done after a death. Our guide **Bereavement** has advice about coping with the emotional side of things.

Health and wellbeing

Health services have a duty to provide care that's fair and equal. LGBT+ people face the same general health concerns as everyone else – but some issues can affect LGBT+ people specifically.

Health services

It's important to see a healthcare professional if you're concerned about your health. Every doctor's surgery should have a policy on equality and diversity, which you can ask to see at any time. Any information you share with NHS staff is confidential – there are strict laws to make sure health records are kept secure.

Poor past experiences with health services or worrying you might be misunderstood or discriminated against could put you off getting help. But avoiding seeing the doctor could put your health at risk.

If you've been treated unfairly by a health service because of your sexual orientation or gender identity, you can make a complaint (see pages 31-32 for more information).



Next steps

Talk to your doctor if you have any health concerns. You can also visit the NHS website (page 44) in England, or the equivalent website if you live in Wales or Northern Ireland.

Sexual health

Sexual contact can put you at risk of sexually transmitted infections (STIs). It's possible to get an STI through non-penetrative as well as penetrative sex. The best way to prevent STIs is to have safer sex using condoms and dental dams.

Not all STIs have symptoms – so it's important to have regular sexual health checks, especially if you're changing sexual partners.

If you'd prefer not to see your usual doctor, you can make an appointment at a sexual health clinic or genitourinary medicine (GUM) clinic. Some of these are drop-in centres where you don't need an appointment. There's no need to feel embarrassed about contacting or visiting a sexual health clinic. Staff are used to discussing every kind of sexual health issue.

As an LGBT+ person, you have the right to be treated the same way as anyone else.

For more information about looking after your sexual health and wellbeing, see our guide **Sex, relationships and intimacy**.



Next steps

The NHS website (page 44) has specific sections for lesbian and bisexual women, gay and bisexual men, and trans people. In Wales, visit the LGBTQ+ health section of the NHS 111 Wales website.

In England, find your local NHS sexual health clinic online at www.nhs.uk/service-search/find-a-sexual-health-clinic. In Wales, visit www.111.wales.nhs.uk/encyclopaedia/s/article/sexualhealthclinics.

Mental health

Lots of people experience mental health issues – and even though it can feel difficult to talk about, it's nothing to be ashamed of. Common symptoms include feeling sad, hopeless or losing interest in things you previously enjoyed. There can also be physical symptoms, such as sleeping too much or too little or changes to your appetite.

Older LGBT+ people's mental wellbeing can be affected by particular experiences – such as facing prejudice. But whatever your situation, there's support available.

Talking to someone about how you're feeling can seem daunting – even scary – but it can really help. Making an appointment with your doctor is a great place to start. You can ask someone to come with you if you don't want to go alone.

Your doctor can discuss treatment options with you. These might include lifestyle changes, prescribed medication or talking therapies.

If you'd prefer to speak to someone anonymously, organisations such as Switchboard or the Samaritans are there to help. In Wales, you can also contact the C.A.L.L. Helpline. Contact Cara-Friend in Northern Ireland. See pages 40-46 for contact details.

Age UK's Silver Line Helpline is a free, confidential telephone service for people aged 55 and over. Whether you need help accessing support or you just fancy a chat, call **0800 4 70 80 90** to speak to a friendly team member – 24 hours a day, 365 days a year.



Next steps

Our guide **Your mind matters** has more information about taking care of your mental health.

Bereavement

It can be incredibly hard to cope with the death of a friend or loved one – especially if other people who knew them didn't acknowledge their identity or understand your relationship.

Grief might not affect you in the way you or other people expect. You might find that you experience lots of different emotions, and that some days are worse than others.

If you need someone to talk to, there's always help available. Everyone deals with death differently, and there's no right or wrong way to grieve.



“When my partner died my whole world fell apart. But I’m starting to get back on my feet. Talking has really helped.”

Bernie, 82



Good to know

Switchboard (page 46) has a dedicated UK-wide helpline offering support and practical information to LGBT+ people on a wide range of issues, including bereavement.

See our guide **Bereavement** for more information.

Feeling connected

Getting out and about and connecting with others can help you feel happier and healthier. Keeping in touch with friends and family and taking part in social activities is good for your mental and physical health – and it can also help prevent feelings of loneliness.

There are lots of social groups for older people – including some specifically for older LGBT+ people. There are activity-based groups for LGBT+ people of all ages too. LGBT Consortium (page 43) can help you find groups online or local to you.

If you find it difficult to get out and about, you can stay in touch online – over email or through video calls, for instance. Social networks like Facebook are also a good way to stay connected, share photos and find out about local events. Some people find love online too. Online dating is now one of the most common ways to meet a partner – and there are lots of LGBT+ dating sites and apps.

When you're using the internet be careful about giving out your personal information and meeting up with people you've met online in real life. Our **Avoiding scams** guide has more information on staying safe online. And if you need help getting online, your local Age UK or Age Cymru might offer digital training sessions.



Next steps

Call Switchboard (page 46) for advice about relationships, as well as information about local social groups and activities.

Our guide **Feeling lonely?** has more advice about what might help if you're experiencing loneliness.

Telling services about yourself

Service providers should only ask questions about your sexual orientation or gender identity if it's relevant to your care.

Although these questions can feel personal – even intrusive – your answers can help service providers know whether what they're offering is right for you.

If you've had negative experiences when sharing personal information in the past, it's normal to worry it could happen again. It's up to you whether you provide information about your sexual orientation or gender identity – and you have the right to ask why it's being requested.

It can be reassuring to remember that health and public services are increasingly used to supporting LGBT+ people of all ages and backgrounds. There are also strict laws about confidentiality and privacy, as well as protections against discrimination in the Equality Act (see page 30). Any personal information you share must be kept private, and health and care workers must treat you fairly.





Home and care

As you get older, you might need some more help in day-to-day life. It's important that you're comfortable with the care you receive and feel confident that it's right for you.

Getting help at home

If you're finding it tricky to manage at home, ask your local council for a care needs assessment. The council must assess you if it appears you may have care and support needs – and there's no charge for the assessment.

The assessment can be carried out in various ways. If necessary, a social worker or assessor should visit you at home to find out about how you're managing.

If the council decide you're eligible for help, they should work with you to create a care and support plan that outlines how your needs will be met. The plan could include homecare, specialist equipment or adaptations to make your life easier.

The council will also do a financial assessment to see if you're eligible for help with paying for your home support. This is based on your income and any assets that you have, such as savings. If you're eligible, you'll be allocated a personal budget. This sets out the cost of meeting your needs and what you'll need to pay towards it.



In Wales, services are generally means-tested, although there's a maximum weekly charge for home care. The personal budget system doesn't apply in Wales, though you can opt for direct payments (see page 20). In Northern Ireland, there is no charge for home care.

Care should be provided by trained staff who treat you with dignity and respect. You should feel safe talking to them.

In some cases, you might be reluctant to ask for help because you're worried about intolerant or insensitive reactions. There's more information about dealing with these issues on pages 29-34.



“My local Age UK helped explain things to me.”

Simon, 65



Next steps

Contact the adult social services department of your local council to arrange a care needs assessment. See our guide **Getting help at home** for more information.

Arranging your own care through direct payments

If you're eligible for financial support, you can choose to receive your personal budget via direct payments. This means you get money from the council to arrange the care and support you need based on your agreed care plan yourself – rather than having the council arrange it for you.

Some older LGBT+ people prefer to organise their own care via direct payments, with providers they feel most comfortable with.

You need to meet certain criteria to qualify for this, and your local council needs to be satisfied that you're spending the payment on services that meet your needs.

The council should offer you information and advice about arranging your own care using direct payments – for example, your duties as an employer if you choose to employ a care worker directly.

If you don't want to arrange your own care through direct payments, you don't have to. The council has a duty to arrange your care if this is what you'd prefer.



Next steps

See our factsheet **Personal budgets and direct payments in social care** for more information. In Wales, see Age Cymru's factsheet **Direct payments for social care services in Wales**. In Northern Ireland, contact Age NI.

Housing and residential care

If you're finding it harder to manage at home, even with support or adaptations, there are other housing options that could make life easier.

- **Sheltered housing** allows you to live independently with occasional support if needed. This generally means visits or phone calls from staff (but not personal care services), a 24-hour emergency alarm system and communal areas.
- **Extra-care housing** provides different levels of care and support if you need assistance with your daily routine – for example, washing, dressing, using the toilet and taking medication. Domestic help and meals are sometimes provided too. You still live independently and have your own front door.
- **Care homes** provide 24/7 personal care and may also offer social activities and outings. Unlike in extra-care housing, you don't live in a self-contained flat or house.
- **Care homes with nursing** provide personal care and assistance from qualified nurses.

Sheltered and extra care housing are both types of supported housing. You might hear care homes (both with and without nursing) referred to as 'residential care'.



Finding the right home

The right place for you depends on your preferences and needs. There are very few specialist housing options for older LGBT+ people in the UK – but when you're considering supported housing or residential care, you can ask managers and staff questions about how LGBT+ people are accommodated. For instance, you might want to ask whether there are policies and procedures that ensure LGBT+ people are treated with dignity and respect.

All staff should be properly trained and be aware of issues affecting LGBT+ people, and your needs and preferences should be at the centre of your care.

How will I pay for a care home?

You might be entitled to help with the cost of a care home from your local council. First, they must agree that you need to live in a care home following a needs assessment. Then they'll carry out a financial assessment that looks at your income and capital (such as savings and property) to determine whether you're entitled to help and, if so, how much you'll have to pay towards the cost.

If you own your own home, it won't be included as capital in the financial assessment if your stay in a care home is temporary or if your stay is permanent but your partner still lives there. In some circumstances, it isn't included if another relative still lives there.



Next steps

Stonewall Housing (page 46) provides housing advice.

See our guides **Care homes** and **Housing options** or more information. In Wales, you can also read Age Cymru's factsheet **Paying for a permanent care home placement in Wales**.

If you're a carer

Becoming a carer for a relative or loved one is a difficult adjustment for anyone – but as an LGBT+ person, you might find yourself coping with additional feelings and issues relating to your identity.

If you're caring for your partner, you may feel pressure to 'come out' to home visitors and professionals involved in their care. You might be assumed to be just a friend rather than a partner – or if your relationship is known, you might feel it isn't seen as important as that of a heterosexual couple.

If you're caring for a parent, your own identity may feel pushed to one side – particularly if you're living with them. You might not be able to socialise in the same spaces or express yourself as you normally would.

Carer's assessment

It's important to make time for yourself too. To help with this, social services must carry out a separate carer's assessment if you ask them to. This looks at the impact caring has on your life, including your emotional, mental and physical wellbeing.

You should talk about the level of care you're able and willing to provide, and this should be recorded in the care and support plan of the person you care for. In turn, they should explain to you the services and support available to help – such as respite breaks if you need time away. There may be a charge for some carer support services.



Next steps

See our guides **Advice for carers**, **Caring for someone with dementia** and **Carer's Allowance** for more information. Carers UK (page 41) also provides information and advice.



Planning for the future

Taking the time to plan ahead can give you peace of mind that your wishes will be respected.

Arranging for someone to act on your behalf

There may come a point in the future when you need someone to make decisions for you or act on your behalf.

This could happen if you have an accident or stroke, for instance, or develop dementia. By creating a lasting power of attorney (LPA) you can choose someone you trust to make decisions on your behalf if you lose **mental capacity**. This person is known as your 'attorney'.

You can choose more than one attorney if you like. They might be your spouse, civil partner, partner, or another family member. Whoever you choose, it needs to be someone you can trust to act in your best interests.



When we talk about **mental capacity**, we mean the ability to make and understand the consequences of decisions.

There are 2 types of LPA in England and Wales:

- **LPA for financial decisions:** This covers things such as paying bills, managing your bank account and making decisions about your home or other property. You can arrange for this to be used while you still have mental capacity if you want to.
- **LPA for health and care decisions:** This can only be used when you've lost mental capacity. It covers things such as medical treatment and changing accommodation, including moving into a care home. It can be particularly relevant if you have family members who might exclude your partner or friends. The attorney can decide who you have contact with and where you live, and consent to or refuse care or medical treatment on your behalf. It doesn't cover decisions about life-sustaining treatment unless you specifically state that you want the attorney to make those decisions for you.



In Northern Ireland, an enduring power of attorney (EPA) for financial affairs and property can be used if you lose mental capacity.



Next steps

You can get the forms to set up an LPA from the Office of the Public Guardian (page 44). They have information about the registration fee and who's entitled to help with this. You don't have to use a solicitor to create an LPA – but if you do, remember to check the costs first. The LPA must be registered before it can be used.

For more information, see our guide **Power of attorney** and our factsheet **Arranging for someone to make decisions on your behalf**. In Northern Ireland, contact Age NI.

Care and medical treatment

Planning for the future can reassure you that you won't receive any medical treatment that's against your wishes if you're unable to make your own decisions at the time.

Advance decision to refuse treatment

An advance decision to refuse treatment can be used if there comes a time when you lose mental capacity. You must state the exact treatments you don't want and the circumstances in which you don't want them. You can share your wishes with your doctor – but if you want to refuse life-sustaining treatment, your advance decision must be in writing and signed and dated in the presence of a witness who must also sign it.

In England and Wales, valid and applicable advance decisions are legally binding, so health professionals treating you have to follow them. Our factsheet **Advance decisions, advance statements and living wills** explains this further.



In Northern Ireland, an advance decision isn't legally binding but should be taken into account in decisions about treatment.

If you haven't made an advance decision, and you don't have mental capacity at a time when you need treatment, your health professionals must make decisions in your best interests. They should take different factors into account – such as your medical needs, your known wishes and feelings, and the views and opinions of your friends and family.

They may decide it's in your best interests to have a treatment you would've refused if you were able to make the decision yourself. So, to be sure you won't be given medical treatment you wouldn't want, you can make it clear by creating an advance decision.

You can also create an LPA for health and care decisions, which gives your attorney or attorneys the authority to consent to or refuse treatment on your behalf, in your best interests. You can include instructions in your LPA if you want your attorney or attorneys to act in a certain way – for example, to refuse certain treatment on your behalf or to ensure that your wishes around hormone therapy or gender reassignment surgery are respected.

What happens if I've made both an advance decision and an LPA for health and care decisions?

If you've made an advance decision and an LPA for health and care decisions, it's important to know which will apply to your medical treatment if that situation arises. This depends on the order you made them in:

- **If you make an advance decision after creating your LPA for health and care**, then your attorney(s) can't agree to any treatment that's refused in the advance decision.
- **If you create your LPA for health and care after making your advance decision**, then the advance decision will be invalid if you've given your attorney(s) authority to make decisions about the same treatment.

Advance statement of care preferences

You can make an advance statement to outline your general wishes about how you'd like to be treated and cared for in the future. It can cover things such as what you eat, what you wear, and how you prefer to be addressed. It isn't legally binding – but it can be helpful for your carers and reassuring for you.

Who will speak for me if I don't have anyone else?

If you lack mental capacity to make decisions about serious medical treatment, or a long-term stay in a care home or hospital, and have no family or friends to speak for you, an Independent Mental Capacity Advocate (IMCA) must be appointed by the relevant body – such as the NHS or your local council – to support and represent you. The advocate must try to find out what you would've wanted and represent your interests when the person in charge of your care or treatment is making a decision on your behalf.

Next of kin status

If you're admitted to hospital, you can nominate your 'next of kin' to be kept updated. This can be a partner, close friend or relative.

Your next of kin will only be a point of contact for staff to inform about your medical care – they can't make any decisions on your behalf, because next of kin has no legal status.

The patient is the only person who can consent to or refuse treatment if they have mental capacity. If you, as the patient, lack mental capacity, health professionals will make the decision about treatment on your behalf in your best interests – unless you've set up an LPA for health and care decisions or made a valid, applicable advance decision.

There have been instances of same-sex partners being excluded from consultations, refused information, or even denied the right to visit a partner in hospital by medical staff or family members. The next section of this guide explains your legal rights against discrimination.



Next steps

See our factsheet **Advance decisions, advance statements and living wills**, and our guides **Power of attorney** and **Thinking about end of life**.

If things go wrong

No one should treat you badly because of your sexual orientation or gender identity, but sadly it's something LGBT+ people do experience. You shouldn't have to tolerate it though – you can make a complaint or report it.

Protection from prejudice

Whether it's intimidation, intolerance, verbal abuse, violence, discrimination or any other form of mistreatment, it's not OK. It's important to remember that there are laws in place to protect you, and lots of organisations that can offer support.

Homophobia, biphobia and transphobia

If a crime is motivated by homophobia, biphobia or transphobia, the police can take this into account and it can be used in sentencing.

If you're being intimidated or harassed, or if you experience violence, you should seek help. You can either report it to the police or turn to one of the relevant support organisations listed in the back of this guide. If you're unhappy with the police's response, you can contact the professional standards department of the relevant police force.

If you or someone else is in immediate danger, call the police on **999**.



Next steps

Contact the Galop helpline (page 42) for help and information relating to homophobic, biphobic or transphobic crime.

The law on discrimination

The Equality Act 2010 protects you from discrimination. It sets out personal characteristics that are protected by law – these are called ‘protected characteristics’ and include age, disability, gender reassignment, sexual orientation and sex. The Act covers you at work, and when accessing goods and services.

It includes:

- care homes
- healthcare providers
- shops
- hotels.

The Act means an organisation can’t usually refuse you services or treat you differently to others because of your sexual orientation or your gender identity. There are some circumstances in which this doesn’t apply – for example, in relation to some single-sex spaces.

If you have a complaint, you should go through the organisation’s standard complaints process. If you’re unhappy with the response, you might need to seek further advice about how to take your case forward, depending on the organisation.



Next steps

Our factsheet **Equality, discrimination and the Public Sector Equality Duty** explains the Equality Act 2010 in more detail. Contact the Equality Advisory and Support Service helpline (page 41) for further support. In Northern Ireland, contact the Equality Commission Northern Ireland (page 41) regarding the Equality Act (Sexual Orientation) Regulations (NI) 2006.

Dealing with problems with health or care services

If you feel you've been treated unfairly, you can make a complaint. You shouldn't worry that you're making a fuss or causing problems – everyone deserves to be treated with dignity and respect.

Making a complaint about care

It's important to know what to do if problems arise when receiving care. For example, you might find that the care services arranged for you aren't meeting your needs, or that you're not being treated with dignity and respect. If you can't resolve any issues informally, there are formal options.

If your local council provides your care, you should make a complaint using the council's complaints procedure. If you've arranged your care privately, you can make a complaint using the care provider's complaints procedure. Explain what's gone wrong and what you'd like to happen to resolve things.

If you're unhappy with the outcome of your complaint, whether you complained to the council or the care provider, you can ask the Local Government and Social Care Ombudsman (page 43) to investigate your complaint.



In Wales, contact the Public Services Ombudsman for Wales (page 45). In Northern Ireland, contact the Northern Ireland Public Services Ombudsman (page 44).

Making a complaint about NHS services

You have the right to expect good-quality services from the NHS and to be treated with dignity and respect. If you're not happy with the service you receive, or feel you've been treated unfairly, you can make a complaint.

Step 1

Make your complaint directly to the organisation concerned. All NHS organisations must have a complaints procedure explaining who to contact and how it investigates and responds to a complaint. You can also make a complaint directly to the organisation that arranges any local services you receive.

Step 2

If you're not happy with the way your complaint has been dealt with, contact the Parliamentary and Health Service Ombudsman (PHSO) (page 45) if you're in England. You need to contact them within a year of the incident.



In Wales, contact the Public Services Ombudsman for Wales (page 45). In Northern Ireland, contact the Northern Ireland Public Services Ombudsman (page 44).

Getting support with a health services complaint

An advocate from the Independent NHS Complaints Advocacy Service can help you think through your concerns and write letters. Whether or not they provide it themselves, every local council in England must make this service available. In Wales, you can access a similar service through Llais (page 43). In Northern Ireland, contact the Patient and Client Council (page 45).



Next steps

See our factsheets **How to resolve problems and complain about social care** and **Resolving problems and making a complaint about NHS care**. In Wales, see Age Cymru's versions of these factsheets.

Your local Healthwatch (page 42) can tell you who provides the NHS Complaints Advocacy Service in your area. In Wales, contact Llais (page 43).

Abuse and neglect

Everyone deserves to feel safe to live free from abuse and neglect.

If you or someone you know is experiencing abuse or neglect, or is at risk of it, report it to your local council as soon as possible. The council has a safeguarding duty to investigate concerns and to take action to protect someone where needed.

If you or someone else is in immediate danger, call the police straight away on **999**.



Next steps

Call Hourglass (page 42) to speak confidentially about any concerns you have about abuse or neglect.

See our factsheet **Safeguarding older people from abuse and neglect** for more information. In Wales, see Age Cymru's version of this factsheet.

Domestic abuse

Domestic abuse is where a person behaves abusively towards someone they are ‘personally connected’ to, such as a current or former partner or relative.

Domestic abuse can affect anyone from any background or identity. It can build up over time, and it might not be clear that what’s happening is abuse. While it can be a one-off incident, it’s more commonly a pattern of incidents that can leave you feeling confused, frightened or like you’re walking on eggshells.

Domestic abuse can include emotional, economic, sexual and psychological abuse as well as physical violence. It can also include controlling and coercive behaviour, so-called honour-based violence, and forced marriage. It can be difficult to recognise this kind of abusive behaviour when the person is someone you’re close to – but it could be a current or former partner or an adult family member, such as a child, grandchild or sibling.

If you feel like you might be experiencing domestic abuse, there’s specialist LGBT+ help available. You can also contact other national domestic abuse helplines.

If you’re in immediate danger or feel threatened, call the police straight away on **999**.



Good to know

You can contact the National Domestic Abuse Helpline (page 44), the Men’s Advice Line (page 44) or Galop (page 42), which runs the National LGBT+ Domestic Abuse Helpline, for help and information. In Wales, you can also contact the Live Fear Free Helpline (page 43).

If you're trans

If you're trans, there are certain health and legal considerations it's worth bearing in mind.

'Trans' describes people whose gender identity differs from their sex. It's an umbrella term that embraces different identities – but this section focuses on trans people who have **transitioned** or are seeking to transition.



Transitioning is the process of making changes – whether medical or non-medical – to be recognised in your gender identity.

Transitioning can involve medical treatments, but you don't have to undergo medical treatment to live in your acquired gender. We go through some considerations here – but for more detail, see our factsheet **Trans issues and later life**.

Transitioning in later life

The decision to transition is a personal one. You might think you're too old to transition – but transitioning can bring feelings of relief and self-acceptance at any age. Older people can successfully transition and start living in their acquired gender.

If you're considering medical interventions such as hormone therapy or surgery, it's important to seek advice from a health professional who'll be able to discuss the limits and potential impacts of these treatments with you. If you'd like to know more, speak to your doctor, who can refer you to a Gender Identity Clinic. You might also like to speak to a trans advocacy organisation.



If you're on medication

If you're an older trans person and you've been taking medication for some time, it's likely you'll have different health needs to someone who has started medication more recently.

If you sense, see or feel any unexpected changes in your body, seek medical advice as soon as you can. You should be offered health checks at least once a year too. Contact the team providing your gender-based care if you have concerns.

Health screening

Some national health screening programmes are offered to people based on their age and sex, such as cervical screening and abdominal aortic aneurysm (AAA) screening.

If you're not routinely invited for screening programmes that are relevant to you, you may be able to request them.

Visit the NHS website (page 44) to find out more about health screening programmes.

Legal recognition of your acquired gender

The Gender Recognition Act 2004 gives you the right to apply to be recognised in your acquired gender if you identify as a man or a woman. You'll receive a Gender Recognition Certificate (GRC) and a new birth certificate if you were born in the UK.

Anyone can legally change their name by deed poll or Statutory Declaration. Make sure you're clearly identified in your will if you use more than one name or have legally changed your name – it might be that you need a new will. If you're named in someone's will by your former name, you'll need your GRC or other paperwork with evidence of your past identity in order to inherit from that will.

Pension and benefits

If you have a GRC, you're treated as being in your acquired gender for all legal purposes. Obtaining a GRC can affect National Insurance contributions, tax liability, and your entitlement to any benefits and State Pension that you or your spouse or civil partner may be receiving now or in the future. You may wish to seek advice from an independent financial adviser before making or applying for any legal changes in how your gender is recognised.

Contact the Gender Recognition Team at the Department for Work and Pensions (page 41) for more information.



Next steps

Visit www.gov.uk/change-name-deed-poll to find out more about deed polls. In Northern Ireland, you can change your name with the General Register Office for Northern Ireland. See NI Direct (page 44) for more information.

Housing and residential care

If you're thinking of moving to supported or residential accommodation, it's important to visit the places you're considering. Think about your privacy needs and what you'll need to maintain your mental and physical health.

When planning for the future, you could write down clear instructions for what should happen if you lose mental capacity to make your own decisions – such as what you'd like to wear and how you'd like to be addressed. You might wish to write an advance statement to make clear how you'd like to be treated or think about creating a lasting power of attorney (see pages 24-25 for more details).

Your rights

The Equality Act 2010 gives you legal protection against discrimination if you have any of the protected characteristics it identifies, including gender reassignment and sexual orientation. See page 30 for more information about the Act.

Receiving care

If you're finding it harder to cope by yourself at home, there's help available. Start by contacting your local council to request an assessment of your needs (see pages 18-19).

It's important to discuss your needs with the service that provides your care. This is because you might have specific requirements relating to



Next steps

Call the Equality Advisory and Support Service (page 41) if you feel you've been discriminated against. In Northern Ireland, contact the Equality Commission Northern Ireland (page 41).

gender reassignment or any associated treatment.

Remember that care staff have a duty to promote your wellbeing and should always treat you with dignity and respect. Topics you should discuss include your personal care and privacy needs – such as medication or maintaining your hair or wig. If your local council provides your care, any specific issues should be taken into account during your care needs assessment and included in your care and support plan.

You have the option to receive direct payments so you can arrange your own care services, rather than the council making these arrangements on your behalf (see page 20).



Next steps

Contact Switchboard (page 46) for further help and support. In Wales, you could also contact Umbrella Cymru (page 46).

Useful organisations

Age UK

We provide information and advice for people in later life through our Age UK Advice Line, publications and website.

Age UK Advice: 0800 169 65 65

Lines are open 7 days a week from 8am to 7pm.

www.ageuk.org.uk

In Wales, contact Age Cymru Advice: **0300 303 44 98**

www.agecymru.wales

In Northern Ireland, contact Age NI: **0808 808 7575**

www.ageni.org

In Scotland, contact Age Scotland: **0800 124 4222**

www.agescotland.org.uk

Bereavement Service Northern Ireland

Records the date of death and notifies each office that paid benefits to the person who died. Also takes claims for Bereavement Support Payments and Funeral Expenses Payments.

Tel: **0800 085 2463**

C.A.L.L. Helpline

Mental health helpline offering a confidential listening and emotional support service, plus information on mental health matters, in Wales.

Tel: **0800 132 737**

www.callhelpline.org.uk

Cara-Friend

Offers support to LGBT+ people in Northern Ireland.

Tel: **0808 8000 390**

www.cara-friend.org.uk

Care Rights UK

Offers information, advice and support to older people using care services, as well as their relatives and friends.

Tel: **020 7359 8136**

www.carerightsuk.org

Carers UK

Provides help and advice for carers.

Tel: **0808 808 7777**

www.carersuk.org

Department for Work and Pensions (DWP)

The Gender Recognition Team can provide information on your state pension entitlement if you have a Gender Recognition Certificate or a spouse or civil partner.

Tel: **0300 043 1103**

The Bereavement Service carries out eligibility checks on surviving relatives to see what benefits they can claim, and takes claims for Bereavement Support Payments and Funeral Expenses Payments.

Tel: **0800 151 2012**

Equality Advisory and Support Service

Advises and assists people on issues relating to equality and human rights, across England and Wales.

Tel: **0808 800 0082**

www.equalityadvisoryservice.com

Equality Commission Northern Ireland

Provides advice on equality and human rights matters.

Tel: **028 90 500 600**

www.equalityni.org

Galop

Supports LGBT+ people who have experienced abuse and violence.

Runs the National LGBT+ Domestic Abuse Helpline.

Tel: **0800 999 5428**

Email: help@galop.org.uk

www.galop.org.uk

GIRES (Gender Identity Research and Education Society)

Supports and empowers trans and gender-diverse people, as well as their families.

Tel: **01372 359 481**

www.gires.org.uk

Healthwatch

In England, your local Healthwatch can put you in contact with your local NHS Complaints Advocacy service.

Tel: **03000 683 000**

www.healthwatch.co.uk

Hourglass

Works to protect vulnerable older adults and prevent abuse.

Their helpline is confidential and provides information and emotional support.

Tel: **0808 808 8141**

Email: enquiries@wearehourglass.org

www.wearehourglass.org

Housing Rights

Provides advice and information on housing in Northern Ireland.

Tel: **028 9024 5640**

www.housingrights.org.uk

Law Society of England and Wales

Provides a searchable database of solicitors on its website.

solicitors.lawsociety.org.uk

In Northern Ireland, contact **Law Society of Northern Ireland**

Tel: **028 9023 1614**

www.lawsoc-ni.org

LGBT Consortium

Supports LGBT+ groups, organisations and projects and provides a directory of LGBT+ services.

www.lgbtconsortium.org.uk

LGBT Foundation

Offers a wide variety of support and information services for LGBT+ people.

Tel: **0345 3 30 30 30**

lgbt.foundation

Live Fear Free Helpline

Free 24-hour helpline for anyone in Wales experiencing domestic abuse or sexual violence, or anyone with concerns.

Tel: **0808 80 10 800**

Text: **0786 00 77 333**

www.gov.wales/live-fear-free

Llais

Independent body representing people's views on health and social care in Wales. Offers support with complaints about NHS or social care services.

Tel: **02920 235 558**

www.llaiswales.org

Local Government and Social Care Ombudsman

Investigates complaints about adult social care in England.

Tel: **0300 061 0614**

www.lgo.org.uk

Men's Advice Line

Free confidential helpline for male victims of domestic abuse and those supporting them.

Tel: **0808 8010327**

Email: **info@mensadviceline.org.uk**

www.mensadviceline.org.uk

National Domestic Abuse Helpline

Free 24-hour domestic abuse helpline and live chat provided by Refuge.

Tel: **0808 2000 247**

www.nationaldahelpline.org.uk

NHS

Provides information about health conditions, treatments and services in England.

Tel: **111**

www.nhs.uk

In Wales, visit **NHS 111 Wales**

Tel: **111**

www.111.wales.nhs.uk

In Northern Ireland, visit **NI Direct**

www.nidirect.gov.uk

Northern Ireland Public Services Ombudsman

Investigates complaints about health and social care providers in Northern Ireland.

Tel: **0800 34 34 24**

www.nipso.org.uk

Office of the Public Guardian (OPG)

For information about lasting powers of attorney.

Tel: **0300 456 0300**

www.gov.uk/government/organisations/office-of-the-public-guardian

Parliamentary and Health Service Ombudsman

Investigates complaints about NHS services in England when they've not been resolved locally.

Tel: **0345 015 4033**

www.ombudsman.org.uk

Patient and Client Council

Provides advice and helps people to raise concerns about health and social care services in Northern Ireland.

Tel: **0800 917 0222**

www.pcc-ni.net

Pension Service

For details of State Pensions, including forecasts and how to claim.

State pension claim line: **0800 731 7898**

Future pension centre: **0800 731 0175**

www.gov.uk/browse/working/state-pension

Public Services Ombudsman for Wales

Investigates whether people have been treated unfairly by a public body. Can also provide support to those fully self-funding their social care services.

Tel: **0300 790 0203**

www.ombudsman.wales

Rainbow Call Companions

Telephone friendship service run by Re-engage specifically for LGBT+ people.

Tel: **0800 716543**

www.reengage.org.uk/join-a-group/get-a-rainbow-call-companion

Samaritans

Free 24/7 helpline providing confidential support to those experiencing despair, distress or suicidal feelings.

Tel: **116 123**

www.samaritans.org

Shelter

Provides advice to people with housing problems.

Tel: **0808 800 4444**

www.shelter.org.uk

In Wales, contact **Shelter Cymru**

Tel: **08000 495 495**

www.sheltercymru.org.uk

Stonewall

Provides information on LGBT+ rights.

www.stonewall.org.uk

Stonewall Housing

Provides specialist housing support to LGBT+ people.

Tel: **0800 6 404 404** (weekdays, 10am to 1pm)

www.stonewallhousing.org

Switchboard

National support line for anyone in the UK dealing with issues relating to their sexuality.

Tel: **0800 0119 100**

www.switchboard.lgbt

Umbrella Cymru

Specialist gender and sexual diversity support service, offering support to people of all ages in Wales.

Tel: **0300 302 3670**

www.umbrellacymru.co.uk

Help us be there for someone else

We hope you found this guide useful. When times are tough, it's so important to get some support. You can help us reach everyone who needs us:

1

Tell us your story. If Age UK's information and advice has helped you, we'd love to hear about it. Email stories@ageuk.org.uk.

2

Donate to us. We rely on donations to support older people when they need us most. To make a donation, call us on **0800 169 8787** or go online at www.ageuk.org.uk/donate.

3

Volunteer with us. Our volunteers make an incredible difference to people's lives. Find out more at www.ageuk.org.uk/volunteer or contact your local Age UK.

4

Campaign with us. We campaign to make life better for older people, and rely on the help of our strong network of campaigners. Add your voice at www.ageuk.org.uk/campaigns.

5

Remember us in your will. A gift to Age UK in your will is a very special way of helping older people get expert support in the years to come. Find out more by calling **020 3033 1421** or visit www.ageuk.org.uk/legacy.

What should I do now?

You might want to read some of our relevant information guides and factsheets, such as:

- **Advice for carers**
- **Power of attorney**
- **Your mind matters**

You can find all of our guides and factsheets on our website, along with lots more useful information. Visit **www.ageuk.org.uk** to get started.

You can order free printed copies of any guide or factsheet by emailing **orders@ageuk.org.uk** or calling our Advice Line on **0800 169 65 65**. Our friendly advisers can also help with any questions.

All of our publications are available on request in large print and audio formats.

If contact details for your local Age UK are not in the below box, call Age UK Advice free on **0800 169 65 65**.



0800 169 65 65
www.ageuk.org.uk



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