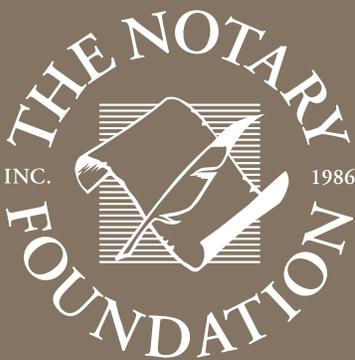




MAKING YOUR WORKPLACE DEMENTIA FRIENDLY

INFORMATION FOR LEGAL PROFESSIONALS



Building better communities, one grant at a time.

Alzheimer Society
BRITISH COLUMBIA

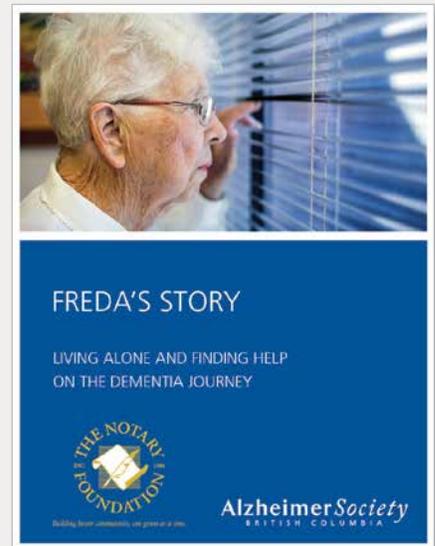
INTRODUCTION

More than 70,000 people in British Columbia currently live with dementia. Without a cure, this number is expected to more than double by 2038. Many people with dementia live in the community for a long time and are able to maintain a good quality of life with some support.

Everyone has a responsibility to help make their community dementia friendly. Dementia-friendly communities are those which support people to be engaged and active where they work, live and play. This resource will help you to:

- Understand and recognize the signs of dementia.
- Learn how to communicate in an effective, respectful way.
- Think about specific ways you can support a person with dementia in your work and how your workplace may become more dementia friendly.

It can be read alongside “Freda’s Story,” a booklet about people with dementia who live independently without a close support network. “Freda” has some acquaintances but no one in her life who she would call a close friend and no connections to social, community or faith groups. The people Freda interacts with in her community have noticed that her memory problems are getting worse. We will refer to Freda throughout this resource.



FREDA AND LEGAL PROFESSIONALS

Freda may interact with someone like you for many reasons. She may be:

- Estate planning or putting other legal plans in place for her future.
- Involved in a business or real estate transaction.
- The witness to a crime, or a victim of crime, abuse or neglect.
- In trouble and in need of advice and legal assistance.

She may find this experience frightening, confusing and stressful. She may need emotional support, more time than usual to process information or questions asked of her in a specific way.

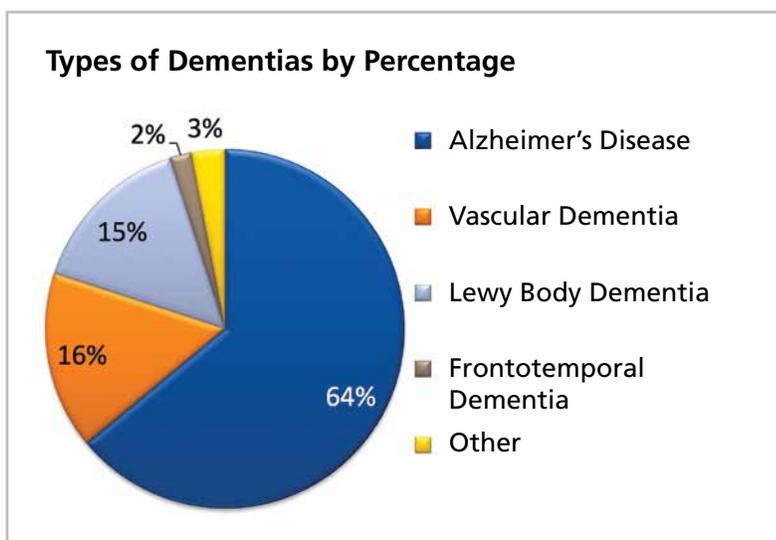
If you understand what dementia is and what its signs are, you may be able to better support someone like Freda. Your understanding can help enhance Freda's comprehension and ability to make decisions.

UNDERSTANDING DEMENTIA

The word dementia is an umbrella term that refers to many different diseases. Different types of dementia are caused by various physical changes in the brain. Alzheimer's disease is the most common, accounting for approximately two-thirds of all dementias. Other types of dementia include:

- Vascular dementia.
- Lewy body dementia.
- Frontotemporal dementia, including Pick's disease.
- Others, including mild cognitive impairment and Creutzfeldt-Jakob disease.

A person's risk for developing dementia increases as they age. However, dementia does not only affect older adults. It is estimated that over 10,000 people with dementia in B.C. are under the age of 65.



In some cases, a person can appear to have dementia but the symptoms (including memory loss, confusion or disorientation) can actually be attributed to another medical cause such as medication changes, a urinary tract infection or a vitamin deficiency. In such cases the symptoms may be reversible. However, in general dementia is progressive, which means that Freda's symptoms will get worse over time.

SIGNS OF DEMENTIA AND COMMUNICATION STRATEGIES

It is not always immediately evident that a person has dementia. Everyone’s dementia journey is unique, with different strengths, abilities and challenges along the disease trajectory. Here are some signs that someone may be experiencing symptoms of dementia and strategies for responding in a supportive way:

Signs	Communication Strategies
<p>Problems with memory. As the disease progresses Freda may forget things more often, especially more recent experiences. She may forget the details of an event or an appointment entirely. Or she may forget to pay for an item at the store, for example.</p>	<ul style="list-style-type: none"> • Do not argue. If Freda does not remember a discussion from a previous appointment it may be because she is no longer able to properly store that memory due to changes in her brain. • Unless her safety or security is at risk, try to adjust to Freda’s reality because she may no longer be able to adjust to yours. Try responding to her feelings, not necessarily the stories she is sharing. For example, if she feels that you forgot to send a document it is better to apologize to her and acknowledge that she feels frustrated (her reality) than to try to convince her that you sent the document (your reality).
<p>Difficulty with familiar tasks. Challenges in abstract or sequential thinking may cause Freda to have trouble with tasks that have previously been familiar to her. Completing paperwork or following directions may now be difficult.</p>	<ul style="list-style-type: none"> • If you are providing instructions, speak slowly in simple language and provide one message at a time. This gives more time to digest the information and complete a task. • Try demonstrating rather than providing directions verbally. • Be patient and supportive.
<p>Inability to follow a conversation or find the right words. Everyone has trouble finding the right word sometimes, but Freda may frequently forget simple words or substitute a less appropriate word for the one she really wants. This can make her sentences or accounts of events difficult to understand.</p>	<ul style="list-style-type: none"> • When possible and appropriate use closed-ended or “yes” or “no” questions. When this is not possible use questions that have parameters: for example, “Tell me about going to the bank yesterday afternoon” rather than “What did you do yesterday?” • Ask Freda’s permission to help her find the right word. • Repeat the question a different way, or try again later. • Bring her to a quieter place. • Don’t rush – this may mean booking a longer appointment or meeting.

Signs	Communication Strategies
<p>Disorientation of time or place. It's normal to briefly forget the day of the week or your destination. But Freda may become lost in a familiar place and not know how she got there or how to get home. New spaces like an unfamiliar courthouse or office may make her anxious.</p>	<ul style="list-style-type: none"> • If you have concerns about Freda's ability to get home safely, ask her how she is planning to travel. With her permission, it might be necessary to wait with her until her transportation arrives. • If possible, suggest meeting at a place where Freda feels most comfortable, perhaps her home or a familiar coffee shop.
<p>Poor judgment. Freda may experience decreased judgment. For example, she may dress inappropriately for the weather, she may experience less social inhibition or her behaviour may put her at risk of becoming a victim of a crime, abuse or personal injury.</p>	<ul style="list-style-type: none"> • Make suggestions tactfully. For example, instead of saying, "Freda, why are you dressed in a t-shirt in November? You must be freezing!" say something like, "It looks like it has gotten cool all of a sudden. Would you like to borrow a sweater?" • Changes to certain parts of the brain can result in behaviour that is socially inappropriate such as swearing or inappropriate comments. Avoid drawing attention to the behaviour or criticizing it.
<p>Problems with abstract thinking. Freda may have challenges with tasks that require abstract thinking. This may make answering open-ended questions difficult. It may also be challenging to make sense of symbols or images.</p>	<ul style="list-style-type: none"> • Try to use straightforward language. Avoid metaphors, for example: "A bird in the hand is worth two in the bush," or "Level the playing field." • Stay positive, but avoid jokes or sarcasm, as these require abstract thinking skills.
<p>Challenges in mood or behaviour. Everyone experiences changes in mood. But a person with dementia can sometimes become suspicious, withdrawn or even more outgoing than before. Over time Freda may become angry, more apathetic, fearful or even paranoid.</p>	<ul style="list-style-type: none"> • Adapt to the changes the person is experiencing. Like all of us, people with dementia will have good days and bad days. If Freda is having a bad day it may be helpful to reschedule an appointment. • If you feel that Freda may be angry or upset it can be helpful to acknowledge her feelings.



Other tips for communication.

- Remember to make eye contact. If you are making notes, take a break and make sure to look at the person.
- A person's ability to understand body language is often maintained for a long time along the dementia journey. Take note of your body language and tone of voice. Watch your gestures, facial expressions and posture, and keep positive.
- If possible, sit beside Freda rather than behind a desk to make her feel more comfortable.
- It may be necessary to remind someone to put on their glasses or turn on their hearing aid, but do not assume that every person with dementia has a visual or hearing impairment.
- Always speak to the person with dignity and respect.
- Avoid using "elder-speak" or baby talk (for example, "sweetie" or "dear").
- Never speak about the person as if they are not there.

ISSUES OF CAPABILITY OR ABUSE

Legal professionals who interact with Freda may have concerns about her capability to make legal plans.

Whenever possible, concentrate on Freda's strengths and abilities. For example, the ways she can continue to make her own decisions and plans. Still, at some point, there may be concern about planning for the future and about her "mental capability" to make legal decisions. Mental capability (sometimes called "mental capacity") is a legal term that refers to a person's mental ability to fully understand. If Freda's dementia has progressed to the point that she cannot understand the nature and consequences of, for example, making an enduring power of attorney, then she cannot make an enduring power of attorney. She might, however, be capable enough to make a section 7 representation agreement.

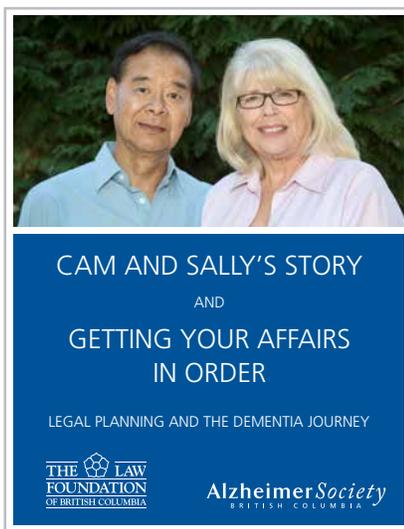
Capability is determined by a legal test. You can find out more about determining capability by referring to the "[Report on Common-Law Tests of Capacity](#)" published by the British Columbia Law Institute. It is important to remember that:

- There is a different test of legal capability for the various actions Freda may want to take.
- Capability can change over time. Freda may lack capability to undertake an action one day, but she may be capable of that action the next day.

If you are a legal professional you have duties to Freda. These are outlined in the Society of Notaries Public of British Columbia's "[Principles for Ethical & Professional Conduct Guideline](#)" and the Law Society's "[Code of Professional Conduct for BC](#)." An example of a duty you might have to Freda is outlined in section 3.2-9 of the "Code of Professional Conduct for BC": "When a client's ability to make decisions is impaired because of minority or mental disability, or for some other reason, the lawyer must, as far as reasonably possible, maintain a normal lawyer and client relationship."

People with dementia or caregivers who would like to explore options for personal,

legal, health and financial planning can download "[Freda's Story: Living Alone and Finding Help on the Dementia Journey](#)," or "[Cam and Sally's Story and Getting Your Affairs in Order](#)." These are resources more appropriate for caregivers or people with dementia with a close support network. You can also contact your local Alzheimer Resource Centre for more information.



If you suspect that a person with dementia is being abused financially, emotionally or physically by a family member, friend or stranger, it is important that you report this using the protocol that exists in your workplace, by contacting the police or by visiting the Office of the Public Guardian and Trustee's website for more information.

TIPS TO HELP MAKE YOUR WORKPLACE DEMENTIA-FRIENDLY

Here are some more dementia-friendly actions you can implement in your physical office space, in your day-to-day activities and within your organization.



PHYSICAL LAYOUT

- Designate a quiet space away from background noise where it is easier to have a conversation.
- Avoid cluttered spaces; it can be challenging to concentrate with too much visual stimulation.
- Ensure lighting is adequate. Poor lighting can make the environment confusing or even scary.
- Make sure signage for washrooms and other important areas is large and clear. Verbal directions may be forgotten quickly and people with dementia may accidentally leave a building or area if there are not clear signs to help them find their way.

- Think about whether certain times of day are better when scheduling appointments. For example, some people with dementia experience “sundowning,” a phenomenon which results in greater disorientation or confusion later in the day. In these cases, late afternoon or early evening appointments should be avoided.

DAY-TO-DAY ACTIVITIES

- You could send out a courtesy reminder with a checklist of what to bring to an appointment. Changing motor skills, language challenges or changes in short term memory may make writing difficult, so it may be tricky to do this over the phone. If possible, follow up by phone the day before or the day of the appointment.
- Tactfully ask if the person has travel arrangements to get them to and from the appointment.
- If possible, send any documents for signature to the client in advance of the appointment.

- Include an opportunity to review what was discussed at the last appointment.
- Encourage the person to take notes if they are able to do so without getting frustrated.
- If the person has a support network and where it is ethical and appropriate, include family members or close friends. They may be able to verify information or help with transport to and from appointments. However, if friends or family members are included it is important to be attuned to any indication that the person may be being unduly influenced. You can read more about undue influence by reading the “Recommended Practices for Wills Practitioners Relating to Potential Undue Influence” guide published by the British Columbia Law Institute.

WITHIN THE ORGANIZATION

- Everyone in your organization has a role to play in contributing to a dementia-friendly community. Ensuring that all staff know how to recognize dementia and communicate appropriately is key to creating a workplace that is supportive and inclusive of people with dementia.
- Start to create an organizational awareness about dementia by sharing this booklet, by contacting the Alzheimer Society of B.C. for more information or by asking the Society to deliver a Dementia Friends education session at your workplace.
- Designate a person at your workplace to be the “go-to” person about dementia. Ideally, this person would mentor others and help other staff to identify that someone is having challenges.

RESOURCES FOR FURTHER INFORMATION

Alzheimer Society of B.C.

The Alzheimer Society of B.C. is dedicated to helping people build the knowledge, skills and confidence to live well with dementia. The Society is available to answer questions and help you find the professional assistance you need.

- Visit our website to find a Resource Centre in your area or information about legal issues and personal planning: www.alzheimerbc.org.
- Call the Dementia Helpline, a province-wide service for people with dementia, their caregivers, family and friends:
Call toll-free: 1-800-936-6033 or 604-681-8651.
- E-mail us at info@alzheimerbc.org.

BC211

A source to find community, social and government services. Free, confidential, multi-lingual and available 24/7.

www.bc211.ca

Call: 2-1-1

BC Centre for Elder & Advocacy Support (BCCEAS)

BCCEAS works to prevent elder abuse and to provide assistance and support to older adults that are, or may be, abused and those whose rights have been violated.

www.bcceas.ca

Call toll-free: 1-866-437-1940 or 604-437-1940

- Seniors Abuse & Information Line
Older adults, and those who care about them can call the Seniors Abuse & Information Line (SAIL) to talk to someone about situations where they feel they are being abused or mistreated, or to receive information about elder abuse prevention.
Call toll-free: 1-855-306-1443 or 604-428-3359

BC Notaries

Find a Notary Public office in your community.

www.notaries.bc.ca

Call toll-free: 1-800-663-0343 or 604-681-4516

HealthLink BC

24-hour health information line, medical advice, assistance with navigating the system, and a translation service in 130 languages.

www.healthlinkbc.ca

Call 8-1-1 or 7-1-1 for deaf and hearing-impaired assistance (TTY)

MedicAlert® Safely Home®

A nationwide program designed to help identify the person who is lost and assist in a safe return home. This is a partnership between the Alzheimer Society of Canada and MedicAlert.

www.medicalert.ca/safelyhome

Call toll-free: 1-855-581-3794

Nidus Personal Planning Resource Centre and Registry

Personal planning resources and assistance.

www.nidus.ca

Call toll-free: 1-877-267-5552 or 604-408-7414

Public Guardian and Trustee of British Columbia

Assistance for adults who need support for financial and personal decision-making.

www.trustee.bc.ca

Call toll-free: 1-800-663-7867, 604-660-4444 (Vancouver area),
or 250-387-6121 (Victoria area)

Wills Clinic Project

Access Pro Bono, in partnership with the federal Department of Justice and the provincial Ministry of Justice, operates a weekly Will and Representation Agreement preparation clinic at the Vancouver Justice Access Centre for low income seniors (ages 55+) and people with terminal illnesses.

www.accessprobono.ca/willsclinic

Call: 604-424-9600

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