

Getting legal and financial advice

May 2024

This factsheet helps you to get the legal help you need, including legal information and advice on civil matters (where you have a dispute with another individual or organisation). It does not cover criminal matters.

It covers free advice from local and national independent advice agencies and legal information online, as well as getting paid-for advice from a solicitor or independent financial adviser. It looks at options for paying for advice and has information on the Legal Aid scheme.

There is information about independent financial advisers and what you need to think about if you are planning to engage their paid-for services.

The information in this factsheet is correct for the period May 2024 to April 2025.

The information in this factsheet is applicable in England and Wales. If you are in Scotland or Northern Ireland, please contact Age Scotland or Age NI for more information.

Contact details for these and other organisations mentioned in this factsheet can be found in the [What to do next](#) section.

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1

There are many sources of free legal information and advice. Sometimes you may have to pay someone else to assist you to resolve a legal problem, but this is not always the case.

You might be able to find a local advice agency that can assist you, although for some problems you may need a solicitor. You may be able to find information through a telephone helpline or on the internet.

2

Advice from agencies in this section is usually free. Most only give advice and cannot represent you in court or at a tribunal. Check whether there are charges and whether they provide casework or representation.

2.1

In [England](#), your local Age UK can suggest reliable sources of information and advice. Most have an information and advice service and can help with issues such as social care, welfare benefits, and housing. In [Wales](#), local Age Cymru organisations offer similar services.

To find your nearest local service in [England](#), call Age UK Advice on 0800 169 65 65 (free call, daily 8am to 7pm). In [Wales](#), call Age Cymru Advice on 0300 303 44 98 (local rate charges, Mon-Fri 9am-4pm).

Alternatively, visit www.ageuk.org.uk (England) or www.agecymru.org.uk (Wales) where information resources can be viewed and downloaded.

2.2

[Citizens Advice](#) are locally run charities operating in most areas of the country. They advise on a range of legal problems including debt, benefits, housing, employment, and consumer problems. You should be able to find [Citizens Advice](#) in [England](#) and [Wales](#).

2.8

There is a lot of online

3.2

is a free independent service to help you manage your money better. They provide advice, tips, and tools to help get your finances under control.

is a telephone helpline that gives self-help advice, counselling, and support. They also offer web chats and email advice. Free information packs are available.

offer debt management advice by phone and online. They can draw up a repayment plan and propose it to creditors.

See factsheet 75, [Overseas Debt Advice](#) for more information.

3.3

provides free information, factsheets, and telephone and written advice on welfare benefits, employment and discrimination.

The Helpline provides free, independent and impartial advice and support on a variety of issues affecting disabled people and their families.

An overview of is at www.gov.uk/rights-disabled-person

3.4

(ACAS) is a publicly funded, independent organisation aiming to improve employment relations. Their website has useful information on employment rights. If you are considering making an employment tribunal claim, you must contact ACAS first, through their Early Conciliation service.

has information on employment rights on their Worksmart website and you can find the union most relevant to you.

and professional associations give advice to members on employment law. Some unions arrange legal advice for members and their families. Contact your union to find out about their services.

3.5

helpline gives information and guidance on equality issues such as age, disability, gender and race.

is an independent organisation giving information about the Human Rights Act 1998, with a focus on test cases.

3.6

These organisations are complaints services that aim to resolve matters without litigation, rather than legal advice services.

runs a helpline to answer concerns and queries about any aspect of the Healthcare system.

supports patient safety and justice, with a team of medically and legally trained caseworkers to provide free and confidential advice following a medical accident.

For complaints about the standard of care received in a care home or in your own home, your local authority has a complaints procedure and local advice agencies may be able to help with your complaint.

(PALS) provide information, advice and support on complaints about the National Health Service (NHS) in hospital. Note PALS do not cover GP services.

gathers and represents public views on health and social care. Find your local Healthwatch by contacting your local authority or search their website.

is a free, impartial, and independent advocacy service if you want to complain about NHS services. You can find your local advocate through Healthwatch.

If you are concerned about the standards of care in a care home or your own home, contact the . Note, it does not investigate individual complaints.

provides advice and support to older people in care homes, their relatives and friends.

is a 'statutory' body covering social care and health services in Wales. They can potentially assist you at any stage throughout the complaints process. Llais also has dedicated complaints advocacy staff. The service is free, independent and confidential.

If you have concerns about the standard of care received in a care home, or social care in your own home, contact the . Note it does not investigate individual complaints.

Alternatively, if your issue concerns treatment arranged and/or funded by the NHS in Wales, you can contact .

: To find out about mediation services in your area, search the Civil Mediation Directory. This lists local and national civil and commercial mediation providers, all accredited by the

: Some solicitors and independent agencies offer family mediation for disputes involving family members, divorce or separation, or access to children. Contact the , the or the .

5

Legal aid funding is potentially available for cases including:

community care

debt and housing, if there is a threat of homelessness

public family law e.g. care proceedings

benefit appeals to the Upper Tribunal, Court of Appeal, or Supreme Court

mental health

asylum

actions against the police

discr

If you (or partner or spouse) are aged 60 or over and your disposable income is less than £315 per month, capital disregards apply as follows:

| | |
|-----------|----------|
| £0–25 | £100,000 |
| £26–50 | £90,000 |
| £51–75 | £80,000 |
| £76–100 | £70,000 |
| £101–125 | £60,000 |
| £126–150 | £50,000 |
| £151–175 | £40,000 |
| £176–200 | £30,000 |
| £201–225 | £20,000 |
| £226–315 | £10,000 |
| Over £315 | Nil |

6.5

the statutory charge

If you receive legal aid for Legal Representation and the result of your case is you keep or gain money or property, you must usually pay back some or all of the costs of your case. This is called the 'statutory charge'. It does not apply to Legal Help or Help at Court.

At the end of your case, any money you are awarded is normally paid to your solicitor. The LAA takes what has been spent on your solicitor out of the award and you receive anything left over. Payment of the statutory charge can be postponed if:

a property you won is your home or the home of your dependants'

money you won will be used to buy a home for yourself or dependants.

Make sure your solicitor or adviser gives you full details about the effects of the statutory charge before you decide to go ahead with your case. It is in your interests to keep your costs to a minimum and for an order to be obtained for your opponent to pay your costs, as this restricts the amount you must pay as the statutory charge.

Maintenance payments, state benefits and tax credits are exempt from the statutory charge. If you win a case on eligibility for benefits, you do not have to pay back the statutory charge from those benefits.

The LAA can let your adviser waive all or part of the statutory charge, if paying causes you grave hardship or distress, or it is unreasonably difficult to recover the charge, due to the nature of a property.

7

There are options for paying for work done by a solicitor. Make sure you have considered which option is most suitable for you. Solicitors have a duty to let you know if you are eligible for legal aid.

In a range of services, solicitors must tell you in advance the price of the service and what you get for it. These include conveyancing, probate, motoring offences and immigration (except asylum claims).

7.1

Some types of standard work, such as conveyancing and preparation of simple wills, are charged by fixed fee. You should be told what the fixed fee is at the outset, what services will be undertaken, and this should be confirmed in writing.

A fixed fee usually excludes extra expenditure in connection with the transaction, such as local authority search fees or Land Registry fees. These are called 'disbursements' and are added to the bill unless otherwise agreed. VAT is payable. If you pay privately for one-off advice, ask your solicitor if they will consider charging a fixed fee.

7.2

For cases where the amount of work involved is less easy to predict, a common arrangement is for a solicitor to charge an hourly rate for time spent, including time spent with you in person and on the phone, plus any disbursements such as medical reports or barrister's fees. VAT is payable on solicitors' bills and on most (but not all) disbursements.

The hourly rate varies depending on the location of the solicitor, the type of work being done, and the level of experience of the solicitor. If a partner of a firm handles your case, you get the benefit of their experience, but they are likely to charge more than a less senior solicitor.

If a solicitor cannot give a definite figure for costs at the outset because they do not know how long a case will take, they should tell you their hourly rate and provide an estimate of costs. Ask for this to be confirmed in writing together with details of the work they are carrying out for you.

Your solicitor has a duty to keep you informed about costs as your case progresses.

You may wish to limit the costs in your case, in which case the solicitor must contact you once the limit is reached and get your agreement before doing anything else. Arrangements should be confirmed in writing. You can ask to be billed regularly, rather than at the end of the case.

If you pay privately, the solicitor is likely to ask for some money in advance. This is known as 'costs in advance'. Sometimes this is to pay for disbursements, or it may be requested as an advance payment for their costs. The solicitor must place the money in a separate account, known as the 'client account'.

If a solicitor states that fees will be 'costs in addition' to any expenditure to third parties, e.g. local authority searches, Land Registry fees, medical reports, etc, are charged on top of the solicitor's own fees.

7.3

You can take out 'legal expenses insurance' to cover the cost of certain types of legal action. However, an insurer is unlikely to agree to cover the cost of any disputes you already knew about at the time of taking out the insurance.

You may have legal expenses insurance as part of an existing insurance policy such as your household contents policy. Check policies or contact your insurer to find out if you are covered. Depending on the terms of the policy, legal expenses insurance can cover all legal costs and other expenses. An insurer may try to insist you use a particular solicitor but you have the right to your own choice of solicitor once legal proceedings start. Your solicitor should be able to advise you about this.

If you do not have legal expenses insurance and your claim proceeds under a conditional fee arrangement, the solicitor is likely to recommend an 'after the event' insurance policy to sign alongside this agreement, to cover any additional costs that arise.

7.4

no win, no fee'

Conditional fee agreements can be long and complex documents. If you do not fully understand what the agreement means, ask your solicitor to explain it. Consider using a different solicitor if you are still not clear. Alternatively, seek advice from an experienced adviser at Citizens Advice or similar agency.

8

Solicitors deal with a range of legal matters such as buying and selling property, business matters, wills, criminal cases, family problems and accident claims. Not all solicitors' firms cover all types of work, so ensure the solicitor has experience in the relevant area.

8.1

The online <https://find-legal-advice.justice.gov.uk/> provides details of Legal Aid solicitors. www.lawsociety.org.uk/find-a-solicitor has details of local solicitors, including the types of law in which they specialise. See www.lawsociety.org.uk/find-a-solicitor

www.citizensadvice.org.uk/ is an independent, national organisation of solicitors, barristers, and chartered legal executives who provide specialist legal advice for older and vulnerable people, their families and carers. They have an online directory on their website.

Agencies such as Age UK, Age Cymru, or Citizens Advice may be able to give you the names of local solicitors who specialise in areas of law but they cannot recommend particular firms.

Some firms offer a free initial interview to discuss your case, give you some basic advice and let you know if they can act for you. Check whether you will be charged for this initial meeting.

8.2

This is not an exhaustive list as the questions you ask depend upon the nature of your problem:

How much will it cost and how long the matter is likely to take?

Are there alternatives to legal action?

Is mediation possible?

Is legal aid available for the case? If so, are you eligible?

What are the chances of success?

Could you be liable for the other party's costs?

Do I need to take out insurance?

Is there a risk of any other adverse consequences?

Are there any deadlines for taking action?

Will the person you meet be dealing with the case themselves? If not, who will it be? What experience and qualifications do they have?

What are the next steps?

You should always ask for a written agreement from a solicitor who you are looking to appoint to work on your behalf.

Financial advisers should have either Level 4 or above of the national Qualifications and Credit Framework or a Statement of Professional Standing (SPS). They must sign a code of ethics and complete at least 35 hours of professional training a year. SPS certificates must be renewed annually so check that your adviser is up-to-date.

All financial advisers should be registered with the FCA. This means they meet the appropriate standards and you are protected if un

If an adviser ignores these guidelines and recommends products not suitable and you later lose money, you can complain. An adviser must only give the right kind of advice. An adviser must only

12.5

You must usually pay for financial advice. You may also have to pay charges on the financial products you buy. Make sure you understand all costs involved and compare fees and investment charges between different advisers before you make a final decision. You may be able to get the same product at a cheaper price elsewhere.

IFA advice can be charged as:

hourly rates

set fees according to the work involved

monthly retainer

percentage of the money invested.

Your adviser should explain how much their advice costs and you need to agree how you will pay. You can pay up front or the adviser may agree to take it from money invested. Your adviser should set out the charges clearly and ensure you understand how much you are paying.

Fees vary from adviser to adviser, so shop around for the best deal. There may be extra charges for looking after investments or providing advice on a regular basis.

12.6

www.avma.org.uk

Telephone helpline 0845 123 23 52 Mon–Fri 10am–3.30pm

Charity for patient safety and justice, provides free independent advice and support to people affected by medical accidents.

www.adviceuk.org.uk/

Telephone 0300 777 0107

National network of independent advice agencies.

www.acas.org.uk

Telephone helpline 0300 123 1100 Mon-Fri 8am-6pm

I

www.cqc.org.uk

Telephone 03000 616 161 (calls charged at local rate)

Regulator of adult health and social care services in England.

www.careinspectorate.wales

Telephone 0300 7900 126

Oversee inspection and regulation of care and social services in Wales.

www.carerightsuk.org

Telephone 020 7359 8148

Provides advice and support to older people in care homes, their relatives and friends.

www.citizensadvice.org.uk

Telephone 0800 144 8848 (England)

Telephone 0800 702 2020 (Wales)

National network of advice centres offering free, confidential, independent advice, face to face or by telephone.

www.citizensadvice.org.uk/consumer

Telephone helpline 0808 223 1133 Mon-Fri 9am-5pm,

Textphone 18001 0808 223 1133

Welsh telephone helpline 0808 223 1144 Mon-Fri 9am-5pm

www.gov.uk/civil-legal-advice

Telephone 0345 345 4 345

Telephone online gateway for legal aid applications.

www.civilmediation.org/

Telephone 01707 594104

Provides online directory listing local and national civil and commercial mediation providers, accredited by the Civil Mediation Council.

www.ccwater.org.uk/

Telephone 0300 034 2222 (England)

Telephone 0300 034 3333 (Wales)

Provide guidance and information, answer your questions and take up your unresolved water company or retailer complaints.

www.shelter.org.uk
Telephone

Age UK provides advice and information for people in later life through our Age UK Advice line, publications and online. Call Age UK Advice to find out whether there is a local Age UK near you, and to order free copies of our information guides and factsheets.

www.ageuk.org.uk

0800 169 65 65

Lines are open seven days a week from 8.00am to 7.00pm

www.agecymru.org.uk

0300 303 4498

www.ageni.org

0808 808 7575

www.agescotland.org.uk

0800 124 4222

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