



Supporting you after a cancer diagnosis

IM, irwinmitchell



Contents

- | | | | |
|----|---|----|-------------------------------------|
| 4 | Supporting you after a cancer diagnosis | 12 | Your family's finances |
| 6 | Understanding your rights | 14 | Medical negligence |
| 8 | Financial support and state benefits | 16 | Support and rehabilitation services |
| 10 | Care and support | 17 | Employee rights |
| 11 | Access to treatment and healthcare | 18 | What else can we help you with? |
| | | 20 | Useful contacts |

If you or a loved one has received a cancer diagnosis, the emotional and physical impact can be life-changing for you and the rest of your family. We're here to get you the best support, guidance and medical care.

At this difficult time it's important to know that you're not facing this alone. We can offer dedicated help and advice, tailored to your specific needs.

Our specialists are here to help you gain access to treatment and continuing healthcare, planning for the future and your finances to help you have peace of mind.



Since we first approached Irwin Mitchell, we've been extremely happy with all aspects. They've always been approachable, open, and honest in the information they've provided, and have gone above and beyond to ensure we have had (and continue to have) a positive experience, despite, at times, very difficult situations.

Sarah McDonald
5* Trustpilot review



This information relates to the law and procedures in England and Wales. Please contact us if you need advice about the law and procedure in other legal jurisdictions.

0800 023 2233

Supporting you after a cancer diagnosis

It's important that cancer is diagnosed accurately and at the earliest possible opportunity to help your chances of recovery. When mistakes are made, your diagnosis might be delayed, meaning your cancer may be harder to treat or could have become terminal.

If negligence has meant that your cancer was misdiagnosed, we may be able to help you make a claim. Our expert lawyers will approach your case with understanding and sensitivity, seeking answers from those responsible, as well as assurances that similar mistakes won't be made again.

By making a claim, you could secure compensation to help relieve some of the pressure on you and your family. We can help you access appointments with cancer specialists, and when needed, organise help from rehabilitation experts who know what it takes for you to make the best recovery possible.

We can help if you've suffered unnecessarily because of delayed diagnosis or misdiagnosis of various cancer types, including:

Breast	Prostate
Bowel including colon and rectal	Renal
Gynaecological including cervical, endometrial, vulval	Skin
Lymphoma (Hodgkin's and Non-Hodgkins)	Testicular
Oral	Thyroid.
Osteosarcomas	Plus other forms of cancer.



Understanding your rights

Both emotional and financial uncertainty can often follow a cancer diagnosis. If you need legal support and advice we're here, so you can focus on what really matters.

How we can help:

Entitlement to claim benefits as a result of your illness
Ensuring that you and your family have adequate funds to access the best treatment and specialist support.

Community care services
Helping you get all the care and support you need at home.

Continuing healthcare
Ensuring that you receive the healthcare they need to live in the community upon returning from hospital.





Financial support and state benefits

If you've been diagnosed with cancer, you may be entitled to claim a number of benefits to relieve financial stress.

Your entitlement to state benefits will depend upon your age, care needs and employment status:

Attendance Allowance - for those affected by illness above the age of 65

Carer's Allowance

Council Tax Reduction/Support

Personal Independence Payment (PIP) – for those affected by illness under the age of 65

Statutory Sick Pay

Universal Credit.

Your local Citizens Advice Bureau (CAB) can guide you further upon the benefits you and your family may be entitled to claim as a result of ill health. To find your nearest CAB office, please visit citizensadvice.org.uk.

Care and support

A cancer diagnosis is life-changing, and the treatment and specialist care a patient receives can last for years, whether this is to treat the illness or stop it returning.

Everyday tasks can seem daunting and unmanageable, and it may be that you require a little additional support, which we can help you access.

If you or a loved one needs respite care or something longer term, your local social services department or Integrated Care Board (ICB) can be approached to carry out an assessment and provide you with a care plan of the services which would benefit you. We can act as an advocate on your behalf to ensure you receive care that fully meets your needs.

Due to the pressures and constraints on local authorities and the ICB, more limited care may be provided to those who

have greater needs. Sometimes the care assessment fails to recognise the extent of your needs. We can help you challenge the assessment and funding received to ensure you're provided with the right services.

We can also help loved ones who provide care to get extra support through carer's assessments.

Our specialist Public Law & Human Rights team have a wealth of experience providing advice and assistance about community and healthcare law.

Access to treatment and healthcare

The NHS offers care, treatment and support for those diagnosed with cancer, however the level of care can vary across the UK.

Your NHS primary care team are in place to support you through treatment and beyond and this can consist of care in the community, specialist oncology centres and hospice care, to name a few.

Standards of care in the treatment of cancer patients can vary depending on your local NHS Trust and their standard practices. It's important that you feel listened to and your wishes understood. You have a right to understand the implications and side effects of any proposed treatment, and to request a second opinion.

When it comes to decisions about our health and general wellbeing, we place a great deal of trust in medical professionals to take care of our best interests.

Sometimes decisions about your care and medical treatment can cause disagreements relating to:

General medical treatment – where there's a disagreement over the nature of care or treatment which is appropriate for you or your loved one

Refusal of drugs or medical treatments
– where the NHS has refused to fund a particular drug or treatment.

Because of public service budget cuts, many treatments can be denied, cutting you off from the care you need and leaving you unsure where to turn for help.

If you, a loved one, or someone you care for depends on health or social services, raising a dispute with an NHS Trust or local authority can be daunting. Our specialist Public Law & Human Rights team are on hand to help and have a wealth of experience providing advice and assistance with on-going healthcare needs.



Your family's finances

Ensuring you and your family are protected financially throughout your illness can ease some pressure during a stressful time.

There are options available to protect you now and in the future, and our experts can guide you through this process.

Making a Will

Research suggests that more than two-thirds of people in the UK don't have a Will, and many people believe that they're too young to make a Will or don't think they have enough money or property to make writing one worthwhile. However, preparing a Will should be thought of as a positive step that can make things easier for your loved ones at a very difficult time.

When a person dies without having made a Will, their estate is deemed 'intestate'. The estate is still distributed, regardless of size, but without a Will, the deceased's wishes regarding their assets will not automatically be carried out.

A Will removes any doubt about how your assets should be distributed and how you'd like your affairs to be handled. A Will can ensure that members of your family, particularly those who are young or vulnerable, are protected and cared for.

Lasting Powers of Attorney (LPA)

In certain circumstances, a person may be too ill to make decisions regarding their personal finances or medical treatment. An LPA is a legal document that allows you to plan for what should happen and who can make decisions should you become unable to decide for yourself.

Specialist Wills and Estate Administration

Our experienced and knowledgeable team can provide further advice should you or your family wish to discuss future planning.

By making an LPA, you can:

Choose a person you trust to look after your affairs and welfare in future

Specify your wishes and what powers your Attorney(s) should have

Reduce the likelihood of conflict in future by ensuring your signature and the signatures of your Attorneys are witnessed

Choose who's told about your LPA, ensuring those people are able to raise concerns now, should they wish to.

Medical negligence – understanding your rights

Diagnosing cancer early can save your life. Early treatment is more likely to be successful and improves your chance of long-term survival and your quality of life.

For these reasons we're encouraged to look out for abnormal signs or symptoms and speak to the doctor about them as soon as possible.

While the standard of medical treatment in the UK is generally high, and medical accidents are rare, there are occasions where delays happen in diagnosing cancer and starting treatment. Sadly, they can mean more invasive treatment is needed, the cancer has spread, or become terminal.

If you're concerned about the standard of medical treatment you or a loved one's received, our experts are here to offer advice and guidance. It may be that a scan wasn't reported properly, your doctor didn't act on your symptoms, or didn't refer you to a specialist when they needed to.

We can help you understand what's happened, giving you reassurance that lessons have been learned and similar mistakes will be avoided for other families in the future.

Where we can prove there's been substandard care, it might be possible to claim compensation to provide you and your family with financial support. Compensation can give you peace of mind, cover the expense of time away from work, and ensure you can access the specialist therapies and treatment you may need in the future.

Being diagnosed with cancer is one of the most difficult and stressful things you can experience. Finding out that it could've been avoided or treated earlier

can be hard to come to terms with. If you're receiving ongoing treatment from the doctor or hospital where the negligence occurred, this shouldn't stop you from investigating a potential claim. Professionals have a duty to provide a reasonable standard of care to their patients in all circumstances.

Our specialist Medical Negligence team is experienced in dealing with claims of this nature. We're here to discuss any concerns or worries you might have on behalf of yourself or a family member.



Support and rehabilitation services

Families often need practical help and advice when they are pursuing a legal claim after a serious illness.

You may find yourself in a maze of services which you're unfamiliar with, such as hospitals, social services, rehabilitation units and the benefits system.

It can be overwhelming and difficult to understand the function of each service

and how best to communicate with each organisation. Our team of Support and Rehabilitation Co-ordinators can help you and your family make sense of them, and work closely with our legal teams and inhouse Welfare and Benefits team.

Our approachable team can assist in providing:

Assessment of immediate and longer term needs

Co-ordinating appropriate services and support for your family

Liaising with local services, professionals and agencies about ongoing problems and your immediate care needs

Practical support with day-to-day issues such as budgeting, useful coping strategies and support with ongoing treatment and care

Advice and assistance with benefit applications, reviews and appeals.

Employment rights

When you've been diagnosed with a serious illness, are coping with a bereavement, or are caring for someone who's been affected by cancer, you may need to know what your employment rights are.

Many employers will be very supportive when an employee suffers ill health or is caring for a family member. You're entitled to claim additional benefits should you be in employment when a diagnosis is received. In addition, you may also be entitled to further financial help from the state if you've become the main carer for a loved one.

Throughout this difficult time, your employer should also ensure that a more flexible approach to work is taken, such as having the time to attend hospital appointments and treatment

sessions when necessary. Employers must make reasonable adjustments to working practices to accommodate their employees.

It may be the case that you require help in ensuring that your rights are understood, protected, and supported. This may mean seeking help from someone with legal expertise to provide you with support to ensure you're being treated both fairly and legally by your employer.

We have a highly experienced specialist Employment team who can advise you.

What else can we help you with?

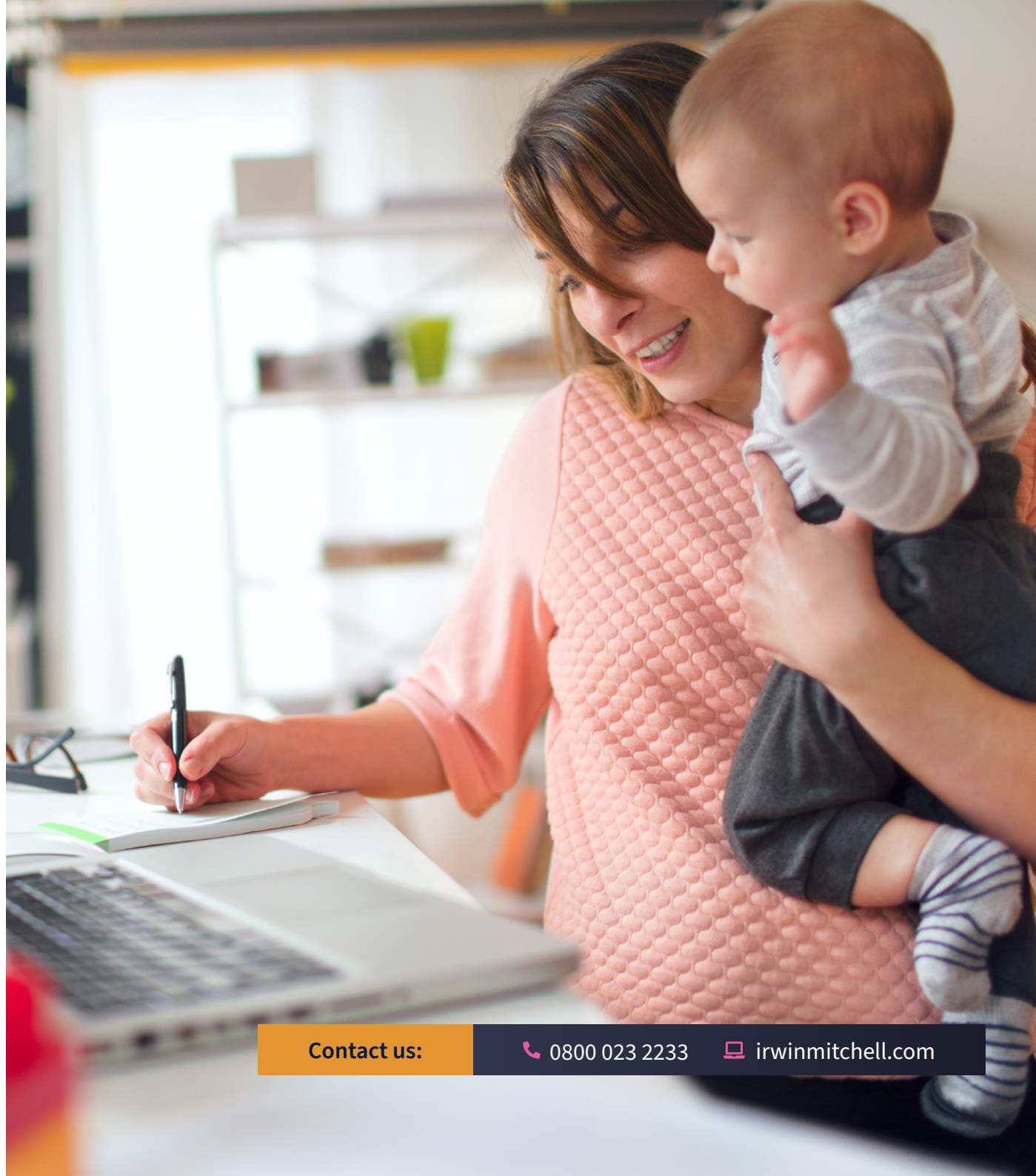
Whether it's business or personal we understand that everyone's situation is different.

If you need legal advice or support with financial planning, we're here to offer expert advice tailored to your circumstances, so you can focus on what really matters.

We're here to help you with:

- Buying or selling a house
- Court of Protection
- Divorce, children and family matters
- Planning disputes
- Financial planning and wealth management*
- Support with your business and employment issues
- Social, education and healthcare provisions
- Tax and trusts
- Welfare and healthcare matters
- Wills

* Financial planning and wealth management services are provided by IM Asset Management Limited which is authorised and regulated by the Financial Conduct Authority. Its Financial Services Register Firm Reference Number is 402770.



Contact us:

📞 0800 023 2233

💻 [irwinmitchell.com](https://www.irwinmitchell.com)

Useful contacts

We have close relationships with organisations and charities that can provide extra support when you need it most.

Action against Medical Accidents (AvMA)

The UK charity for patient safety and justice.

☎ 0845 1232 352

🌐 avma.org.uk

Bowel Cancer UK

The UK's leading bowel cancer charity, determined to save lives and improve the quality of life of everyone affected by bowel cancer.

Bowel Cancer UK
Unit 301
Edinburgh House
170 Kennington Lane
London
SE11 5DP

☎ 020 7940 1760

✉ admin@bowelcanceruk.org.uk

🌐 bowelcanceruk.org.uk

Jo's Cervical Cancer Trust

The UK's leading cervical cancer charity, campaigning for change and providing support to those in need.

Jo's Cervical Cancer Trust
10-18 Union St
London
SE1 1SZ

☎ 0808 8028 000

✉ info@jostrust.org.uk

🌐 jostrust.org.uk

Macmillan Cancer Support

National charity supporting everyone affected by cancer, their family and friends.

☎ 0808 8080 000

🌐 macmillan.org.uk

Maggie's

Maggie's provides free practical, emotional and social support to people with cancer and their family and friends.

☎ 0300 1231 801

🌐 maggiescentres.org

Orchid

The UK's leading charity in supporting men with testicular, penile, and prostate cancer.

Orchid
60 Gray's Inn Road
London
WC1X 8AQ

📞 020 3745 7310
✉ info@orchid-cancer.org.uk
🌐 orchid-cancer.org.uk

Shine Cancer Support

Shine Cancer Support specialises in supporting those in their twenties, thirties, and forties living with any type of cancer.

54 Sterte Esplanade
Poole
Dorset
BH15 2BA

📞 07804 479413
🌐 shinecancersupport.org

Patient Advice and Liaison Service

Supporting patients with queries, issues and advice on the health care they receive.

🌐 nhs.uk/service-search
search Patient Advice and Liaison Service along with your postcode to find a list of your local hospitals and Clinical Commissioning Groups.


Widowed and Young

WAY supports people aged 50 or under when their partner has died. They're a peer-to-peer support group run by volunteers who were bereaved at a young age themselves.

WAY Widowed and Young
Advantage House
Stowe Court
Stowe Street
Lichfield
WS13 6AQ

📞 0300 201 0051
🌐 widowedandyoung.org.uk



 0800 023 2233

 [irwinmitchell.com](https://www.irwinmitchell.com)



Irwin Mitchell LLP is authorised and regulated by the Solicitors Regulation Authority.

IRW203

SIV-B-2002