

# power of attorney, England and Wales.



A Power of Attorney (POA) enables one or more people to make decisions and take action on your behalf. This may be necessary if you're unable to make your own decisions due to mental incapacity, or if you'd like help with your financial affairs, for example if you leave the country for a long time. You can arrange a Power of Attorney if you are aged 18 or over and are able to make your own decisions.

If you think you may need help in the future, then you should take action now. It will be too late to appoint an attorney if you reach the stage of mental incapacity or are unable to make your own decisions due to illness. If you fail to appoint an attorney, your friends or family would then have to apply to the Court of Protection for control of your health or financial affairs. This can be a complex, time-consuming and expensive process, in which time decisions will be made by a court appointed deputy, which may not be in line with your wishes.

There are two types of Power of Attorney, one relates to healthcare and the other relates to your finances and assets, including your property. The names and availability of these differ throughout the UK based on the country in which you live. For residents of England or Wales, the table below shows the name of each document, and some of the decisions that an attorney can make.

Lasting Power of Attorney (LPA)	Your attorney will have the capability to make decisions and act on your behalf including:
Health and Welfare LPA	<ul style="list-style-type: none"><li>• What medical care you receive</li><li>• Where you should live and if you should be placed in a care home</li><li>• What you should eat</li><li>• Who you should have contact with</li></ul>
Property and Financial Affairs LPA	<ul style="list-style-type: none"><li>• Running your bank and savings accounts</li><li>• Paying your bills and mortgage</li><li>• Investing your money</li><li>• Buying and selling your property</li></ul>

## 4 steps to setting up a Power of Attorney

- 1 The forms and guidance you need to create a Lasting Power of Attorney are available online from the Office of the Public Guardian. You can access these by visiting [www.gov.uk/organisations/office-of-the-public-guardian](http://www.gov.uk/organisations/office-of-the-public-guardian).
- 2 Once you've completed the forms, send them back to the Office of the Public Guardian with the relevant fee.
- 3 The office will check that the forms have been completed accurately and set up the Power of Attorney. The Power of Attorney will then be registered. If there are any problems, the forms will be returned to you to be corrected.
- 4 Make sure you notify the people that you have nominated and share with them any wishes that you may have.

**You may find it beneficial to use a solicitor or professional to help you with this process. These forms, fees and supporting information can be found on the gov.uk website. This link can also be found in the next steps on the factsheet page.**

To discuss your options with **my wealth**, please contact:



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