

# Power of attorney

A power of attorney is a document that legally allows 'appointed people' to make decisions on your behalf for when you are no longer able to. It may help to consider arranging one for someone you care for. If you're unsure where to start, these tips could help.



## Getting a power of attorney

### 1 Consider arranging one sooner rather than later

A power of attorney (POA) can be set up by anyone over the age of 18, provided they have capacity to do so. For more information on capacity, visit [carersuk.org/managing-someones-affairs](https://www.carersuk.org/managing-someones-affairs)

"I have POA for myself even though I hope no one will need to use it for a good few years yet! I always say that by the time you know you need it, it may already be too late – your loved one has to be deemed to have the capacity to agree to it."



### 2 Talk it through if you're setting one up for another

Getting a POA is understandably a big step to take and you should talk it through carefully with the person you care for.

"The first thing is to have the agreement of the person you care for to act on their behalf. In the early days, I set up a POA over my husband's affairs and my daughters also have POA over mine just in case."



### 3 Consider the practical advantages

“When it comes to the financial side, these are so useful and if you can persuade the bank or other financial institutions to keep a copy on file, that helps as you don’t have to go through the ordeal each time.”

### 4 Do some research

Understand the different types of POA available, including the different options covering health and finance, to see what might apply to your circumstances:

- [ordinary power of attorney](#)
- [lasting power of attorney](#)
- [enduring power of attorney](#)

For further guidance, visit [citizensadvice.org.uk](https://citizensadvice.org.uk) and see our web page: [carersuk.org/managing-someones-affairs](https://carersuk.org/managing-someones-affairs)

In Northern Ireland, the options are ordinary power of attorney or enduring power of attorney. Find out more by emailing [advice@carersni.org](mailto:advice@carersni.org)



## If you can’t put POA in place...

### 5 You could become an appointee in other ways

“Try making a list of the most important service providers that you use (eg, GPs, benefits agency, bank, HMRC) and contact them to see if there is any other way that you can be appointed as a spokesperson for your loved one. It never does any harm to at least make them aware of the situation and record that, and your contact details, on your loved one’s record or file.”



## 6 You could apply for a deputyship

This is an option to consider if the person no longer has the capacity to make decisions for themselves. In Northern Ireland, this is referred to as a controllership and in Scotland it is known as a guardianship. See 'Further resources' for details.

"My son is in his twenties and has learning difficulties and I am his carer. At present I am his appointee and can manage his finances as they are from benefits only. His savings are in a trust fund which protects them."



## 7 Complete a third-party mandate form

This is a document that tells your bank, building society or other account provider that they can accept instructions about your money from a specific named person. See *Using services* for more ideas.



### Further resources

Gov.uk has more information at: [gov.uk/become-deputy](https://gov.uk/become-deputy) and [gov.uk/power-of-attorney](https://gov.uk/power-of-attorney)

For Northern Ireland, see [justice-ni.gov.uk/articles/how-apply-become-controller](https://justice-ni.gov.uk/articles/how-apply-become-controller)

For Scotland, see [mygov.scot/guardianship](https://mygov.scot/guardianship)

Understand what the best option for you is – seek advice by contacting your local Citizens Advice. You can find their online guidance here: [citizensadvice.org.uk](https://citizensadvice.org.uk)

We would welcome your feedback – please email [comms@carersuk.org](mailto:comms@carersuk.org)



20 Great Dover Street, London SE1 4LX

T 020 7378 4999, E [info@carersuk.org](mailto:info@carersuk.org) [carersuk.org](https://carersuk.org)

 @carersuk  /carersuk  Carers UK  @carers\_uk

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