

HELP'S AT HAND

with a Lasting Power of Attorney

Would it help you if a relative or friend could deal with all your paperwork including bank accounts, pensions, benefits and bills?

A Lasting Power of Attorney ('LPA') is a document which lets a relative or friend take the strain of looking after your finances and other affairs.

We all need help once in a while. It may only be for short periods of time but sometimes it's more long term. There are lots of reasons why help may be needed; when recovering from an operation or illness, when paperwork is confusing, stressful and worrying, or just due to becoming forgetful or simply uninterested.

HELP'S AT HAND, A SUMMARY

The Bolt Burdon service includes:

- Our fact form to help outline the current situation.
- Face to face meetings at our offices or at your home at a time which suits you.
- A specialist solicitor to discuss your wishes and needs.
- Direct access to your solicitor.
- A Lasting Power of Attorney to deal with your property and finances and/or health and welfare.
- Storage of the original Lasting Power of Attorney(s).
- Location card.
- Fixed fees.



We work to very high standards and this is reflected in the feedback we receive from clients and relatives alike. One client recently described our service as...

“...not just exceptional but it was done with a great degree of care and sensitivity, that both my sister and I are greatly thankful for. I can think of nothing that needs to be changed or improved.”

HELP'S AT HAND

A Lasting Power of Attorney for property and financial affairs is a way in which you can appoint one or more people, called 'Attorneys', to make decisions about your finances for you. A trusted relative or friend is the best choice of Attorney and if it gives you reassurance one of our solicitors will be happy to be appointed to work with your chosen relative or friend.

What can my Attorney do for me?

Your attorney can:

- take care of all your banking and investment paperwork, pay your bills as well making those difficult 'phone calls to customer services teams where it often feels like you are going around in circles with dates of birth, passwords, mothers' maiden names and PIN numbers.
- claim and receive benefits and allowances for you.
- help if you need to sell your home by instructing a solicitor for you and dealing with all the paperwork.
- make sure that your hard earned money works for you by finding qualified, specialist and independent financial advisers.
- deal with the lighter side of life and make gifts to your family and friends for birthdays, Christmas, weddings and other occasions.

What's the alternative?

If you lose mental capacity and have not formally appointed an Attorney, someone who will not be chosen by you will have to apply to the Court of Protection to be appointed your 'Deputy'. This can be very expensive both initially and with ongoing fees and it can take up to 6 months for the Court order to be made. During this time your bank accounts and investments will be frozen as there will be no one with the legal authority to act on your behalf. Bills will stack up and you may lose money as a result. This can add to an already stressful and worrying time for you and your family.

I'd like to find out more about LPAs. What do I do next?

Please call our Help's at Hand team to arrange a meeting on 020 7288 4700.

The Bolt Burdon **HELP'S AT HAND** service

A face to face meeting

The first step is a face to face meeting at our offices or at your home at a time which suits you. One of our specialist solicitors will work together with you to complete a form which gathers all the important information about your finances as well as your thoughts and wishes about how you would like the LPA to work for you.

We will talk about the key roles and in particular those best suited to become your Attorneys.

We will listen to you and work at your pace, after all this is your LPA.

A comprehensive review

Following the meeting you will receive a letter which explains everything we discussed by post or email together with a draft version of the LPA.

You will continue to work with the solicitor to prepare the agreed version of the LPA for signing.

Direct access to your solicitor

You will have your solicitor's direct line and mobile numbers so you can speak on the 'phone if this is more convenient. Otherwise you can use email or post.

Storage of the original LPA

Once the LPA formalities have been completed the solicitor will make the application to register the LPA. As soon as it is registered you will receive a copy of the LPA for your records and the original will be stored safely at our offices.

You will also receive location cards to leave in your wallet or purse, desk, bedside table or in your address book. This will ensure that if the original LPA is ever needed it can be found easily and used to help you.

Your Attorneys, the key role

You will need to decide who will be your Attorney or Attorneys. Our solicitors can describe the role and help you find those best suited. Good choices are often your children, or another relative or friend. It is very important that you appoint someone you trust. You can also appoint a replacement Attorney in case your first choices cannot take on the role.

If you don't have a suitable family member or friend or if you think your relative or friend will need some supervision then it is often best to appoint a professional person to work with them and we can undertake this role for you if you wish. If you prefer we can work alone.

The issues to consider are:

1. family members and friends may not have the time to keep on top of all your paperwork and benefits applications and finances can get tricky sometimes.
2. while we can deal with all of the above, you may feel more comfortable with a family member or friend also having direct input on the management of your finances
3. one of our experts working together with a family member or friend often provides the most suitable and effective combination.

Your Attorney is under a duty to act in your best interest at all times and to involve you in the decision-making process as much as possible.

If you choose to have more than one Attorney you can specify whether they must always agree and act together or whether any one of them can act on their own without consulting the others.

You can note restrictions on the Attorneys' powers or add guidance. This means that you can maintain control where this is important to you.

An independent view, the certificate provider

As part of the process of making an LPA, a certificate provider (who will usually be a member of our team of specialist solicitors and qualified to assess issues of mental capacity) will confirm that they are satisfied that you understand the significance of the LPA, the consequences of signing it, i.e. the authority you are giving your attorneys, and that you are not acting under any undue influence, duress or fraud.

Who will know that I am making a Lasting Power of Attorney?

It is also advisable to nominate at least one person who will be informed of the fact that you are registering your LPA. This will mean that you only need one certificate provider but it will also mean that any questions in relation to the LPA can be addressed now rather than when the LPA is needed. The person or persons to be notified will be someone other than your Attorney(s), replacement Attorney(s) or certificate provider(s).

When can the Lasting Power of Attorney be used?

Your LPA will not be valid, and so your Attorneys will not be able to use it, until it is registered with the Office of Public Guardian.

What about other decisions which do not relate to property and financial affairs?

There is a second type of LPA which relates to your Health and Welfare. This LPA enables you to appoint Attorneys to make decisions on your behalf in relation to, for example, the type of care you receive and where you receive it. You can also give direction as to the type and level of medical treatment. In nearly all respects the process mirrors that for the LPA for property and finances. Our 'Help's at Hand' team will be very happy to answer any questions you may have.

Our fees

We have a fixed fee of £600 including VAT for one LPA or £800 including VAT for two LPAs, so both Property and Finances and Health and Welfare. There will be a registration fee of £130 for each LPA payable directly to the Office of the Public Guardian.

