



Office of the Public Guardian (OPG) Information Sheet

Who they are

If you lose the ability to make certain decisions for yourself, a lasting power of attorney (LPA) lets people you trust quickly, easily and legally step in.

<https://powerofattorney.campaign.gov.uk/>

The best way to make sure your choices count if you lose mental capacity is to make and register Lasting Power of Attorney (LPA). This can be for Property/Finance decisions or Health/Care decisions, or both.

Having an LPA gives you peace of mind knowing people you trust will manage your affairs should you need them to now or in the future.

If you lose capacity to make decisions, Court of Protection will appoint a Deputy.

Both the LPA and Deputy have the same role; to safeguard the donors interests.

OPG will investigate under the Mental Capacity Act (2005) if there is reports of suspected abuse of position by LPA or Deputy. They can refer to the Police.

Myth busters

73% of people think...

If a couple have a joint bank account and one person can't make decisions for themselves, their partner can legally make decisions for them both.

This is untrue. An LPA will however give you consent to access joint funds to pay and monitor financial aspects of a joint account.

72% of people think...

Your next of kin always gets the final say in treatment decisions at hospital, if you can't make them yourself.

This is untrue. Medical decisions need the specific, agreed consent of the person involved, before a next of kin can make treatment or welfare choices on someone else's behalf.

OPG Contacts

<https://www.lastingpowerofattorney.service.gov.uk/home> (make your online application for LPA)

0300 456 0300

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