

There are approximately 850,000 people in the UK suffering from dementia. 1 in 20 people over the age of 65 years will develop dementia, and this figure continues to rise with age, with 1 in 5 people over 80 years suffering from the disease.

A Lasting Power of Attorney (LPA) is a legal document that allows you to appoint someone you know and trust, as an attorney, to manage both your financial, and health and welfare affairs in the event that you become unable to do so because you lack mental capacity.

You can have as many attorneys as you like but it is common to appoint between one and four. It is advisable not to have too many attorneys, as it can cause complications if lots of people are trying to act on your behalf at once.

One of the most common myths about legal decision making is that your next of kin will be able to make big decisions on your behalf should you lack the capacity to do so yourself. An LPA must be in place for this to be the case.

LPAs are not just for the elderly. People lose mental capacity for many different reasons, at any age.

There are two types of LPAs - a Financial and Property LPA and a Health & Welfare LPA.

The Financial and Property LPA appoints someone to take care of your assets and finances while the Health & Welfare one entitles you to appoint someone to make decisions for you regarding your health and living arrangements.

It costs £82 to register each LPA through the Office of the Public Guardian (OPG), details on making your LPA are available at <https://www.gov.uk/power-of-attorney>

No one person can act on your behalf unless they are legally authorised to do so – whether this is to do with your assets or your health.

If you wait until you start to lose mental capacity to set up an LPA, you may not be in a position to do so.

A Financial and Property Lasting Power of Attorney will be valid for use as soon as it is registered, meaning your chosen attorneys can make decisions for you from this moment.

Your Health and Welfare Lasting Power of Attorney can only be used when you are no longer able to make decisions for yourself.

When completing your Health and Welfare LPA, you can decide whether to allow your attorney the power to decide to continue, or not, with life-sustaining treatments.

