

# Money matters: Dealing with someone else's money or benefits

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If someone is unwell they might need help from you with their money or benefits. This factsheet explains the options for you to help with a person's money or benefits.

In this factsheet, we refer to the person who needs help as 'your relative' and to you as 'their carer.' But we understand that you may not be a relative. In this factsheet we will call banks, building societies, credit unions and similar organisations 'financial institutions'.



- You can only deal with someone else's money or benefits if you have their written permission or a proper legal authority.
- Before you deal with your relative's finances, organisations will want to see 'identification and verification' (ID&V) for you.
- Your relative can sign a 'third party authority' so you can deal with their bank account.
- If your relative needs help claiming or collecting benefits you could become their 'Appointee'.
- Your relative can make a 'Lasting Power of Attorney' so you can deal with their finances. This carries on if they become mentally incapable.
- Your relative can make a 'General Power of Attorney' so you can deal with their finances. This would end if they become mentally incapable.
- Your relative might lack the mental capacity to make a Lasting Power of Attorney. In this case you can apply to the Court of Protection to become their 'Deputy'.
- If your relative becomes mentally incapable their bank might agree to pay urgent bills from their account.
- Your relative might be in debt or unable to pay all their bills.

## This factsheet covers:

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### 1. Can I act on behalf of my relative?

You might need to help your relative with their money or benefits. They might be:

- unwell,
- in hospital,
- struggling to cope with bills or paperwork,
- finding it hard to control their spending, or
- mentally incapable of dealing with their money or benefits.

There are organisations that your relative might deal with such as the following.

- Financial institutions.
- The Department of Work and Pensions (DWP) for benefits.
- the local authority for benefits.
- Organisations that provide services or goods to your relative. Such as electricity or gas companies.

To help your relative you might want to:

- get information from these organisations, or
- give them instructions on behalf of your relative.

These organisations will only usually deal with you if you have the proper authority to act for your relative.

#### Informal contact

Organisations have a duty of confidentiality to their clients or customers.<sup>1</sup> This means they can't usually give you information about your relative without:

- valid consent from your relative, or
- a written form of authority.

Organisations might speak to you and give you information about your relative's affairs. They might do this on the telephone or in person. But only if:

- your relative is with you at the time,
- your relative consents to you having information, and
- the organisation can properly identify your relative.

But you will need a written authority to:

- give instructions about your relative's money or benefits, or
- to deal with the organisation or get information on an ongoing basis.

### Written authority

There are different types of written authority to allow you to deal with your relative's money or benefits. The appropriate type of authority for you will depend on whether:

- you are dealing with a financial institution or the DWP, and
- your relative has mental capacity.

There are different types of written authorities that will allow you to deal with your relative's money or benefits. The most common types of these written authorities include the following.

- A third-party authority with a financial institution.
- An Appointeeship regarding benefits.
- Lasting Power of Attorney.
- General Power of Attorney.
- Court of Protection Order to make you a Deputy.

You can find more details about these in the rest of this factsheet.

You can find more information about '**Mental capacity and mental illness**' at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### Joint accounts

Your relative might have a joint account with another person.

You might have a proper written authority for your relative. But you will only usually be able to give instructions on that account with the consent of the other account holder.

You can speak to your relative's financial institution for more information.

Appointeeships for benefits can usually only be used on sole accounts.<sup>2</sup> For more information on becoming an appointee please see [Section 4](#) of this factsheet.

## 2. What is identification and verification (ID&V)?

You might have a proper written authority to deal with your relative's finances. But before organisations deal with you they will usually want to see identification and verification (ID&V) documents.

They will want to see these documents to:

- confirm your identity, and
- verify your address.

You can ask the organisation what ID&V documents they need to see from you. Or their website might tell you. But they might need to see things like:<sup>3</sup>

- your passport or driver's licence, and
- a utility bill or bank statement.

## 3. What is a third-party authority?

Your relative might want to give you authority to deal with their account with a financial institution. For example, if they are in hospital they might want you to deal with an account or a bill for them.

They can do this by signing what is known as a third-party authority. It is also sometimes known as a 'third party mandate.'<sup>4</sup>

All financial institutions use their own forms. You or your relative can ask the financial institution about giving a third-party authority.

Your relative can only sign a third-party authority if they have the mental capacity to make this decision.

A third-party authority will allow you to:

- get information about your relatives account, including statements,
- give instructions on their account in the same way that your relative can, including making payments, and
- withdrawing cash in the same way your relative can.

Your relative can use their account as normal at the same time.

A third-party authority will not allow you to:<sup>5</sup>

- open or close an account for your relative, or
- borrow money on behalf of your relative or agree a new overdraft – but you can operate an account with an overdraft already on it with the agreement of your relative.

It doesn't usually cost any money for your relative to give you a third-party authority.

If your relative gives you third-party authority they can cancel it at any time.

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#### **4. Can I deal with my relative's benefits?**

You might have a Lasting Power of Attorney (LPA) or General Power of Attorney (GPA) for your relative. If you do you can usually deal with your relative's benefits, and all their other financial affairs.<sup>6</sup>

Please see [Section 5](#) and [Section 6](#) of this factsheet for more information about LPAs and GPAs.

#### **Becoming an Appointee**

If you don't have an LPA or a GPA for your relative you might be able to become their Appointee. This would allow you to deal with their benefits, but none of their other financial affairs.

You can only become your relative's Appointee if they are:<sup>7</sup>

- mentally incapable, or
- severely mentally or physically disabled.

If you want to become an Appointee you need to:<sup>8</sup>

- contact the office of the Department for Work and Pensions (DWP) for the benefits your relative claims,
- have an interview with the DWP to make sure your relative needs an appointee and that you are suitable, and
- fill in form BF56.

Form BF56 is usually filled out at the interview with the interviewer.

If you are made your relative's Appointee you will receive form BF57. This is your proof that you are the Appointee.

Sometimes it can take a while to become an Appointee. As you must wait for the DWP to visit you.

An Appointee can deal with the following organisations regarding benefits.

- The DWP.
- Her Majesties Revenues and Customs (HMRC) – for tax credits.
- The local authority – for housing benefit and council tax reductions or exemptions.

Once you have become an Appointee it is your job to:

- sign benefit claim forms,
- tell the DWP, the HMRC or the local authority about any relevant changes in your relative's circumstances,
- spend the benefit in your relative's best interests,
- tell the DWP, the HMRC and the local authority if you want to stop being the Appointee, and
- make sure that any benefit overpayments are paid back.

You can read about becoming an Appointee and find the DWP office details here: <https://www.gov.uk/become-appointee-for-someone-claiming-benefits>.

You can find more information about '**Welfare benefits and mental illness**' at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### Appointee accounts

When you are an Appointee the benefit will be paid directly to you into a bank account.<sup>9</sup> You will need what is known as an Appointee account.

You will need to either:

- open an Appointee account with a financial institution, or
- convert your relative's sole account into an Appointee account.

Financial institutions have their own rules about Appointee accounts. You can ask them for information.

You will be the account holder, but the account will be used for your relative's benefit money. The account should be named to reflect this, such as:

"[your name] as Appointee of [your relative's name]."

Some financial institutions have a limit on the amount of money you can have in your Appointee account.<sup>10</sup> This is because an Appointee only has authority over benefits, and no other money. For example, the limit might be £5,000.<sup>11</sup> But you can ask the financial institution about this.

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## **5. What is a Lasting Power of Attorney?**

### What types of Lasting Power of Attorney are there?<sup>12</sup>

A Lasting Power of Attorney (LPA) is a legal document. A person can sign a LPA to give one or more people authority over their affairs.

The law that deals with LPAs is The Mental Capacity Act 2005.<sup>13</sup>

If your relative signs a LPA to appoint you:

- they would be known as ‘the donor’, and
- you would be known as ‘the attorney’.

There are two types of LPA:

- health and care decisions, and
- financial decisions.

In this factsheet we give information on LPAs for financial decisions. But if you want to know more about LPAs for health and welfare you can read more here: <https://www.gov.uk/lasting-power-attorney-duties/health-welfare>.

Your relative must have mental capacity to make a LPA. But it will continue to be valid even if they lose mental capacity later. They may come into force straight away, or your relative might choose that they only come into force once they have lost mental capacity.

After LPA’s are signed they need to be registered with the Office of the Public Guardian (OPG).

#### Who can be an attorney?

Your relative should trust the person they are making their attorney. The attorney will have wide ranging powers.

An attorney under a LPA must:<sup>14</sup>

- be at least 18 years old,
- have the mental capacity to make decisions, and
- not be an undischarged bankrupt or subject to a debt relief order.

#### What powers does an attorney have under a LPA?

An attorney will usually have wide ranging powers under a LPA for financial decisions.

The attorney’s powers will usually include, but not be limited to, things like:<sup>15</sup>

- running your relative’s bank and savings accounts,
- making or selling investments,
- dealing with your relative’s benefits,
- paying your relative’s bills, and
- buying or selling your relative’s house or other property.

Your relative can restrict what powers an attorney has by clearly stating this in their LPA.

Attorneys have legal obligations they must meet under The Mental Capacity Act 2005, such as the duty to act in the donor’s best interests. You can read more about being an attorney here:

<https://www.gov.uk/lasting-power-attorney-duties/property-financial-affairs;>

### Should we see a solicitor?

Your relative can make a Lasting Power of Attorney without seeing a solicitor, but they should consider getting legal advice from a solicitor, for the following reasons.

- To get advice before signing the LPA. A LPA gives an attorney wide ranging powers over the donor's financial affairs and property.
- If they want to restrict the attorney's powers or give them specific instructions. The wording that needs to be included in the LPA needs to be carefully drafted and be clear.
- To get help filling in the LPA forms and registering the LPA with the Office of the Public Guardian (OPG). The LPA form is 24 pages long. And other forms might need to be completed too so the LPA can be registered with the OPG.

You can find more information about '**Legal advice – how to get help from a solicitor**' at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### How does my relative make a Lasting Power of Attorney? <sup>16</sup>

To make a LPA the following people must sign the LPA form.

- Your relative (the donor).
- The attorney or attorneys.
- Independent witnesses.
- The donor's certificate provider. They confirm that no-one is forcing the donor to sign the LPA.

The LPA forms and a guide to making an LPA can be found on the Gov.uk website:

[www.justice.gov.uk/forms/opg/lasting-power-of-attorney](http://www.justice.gov.uk/forms/opg/lasting-power-of-attorney)

LPAs must be registered with The Office of the Public Guardian (OPG) after they are signed.

An attorney can't act under a LPA until it is properly registered with the OPG.

It takes between 8 and 10 weeks to register a LPA if there are no mistakes in the application.

It costs £82 to register a LPA. But you can get a reduction if:

- you earn less than £12,000 a year, or
- you are on certain means tested benefits.

You must complete form LPA120 to get a reduction. You can find the form here:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/605506/LPA120-Lasting-power-of-attorney-and-enduring-power-of-attorney-fees.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/605506/LPA120-Lasting-power-of-attorney-and-enduring-power-of-attorney-fees.pdf).

If you want to know more about a reduction in fees you can read the LPA120 form or contact the OPG. You can find their details in the '[Useful Contacts](#)' section below.

If you have any questions about making a LPA you can:

- contact the OPG. Their details are in the '[Useful contacts](#)' section at the end of this factsheet. But the OPG can't give legal advice, or
- see a solicitor. They can give legal advice.

#### How does my relative end a Lasting Power of Attorney?<sup>17</sup>

A donor can end a LPA any time they want to, as long as they have the mental capacity to do this. You can read more about ending a LPA here: <https://www.gov.uk/power-of-attorney/end>; or you can contact the OPG.

If your relative ends a LPA they should tell any organisations that the attorney has dealt with or might deal with. Like their bank or the DWP.

A LPA ends automatically if the donor dies.

#### What is an Enduring Power of Attorney?

LPAs have replaced 'Enduring Powers of Attorney' (EPAs).

Your relative can no longer make an EPA. But EPAs properly made before 1<sup>st</sup> October 2007 are still valid. You can read more about EPAs here: <https://www.gov.uk/enduring-power-attorney-duties>;

You can contact the OPG about EPAs if you want further information.

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## **6. What is a General Power of Attorney?**

A General Power of Attorney (GPA) is a legal document. A person can sign a GPA to give one or more people authority over their affairs.

The law that deals with GPAs is the Power of Attorney Act 1971.<sup>18</sup>

A GPA is usually a simple 1 page document. Schedule 1 of The Powers of Attorney Act 1971 shows a specimen wording for a GPA. You can view Schedule 1 here:

<https://www.legislation.gov.uk/ukpga/1971/27/schedule/1>;

If your relative signs an GPA to appoint you:

- they would be known as 'the donor', and

- you would be known as ‘the attorney’.

You relative must have mental capacity to make a GPA.

Unlike Lasting Power of Attorneys (LPAs) GPAs come to an end if the donor loses mental capacity.<sup>19</sup>

Your relative might have a mental illness or condition where they are likely to lose mental capacity. If they would need you to manage their affairs when they lose capacity, it would be better if they made a LPA.

Your relative might have made a LPA and are waiting for it to be registered at the OPG. If your relative wants the attorney to take quick action they may also make a GPA. You can read more about LPAs in [Section 5](#) of this factsheet.

#### Who can be an attorney under a GPA?

Your relative should trust the person they are making their attorney. The attorney will have wide ranging powers.

An attorney under an GPA must:

- be at least 18 years old,
- have the mental capacity to make decisions, and
- not be an undischarged bankrupt.

#### What powers does an attorney have under a GPA?

An attorney will have wide ranging powers under a GPA. They will have full power over your relative’s financial affairs.<sup>20</sup>

The attorney’s powers will include, but not be limited to, things such as:

- running your relative’s bank and savings accounts,
- making or selling investments,
- dealing with your relative’s benefits,
- paying your relative’s bills, and
- buying or selling your relative’s house or other property.

Your relative could restrict the power the attorney has under a GPA. But if this is done great care should be taken over the wording of the GPA. The ‘general’ nature of the GPA might be affected. A solicitor could help to advise on this.

#### Should we see a solicitor?

Your relative can make a General Power of Attorney (GPA) without seeing a solicitor, but they should strongly consider getting legal advice from a solicitor.

- To get advice before signing the GPA. A GPA gives an attorney wide ranging powers over the donor’s financial affairs and property.

- If they want to restrict the attorney's powers or give them specific instructions.
- To draft the GPA form and make sure it is properly signed and witnessed.

You can find more information about '**Legal advice – how to get help from a solicitor**' at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

#### How does my relative make a General Power of Attorney?

Your relative can make a GPA without seeing a solicitor. But it may be a good idea to see a solicitor to make a GPA. A donor under a GPA gives the attorney wide ranging powers.

To make a GPA the following people must sign the GPA document:

- your relative (the donor), and
- an independent witness.

GPA's don't need to be registered with The Office of the Public Guardian (OPG) or anywhere else after they are signed. This means the attorney can begin to act straight away.

It doesn't cost any money to make a GPA, other than paying solicitor's fees if you use one.

If you or your relative has any questions about making a GPA you can seek advice from a solicitor.

#### How does my relative end a General Power of Attorney?<sup>21</sup>

A donor can end an GPA any time they want to.

If your relative ends a GPA they should tell any organisations that they attorney has dealt with or might deal with. Like their bank or the DWP.

A GPA ends automatically if the donor:

- dies,
- becomes bankrupt, or
- becomes mentally incapable.

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## **7. What is a Court of Protection appointed Deputy?**<sup>22</sup>

Your relative might lack capacity to make financial decisions. But there might not be a Lasting Power of Attorney in place.

In this case, you can apply to the Court of Protection to become your relative's deputy. This would give you the power to manage your relative's financial affairs.

If the Court of Protection agree to make you your relative's deputy they will issue a court order. The court order says what powers you have.

The law that deals with deputy orders is The Mental Capacity Act 2005.<sup>23</sup>

There are two types of deputy order:

- property and financial affairs deputy, and
- personal welfare deputy.

This factsheet looks at deputy orders for financial affairs.

The court only normally issues personal welfare deputy orders in extreme circumstances.<sup>24</sup> If you want to know more about them you can contact the Office of the Public Guardian (OPG). Their details are in the '[Useful contacts](#)' section at the end of this factsheet.

### Who can be a deputy?<sup>25</sup>

A deputy must be:

- at least 18 years of age, and
- have the skills to make financial decisions for your relative.

There is no automatic right to become a deputy. The court will decide if the person applying to become a deputy is suitable.

A deputy is normally a close relative or friend of the person who is does not have mental capacity. But if no relative or friend is willing or able to act the court might appoint a professional person such as:

- a solicitor, or
- someone who works for the local authority.

When making decisions, deputies must also follow the guidance within the Mental Capacity Act 2005 Code of Practice. You can find this here: [www.gov.uk/government/collections/mental-capacity-act-making-decisions](http://www.gov.uk/government/collections/mental-capacity-act-making-decisions)

### What powers does a deputy have?

The court order will say what powers you have as a deputy. The court order can give you:

- general powers over your relative's finances, or
- specific powers.

When you apply to become a deputy, you can tell the court what powers you want.<sup>26</sup> But it is up to the court to decide what powers they grant you.

### Should I see a solicitor?

You can apply to become your relative's deputy without a solicitor, but several forms need to be completed and you need to follow the correct

procedures. There is more information in this section below. This might mean you want to get a solicitor to help and advise you.

You can find more information about **‘Legal advice – how to get help from a solicitor’** at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### How do I become a deputy?

To apply to become a deputy you must complete:

- an application form,
- a form about the capacity of your relative – this also has to be completed by a medical professional,
- a deputy’s declaration, and
- an information form.

These forms can be found on the Gov.uk website:

[www.gov.uk/become-deputy/apply-deputy](http://www.gov.uk/become-deputy/apply-deputy)

The Court of Protection will review your application. They will make a decision 14 days after you told the other people involved that you’d applied. This depends on whether your application was completed correctly and whether anyone objected to you becoming the deputy.<sup>27</sup>

The court will tell you if:<sup>28</sup>

- your application’s been approved or rejected,
- you must provide more information to support your application, and
- it’s going to hold a hearing to get more information.

There is a useful guide to making an application to the Court of Protection called COP42. This can be found on the Government Court Services website:

<https://formfinder.hmctsformfinder.justice.gov.uk/cop42-eng.pdf>;

### How much do I have to pay to become a deputy?<sup>29</sup>

You must pay a £385 application fee with your application form.<sup>30</sup>

You’ll also need to pay £500 if the court decides your case needs a hearing. The court will tell you when you need to pay this.

After you have been appointed you must pay an annual supervision fee. The fee depends on what level of supervision a deputy needs. The fee is:

- £320 for general supervision, or
- £35 for minimal supervision - if you’re a deputy managing less than £21,000.

You’ll also need to pay a £100 assessment fee if you’re a new deputy.

You may be able to claim a refund of your fees if you are a low income or on certain benefits. You can find out more about fees on the Gov.uk website: [www.gov.uk/become-deputy/fees](http://www.gov.uk/become-deputy/fees).

You must pay a 'security bond' when you're appointed as a deputy. This is a type of insurance that protects the finances of the person you're a deputy for.

You pay the bond to a security bond provider. You'll get a letter from the court telling you how to do this.

The amount you pay depends on:

- the value of the estate of the person you're a deputy for, and
- how much of their estate you control.

#### What if I need to take urgent action for my relative?<sup>31</sup>

You might need to take urgent action for your relative, which means you cannot wait for a deputy order. If you do, the court might agree to issue an interim order for a specific decision.

If you need to take urgent action you can contact the Office of the Public Guardian. Their contact details are in the '[Useful contacts](#)' section at the end of this factsheet.

You can find out more about urgent applications on the Gov.uk website: <https://www.gov.uk/emergency-court-of-protection>;

#### When does a deputy order come to an end?<sup>32</sup>

Your relative might regain the capacity to deal with their financial affairs again. If they do, a deputy must inform the Court of Protection. The Court might decide to end the deputy order.

A deputy order ends automatically if your relative dies.

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## **8. What can I do if my relative is mentally incapable and there is no LPA or Deputy?**

Your relative might become mentally incapable of dealing with their financial affairs. But there might be no Lasting Power of Attorney or Deputy Order in place.

If you are concerned about your relative, or you need to make an urgent decision for them you can apply for an interim Court of Protection Order.

You might also be able to take urgent action if you are worried about:

- money going out of your relative's account with a financial institution, or
- your relative borrowing money. This might be by overdraft, loan or

credit card.

You can try to get a letter from a medical professional such as a GP or psychiatrist. The letter can say that your relative is mentally incapable of dealing with their financial affairs.

You can show the letter to financial institutions that your relative deals with. They may:

- not accept further instructions from your relative. For example, if your relative tries to withdraw cash from their account they shouldn't allow this, and
- not allow your relative to borrow money.

Once the financial institution receives the letter they will usually put a stop on your relatives account. This means they will no longer allow any money to go out of the account. But some financial institutions will still allow the following.

- Let direct debits and standing orders continue for important necessary payments. This might be for things like your relative's electricity bill or mortgage. If you think a direct debit or standing order should be cancelled please tell the financial institution and give your reasons.
- Allow you to make an urgent payment for a necessary bill. For example, you might need to pay an urgent care home bill for your relative. The financial institution might agree to pay the care home directly if you give them the invoice.

You won't be able to give instructions to the financial institution on an ongoing basis without becoming a deputy.

Financial institutions have different rules and policies. So you need to speak to them to see what action they might be prepared to take.

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## **9. What is a letter of authority for information?**

Your relative can give you a letter of authority for information. But only if they have the mental capacity to deal with their financial affairs.

If your relative consents in writing, organisations should:

- give you information about your relative's account or bills, and
- discuss your relative's account or bills with you.

But sometimes organisations won't record a letter of authority on their systems. This means you might have to show them the letter of authority every time you want to talk to them.

A sample letter of authority for your relative to use as a guide can be found at the end of this factsheet.

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## 10. What if my relative can't pay all their bills or are in debt?

If your relative can't pay all their bills or are in debt you can get free advice from the following organisations:

- National Debtline, and
- Step Change.

You can find their details in the ['Useful contacts'](#) section at the end of this factsheet.

You can find more information about:

- **Options for dealing with debt**, and
- **Debt and money management**

at [www.rethink.org](http://www.rethink.org). Or you can call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheets.

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Find details of your relative's nearest Jobcentre Plus here:

<http://los.direct.gov.uk/default.aspx?type=1&lang=en>

Find out who your relative's local authority is: <https://www.gov.uk/council-tax-bands>;

### Her Majesty's Revenue and Customs (HMRC) – Tax credits

**Address:** Tax Credit Office HM Revenue and Customs BX9 1LR

**Phone:** Tax Credit Helpline 0845 300 3900 – Monday to Friday 8am to 8pm, Saturday 8am to 4pm, Sunday 9am to 5pm

**Website:** <https://www.gov.uk/browse/benefits/tax-credits>

### Office of Public Guardian

The Office of the Public Guardian (OPG) in England and Wales is a government body. Within the framework of the Mental Capacity Act 2005 it protects the private assets and supervises the financial affairs of people who lack mental capacity for making decisions.

**Telephone:** 0300 456 0300 - Monday to Friday, 9am to 5pm (Except Wed 10am - 5pm)

**Address:** PO Box 16185 Birmingham B2 2WH



**Email:** [customerservices@publicguardian.gsi.gov.uk](mailto:customerservices@publicguardian.gsi.gov.uk)

**Website:** <https://www.gov.uk/government/organisations/office-of-the-public-guardian>

### **The Court of Protection**

The Court of Protection make decisions on financial or welfare matters for people who can't make decisions at the time they need to be made

**Telephone:** 0300 456 4600 – Monday to Friday, 9am to 5pm.

**Address:** PO Box 70185 First Avenue House 42-49 High Holborn London WC1A 9JA

**Email:** [courtofprotectionenquiries@hmcts.gsi.gov.uk](mailto:courtofprotectionenquiries@hmcts.gsi.gov.uk)

**Website:** <https://www.gov.uk/courts-tribunals/court-of-protection>

### **National Debtline**

Provide free, independent and confidential advice about debt. You can contact them over the telephone, by e-mail or letter.

**Telephone:** 0808 808 4000 (Monday to Friday 9am to 8pm and Saturday 9.30am to 1pm)

**Address:** National Debtline Tricorn House 51-53 Hagley Road Edgbaston Birmingham B16 8TP

**Email via website:** <https://www.nationaldebtline.org/ew/pages/about-us-.aspx>

**Webchat via the website:**

<https://www.nationaldebtline.org/EW/Pages/contactus/debtadvice.aspx>;

**Website:** [www.nationaldebtline.co.uk](http://www.nationaldebtline.co.uk)

### **StepChange**

One of the UK's leading debt charity. They provide free and effective debt advice, and practical solutions, to help transform the lives of those struggling with the stress and worry of problem debt.

**Telephone:** 0800 138 1111 (Monday to Friday, 8am to 8pm, Saturday 8am to 4pm).

**Address:** Wade House Merrion Centre Leeds LS2 8NG

**Webchat via the website:** <https://www.stepchange.org/Contactus.aspx>

**Website:** [www.stepchange.org/](http://www.stepchange.org/)



## Sample letter of authority for information

Everything in brackets should be amended to show the relevant information.

[Your relative's name]  
[Your relative's address]  
[Date]

[Organisation name]  
[Organisation address]

Dear Sir/ Madam,

**Re: [Account number/ reference number] 'My Account'**  
**[Your name and address] 'The Third Party'**

I give you my consent to:

- share information regarding My Account with the Third Party, and
- discuss matters regarding My Account with the Third Party.

The above is subject to The Third Party complying with your normal identification and verification procedures.

Yours faithfully,

[Your relative's signature]  
[Your relative's name]



- <sup>1</sup> The Financial Ombudsman Service. *The banker's duty of confidentiality to the customer*. [http://www.financial-ombudsman.org.uk/publications/ombudsman-news/45/45\\_bankers\\_duty.htm](http://www.financial-ombudsman.org.uk/publications/ombudsman-news/45/45_bankers_duty.htm) (accessed 12 February 2018).
- <sup>2</sup> Department for Work and Pensions. *Agents, appointees, attorneys, deputies and third parties: staff guide. Part 5: Appointee*. Para 5210. <https://www.gov.uk/government/publications/procedures-for-dealing-with-agents-appointees-attorneys-deputies-and-third-parties> (accessed 12 February 2018).
- <sup>3</sup> The Financial Conduct Authority. *Opening a bank account – proving your identity*. <https://www.fca.org.uk/consumers/opening-bank-account> (accessed 19 January 2018).
- <sup>4</sup> The Money Advice Service. *Getting informal help to manage your money – Help with bank accounts* <https://www.moneyadviceservice.org.uk/en/articles/getting-informal-help-to-manage-your-money> (accessed 19 January 2018).
- <sup>5</sup> As note 4.
- <sup>6</sup> Department for Work and Pensions. *Agents, appointees, attorneys, deputies and third parties: staff guide. Part 4 – Attorney*. Section 4101 and 4121. <https://www.gov.uk/government/publications/procedures-for-dealing-with-agents-appointees-attorneys-deputies-and-third-parties>; (accessed 24 January 2018).
- <sup>7</sup> As note 2, at para 5150.
- <sup>8</sup> Gov.UK. *Becoming an appointee for someone claiming benefits*. <https://www.gov.uk/become-appointee-for-someone-claiming-benefits>; (accessed 19 January 2018).
- <sup>9</sup> As note 2, para 5210.
- <sup>10</sup> British Bankers Association (2013). *Guidance for people wanting to manage a bank account for someone else*. Page 8. <https://www.bsa.org.uk/BSA/files/0f/0f3b146d-d669-4ad7-bcd5-ba1d13988ca2.pdf>. (accessed 19 January 2018).
- <sup>11</sup> Barclays Bank. *Appointeeship*. <http://www.secure.barclays.co.uk/PowerofAttorney/Appointeeship/P1242682488769>. (accessed 19 January 2018).
- <sup>12</sup> Gov.uk. *Make, register or end a Lasting power of Attorney – Overview*. <https://www.gov.uk/power-of-attorney>. (accessed 19 January 2018).
- <sup>13</sup> S9, The Mental Capacity Act 2005, Ch 9.
- <sup>14</sup> Office of the Public Guardian. *Lasting Power of Attorney for Financial Decisions (LP1F)*. Page 2, Section 2. [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/600963/LP1F-Create-and-register-your-lasting-power-of-attorney.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/600963/LP1F-Create-and-register-your-lasting-power-of-attorney.pdf) (accessed 19 January 2018).
- <sup>15</sup> As note 12.
- <sup>16</sup> Gov.uk. *Make, register or end a Lasting power of Attorney – Registering a Lasting Power of Attorney*. <https://www.gov.uk/power-of-attorney/register>. (accessed 24 January 2018).
- <sup>17</sup> Gov.uk. *Make, register or end a Lasting power of Attorney – End your lasting power of attorney*. <https://www.gov.uk/power-of-attorney/end>. (accessed 24 January 2018).
- <sup>18</sup> As note 6, at para 4100.

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- <sup>19</sup> As note 6, at para 4100.
- <sup>20</sup> As note 6, at para 4100-4101.
- <sup>21</sup> HM Land Registry. *Practice guide 9: Powers of attorney and registered land*. Section 2.1. <https://www.gov.uk/government/publications/powers-of-attorney-and-registered-land/practice-guide-9-powers-of-attorney-and-registered-land>. (accessed 24 January 2018).
- <sup>22</sup> Gov.uk. *Deputies: Make decisions for someone who lacks capacity- Overview*. <https://www.gov.uk/become-deputy> (accessed 12 February 2018).
- <sup>23</sup> As note 13 (MCA 2005), s16.
- <sup>24</sup> Alzheimer's Society. *Becoming a deputy for a person with dementia*. Page 3. [https://www.alzheimers.org.uk/download/downloads/id/2053/factsheet\\_becoming\\_a\\_deputy\\_for\\_a\\_person\\_with\\_dementia.pdf](https://www.alzheimers.org.uk/download/downloads/id/2053/factsheet_becoming_a_deputy_for_a_person_with_dementia.pdf) (accessed 24 January 2018).
- <sup>25</sup> Gov.uk. *Deputies: Make decisions for someone who lacks capacity – Section 3: Who can be a deputy?* <https://www.gov.uk/become-deputy/who-can-apply-deputy> (accessed 24 January 2018).
- <sup>26</sup> The Court of Protection. *COP1: Court of Protection Application Form*. Section 4. <https://formfinder.hmctsformfinder.justice.gov.uk/cop1-eng.pdf>. (accessed 24 January 2018).
- <sup>27</sup> Gov.uk: *Make decisions for someone who lacks capacity – Section 6: After you've applied*. [www.gov.uk/become-deputy/fees](http://www.gov.uk/become-deputy/fees). (accessed 30 January 2018).
- <sup>28</sup> As note 27.
- <sup>29</sup> Gov.uk: *Make decisions for someone who lacks capacity – Section 5: Fees*. [www.gov.uk/become-deputy/fees](http://www.gov.uk/become-deputy/fees). (accessed 30 January 2018).
- <sup>30</sup> Reg 2 (2), *The Court of Protection, Civil Proceedings and Magistrates' Courts Fees (Amendment) Order 2018*. SI 2018/812. London: TSO; 2018.
- <sup>31</sup> Gov.uk: *Make an urgent or emergency application to The Court of Protection*: <https://www.gov.uk/emergency-court-of-protection> (accessed 30 January 2018).
- <sup>32</sup> Gov.uk: *Make decisions for someone who lacks capacity – Section 12: Ending your deputyship*. <https://www.gov.uk/become-deputy/end-your-deputyship> (accessed 13 February 2018).

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## Rethink Mental Illness Advice Service

Phone 0300 5000 927  
Monday to Friday, 9:30am to 4pm  
(excluding bank holidays)

Email [advice@rethink.org](mailto:advice@rethink.org)

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### Did this help?

We'd love to know if this information helped you.

Drop us a line at: [feedback@rethink.org](mailto:feedback@rethink.org)

or write to us at Rethink Mental Illness:  
RAIS  
PO Box 17106  
Birmingham B9 9LL

or call us on 0300 5000 927.

We're open 9:30am to 4pm  
Monday to Friday (excluding bank holidays)



Leading the way to a better  
quality of life for everyone  
affected by severe mental illness.

For further information  
on Rethink Mental Illness  
Phone 0121 522 7007  
Email [info@rethink.org](mailto:info@rethink.org)

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### Need more help?

Go to [www.rethink.org](http://www.rethink.org) for information on symptoms, treatments, money and benefits and your rights.

### Don't have access to the web?

Call us on 0121 522 7007. We are open Monday to Friday, 9am to 5pm, and we will send you the information you need in the post.

### Need to talk to an adviser?

If you need practical advice, call us on 0300 5000 927 between 9:30am to 4pm, Monday to Friday. Our specialist advisers can help you with queries like how to apply for benefits, get access to care or make a complaint.

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