

WHAT HAPPENS IF YOU LOSE MENTAL CAPACITY AND HAVE NOT SET UP LPAS

If you lose mental capacity, a family member can apply to be your deputy through the Court of Protection. A consultant assesses mental capacity and can appoint a deputy if needed, such as the local authority. It is advisable to complete a Lasting Power of Attorney to prevent this scenario.

Deputyship orders involve a lengthy process, high costs, yearly administration fees, and a bond fee based on the estate's value.

Your family will have to deal with all the legalities of a deputyship order when they would rather be caring for their loved ones.

If your family does not apply for a deputyship order, the local authority can apply, gaining control over your finances.

Should a couple have a joint account and one of them loses capacity, the British Banking Association have every legal right to freeze said account until proof of a registered Lasting Power of Attorney or a deputyship order.

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JOHN M LEWIS & CO

Lasting Power of Attorney

There are currently more than 920,000 people with dementia in the UK and this number is expected to rise to over a million by 2024 and over 1.6 million by 2050. The vast majority of people with dementia are aged 65 and over, accounting for over 880,000 people. However an estimated 40,000 people under 65 are living with dementia in the UK. Deaths due to dementia and Alzheimer's disease are the leading cause of death in England and Wales, accounting for over 67,000 deaths.



No one likes to think about a time when they are no longer able to make their own decisions. Whilst you have mental capacity you can make your own decisions and understand any implications of that decision, you have the control to appoint the people you trust the most to make decisions regarding your property and financial affairs and your health and welfare should the need arise.

Recent statistics state of those in a care home, 214,000 were women, and 77,000 were men. Therefore, women appear to be nearly 3 times more likely to require nursing care in a residential home than men.

Most care residents are single, suggesting that having a partner enables you to put off needing to pay for nursing care.

Using 2014 figures estimates the annual cost of a residential nursing home at £29,270, or £39,300 if nursing care is required. Current weekly fees for care homes are between £1,000 - £1,500 per week



The Lasting Power of Attorney (LPA) Property and Financial Affairs allows attorneys to manage property and finances, including accessing bank accounts, making purchases, and property decisions. You have control to set restrictions and conditions that your attorneys must adhere to. The LPA must be registered before use, and attorneys must keep financial records.

Lasting Power of Attorney (LPA) Health and Welfare allows attorneys to make decisions regarding living arrangements, medical care, diet, social activities, and contacts if mental capacity is lost. It includes decisions on life-saving treatments, and appointing attorneys or health professionals. Without an LPA, doctors make healthcare decisions. Attorneys have control over selecting a care home which is better suited to your needs or they can arrange care at home.