

The 'One' service from Jobling Gowler- A bespoke service with the spotlight firmly focused on your individual needs

*"Thank you for carrying out the work so expertly and keeping us fully informed throughout the process."*

Mr & Mrs J.R.

*"Thank you for your help with my mother. It's nice that you take the time to explain things clearly so that she understands"*

Mr NB.S.

*"Thank you so much for what you have done so far, we really do appreciate you and your continued support for our family"*

Ms N.N.

## What happens to your money if you become unable to make decisions for yourself?



The Court of Protection makes decisions on financial or welfare matters for people who can't make decisions at the time they need to be made (they 'lack mental capacity').

If you have made and registered a Lasting Power of Attorney (LPA), your wishes and instructions contained within this document should be followed by the attorney(s) that you have appointed.

However, if no such document has been created and a person has money or property that needs to be managed and they lack capacity to do so, an application to the Court of Protection will be required. This can be very expensive and time consuming. It is worthwhile ensuring that LPAs are in place before they are actually required as they can only be made whilst an individual has capacity.

Based in London, the Court of Protection can delegate its responsibility to make decisions to another person, known as a Deputy. The Deputy must assume their duties and responsibilities in accordance with the deputyship order which sets out the extent of their...

... authority. The Deputy must always act in the best interests of the person who lacks capacity and failure to do so could result in the Court of Protection revoking the deputy order.

A Deputy can be a friend or family member, or a professional such as a solicitor. Whether a lay or professional deputy their responsibilities are the same and will be tailored to the circumstances of the individual concerned. They can include:

- Administering the day-to-day running of the person's finances
- Completing and submitting annual accounts to the Office of Public Guardian, which monitors the decisions taken by the court appointed deputies
- Purchasing any equipment the person needs
- Ensuring that the person is receiving all benefits that they are entitled to
- Looking after the person's property and signing contracts on their behalf.
- Streamlining the person's financial affairs and opening a deputy bank account to manage regular receipts and payments
- Meeting with the Court of protection visitors for the purposes of reviews
- Preparing tax returns

If you are planning for the future and would like to discuss making an LPA, or if your loved one lacks the mental capacity to make an LPA- making an application for a Deputyship Order; please contact our specialist team today.

To book a **free initial appointment** please contact us on **01625 614 250** or via email at **enquiries@jobling-gowler.co.uk**

## Your Local Legal Experts

Heather Gaunt & Tessa Whiskard are both experienced specialist solicitors, recommended in the Legal 500 for the quality of the advice they provide.

Both Heather & Tessa are members of STEP which is a professional body of nearly 15,000 trust and estate practitioners.

By using a STEP member, clients can be assured of getting qualified,

experienced and specialist advice of the highest quality about all aspects of estate planning.

In addition Tessa has a STEP Advanced certificate in Advising Elderly and Vulnerable Clients and as such is considered to have particular expertise in this area.



Heather Gaunt



Tessa Whiskard

a legal service as individual as you

# Jobling Gowler

Clinical Negligence

Serious Personal Injury

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Elderly & Vulnerable Clients

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