

Power of Attorney Help Sheet

Being an Attorney is an important responsibility and can be a bit daunting. Don't worry, we're here to help.

You can call us on 01509 610707 or visit any of our branches if you need to talk to us.

What's needed from you to register a Power of Attorney with us?

- We need proof of Identification for all Account Holders and all Attorneys.
- A completed application form for each account on which the Power of Attorney (PoA) needs registering.
- The original or a certified copy of the Lasting Power of Attorney (LPA). We need to see all 13+ pages. Alternatively, we can view the LPA online if you provide the reference and activation key.
- Passbooks relating to accounts held with us on which the Power of Attorney needs registering.

Once we have all the information and documentation the registration will take 5 working days, after which the Attorney can transact on the account.

As part of the registration process, we'll need to know how the Account Holder(s) also known as Donor(s) and you, as Attorney, want to operate their accounts. For example, will all transactions be undertaken by you as the Attorney, or will the Donor also be transacting.

Who can certify a copy of a PoA?

Copies can be certified by a UK lawyer, banker, authorised financial intermediary, FCA regulated mortgage broker, accountant, teacher, doctor, minister of religion or postmaster/sub C postmaster. The person undertaking the certification must be available for contact by the Society either by telephone or in writing. Please ensure that the appropriate contact details are stated on the Power Of Attorney document. When certifying the PoA, the following wording must be used: "I certify that this is a true copy of the original".

What are our identification requirements?

We require identification for the Donor and all Attorneys in order to verify signature/s before we register a Power of Attorney.

The Society has a useful help sheet entitled 'Proving your Identity' which is available in branch, by telephone or on our website: www.theloughborough.co.uk/category/support-centre/savings-support

If you do not hold these documents, we'll require a government issued letter (i.e. Benefit Letter or Tax Notification) along with a recent Bank Statement or Utility Bill. We can accept a letter from a nursing home confirming residency if no other identification is available.

How we use your personal information

The Loughborough Building Society collect and hold information about you, which includes but is not limited to your name, address, contact details and date of birth, products held with us and applied for, information about your financial position and history. We'll always look after your personal information, maintain robust systems for protecting your information, and be transparent in how we use the data we hold.

You can access a copy of our full Privacy Notice on our website at www.theloughborough.co.uk at any of our branches or by post from our Head Office or by calling us on 01509 610707

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Help with making decisions

For help with making decisions, principle five of the Mental Capacity Acts (2005) give these five key considerations to being a Power of Attorney

- 1) **Presume capacity.** You should act in a way that protects the Donor's human and civil rights
- 2) **Support the Donor to make their own decisions.** If you have known them for a while think about the decisions they make or used to make for themselves.
- 3) **The Donor has a right to decide** (even if it's eccentric or unwise). Ensure the Donor understands your role as a PoA - to help & support but not take over.
- 4) **Anything done is in the best interests of the donor** – for their benefit. Never misuse the Donor's money or make decisions that benefit yourself.
- 5) **Use the least restrictive option** – consider any intervention alongside the Donor's rights and freedom to act. Follow any instructions or restrictions on the LPA as this is what the Donor has specifically requested.

The role of the Office of Public Guardian

The Office of Public Guardian is there to support both the Donor and their Attorneys. They can provide information and guidance if an Attorney is unsure of a financial decision and needs some help. They can also support the Donor by investigating the transactions carried out by any Attorneys.

Keeping financial records is one of the duties of the Attorney. At any time an attorney can be asked for records of spending and how this has benefited the Donor. You cannot use the Donor's money to benefit yourself and may be asked to explain any unreasonable expenses. At The Loughborough we may ask you for invoices and documentation before carrying out transactions.

In deciding what is in someone's best interest, take into account:

- Their past & present wishes
- Their beliefs and values
- The views of friends and family
- If they have "fluctuating capacity" and the decision can be put on hold for them to make.

For more information and advice visit:

- www.theloughborough.co.uk/support-centre/challenging-times/power-of-attorney
- The Office of Public Guardian at www.publicguardian.gov.uk or call 0300 456 0300
- Citizens' Advice Bureau at <https://www.citizensadvice.org.uk/family/looking-after-people/managing-affairs-for-someone-else/> or call 08444 111 444

And finally, we will do all we can to help you through this process. What we would ask is that you keep us up to date should circumstances such as mental capacity change after registration. It's also worth remembering that should the Donor die, your role as Attorney will cease.