

Financial lasting power of attorney – experiences from people with dementia and their partners



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Contents

Executive summary	3
Acknowledgement.....	4
Rica.....	5
1. Introduction	6
2. Background	6
3. The participants and research environment.....	7
4. Method	7
4.1 Initial exploration group discussions	8
4.2 Recap followed by question and answer session with specialist solicitor	8
5. Results and comment.....	9
5.1 Breakout sessions	9
5.2 Recap followed by question and answer session with specialist solicitor ..	13
6. Conclusions and recommendations.....	19
7. Useful links.....	19
Appendix 1	20
Appendix 2	21

Executive summary

This research was completed by Rica in partnership with Innovations in Dementia (iD), Irwin Mitchell LLP and the West of Berkshire DEEP group and developed through the Dementia Engagement and Empowerment Project (DEEP). It is part of a three-year project funded by the John Ellerman Foundation to develop and carry out consumer research with people with dementia.

The aim of the research was to gain feedback from people with dementia and their partners on their experience of the process of obtaining a financial lasting power of attorney (LPA).

An ordinary power of attorney gives authority to someone to act or make decisions on a donor's behalf. An ordinary power of attorney **is not** valid if the donor loses mental capacity, while a lasting power of attorney **is** valid if the donor loses mental capacity. There are two types of LPA: a financial power of attorney and a health and welfare power of attorney. In this research we considered specifically the financial LPA.

Our research found:

- People with dementia experience a sense of relief once an LPA was in place.
- People holding an LPA experience a burden of responsibility.
- Not all businesses (such as banks, utilities, agencies) have staff at points of contact who are fully aware of LPAs and their administration.
- Online digital accounts managed by companies outside the European Union are not covered by LPAs.
- It is important to be proactive in making and registering LPAs.

The research was informed by six participants (three with mild to moderate dementia and three who were partners or carers) and consisted of three parts:

1. Two group discussions: one group was for people with dementia and one for the carers or partners of people with dementia. These two group discussions used the same questions to support an exploration of the process of obtaining, and administering, a power of attorney. This was designed to examine the issues present from two different perspectives.
2. A report back session from the two groups, where the main issues from both groups were collectively discussed.
3. A question and answer session with a specialist solicitor from the law firm Irwin Mitchell LLP. Participants were free to ask the solicitor any questions they might have about power of attorney. The research facilitator came with a number of relevant questions supplied from other DEEP groups to seed the conversation.



Two Rica researchers facilitated the meeting and were supported by two representatives from the West of Berkshire DEEP group. Notes and audio recordings were taken throughout the session to help prepare this report. Pictures were also taken at the end of the session.

The three main recommendations from the research are:

1. Education and training

Businesses and support agencies can all benefit from being better informed about LPAs. Customer-facing staff who come into contact with people holding LPAs ought to have a more consistent understanding of their scope and administration. In addition to this, businesses need to make any expert support they might offer more visible to staff and customers. Education and training of businesses and support agencies is central to improving the experiences of people obtaining and using LPAs.

2. Further work

There is a need to understand the experiences and motivations of people who are newly diagnosed with dementia and so do not have an LPA in place. This is a particularly important time for people with dementia, their partners, carers, and support services to get right.

3. Removing the stigma attached to the LPA process

The promotion by the mainstream media of obtaining and using LPAs needs to be balanced and less sensationalised. People who are in need of LPAs are often very susceptible to emotionally-charged stories which might delay or stop them from applying for an LPA.

Acknowledgement

Central to this work is the willing collaboration of our participants to express their thoughts and feelings freely and to be open to further exploration of their opinions. We would like to thank all of our investigators, who entered into this spirit of open discourse and who were a pleasure to work with.

We would also like to thank our research partners:

Innovations in Dementia – a community interest company that works nationally with people with dementia, partner organisations and professionals. It aims to develop and test projects that will enhance the lives of people with dementia. Innovations in Dementia facilitates the Dementia Engagement and Empowerment Project (DEEP), a UK network of groups of people with dementia who want to influence policy and practice. www.innovationsindementia.org.uk



West of Berkshire DEEP group – a monthly peer support group for people who have Alzheimer’s or another type of dementia. Members aim to work together to improve the lives of people in West Berkshire who live with dementia and to change perceptions of what they are able to do.

Irwin Mitchell LLP – a national law firm helping people and businesses with a range of personal, private wealth and business legal matters. Their specialist elderly and vulnerable care team is made up of skilled, qualified and empathetic advisors assisting clients and families who are affected by deteriorating mental capacity. Irwin Mitchell’s advisors assist when considering legal aspects and practical implications affecting elderly people or those who may be living with a cognitive illness or medical condition. Their key services include preparation and registration of Lasting Powers of Attorney for property and financial affairs and health and welfare; registration of Enduring Powers of Attorney; applications to the Court of Protection including the appointment of a deputy or trustee and authority to make lifetime gifts or statutory wills; management of financial affairs, including the initial set up of financial and care arrangements; applications and issues relating to state benefits, local authority funding, NHS continuing healthcare funding, Registered Nursing Care Contribution and Deprivation of Liberty Safeguards; care fees planning and the practical aspects of moving into a care home.

Rica

Research Institute for Consumer Affairs (Rica) specialises in consumer research with older and disabled consumers. Founded through the Consumers Association, publishers of Which?, Rica became independent in 1991.

Rica has its own [consumer panel – the RicaWatch panel](#) – of over 750 people and is a disability-led organisation. Ten of the charity’s twelve Trustees have a disability. Rica carries out [commissioned research work](#) with industry, other charities, service providers and policy makers to improve products and services. With grant funding Rica also publishes free [consumer reports](#) based on independent research.

www.rica.org.uk

1. Introduction

In 2016 the West Berkshire Dementia Engagement and Empowerment Group (DEEP) approached Rica with an interest in being involved in Rica's research on accessible products and services for people with dementia.

The research is part of a three-year project funded by the John Ellerman Foundation, completed in partnership with Innovations in Dementia (iD) and local groups developed through DEEP.

Following a meeting with the West Berkshire DEEP group to discuss potential areas of research, lasting power of attorney (LPA) was chosen. For this research we specifically looked at **financial** power of attorney and not **health and welfare** power of attorney, although it is recognised that many people will want to have both of these at the same time. Irwin Mitchell was approached by Rica to assist with the research and they agreed to take part.

The aim of the research was to gain feedback from people with dementia and their partners and carers on their experience in obtaining and administering a financial power of attorney.

2. Background

The Alzheimer's Society estimates that there are 850,000 people with dementia in the UK. People with dementia need and want to be consulted about environments, services, and products, just the same as other consumers. Conversations and surveys with people with dementia and their carers indicate that their main areas of concern relate to the practicalities of everyday living. Group work, especially with those living alone, reveals that it is the increasing inability to cope with day-to-day activities that frustrates and depresses them and leads them to withdraw from even trying.

Many people with dementia will plan their future needs shortly after diagnosis. This process will often include planning their financial affairs in advance before they are no longer able to make those decisions for themselves. In response to this it is common to have a person, or more than one person, who they trust to make decisions in their best interests. This is called having a lasting power of attorney for that person and is registered at the Office of the Public Guardian (OPG).

There are two types of LPA that can be registered: one covers decisions about property and finances, and the other covers decisions about health and welfare. This research focused primarily on the LPA of property and finance. It is important to note that an LPA can only be given while a person still has the mental capacity to make decisions for themselves.

3. The participants and research environment

All names used in this report are pseudonyms.

Three members of the West Berkshire DEEP group with mild to moderate dementia or Alzheimer's attended the research. Two came alone [James and Paul] and one came with their partner [Edward with partner Ann]. Ann participated as a member of the partners and carers group as did Mandy and Sophie as they too had direct experience of administering lasting power of attorney for their parents. In total there were six participants directly involved in the research.

The research took place at Kennet Valley Free Church, Ford's Farm, Calcot, RG31 7YT. The room made available for this research is the same one used for the DEEP group's regular monthly meetings, which has kitchen and washroom facilities. Tables and chairs were placed in two areas at opposite corners of the room for the two breakout groups to congregate around.

4. Method

The research took place on Monday, 17 July 2017 at 1.00 pm and lasted for approximately two hours. Two Rica researchers and the local DEEP group coordinator (Mandy) attended the research.

To start the session, a Rica researcher introduced Rica, the project and its aims, and the format of the session. All participants were given a consent form to read and sign and a payment form to complete. All sessions were audio recorded and notes and photos taken where necessary.

The research was informed by six participants (three with mild to moderate dementia and three who were partners or carers) and consisted of two parts with a break for refreshments in between:

1. Two group discussions; one group consisting of people with dementia and the other consisting of the carers or partners of people with dementia. These two group discussions used the same questions to support an exploration of the process of obtaining, and administering, lasting financial powers of attorney.
2. A recap of the main points that came from the group discussions, followed by a question and answer session with a specialist solicitor from the law firm Irwin Mitchell LLP.

4.1 Initial exploration group discussions

The group was split into two sub-groups; one consisting of three people with dementia and the other consisting of two carers and one partner. Both groups had a researcher with them who facilitated the discussion. See Table 1 for the participant split.

The researcher facilitating each of the groups followed a topic guide with questions designed to provide a semi-structured framework from which to explore the participants' knowledge and experience of LPA. See Appendix 1. The same questions were asked in both groups and prompts were used where necessary. This approach was used to examine the issues present from two different perspectives.

Table 1: Participant group split for the initial exploration

Researcher 1 (people with dementia)	Researcher 2 (partners and carers)
James	Ann
Paul	Mandy
Edward	Sophie

The questions asked during this phase of the research queried people's knowledge of LPAs and the difference between them as well as what the costs and implications might be. We were also interested in uncovering when people thought it was the *right* time to apply for one and *who* needs to have one.

4.2 Recap followed by question and answer session with specialist solicitor

This session offered a chance for both groups to collectively discuss their findings during the breakout work. Experiences were shared and issues that needed a better understanding and more explaining were given to an expert solicitor from the law firm Irwin Mitchell LLP.

Participants were free to ask the solicitor any questions they might have about the process of obtaining and administering lasting powers of attorney. The research facilitator came with a number of relevant questions supplied by other DEEP groups to seed the conversation. See Appendix 2.

5. Results and comment

The breakout session, participant feedback and researcher observations across the two groups are reported on separately. Any insights gained through considering the two different breakout group perspectives are also provided. The recap and question and answer session results are reported after this.

5.1 Breakout sessions

5.1.1 People with dementia group

Knowledge of financial lasting powers of attorney and who ought to have them

All three participants had LPAs in place and seemed content with the arrangements made. The feeling was that having dealt with this important and necessary legal step it can to some extent be forgotten once done.

“We used a solicitor in Newbury and went through all the paperwork (...) it was brought home to us that it was not the sort of thing you want to put off”
– James

“I’m pretty sure my wife has it. She’s a business woman and knows everything about law. I just let her get on with it” – Edward

When asked about who ought to hold the LPA for them, the overwhelming response from the participants was to choose a family member. There was some discussion about trust and suitability of the person(s) holding LPA but this did not prevent anyone from disagreeing with the selection of a family member.

Having someone professional who they could discuss their finances with from time to time was seen as reassuring and beneficial. Edward noted that he had a financial advisor who did this for him, while James cited his local bank as supportive.

“I am happy that two of my nieces should have them [LPAs] (...) I’m very happy for it to be my relations but would not want it to be anyone else” – Paul

“My bank, I’ve been with for many years and they are quite supportive and help me with things” – James

Trust was not seen as an issue for our participants. They had given LPA to family members and were comfortable in their daily use. All three of the participants had some sort of access to their money through use of bank cards. Two of them had a regular amount placed on their card for personal use, while the third used a joint account held with his wife.

When is the right time to put LPA in place?

The exact timing of when our participants in this group had LPAs put in place was not known. However, for James, it seemed to have made sense to have the financial LPA done at the same time as the health and welfare LPA.

“I was made aware it was an important thing to have, its two pronged isn’t it, there’s the financial [LPA] and there’s the health [LPA], [getting these] happened at the same time” – James

When our participants were further prompted to uncover if there was a ‘right’ time to put LPAs in place they did not have any particular view on this, with Edward saying the timing would differ from person to person.

How much does an LPA cost?

We asked our participants what they thought the costs of registering an LPA might be. The results ranged from £200 to £1000. This demonstrated a lack of detailed understanding of what might fall into the scope of an LPA.

Later in this report, our expert solicitor has provided some context to the pricing options which LPAs might cover.

5.1.2 Partners and carers group

Knowledge of financial LPA, and who ought to have them

All three participants of this group had gone through the process of obtaining an LPA for their partners or a family member and as a result were reasonably knowledgeable. However, the possibility of registering the LPA without activating it needed further explanation. This was covered by the question and answer session with the expert solicitor reported in section 5.2.

The group’s experiences of the process of obtaining an LPA were problematic. Difficulties were reported with obtaining partner or family agreement, uncovering all of the costs involved, and some of the day-to-day practicalities of administering financial LPAs.

“Registering is expensive, the government split [it] into two parts [financial and health], each time it’s a separate payment” – Ann

“Any institutions that I wanted to chase, you have to present a certified copy of your power of attorney (...) every piece of paper cost me £30 extra (...) you have to go through hoops every single time” – Ann

All partners and carers agreed that a family member would benefit from holding an LPA, although it was noted that it might be more difficult to instigate the process with a partner rather than a sibling or parent.

All three participants held or had held LPAs for a family member. An explanation as to why a family member would be suitable was offered by Ann, who highlighted the importance of understanding a person's day-to-day life routines in order to best administer a financial LPA.

“You can’t manage someone’s finances if you don’t know their day to day existence (...) you just can’t” – Ann

One participant noted that having more than one person holding financial LPA was helpful. The practicalities of how this sort of arrangement might work are discussed in section 5.2.

“Me and my sister did it for my mum last year (...) it helps to have someone else” – Mandy

When is the right time to put an LPA in place?

All of our participants advised starting the process of obtaining an LPA as soon as possible after receiving a diagnosis of dementia. However, they had mixed experiences of doing it.

The time after diagnosis can be difficult for the person diagnosed, as well as for their partner or carer. It was at that time, or shortly afterwards, that all our participants went through the process.

“It’s something that needs to be put in place before you need it because when you need it you won’t have time (...) you have the diagnosis, it’s shocking and its frightening” – Mandy

“It was early diagnosis when (...) I was advised by a lawyer I knew [to go ahead with the process]” – Sophie

It was noted that the time taken to complete the process was quite long; for example, in Ann's case, it took quite a few months. This can in some circumstances be at odds with the progression of the disease, which might necessitate earlier intervention.

This worry about the disease progressing quickly may not only make conversations between parties difficult but also impact whether or not LPA can be given by the person with dementia. This is because there is a legal requirement for the person giving LPA to someone, to have the mental capacity to make the decision. If they haven't got the capacity there is a different route they must take to have their financial affairs overseen, which is explained later in section 5.2.

If there is doubt about a person's mental capacity to give someone LPA, a doctor may be required to give an opinion.

“There is a contradiction, you have to speak on behalf of someone because they are not capable of managing their affairs, but you have to have their consent” – Ann

“If there is a moment you can communicate in terms of planning, then do it” – Ann

Trust

The issue of trust was not seen to be a problem for two of the participants, whereas Sophie experienced difficulty with one family member who took money from her mother for his own gain. In this case, Sophie's brother took their mother to a bank to withdraw money for his own purposes. This shows the need to be mindful of the day-to-day usage of the account.

“He had skillful ways of getting her money (...) I thought I had done everything, registered everything (...) my brother put my mother in a taxi and took her to the bank (...) she still had a card, she gave the card, they paid out the money without any questions. Eventually I had to take her cheque book away from her” – Sophie

The need for diligence and monitoring account usage was also highlighted by Ann, who had to cancel her husband's credit card on numerous occasions because of extravagant online purchases.

“I have to control what he's doing. I would take away his cards but then he would go and get another card” – Ann

How much does an LPA cost?

This group all had experience of applying for an LPA. The costs encountered ranged from £82 (for Mandy, who did this online), to approximately £500 (for Ann, who used a solicitor).

5.1.3 Comment

What was noticeable in both groups was a feeling of responsibility that the partner or carer group carried in administering the financial LPA. There were practical difficulties with having to respond to challenges to their authority from agencies that held contractual agreements with the person with dementia. These difficulties are often most present at the beginning, when the LPA has just been registered. This is more than likely to be at the same time as when both the partner or carer and the person with dementia are coming to terms with the diagnosis of dementia and feel at their most vulnerable.

For our group with dementia, it was a relief that their financial matters had been taken care of. They clearly felt that the job had been done and seemed oblivious to any pressures the person with the LPA might have in using them.

5.2 Recap followed by question and answer session with specialist solicitor

After some refreshment, the two groups talked in general terms about their understanding and experience of LPA, highlighting what was discussed earlier in the breakout groups. This was followed by questions put to the attending specialist solicitor from Irwin Mitchell LLP. The answers to these questions were further explored by both groups.

Q1. What is a financial power of attorney?

“It means you are giving authority to another person, anyone you pick, to manage your finances. By finances I mean your bank accounts, savings, national savings and investments, online bank accounts, gambling accounts, property, timeshares, leaseholds (...) anything you can point to that has a financial value” – Stewart

This broader description of what the financial LPA covers was further clarified by Stewart to explain some of the difficulties that people might experience when dealing with online accounts.

Accounts such as Instagram, Flickr or other online platforms where you might upload and store photos are technically property and would be covered by the LPA. However, the service providers based abroad, for example in the USA might not recognise the LPA and will not give authority to the person administering the account to recover such digital content.

A case was discussed where a service provider in the USA would not release emails written between a woman and her husband who had died. She was told she was not the account owner and the LPA did not have any sway over them.



Digital assets are clearly a problem. The ownership rights of these assets after death are not fully understood. These are, of course, covered in the terms and conditions; but not everyone will be aware of such details when signing up for an account.

Q2. Who ought to have an LPA and why?

There are a several considerations to make when choosing someone to hold an LPA for someone.

It is important that there is trust in the person or agency involved. They don't need to be a family member. However, in most cases, they are. They could also be a friend or a professional such as an accountant, lawyer or financial advisor.

Where a professional is chosen they will charge for their services. Ask them if they are insured to cover this work and what their standard professional codes of practice are.

It is important to recognise the burden that holding an LPA places on that person. They need to be competent in dealing with financial affairs and able to give the time that will be required.

Q3. Does that mean the person with dementia does not have control of their money any more?

Making an LPA does not mean giving up control of money. If a person who has given LPA wishes to draw some money out of their account, they can. There is a requirement to 'test' to see if the person drawing money or selling property has the capacity to do so. The individual must be presumed to have mental capacity to take the decision unless it can be shown that they do not. This is covered by the Mental Capacity Act.

“Many people are quite happy for their named person to manage their financial affairs, however they can ‘sack’ them [the named person] as long as they can satisfy the criteria of the mental capacity act, which says each decision you take should be tested” – Stewart

For each decision the person wishes to take, the test is:

1. Can they **understand** the information they need in order to take the decision?
2. Can they **retain** the information long enough to take the decision?
3. Can they **weigh** the information sufficiently to be able to reach a decision?
4. Can they **communicate** the decision through writing, verbally, or in some other way?

One easy way to remember this test is: URaWC (you are a toilet [WC]). If the individual does not pass the test then their attorney can make the decision, and must do so in the individual's best interests.

Q4. What happens if you wish to challenge the person with the LPA and you don't have mental capacity?

There are three approaches that can be taken if you, as a giver of the LPA, or anyone else may have concerns about the way the financial powers are being administered:

1. You can approach the Office of the Public Guardian (OPG) and register a complaint. The OPG can investigate the details of the complaint by looking at the accounts or send in a visitor to talk to the people involved to better understand what the situation is. If the OPG is unsatisfied with the situation they can refer it to the court of protection to have the LPA removed from the person(s) in question.
2. An individual can apply to the Court of Protection personally or through a solicitor to have the LPA removed from the person(s) in question.
3. The police can also be approached in cases where money is being stolen, since this is a criminal offence.

Other courses of action, such as civil court action, may be available (depending on the circumstances) to recover the loss to the donor's estate.

Q5. When is the right time to apply for an LPA?

It can never be too early to apply for an LPA. However it can be too late. The donor has to have mental capacity when giving the LPA. If they have a deteriorating cognitive condition such as Alzheimer's it may be difficult to establish that the donor has the requisite capacity.

"The best time to do it is when you have the right trusted people in your life" – Stewart

A recent study¹ points to an increasing number of people requesting LPA, with the average age being people in their forties. This is often done when people are thinking about death with relation to their wills and mortgages.

The wrong time to think about LPA is in a reactive way, such as in an emergency situation where mental capacity has been lost or is being lost and there is doubt over the individual's capacity to make an LPA. It is important to note that an individual is appointing someone else as their attorney under an LPA and not the other way round.

¹ <https://www.oldmutualwealth.co.uk/Media-Centre/2016-press-releases/november-2016/numbers-registering-power-of-attorney-more-than-treble-in-five-years-and-now-set-to-surpass-2-million/>

Q6. In an emergency, what happens?

“One of two things:

- 1. I usually get a doctor involved and ask for their opinion ‘Does this person have mental capacity?’*
- 2. If the person can’t pass the test then ‘someone’ can go to the court of protection and apply to be a deputy for the person” – Stewart*

A deputy is a court appointed ‘attorney’ whose powers are limited to what the court order says. Applying for deputyship is a formal process and, once appointed, the deputy must submit accounts each year to the OPG. A supervision fee is paid to the OPG, currently up to £320 per year, and an insurance bond also needs to be bought.

The applicant must notify various family members and individuals who are involved in the person’s care. Those individuals are entitled to, and may, object to the applicant’s appointment. In this case a court hearing may be required to resolve the dispute.

All of these costs come out of the estate of the person for whom the deputy has been appointed.

Q7. What is the cost of getting an LPA?

The cost in creating and registering an LPA can vary extensively depending on the complexity of the family relationship, the estate and its proposed administration. The following costs are a guide and indicative to what the applicant might be expected to pay:

- It will cost £82 to register an LPA using an online form and complete it yourself.
- Costs when using a solicitor can vary greatly, and if the requirements are straightforward (for instance, just preparing the forms and registering them) the cost may be between £200 and £500 plus OPG fees and VAT.
- Using a solicitor where there is also advice needed (in terms of whom to appoint and what to put in the forms) can cost between £800 and £1500 plus OPG fees and VAT.

The benefit of using a solicitor to support this process is in ensuring that questions are asked and answered when the LPA is made in order to avoid problems on registration with the OPG, to properly protect the donor, and to give the necessary powers to the attorney to do their job properly and flexibly once the LPA is registered.

Q8. Is registering the same as taking out an LPA?

“No these are different. You can make one and not register it however it takes up to three to four months [from starting making the LPA] for the registration to be completed, which can in some circumstances become problematic” – Stewart

A restriction on an LPA being put in place can be made until certain criteria are met, such as loss of mental capacity, or after other financial affairs have been dealt with. It is worth noting that an LPA cannot be used until it has been registered, which can take between two and three months.

Open discussion

The group talked about difficulties in administering LPAs and what could be done to improve the situation, particularly in banks where people have experienced cashier staff not knowing how to respond to an LPA. It was thought more training was needed so that non-specialised staff who have contact with customers may be better informed.

Stewart informed the group that the British Banking Association and the Office of the Public Guardian are working together to improve the situation. On a more practical issue, Stewart advised that if someone is experiencing difficulties at the local bank branch they can approach the deputy or attorney department for that bank, if they have one.

There was also some talk of the costs associated with registering an LPA. Most people present had used a solicitor to register their LPAs and were happy with doing so. However, Mandy cited a client’s experience using the online forms and said that she found the process to be fairly easy.

Comment

The benefits of putting in place an LPA to help manage the financial affairs of someone with dementia are clear. The person with Alzheimer’s or other forms of dementia can be relieved of tasks such as paying bills on time, doing the weekly shopping, or setting up direct debits or standing orders. The need to do this becomes more important as the disease progresses and the ability to demonstrate mental capacity decreases.

It is unfortunate that the most appropriate time to start this process will be on diagnosis of dementia, which is often the most difficult time for people to put it in place. An ideal solution to this conundrum is for people to start to think about LPAs in their mid-lives as part of their future planning, perhaps as they approach retirement. This proactive approach would make applications less crisis-driven.



However, such an approach is complicated by the shifting social demographic of older people, which shows that there is an increase in older people changing partner relationships later in life.

Currently the process of putting in place an LPA is often reactive. There is a need to understand people's knowledge, attitudes and feeling about LPAs on diagnosis of dementia but before they apply. More research is needed to help inform the design and content of information that can be best used to support people at this time.

Overall the experience of having an LPA was seen as positive and necessary in managing the financial affairs of a person with dementia. The participants were keen to point out that having LPA comes with a responsibility that some people find burdensome and is not suited to everyone. Having the two (or more) attorneys named on the LPA is a common approach to alleviating some of this burden, making the overall process easier.

6. Conclusions and recommendations

From the participant feedback and research observations, three main points emerged for improving the process of getting and administering LPAs.

The three main recommendations from the research are:

1. Education and training

Businesses and support agencies can all benefit from being better informed about LPAs. Customer-facing staff who come into contact with people holding LPAs ought to have a more consistent understanding of their scope and administration. In addition to this, businesses need to make any expert support they might offer more visible to staff and customers. Education and training of businesses and support agencies is central to improving the experiences of people obtaining and using LPAs.

2. Further work

There is a need to understand the experiences and motivations of people who are newly diagnosed with dementia and so do not have an LPA in place. This is a particularly important time for people with dementia, their partners and carers and their support services.

3. Removing the stigma attached to the LPA process

The coverage by the mainstream media of obtaining and using LPAs needs to be more balanced and less sensationalised. People who are in need of LPAs are often very susceptible to emotionally-charged stories which might put them off or delay them from applying for an LPA.

7. Useful links

Age UK - www.ageuk.org.uk/globalassets/age-uk/documents/information-guides/ageukig21_powers_of_attorney_inf.pdf

Gov.uk www.gov.uk/power-of-attorney

Alzheimer's Society

www.alzheimers.org.uk/info/20032/legal_and_financial/130/lasting_power_of_attorney/7

Mind www.mind.org.uk/information-support/legal-rights/mental-capacity-act-2005/lasting-power-of-attorney-lpa/#.Wss5v38h270

Solicitors for the elderly www.sfe.legal/

Appendix 1

Group Discussion – Semi structured

Power of attorney – What is it, and when is the right time to get it?

Approximately 45 mins

Go around the group in turn and let the conversations develop – there are 5 topics to explore: **What, Who, When, trust and cost.**

Topic guide	Notes
<p>What do you know about Financial Lasting Powers of attorney?</p> <ul style="list-style-type: none"> • Has anyone already got them? • Do you know anyone who has them? 	
<p>Who do you think should have them?</p> <ul style="list-style-type: none"> • Family, friends, anyone? • Why? • What are the benefits of having them? 	
<p>When do you think is a good time to ask for them?</p> <ul style="list-style-type: none"> • Should you wait until it is a problem or is this something you think should be planned? 	
<p>Are there any trust issues for you?</p> <ul style="list-style-type: none"> • If so, what are they? • What level of involvement would you like to have with the financial power of attorney 	
<p>What do you think is a reasonable cost to arrange for a Lasting PoA?</p>	

Appendix 2

Workshop questions for law firm Irwin Mitchell LLP

Questions	
1. So what is Financial Lasting Powers of attorney?	
2. Who should have them? Why?	
3. Does this mean I can't have control of my money anymore? What if I get better and can manage things again?	
4. What if I don't trust the person who wants to take control of my money? What if they make decisions about my money that I don't approve of? Or if they spend it on themselves?	
5. Why do I have to arrange for this now? I'm fine	
6. Will I have to pay for this?	
7. Do I have to go through a solicitor to do it?	
8. Is 'registering' the same as taking out LPA?	