



**Medicare
People** 

Lasting Power of Attorney

A plain-English guide for families planning ahead

A Lasting Power of Attorney (LPA) lets someone choose people they trust to make decisions for them if, one day, they can't make those decisions themselves. Setting one up early is one of the most useful things a family can do before care is needed.

This guide is for families in Surrey, Kent, West Sussex and East Sussex who are planning ahead for a parent, partner or relative. It covers:

 Why an LPA matters

 How to make and register one

 The two types of LPA

 What happens if there isn't one

 Choosing attorneys

 LPAs and live-in care

Why an LPA matters

If someone loses the ability to make decisions, for example through dementia, a stroke or serious illness, their family doesn't automatically gain the right to act for them. Without an LPA, even a husband, wife or adult child may not be able to manage their bank account, pay for care or have the final say on where they live.

An LPA can only be made while the person still has the mental capacity to understand it. That's why it's best done early.

The two types of LPA

Property and financial affairs

Managing bank accounts, paying bills, collecting pensions and benefits, and selling the home if needed. It can be used as soon as it's registered, with the person's permission.

Health and welfare

Decisions about daily routine, medical care, moving into a care home and life-sustaining treatment. It can only be used when the person can't make these decisions themselves.

Many people make both. Each is a separate document and is registered separately ([Northumbria Healthcare NHS Foundation Trust](#)).

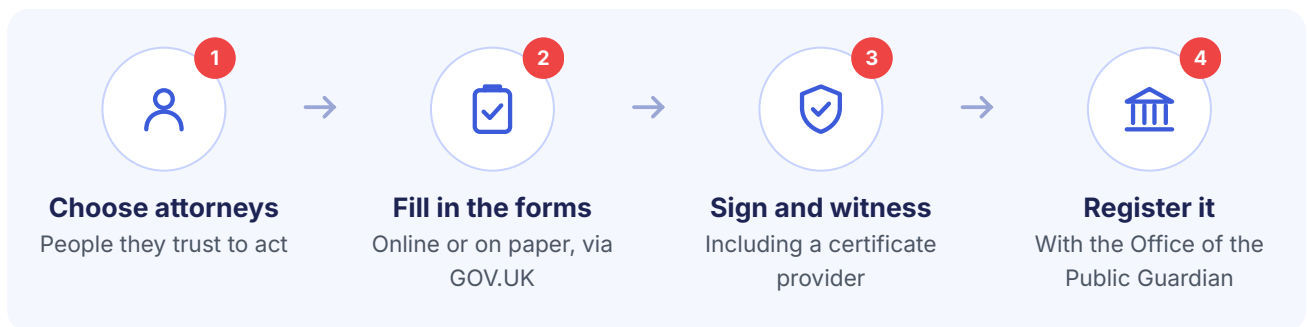
Choosing attorneys

An attorney must be 18 or over and able to make their own decisions. They don't have to be a relative, and the person can appoint more than one. Choose people who:

- know the person well and understand their wishes
- are trustworthy and good at keeping records
- are willing and able to take on the role, possibly for many years
- get on well with each other, if there is more than one

It's worth naming a replacement attorney in case a first choice can't act.

How to make and register an LPA



An LPA can't be used until it has been registered with the Office of the Public Guardian. The fee is £92 for each LPA for applications made from 17 November 2025, and people on lower incomes may pay less or nothing ([Tozers](#)). Registration typically takes several weeks, often around 12 to 16 weeks ([RWK Goodman](#)). Check the current fee and forms at [GOV.UK](#).

Many families complete the forms themselves. A solicitor can help if the person's situation is complicated.

If there isn't an LPA

If someone can no longer make decisions and has no LPA, a family member can apply to the Court of Protection to become their **deputy**. This takes much longer than making an LPA and costs more:

	Lasting Power of Attorney	Deputyship
Who chooses	The person, while they can	The Court of Protection
Application fee	£92 per LPA	£371
Ongoing costs	None	Annual supervision fees and possibly a security bond
Time	Usually a few months	Usually longer, and may need a medical report

Deputyship figures from [Which?](#).

Making decisions together

The law protects a person's right to make their own choices. Under the Mental Capacity Act 2005, everyone is assumed to have capacity unless shown otherwise, and a person shouldn't be treated as unable to decide just because a decision seems unwise ([Mental Capacity Act 2005, section 1](#)). Attorneys must always act in the person's best interests and involve them as much as possible.

LPAs and live-in care

When live-in care is being arranged, an attorney for property and financial affairs can manage payments for care. An attorney for health and welfare can help make decisions about care at home if the person can no longer decide for themselves. Having LPAs in place makes arranging care much simpler for everyone.

Your next steps

- ☐ Talk with your loved one about who they'd trust as attorneys
- ☐ Decide whether to make one or both types of LPA
- ☐ Start the forms on GOV.UK, or speak to a solicitor
- ☐ Choose a certificate provider and arrange signing
- ☐ Register the LPAs with the Office of the Public Guardian
- ☐ Keep copies somewhere safe and tell the attorneys where

Talk to our Guildford team

 **020 3443 9844**

medicarepeople.co/live-in-care/guides

We arrange live-in care across Surrey, Kent, West Sussex and East Sussex.

Important information and sources

This guide gives general information about Lasting Powers of Attorney in England and Wales. It is not legal advice. Fees and processing times change, so check GOV.UK before applying, and speak to a solicitor if you need advice on your situation.

Medicare People currently provides introductory live-in care services. We have submitted our application to the Care Quality Commission (CQC) and intend to introduce a fully managed live-in care service following registration.

Sources:

- [Northumbria Healthcare NHS Foundation Trust: Lasting power of attorney](#)
- [Tozers: Changes to LPA fees from November 2025](#)
- [RWK Goodman: The latest on LPA fees](#)
- [Which?: Court of Protection and deputyship](#)
- [Mental Capacity Act 2005, section 1](#)
- [GOV.UK: Lasting power of attorney](#)

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