



Health and Welfare Lasting Powers of Attorney (LPA)

What is a Health and Welfare LPA?

A “lasting power of attorney” is a legal document in which you appoint someone to make decisions on your behalf. The person so appointed is referred to as an “attorney”.

There are two types of lasting power of attorney, a “health and welfare lasting power of attorney” and a “property and financial affairs lasting power of attorney”. In the case of a health and welfare lasting power of attorney, the attorney is granted the power to make decisions about your health and welfare.

What sort of decisions can an attorney make?

The sort of decisions an attorney can make will depend upon what powers they have been given in the health and welfare lasting power of attorney.

An attorney may be given the power to make decisions in relation to any or all of the following matters:

- What medical treatment you should have or not have;
- Whether you should continue to live in your own home or move into a residential care home;
- What type of health care you should receive;
- What diet you should have;
- How you should be dressed; and
- What your daily routine should consist of.

Any decisions made by an attorney should be made in the best interests of the “donor” (the person who made the lasting power of attorney).

What sort of decisions can an attorney not make?

A health and welfare lasting power of attorney does not give your attorney the power to make decisions relating to your property and financial affairs. If you would like your attorney or another person to take responsibility for your property and financial affairs a property and financial affairs lasting power of attorney will be needed.



Can anyone make a Health and Welfare LPA?

A person must have the “mental capacity” to make a health and welfare lasting power of attorney for it to be valid. They must also be at least 18 years old.

For a person to have the required mental capacity they must be able to understand and remember information for long enough and be able to weigh up information to enable them to make a decision. They must also be able to communicate in some manner.

When can a Health and Welfare LPA be used?

A health and welfare lasting power of attorney cannot be used until it has been registered with the “Office of the Public Guardian” and until you have lost the mental capacity to make your own decisions.

How do I make a Health and Welfare LPA?

Simply contact a member of staff via enquiries@willpowergroup.com or call 020 8568 9602.