

Lasting Power of Attorney

Service & Pricing

Lasting Power of Attorney Service

Planning how decisions will be made in the future, and making Lasting Powers of Attorney to reflect your choices and wishes, ensures that if you can't make decisions for yourself someone else can step in to make that decision for you.

Mental capacity, the ability to make a decision at the time it needs to be made, can be affected by illness or injury. It might be a temporary condition, or could be permanent.

Creating appropriate powers of attorney should involve taking time to think through the financial and health decisions you might face in the future, who you would want to involve in those decisions, and how those people will help you.

You may be reading this guide because you're already helping someone to make decisions, although we will need to act on behalf of the person, if there are any concerns about whether they currently have capacity to make decisions please talk to us about how their capacity can be assessed and alternatives such as Court of Protection Deputyship if they lack capacity.

Lasting Powers of Attorney can be created to cover;

- Health and Welfare decisions, including life-sustaining treatment
- Property and Finance decisions, including management of investments
- Business decisions – protecting your investment in your business

Our Private Client Team

The Glaisyers ETL Private Client team is dedicated to helping you find the best solution for your LPA planning. You will work with a solicitor who specialises in mental capacity law and has significant practical experience creating LPAs and managing the financial affairs of people who lack capacity. They will therefore be able to answer your questions about the reality of dealing with assets, inheritance tax and running any trusts you include in your Wills.

At each stage we will make sure you receive detailed guidance when planning your LPAs, whether the issues are personal or legal, and we provide clear explanations of the technical and practical aspects of planning, signing and registering your LPAs.

Within the team we have a range of special interests, including:



LPA planning for business owners



High-net-worth individuals and couples



Mental capacity assessments



Capacity issues for trustees and trust beneficiaries



Protection of family wealth on re-marriage or divorce



International assets



Care fees planning



LGBTQ+ individuals and couples



Religious or cultural requirements (Halachic requirements)

We are recognised in the Legal 500 because of the combination of our technical skills, straightforward approach and specialist knowledge. Glaisyers ETL is also part of the international professional services group, ETL GLOBAL.



How the LPA Process Works

Identifying your priorities

To help our LPA specialist solicitors to identify the best plans for you, we want to get to know you and understand what's important to you.

When you meet your solicitor, whether in person or by video call, we will discuss your plans, priorities and any questions or concerns you have and will discuss what we need to include in your LPA to meet your objectives.

For your Property and Finance LPA we will discuss your assets, the ways these are dealt with at the moment, the decisions you would like your attorneys to be able to make and when they can make those decisions.

For your Health LPA, we will discuss the kind of care decisions that may need to be made for you, including future medical care and life sustaining medical treatment decisions.

We will work with you to identify appropriate people to appoint as your attorneys, and the practicalities of how they will work together, including any wishes you want them to consider or legally binding instructions that they must follow.

Putting your plans into action

Depending on your personal circumstances it may be necessary for us to discuss your ability to make decisions and whether it is appropriate to arrange an independent assessment of your capacity to make the power of attorney.

After confirming your instructions we will prepare draft LPAs tailored to your circumstances and send these to you with a detailed summary which explains the purpose of each part of your LPAs and any other advice you need to think about.

Once you're happy with the draft LPAs we can either meet with you to sign your sections or provide you with the signature version and full instructions on how to complete it.

The LPA must contain a certificate provider's statement either from a relevant medical or legal professional or someone who knows you well, this confirms that you understand the LPA and have capacity to create it. Depending on your circumstances your solicitor may act as your certificate provider.

Once everyone has signed the LPA we will guide you through the process to register it with the Office of the Public Guardian before it can be used by you and your attorneys.

Business LPAs

If you own shares in a private company, a partnership, or if you run a business as a sole trader it may be best for you to create a separate Business Lasting Power of Attorney to make sure that the investment in your business is protected and that it can continue even if you can't take an active role. If you would like more information about protecting your business and your investment in it please contact us.

Complicating factors

There may be some details of your assets, circumstances or wishes which make your needs more complicated. These might include;

- If there are any issues surrounding your capacity to create an LPA we may need to liaise with you and a medical professional to ensure the documents are validly created
- If your financial affairs are complex we may need to consider bespoke instructions to guide your attorneys
- If you have complex health needs or specific treatment wishes we will work with you to reflect your treatment preferences

Costs

Your requirements will be unique and, to reflect this, our costs are based on the amount of time required to make the right estate plans and Will for you, not on fixed fees.

Once we understand your personal requirements, we will provide you with a bespoke estimate of our fees, giving the lowest reasonable estimate if your case turns out to be more straightforward, to the higher level we could reasonably anticipate.

Example Prices

To help you predict the likely cost estimate for your requirements, please find the common example below which you feel is most likely to meet your needs. We have divided these into examples for clients instructing us on their own (whether they are in a relationship or not) and couples who instruct us together.

Combined pricing for Wills and Lasting Powers of Attorney

Many clients choose to make Lasting Powers of Attorney at the same time as their Wills. The combined costs of making Wills and LPAs at the same time is often about 20% less than the cost of dealing with them separately. If you have also received the guide to our Lasting Power of Attorney service, please bear this in mind when considering the example costs.

Individuals

Example 1 – An LPA to plan future financial decisions and management of investments. Requiring advice on choosing appropriate attorneys, replacement attorneys and suitable arrangements for decisionmaking. Providing guidance on the signature and certificate provider requirements. Making application for registration with the OPG.

| Starting from | Estimated average |
|---------------|-------------------|
| £450 + VAT | £525 + VAT |

Example 2 – Two LPAs, one to plan future financial decisions and management of investments, one to plan for health decisions including life-sustaining treatment. Requiring advice on choosing appropriate attorneys, replacement attorneys and how they will work together to make decisions. Including suitable arrangements for decision-making and requiring advice on including wishes or instructions. Providing guidance on the signature and certificate provider requirements. Making application for registration with the OPG.

| Starting from | Estimated average |
|---------------|-------------------|
| £600 + VAT | £700 + VAT |

PLEASE NOTE – to comply with client identity and money laundering obligations we will require you to confirm your identity using an online service, we make a modest charge for the time spent dealing with these compliance requirements.



Couples

Example 1 – Two LPAs, one for each person, to plan future financial decisions and management of investments. Requiring advice on appointing each other and choosing appropriate attorneys, replacement attorneys and suitable arrangements for decision-making. Providing guidance on the signature and certificate provider requirements. Making application for registration with the OPG.

| Starting from | Estimated average |
|---------------|-------------------|
| £800 + VAT | £950 + VAT |

Example 1 – Four LPAs, one per person to plan future financial decisions and management of investments, one per person to plan for health decisions including life-sustaining treatment. Requiring advice on appointing each other and choosing appropriate co-attorneys or replacement attorneys and how they will work together to make decisions. Including suitable arrangements for decision-making and requiring advice on including wishes or instructions, including the practicalities of managing investments and other financial assets. Providing guidance on the signature and certificate provider requirements. Making application for registration with the OPG.

| Starting from | Estimated average |
|---------------|-------------------|
| £1100 + VAT | £1250 + VAT |

Appointing Glaisyers ETL

If you would like your solicitor to act as certificate provider in your LPAs we will need to spend additional time with you to ensure we can complete the necessary sections of your LPA.

If you would like to appoint a professional financial attorney our trust corporation can be appointed. Because you are appointing a company rather than a named solicitor we will be able to assist without any delay due to individual holiday or illness.

Registration Fees

A registration fee of £92 per Lasting Power of Attorney is payable to the Office of the Public Guardian on submission of the LPAs for registration. In some circumstances a remission of fees may be applicable.

Copy Documents

We will provide you with a photocopy or scan of the original documents once they have been returned following registration. If you require certified copy documents we will charge £25 + VAT per LPA.

Additional Services

As well as your Lasting Power of Attorney you may want to consider;



Making a Will and planning the inheritance of your estate



Creating trusts of property and other assets to protect value and provide for others



Making gifts in lifetime to individuals or charity



Family investment Companies to manage your family's wealth

If you would like further information about any of these services, please let us know.

Manchester Office:

3 Hardman Street,
Manchester M3 3HF
+44 (0)16 1832 4666

hello@glaisyers.com

Liverpool Office:

8th Floor, Horton House
Liverpool L2 3YL
+44 (0)15 1231 6620

www.glaisyers.com