

A guide to power of attorney



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We understand that it's sometimes necessary for a savings account to be handled by another person on their behalf, as power of attorney.

So, in this guide, you'll find all the information you may need to feel confident about getting a power of attorney set up on your savings account with us.

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About power of attorney

A power of attorney is a legal document. It allows someone to act on your behalf if you want someone to make decisions for you (so long as they have your consent to do so) and/or you have lost mental capacity.

The person making the power of attorney is called a donor. The person appointed to act on their behalf is called an attorney. To set up a power of attorney, you must be 18 years old or over and be able to understand and make decisions yourself, this is known as having 'mental capacity'.

Don't assume

If you're married or in a civil partnership, you may think that your spouse can automatically deal with your account(s), if you lose the ability to do so. Unfortunately, this is not the case and a power of attorney will be required to give them authority.

Types of power of attorney we can accept

We can accept the following Power of Attorney Documents:

- A Lasting Power of Attorney, or an Enduring Power of Attorney (created before October 2007), made in England & Wales;
- A Continuing Power of Attorney, or a Combined Power of Attorney, made in Scotland;
- An Enduring Power of Attorney made in Northern Ireland

We also accept Court of Protection Orders (England & Wales), Guardianship Orders (Scotland) or Controllorship Order (Northern Ireland).

Lasting Power of Attorney (LPA) and Continuing/Combined Power of Attorneys (CPAs)

An LPA or CPA is a legal document that lets you appoint one or more people to help you make decisions or to make decisions on your behalf.

An LPA or CPA can come into effect as soon as it is registered, or only after you lose mental capacity.

We can only accept an LPA or CPA if it has been registered with the Office of the Public Guardian (OPG). The date of registration must be clearly stamped on the first page of the LPA or CPA document. If you have set up an LPA online with the OPG, you will have a LPA access code that we will ask you for to register the power of attorney against your account. This allows us to view the summary of the information online.

Enduring Power of Attorney (EPA)

In England and Wales, EPAs were replaced by LPAs in October 2007. However, if you made and signed an EPA before 1 October 2007, it will still be valid.

An EPA covers decisions about your property and financial affairs, and it can come into effect immediately if you want someone to act on your behalf or only once you have lost mental capacity. An Enduring Power of Attorney must be registered with the OPG as soon as the donor starts to lose mental capacity.

Court of Protection, Guardianship and Controllership Orders

An Order may be necessary if someone becomes mentally incapable of managing their financial affairs and they do not have a valid power of attorney to put in place.

Choosing your power of attorney

Choosing your Attorney

You may choose one or more people to act as your attorney. If you appoint more than one, you must decide whether they can make decisions.

- On their own and/or together (this is known as jointly and severally); or
- Together (this is known as jointly). This means all the attorneys need to agree on the decision

We can only accept power of attorney documents that allow attorneys to make decisions on a jointly and severally basis.

If you are an existing customer and this is not how your current power of attorney is set up then you or your attorney will need to contact us on 0800 052 2222.

Who can be your attorney

Your attorney must be 18 or over, and have the mental capacity to be able to make decisions on your behalf. They could be:

- a relative
- a friend
- a professional, for example a solicitor
- your husband, wife or partner

When choosing an attorney or any replacement attorneys, you should carefully consider who is your attorney and whether they are the right person to make decisions on your behalf.

How to find out more about power of attorney

Visit www.gov.uk/power-of-attorney/choose for more information or contact the Office of the Public Guardian.

Office of the Public Guardian

customerservices@publicguardian.gov.uk

Telephone: 0300 456 0300

Textphone: 0115 934 2778

Monday, Tuesday, Thursday, Friday: 9.30am to 5pm

Wednesday: 10am to 5pm

Find out about call charges: www.gov.uk/call-charges

Registering your power of attorney with us

A power of attorney can be used for new and existing accounts in the name of the account holder, as long as we receive the right consent and documentation. Don't worry, we've provided full details of these for you below.

If you have power of attorney already in place on an existing Paragon account, you won't need to send any documentation to apply for another account.

What you will need to send us:

1. A completed Power of Attorney form. If you don't have one already, please contact us on 0800 052 2222 and we will send one to you.
2. Proof of identity and address. For new account holders we need this for the attorney and donor and for existing accounts the attorney only. If either party are existing account holders or a solicitor acting on behalf of the attorney, we won't need this.

Please see the Identity Documents section at the end of this guide for details of what you can send as proof of ID or residency.

3. The power of attorney documents. These must be either the original, a certified copy by a solicitor, a qualified lawyer, a stockbroker or an online copy from the government website.
 - a. *If you send a certified copy, please make sure every page of the document is certified. And the first page includes the name, address and telephone number of the person certifying the document as we might need to contact them. If certified by a solicitor, please ask them to include the Solicitors SRA ID on the certification (all solicitors are part of the Solicitors Regulatory Authority and will have their own ID.*
 - b. *If you have access to the power of attorney document online, you can share it with us using the LPA Access Code from your online Government account. The code is 13 characters long starting with a V and is valid for 30 days. If your code expires before your account is opened, we might need to contact you.*
4. If you are setting up a new account, a signed and dated cheque from your nominated bank account in the name of the account holder for your opening deposit. See 'Making your opening deposit' below.

Sending your documents

Please send your documents with your power of attorney application or email images of your supporting documents and certified copy of your power of attorney form to:

identificationDocuments@online.paragonbank.co.uk

We can help you through this process. All you need to do is pick up the phone and call us on **0800 052 2222** and speak to our UK based team.

What you'll receive

Once your account is open, we'll send a welcome pack to your attorney. This contains details of their username and information about accessing the account. If you have capacity then you will continue to have access to the account online, however if your attorney tells us that you no longer have the mental capacity to manage your account, then your access will be restricted and limited to your attorney.

Making your opening deposit

You can make your opening deposit into an account managed under a power of attorney by cheque. Cheques must come from the nominated bank account and made payable to Paragon Bank re: the name of the account holder (this should be the donor) and account number. Eg Paragon Bank re Mr A Smith 12345678.

When you've received the account number, you'll be able make further deposits either online or by cheque, if the account allows additional deposits.

Identity documents

We've created a table of documents that we can accept and information on how they must be certified to help you know what to send us.

Documents must show first name and surname (we will accept initials for some documents from list B). Documents that contain your address from list A and B must match the full residential address given in your application.

You cannot use the same document for proof of identity and address.

If you're an attorney and you're having difficulty with proof of the donors' identity, you may send documents (eg HMRC, Pension Service letter or DWP letters) addressed to you (the attorney) that are in connection with the donor.

If a letter or invoice from the care home is used, it must be an original on letter headed paper and signed by the care home manager, stating how long the donor has lived there for.

All documents sent will be reviewed to check they are acceptable.

List A - Identity	
Driving licence	Full or Provisional UK driving licence Must be current photocard OR full old-style paper licence
Passport*	A copy of the full personal details page which includes both the image and signature Passport must be in date, valid and signed
National identity card*	For EU nationals

*If you are sending a Non-UK Passport or EU National Identity card, please also send certified evidence of your indefinite leave to remain. Certified copies of indefinite leave to remain, must be sent via post. (Please see Setting up a Power of Attorney with us for certification requirements).

List B - Address	
Driving licence	Full or Provisional UK driving licence Must be current photocard OR full old-style paper licence Not acceptable as proof of address if already used for identity
Confirmation of entitlement to state or local authority benefits (including pension, tax credit, child benefit, housing benefit, educational grants, winter fuel bill)	Must be dated within the last 6 months Not acceptable as proof of address if already used for identity
HMRC tax notifications valid for the current tax year or previous tax year	Must be dated within the last 12 months A P45 or P60 is not acceptable Not acceptable as proof of address if already used for identity
UK bank or credit card statement	Must be dated within 3 months Online statements are accepted, but ATM produced statements are not Must confirm your sort code, account number and residential address
Recent mortgage statement from a recognised lender	Must be dated within the last 12 months
Utility, landline telephone or internet bill	Must be dated within the last 3 months
Local Authority council tax demand valid for the current year	Must be dated within the last 12 months
Letter from College or University	Must be dated within the last 12 months – only acceptable for current students
Letter or invoice from care home	Must be an original on letter headed paper, dated within the last three months and signed by the care home manager stating how long the donor has lived there for

Certifying your documents

We require all identity documents to be certified. This includes if you're sending a non-UK passport or a National Identity Card as certified evidence of your indefinite leave to remain status.

Indefinite leave to remain is an immigration status granted to a person to give them the permission to live and work in the UK without restrictions or needing to be a UK citizen.

Several professional persons and organisations can certify your documents, they must be certified within one month of us receiving them. Every page must be certified. The first page should include the name, profession, address, and telephone number of the certifier, we may need to contact them. They should sign, date, and include the declaration "I certify this is a true copy of the original" on the copy of your document.



Who can certify your documents?

Here are some examples of who can certify your documents.

- Accountant
- Bank/Building Society official
- Barrister
- Commissioner for oaths
- Dentist
- Doctor
- Financial services intermediary, eg a stockbroker or insurance broker
- Justice of the Peace
- Lecturer
- Member of Parliament
- Minister of a recognised religion
- Notary
- Optician
- Paralegal – certified Paralegal, qualified Paralegal or an associate member of the Institute of paralegals
- Police officer
- Post Office document checking service
- Solicitor
- Surveyor
- Teacher

Your documents must be certified by an impartial third party, we can't accept documents that have been certified by spouse or relative.

It's important to know that if the documents you send us, don't have the full certification or there are restrictions on the documents that means we don't have the full information from all authorised parties, we will reject the application.

If you still have questions about setting up a power of attorney, we have some frequently asked questions on our website www.paragonbank.co.uk/faq or you can call us on 0800 052 2222 and speak to our UK based team.

How to get in touch...



Email

savings@online.paragonbank.co.uk



Secure message

Online accounts only - Log in to your account to send us a secure message



Write (Freepost)

RTEX-LLUT-KKKE,
Paragon, PO Box 850,
Wallsend NE28 5BJ



Call our UK based team

0800 052 2222

Monday to Friday 8:00am to 7:00pm
Saturday and Sunday 10:00am to 4:00pm
Closed bank holidays

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