

Making Decisions on Behalf of Someone Else

If you need to make decisions for someone who has lost their mental capacity and there is not a Lasting Power of Attorney in place, you can apply to the Court of Protection to appoint someone as a 'Deputy'. A Deputy will be someone who knows the person well.

There are two types of Deputy and some people can be appointed to one or both:

- A deputy to make decisions on matters such as property and financial affairs
- A deputy to make decision on care or medical treatment received

If there is no family member or friend who can act as a Deputy, the Court of Protection will appoint a professional to undertake this role.

To apply to become a Deputy you will need to fill in an application form and send it along with the fee¹ and a signed assessment form from the person's doctor or other medical professional. The Court of Protection will check if the person needs a Deputy or requires another type of support and there are no objections to your appointment. Once appointed the Office of the Public Guardian will help you carry out your duties. The Court of protection will respond within 14 working days with their decision.

Application Forms and Contacts

If you would like to make an application all the forms can be found at www.gov.uk/become-deputy/permission-personal-welfare-deputy

If there is a situation that needs an urgent decision, for example; you want to stop someone who lacks mental capacity from being removed from where they live, you can contact the Urgent Business Officer at the Court of Protection on the numbers below:

Telephone: **0300 456 4600** Monday to Friday, 10am to 4pm

Out-of-hours emergency applications telephone: **020 7947 6000**

You do not have to apply to the Court of Protection to look after someone else's benefits. The type of benefit depends on who you need to talk to - a list of benefits and helplines can be found at www.gov.uk/become-appointee-for-someone-claiming-benefits

To find out more information about becoming a Deputy for someone please see the Gov.UK webpage at www.gov.uk/court-of-protection

For free and impartial advice contact the Government backed Money Advice Service. www.moneyadviceservice.org.uk/en/articles/if-the-person-you-want-to-help-has-lost-mental-capacity, or telephone: **0300 500 5000**

¹ Please see www.gov.uk/become-deputy/fees for the latest tariff.