

## Creating a Court of Protection



A Court of Protection allows an appointed person (known as a 'deputy') to make decisions on behalf of another person (known as a 'donor') relating to financial or welfare matters, when the donor is unable to do this for themselves, lacks mental capacity, or where there is no lasting power of attorney in place.

If you want to support someone who cannot make decisions for themselves, you may consider applying for a Court of Protection Order, a legal document managed by the Office of the Public Guardian (OPG).

A relative or friend can be appointed as a Deputy, or you can choose a professional, such as a Solicitor or Social Worker.

Once you have been appointed as deputy you will need to register the Court of Protection with us in order to access the accounts.

### Managing the account

If more than one person applies to be a deputy, the court can decide how the deputies will work together. There are two ways in which the deputies can act:

**Jointly and Severally:** If the deputies set up to act jointly and severally, each deputy will be able to manage the account individually without consulting each other.

**Jointly:** If the deputies are set up to act jointly then all deputies will need to sign when managing the account.

You can apply for a Court of Protection by post or via a solicitor. It can be a complicated process so you may want to take professional advice. The Court will review your application and let you know if you have been approved.

### Notifying us

To register your Court of Protection with us, you will need:

- A completed Court of Protection Registration form;
- The original Court of Protection document;
- Two forms of original identification for each deputy, one of which will need to have a signature on it; and
- Two forms of original identification for the account holder/donor.

If you notify us of your Court of Protection through the post, we will need two pieces of original identification to be sent to us, for both the donor and deputies.

To view our acceptable identification list, please visit our website, or ask a member of our team.

When we have set up your Court of Protection, the deputy/deputies will be able to manage the account moving forward.

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