



Making decisions about your health, welfare or finances - In England

From 1 October, there will be new rules affecting people who are unable to make a decision about their health, welfare or finances.

If you're unable to make a decision, this could be because of a learning disability, dementia, mental health problems, brain injury, alcohol or drug misuse, side-effects of medical treatment or any other illness or disability.

The new rules make it clear who can take decisions in which situations and how they should go about it. They also allow you to plan ahead for a time when you may not be able to make your own decisions in the future.

The rules deal with major decisions about property and financial affairs. They also deal with decisions about personal welfare such as where you live and healthcare treatment, as well as everyday decisions about when to get up, what to wear and what to eat.

While you're still able to make decisions for yourself, you'll be able to appoint someone else to help you deal with your affairs in the future. You can do this by making a Lasting Power of Attorney (LPA). There will be two types of Lasting Power of Attorney – a property and affairs LPA and a personal welfare LPA.

The LPA replaces the current Enduring Power of Attorney (EPA) which only deals with property and financial affairs, not personal welfare.

If you already have a valid EPA, whether registered or unregistered, you will still be able to use it after 1 October. However, it won't be possible to make a new EPA after this date.

For more information about the new rules for people who are unable to make decisions, go to the Ministry of Justice website at www.justice.gov.uk