

 Print and post your online registration form at power-of-attorney-online.santander.co.uk/

 In your nearest branch

 Application helpline: **0800 414 8414**

Registering a Power of Attorney or a Court of Protection, Guardianship or Controllership Order with Santander

Sometimes, you might need someone else to help you use or manage your accounts. Or, maybe you need to give extra support to a family member.

This document explains when you can use a Power of Attorney (POA) to do this. It also explains Court of Protection, Guardianship or Controllership orders. Some of these options depend on where you live in the UK

When you might need extra help

There are various reasons why someone might need extra help with their accounts. Here are some examples:

- The account holder is preparing for a time when they might not be able to make their own decisions. For example, they might be worried about dementia when they get older. We call this 'loss of mental capacity'
- The account holder has already lost their mental capacity.
- The account holder is injured, disabled or unwell. Maybe they spend a lot of time in hospital or can't easily get out and about.
- The account holder plans on leaving the country for a while and will find it difficult to look after their finances.
- In situations like this, having an extra person to help with their accounts can be reassuring. There are options for both permanent and temporary support

Power of Attorney (POA)

Power of Attorney is one of the more common ways for someone to be given access to another person's accounts.

There are a few types of POA that may apply in different situations.

- Ordinary Power of Attorney:

This is sometimes also called General Power of Attorney. It's usually put in place by the account holder when they find it hard to manage their own finances. This could be for reasons like physical disability or travelling abroad.

An Ordinary Power of Attorney can be cancelled at any time. It also stops if the account holder loses mental capacity to make decisions.
- Enduring Power of Attorney (EPA)

EPA's stopped being issued on 1 October 2007.

An EPA can still be used if it was signed by the account holder and their attorney(s), each signature was witnessed, and it was signed before 1 October 2007.

EPAs won't be valid if they aren't registered with the Office of the Public Guardian (OPG) when the account holder loses the capacity to make their own decisions.

EPA has now been replaced by Lasting Power of Attorney (LPA)

- **Lasting Power of Attorney (LPA) This is known as Continuing Power of Attorney in Scotland.** – There are two types of LPA.
 1. Property and Financial Affairs. This lets someone access and manage the account holder's personal finances. For any business accounts, you could consider a Business LPA. Here's how to find out more:
 - For Business Banking accounts go to santander.co.uk/business/support/customer-support/change-of-details
 - For corporate accounts visit santandercb.co.uk/power-attorney
 2. Health and Personal welfare.

This doesn't allow access to any finances. This will allow decisions about the account holder's medical treatment, their liberty or where they live.

LPAs must be registered with the Office of the Public Guardian (OPG) before they can be used. The OPG will put a seal on each page of the original document. We can't accept a document that doesn't contain this mark.

Once registered, LPAs can be used while the account holder still has mental capacity, unless the LPA says otherwise.

LPAs are used to plan for the future while the account holder still has mental capacity. They continue after their mental capacity is lost.

Court of Protection orders

This is called Court of Guardianship in Scotland. It's the Court of Controllership in Northern Ireland. The court can appoint one or more people to make decisions for an account holder who lacks the mental capacity to do so for themselves. These decisions may relate to the person's property and affairs, healthcare and personal welfare.

Having help from multiple people

Where more than one attorney or deputy is appointed to act on behalf of an account holder, the documentation may authorise them to act jointly or and severally. If the documentation does not

state which, they will be treated on the basis that they have been appointed jointly. Please note that where the attorneys/deputies are appointed to act jointly and severally, a maximum of 10 attorneys/deputies will need to be selected at the point of application, if more than 10 are noted in the documentation. This can be amended to include more attorneys at any time post registration.

- **Joint** - Attorneys need to make all decisions together. That means they can't use any services that let just one person act, like having a card or online access. Joint attorneys must transact together in branch. If one person can no longer act, the POA usually becomes invalid. This might happen if they divorce the account holder, become bankrupt, mentally incapable or die, or if they just decide to stop. This means all attorneys will need to be removed and a new POA or Court of Protection order will be needed. The documentation might include replacement attorneys, which means the POA can continue.
- **Jointly and severally** - This means attorneys can act together or on their own. Because they can act on their own, they can have cards and online access (where the type of account offers it). If one attorney is removed, it doesn't affect the authority of the other attorney. With this option, if there are more than 10 attorneys or deputies appointed, you can register a maximum of 10 when you first add them to accounts. You can add more at any time later.

If the POA document doesn't say which one applies, we'll set them up to act jointly.

Power of Attorney restrictions

The account holder or Court may include restrictions or instructions on how the attorney or deputy should manage the account holder's finances.

We can't enforce these restrictions or instructions except for the expiry date.

It's up to the attorney or deputy to operate the account in line with the authority they've been given.

If an attorney is an undischarged bankrupt, subject to a Debt Relief Order or winding up proceedings, either at application stage or any point in the future, they must tell us. They can do this by calling the POA helpline. Or they can write to us at the address on the POA postal registration form. After this, they'll no longer be able to act as an attorney.

Account holder access

If the account holder has mental capacity, they'll still be able to use their account(s). They won't keep access if a court appointed deputy is registered. We'll also stop their access if we're made aware that the account holder lacks the mental capacity to manage their own finances. This is to protect them by making sure they can't access money without the help of their attorney or deputy.

Help with types of Power of Attorney

To find out more about the different types of POA, take a look at gov.uk/become-deputy

Professional attorneys

A professional attorney can be employed, instead of a friend or family member.

This person might be, but is not limited to, an accountant, solicitor, or local authority representative. We can only register a professional who works for a business within the UK.

If this person is acting under the authority of a 'trust corporation' which is named on the POA document, please call us on **0800 414 8414** for the right application form.

Help with specific accounts

If you're an attorney or deputy and you have any questions about the features of specific accounts or how you can use them, call our POA helpline. We'll put you in touch with the right team.

Registering an attorney on a Santander account

To register an attorney on a Santander account, simply follow the steps below:

Step 1 – Get the relevant document that gives a third party authority to act on behalf of the account holder

This could be a Power of Attorney or Court of Protection, Guardianship (Scotland) or Controllership Order (NI). Information on how to do this can be found at [justice.gov.uk/about/opg](https://www.justice.gov.uk/about/opg)



Step 2 – Complete our Attorney registration form

The online form can be used by private or professional attorneys who are named as individuals on the legal document, or individuals acting on behalf of a local authority. There's also a postal form, available at [santander.co.uk/personal/support/supported-banking](https://www.santander.co.uk/personal/support/supported-banking). Alternatively, you can register at one of our branches. If a trust corporation is named on the Power of Attorney legal document, please call us on **0800 414 8414** for the right application form.

If you need help, call our Power of Attorney helpline on 0800 414 8414

Our helpline can:

- provide help and guidance
- help you to find the online registration form
- book a branch appointment for you (if you want to visit a branch)
- help you to complete the form
- arrange for the correct paper form to be sent to you if you're applying on behalf of a company or local authority and are not named on the legal document
- can check you have all the right Power of Attorney and ID to make the registration run smoothly



Step 3 – Provide identification

For example, a passport or driving licence. Please note we need two forms of ID from our Customer Identification Document; one from list 1 and another from list 2. Details of this can be found at [santander.co.uk/personal/support/customer-support/customer-identification-documents](https://www.santander.co.uk/personal/support/customer-support/customer-identification-documents). We recommend calling the Power of Attorney helpline to book a branch appointment and to make sure you have all the correct identification so your application isn't delayed.

Please note: If a third party is a local authority and more than one person has been nominated to have access to the account, we do not require ID as long as confirmation the relevant pre-employment checks have been completed. Where only one individual is authorised to act on behalf of the local authority, ID from list 1 must be provided.

If the account is to be closed with Santander and balance transferred to an account in the name of the local authority then ID is not required.



Step 4 – Submit your Attorney registration form

For a branch appointment, please bring the following with you.

- Fully completed Attorney registration form.
- Power of Attorney/Court of Protection, Guardianship (Scotland), or Controllership (NI) order documents.
- Two forms of identification for all private or professional attorneys that are individually named on the Power of Attorney legal document. If you're an individual(s) acting on behalf of a local authority you don't need to provide ID if more than one individual is authorised to act on the local authority's behalf, as long as the relevant pre-employment checks have been completed. However where only one individual is authorised to act on the behalf of a local authority, ID from list 1 must be provided.

Please remember we can book a branch appointment for you if you ring our Power of Attorney helpline on **0800 414 8414**.

Or, you can post the documents to:

Power of Attorney Registration Team
Sunderland
SR43 4FL

When we receive these documents we'll process the application within seven working days. We'll then send you written confirmation of your registration.

If your application needs additional information, we'll be in touch.

What account access is provided?

Not all accounts permit an attorney to have card and online access to the account. For example, this could happen if the account requires both owners to transact jointly, or if it's a savings account. For further guidance on this please call the Power of Attorney helpline.

Once an attorney has been registered, depending on the type of the attorney, you may be able to service the account(s) in the following ways.

- In branch (always remember to take ID such as a driving licence or a passport).
- Internet access can be provided for OPAs, LPAs and EPAs when requested where the account(s) allow this.
- Attorneys who act jointly cannot be given card or online access to transact and must come into a branch together to authorise a transaction.

Please call the Power of Attorney helpline on **0800 414 8414** to discuss your personal needs.

Santander is able to provide literature in alternative formats. The formats available are: large print, Braille and audio CD. If you would like to register to receive correspondence in an alternative format please visit [santander.co.uk/alternativeformats](https://www.santander.co.uk/alternativeformats) for more information, ask us in branch or give us a call.
