

Wills & Lasting Powers of Attorney: Why Carers Need to Plan Too

As a carer, you spend so much time looking after others - but have you thought about who would look after you if something happened?

Many carers assume their family would automatically be able to make decisions for them, but without the right legal documents, that isn't always the case. A Will and Lasting Power of Attorney (LPA) don't just protect your loved ones - they protect you too.

This guide explains why it's so important for carers to have a Will and LPA in place—and how to take action before it's too late.

Why Carers Need a Will

A Will ensures that your wishes are carried out after you pass away. If you don't have one, the law decides who inherits your estate - and that might not reflect what you want.

A Will allows you to:

- ✓ Decide who will inherit your money, property, and possessions.
- ✓ Make sure the right people are provided for - especially if you have dependents.
- ✓ Avoid family disputes and unnecessary stress for those you leave behind.

What Happens if You Don't Have a Will?

- Your estate is distributed according to intestacy laws, which might not benefit your partner, stepchildren, or close friends.
- If you care for someone, there's no guarantee they'll continue to receive financial support.
- Your family could face legal complications at an already difficult time.

Ask Yourself:

- If something happened to me, would my loved ones know what to do?
- Have I put my wishes in writing, or am I leaving it to chance?

Why Carers Need a Lasting Power of Attorney (LPA)

Carers are used to making decisions for others—but what if you were unable to make your own decisions due to illness, an accident, or dementia?

A Lasting Power of Attorney (LPA) allows you to choose someone you trust to step in if you're no longer able to manage your affairs.

There are two types of LPA:

1. Health & Welfare LPA – Lets someone make decisions about your medical treatment, care, and living arrangements.
2. Property & Financial LPA – Allows someone to manage your bank accounts, pay bills, and handle financial matters.

What Happens if You Don't Have an LPA?

- Your loved ones won't automatically have the right to manage your finances—even if they rely on you financially.
- Banks may freeze your accounts, leaving your family struggling to pay bills on your behalf.
- Doctors and social services may make medical and care decisions without consulting your family.
- Your loved ones may have to apply for a Deputyship Order - a lengthy, expensive, and stressful court process.

Ask Yourself:

- If I lost mental capacity tomorrow, who would I trust to make decisions for me?
- Would my family be able to manage my finances and care, or would they face legal obstacles?

Why This Matters for Carers

Carers often focus on planning for the person they care for, but it's just as important to plan for yourself.

- Who would take over your role if you couldn't care anymore?
- Would your loved ones have the legal authority to manage your affairs?
- Would your finances be in order, or would your family be left struggling?

Putting a Will and LPA in place means that if the unexpected happens, everything is taken care of. It gives peace of mind, knowing that your loved ones won't be left in a difficult situation.

Next Steps: How to Get Started

- ✓ Make a Will – Ensure your estate is passed on according to your wishes.
- ✓ Set Up an LPA – Choose someone you trust to make decisions if you're unable to.
- ✓ Talk to Your Family – Let them know your plans so they're prepared.
- ✓ Review Your Plans – If you already have a Will or LPA, make sure they still reflect your current wishes.

Don't wait until it's too late. Life is unpredictable, and taking action now ensures your loved ones won't face unnecessary stress in the future. You spend your life looking after others - take a moment to protect yourself too. A member of the Private Client team at Thomas Flavell & Sons will be happy to help – call 01455 610747.