

If you are managing a bank account and money on behalf of someone else, the bank might say that every time you need to carry out a transaction for that person, you must take ID with you to prove who you are and to prove that you have the authority to manage that person's account. Not all banks need this, so it is best to ask them when you start managing the account.

More information

Public Guardianship Office (England and Wales)

For information and forms to apply to the Court of Protection to be an attorney or a receiver visit their website at www.guardianship.gov.uk. They can also be contacted at:

Archway Tower
2 Junction Road
London
N19 5RQ
Telephone: 0845 330 290
Textphone: 020 7664 7755
Email: custserv@guardianship.gov.uk

Office of the Public Guardian (Scotland)

The information in this leaflet does not apply to Scotland. If you live in Scotland and you have questions about managing banking on behalf of a mentally incapacitated customer you should contact the Office of the Public Guardian at:

Hadrian House
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR
Telephone: 01324 678 300
Fax: 01324 678 301
www.publicguardian-scotland.gov.uk

Benefit Enquiry Line

For advice about benefits for people with disabilities and their helpers. They can tell you how to apply to be an appointee to manage banking for a mentally incapacitated customer.
Telephone: 0800 88 22 00
Textphone: 0800 24 33 55

Disability Rights Commission

DRC Helpline
FREEPOST MID02164
Stratford upon Avon
CV37 9BR
Telephone: 08457 622 633
Textphone: 08457 622 644
Fax: 08457 778 878
www.drc-gb.org

If you have followed the advice in this leaflet and are still having problems opening a bank account or managing a bank account on behalf of a mentally incapacitated person, you may find it useful to talk to the branch manager of the bank you have visited.

Banking for mentally incapacitated customers



BRITISH BANKERS' ASSOCIATION

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BRITISH BANKERS' ASSOCIATION

This leaflet may be useful to you if someone you know is mentally incapacitated and you need guidance on how you can open a bank account and manage their money on their behalf.

There are different ways you can help a mentally incapacitated customer to manage their money. Depending on how you do it, you could be called:

- an attorney
- a receiver
- an appointee

If you need to help a mentally incapacitated customer to manage their banking, it is important that you show to the bank documents which:

- prove that you have the legal right to act on the customer's behalf
- prove the customer's name and address
- prove your name and address

The law says that before a bank can let a third party manage the account of another person, the bank must have proof of the name and address of the customer and of the person who will have legal responsibility for managing the customer's account. This is because that person will be controlling money – even though it's not theirs – and the bank needs to be sure that they are who they say they are, and that they have the authority to control the customer's money.

The following table will help you to understand the differences in managing a bank account on behalf of a mentally incapacitated customer depending on whether you are an attorney, a receiver or an appointee. It also tells you what documents you need to prove your and the customer's identities, and to prove that you are allowed to manage the customer's financial affairs.

| | Attorney | Receiver | Appointee |
|--|--|--|---|
| Who appoints you? | The customer nominates you. The Court of Protection registers the 'Enduring Power of Attorney' (EPA). | The Court of Protection. | The Department for Work and Pensions (DWP). |
| How? | The customer would have completed an EPA form when they still had the mental capacity to do so. The EPA says who can manage their banking if they lose the mental capacity to do it on their own. If your name is on the EPA you must register it with the Court of Protection when the customer loses mental capacity. You can then manage the customer's affairs. | This is for when a customer is already mentally incapacitated but hasn't set up an EPA. Usually a close friend or family member (or someone else who can be trusted) applies to the Court of Protection to act as a receiver for the customer and to manage their bank account and money. When the Court of Protection has agreed that you can be a receiver, they give you a 'receivership order' and you will be able to manage the customer's banking for them. | You have to contact your local DWP office and tell them that you would like to collect and bank benefits on behalf of the customer. They will ask you to complete an application form. If, after they've considered your application, they decide they are happy for you to manage the customer's benefits payments, they will give you a letter to say so. Once they do this, you are an appointee for that customer. |
| What documents can I use to prove to the bank that I am allowed to manage the customer's account? | The registered EPA. | The receivership order. | i. The letter from the DWP OR ii. A DWP form BF57. |
| How do I prove the customer's name and address to the bank? | The registered EPA is sufficient. | The receivership order is sufficient. | The letter from the DWP, or DWP form BF57, can act as one proof of ID; you will need another one. The bank will have full details of which documents it accepts. |
| How do I prove my own name and address to the bank? | The usual documents such as a passport or driving licence for your name, and utility bills for your address. All banks have full details of the documents they accept. | The usual documents such as a passport or driving licence for your name, and utility bills for your address. All banks have full details of the documents they accept. | The usual documents such as a passport or driving licence for your name, and utility bills for your address. All banks have full details of the documents they accept. |
| Are there restrictions on the way I will be allowed to manage the customer's account? | The EPA will say on it whether there are restrictions on the way you can manage a customer's account as an attorney. For example, it might say that the attorney can only look after the customer's pension or mortgage. | The receivership order will say on it what authority you have as the receiver. For example, it might say that the receiver can only manage the customer's pension or mortgage. A receivership order doesn't have a time limit. There is another type of order that also lets you manage the customer's account – a 'short order'. It does not appoint a receiver but authorises a named person to do specific things. You arrange and use it in exactly the same way as you would arrange and use a receivership order. | As an appointee you can normally only manage the customer's benefits money. If you want to manage other money and banking for the customer, you will need to apply to the Court of Protection to become a 'receiver'. Some banks set limits on the amount of money a customer can have in their account when their benefits payments are being managed by someone else. Normally the limit is £2000 but the bank can let you know if there is a limit and how much it is when you become an appointee. |