Appendix 16

Letters for use where power of attorney is granted by a capable customer

i.   For the customer

Dear Sir/Madam

You have granted [Name] power of attorney over the management of your social security benefit affairs. This authorises that person both to claim benefits on your behalf and to receive payment of those benefits on your behalf.

You should bear in mind in particular the obligation to report changes in your circumstances in relation to any benefit claim. I am writing to let you know that, although you have granted the above named this power of attorney, because you remain capable of managing your own affairs, then you remain responsible for notifying us of any change in your circumstances which may affect your benefit. What this means is that if your circumstances do change, then you will either need to ensure that the attorney does notify us or you will have to report the change yourself. If neither of you report the change and an overpayment results, we can recover this from you and you may also be liable to prosecution?.

I have copied this letter to the person named above.

ii.   For the person granted power of attorney

Dear Sir/Madam

You have been granted power of attorney over the management of the social security benefit affairs of [name]. This authorises you to both to claim benefits on their behalf and to receive payment of those benefits on their behalf.

You should bear in mind in particular the obligation to report changes in a claimant's circumstances in relation to any benefit claim. I am writing to let you know that, although you have been granted this power of attorney, because the person named above remains capable of managing their own affairs, then they remain primarily responsible for notifying us of any change in their circumstances which may affect their benefit. What this means is that if their circumstances do change, then if neither of you report the change and an overpayment results, we can recover this from the claimant and they may also be liable to prosecution.