



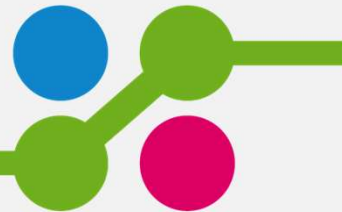
Office of the
Public Guardian

Office of the Public Guardian

4 November 2021

James Morrey

Deputy Head of Policy, Partnerships, Content & Guidance



What am I covering today

- The role of the Public Guardian
- Lasting Power of Attorney (LPA) and planning for the future
- Court of Protection deputyships
- Investigations
- Supervision

A close-up portrait of a middle-aged man with a friendly smile. He is wearing a grey flat cap with a herringbone pattern and a dark grey V-neck sweater over a white t-shirt. The background is softly blurred, showing what appears to be an office or home interior with a window.

The role of OPG and future planning

The role of the Public Guardian

- The Office of the Public Guardian (OPG)
- Mental Capacity Act 2005
- Statutory duties
- Functions of OPG



Context – England and Wales

Over 1.2 million stroke survivors in the UK

Almost 1.4m people will be living with dementia in 2030

1 in 3 people born in the UK in 2015 will develop dementia in their lifetime

10% increase in acquired brain injury hospital admissions between 2005-2015

54% of UK population growth over next 10 years is predicted to result from net migration

Different types of LPA

Finance and property:

Paying bills

Managing bank accounts

Collecting pension/benefits

Selling your home

Health and welfare:

Daily routine

Diet

Medical care

Moving to a care home

Life sustaining treatment

Driving uptake of LPA

- Advertising campaigns across England & Wales to drive uptake in LPAs
- Focussed on lower socio-economic groups and BAME groups
- Share the benefits of planning for the future



Impacts of the pandemic - LPA

- Initial reduced uptake of lasting power of attorney
- Numbers currently approaching pre-pandemic levels
- Rise in Health & Welfare LPA applications in the last 18 months
- Presently, OPG receiving 18,000 applications for LPA per week
- Current operational challenges

New tools

Offsite mail
delivery
system

Quicker
register
searches

Track my
LPA

Use an LPA



Court of protection
deputyships

Court of Protection deputyships

Two types of orders:

- Property & Affairs
- Health & Welfare

- Orders are made by the court upon an application
- Deputies are not necessarily family members (unlike attorneys)

Potential future deputyship improvements

What we currently do

- More flexible on requirements of deputies to visit annually
- Reviewed most vulnerable clients and enhanced support
- Initiated contacts by OPG for customer care
- Better 'on call' systems

Future plans

- Refreshed standards for deputies
- Panel deputies
- Approach to assurance and compliance
- Visits to client and deputies

Investigations

- The Public Guardian's powers regarding investigations stems from section 58 (1) (h) of the Mental Capacity Act
- There is little material difference between an LPA investigation and a deputyship investigation
- The Public Guardian's powers to investigate centre on the capacity of a donor/client

Consultation – modernising LPA

- Seven proposals consulted on
- We want to make LPAs safer, simpler and fit for the future

**Safer.
Simpler.
Fit for the future.**

In summary

Three key messages:

1. The importance of Lasting Power of Attorney (LPA) and planning for the future
2. The impacts of the pandemic
3. OPGs intent for modernising and transformational change



Office of the
Public Guardian

Any questions?

