

# Appointeeship and Deputyship

Overview and Scrutiny Committee  
6 October 2021

**Barking &  
Dagenham**

**Appendix A**

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# Summary

- The following presentation provides an overview of the current Appointeeship and future Deputyship services within Barking and Dagenham.
- The report will focus on the following themes:
  - Context
  - What is Appointeeship and Deputyship
  - What are the current Appointeeship and Deputyship arrangements within Barking & Dagenham
  - What are the future plans for those who may need Appointeeship or Deputyship, ensuring clients maintain as much independence as possible

# Context

- Revenues and Benefits services were previously part of the 10-year Elevate contract
- The teams returned to the Council in September 2020. Since their return:
  - We have explored the options of how to create a service which best meets the needs of its clients
  - Engaged with other local authorities to understand what they do
  - We took the opportunity to review the whole client journey rather than adding a deputy service into an inherited delivery model
  - We have reviewed processes, identified the need for a new banking platform and scoped the resource requirement for the new service
  - We created a delivery plan for successful completion

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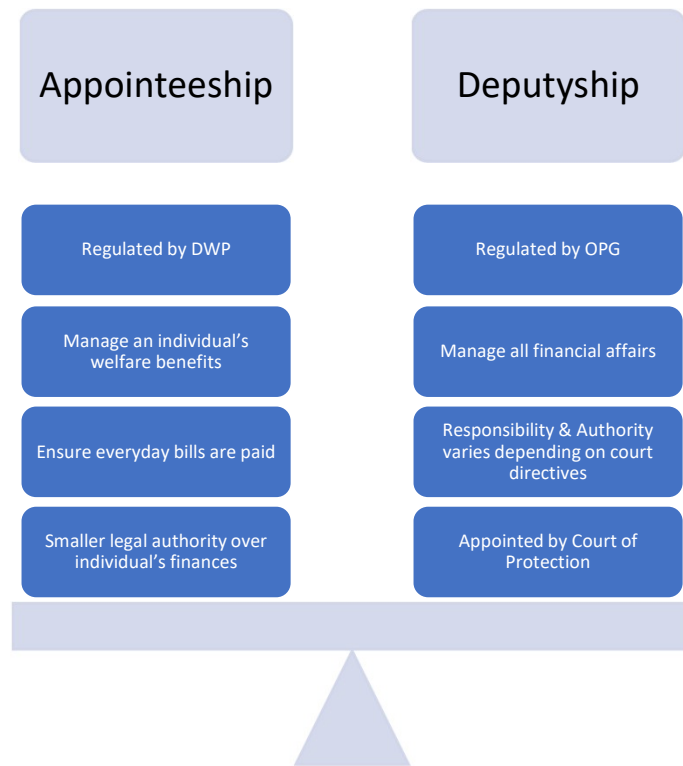
# Context Cont.

- The reabsorption of services provided the Council with a great opportunity to reshape services and to strengthen and develop key areas
- Since returning, a new Support and Collections Lifecycle has been developed to deliver our ambitions and vision
- A new Deputyship service is a key part of the new service
- There were delays to the work including the Covid-19 pandemic, understanding the systems which had been used within Elevate to see if they were fit for purpose

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# Appointeeship vs Deputyship



- Both used when individual doesn't have capacity to manage own finances
- Appointeeship is limited to small amounts of money and every day financial matters
- Deputyship can encompass all aspects of financial matters (depending on Court Of Protection (COP) directives)
- In both instances a family member or responsible person would be first looked at to take on responsibility
- If nobody is available, the authority can take on Appointee or support in identifying a Deputy

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# Current Arrangements

- The Council offers an Appointeeship service
- This sits within the benefits service
- Consisting of 2 FTE
- Supports 93 clients
- Referrals are received from Adult Care & Support following assessment of resident's capacity to understand and manage their own finances
- Referrals are presented to a panel which meet monthly to discuss cases
  - Panel has representatives from Adult Social Care, Legal, Welfare and Benefits
  - Panel agrees the best course of action for client (appointeeship or deputyship)
    - If appointee, they are given to the appointee service
    - If deputyship, a court paper is prepared for a panel deputy to be identified
      - There have been no recent progressions to deputyship via the panel process
- LBBB charge £8 per month per client for acting as appointee
  - Generating an annual income of £41,600 (currently consulting on charging model)
- There is no deputyship service currently within Barking and Dagenham but there is a process to refer cases to a Panel Deputy via court application

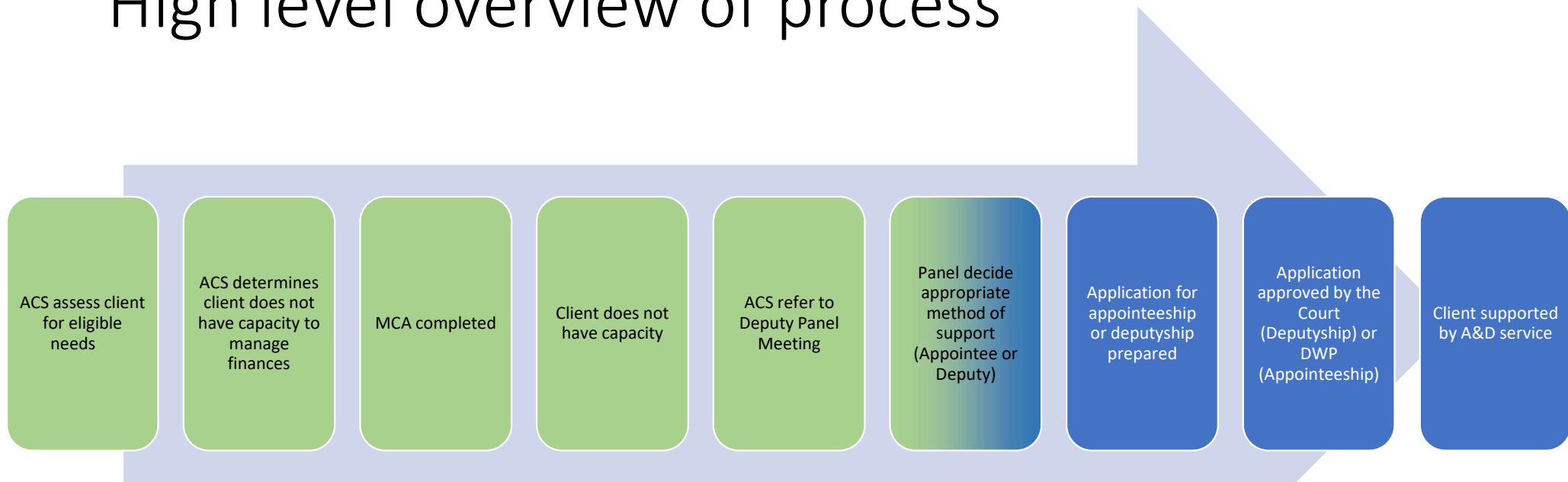
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# Future Arrangements

- LBBD is in the process of implementing a Deputyship service
- It is due to be up and running by December 2021
- Service will sit in the Welfare team, part of the new Support and Collections Lifecycle
- We will review all existing clients against the new delivery model to ensure they are receiving the most appropriate service
- The joint Appointeeship & Deputyship team will have potential to support circa 150 clients
- The Council can charge a service user for being an appointed Deputy. The charges are set-out by the Court of Protection. The fees will offset the cost of delivering the service. We must consult on charging policies for appointees before they can be implemented

# High level overview of process



**APPROXIMATELY SIX MONTHS**

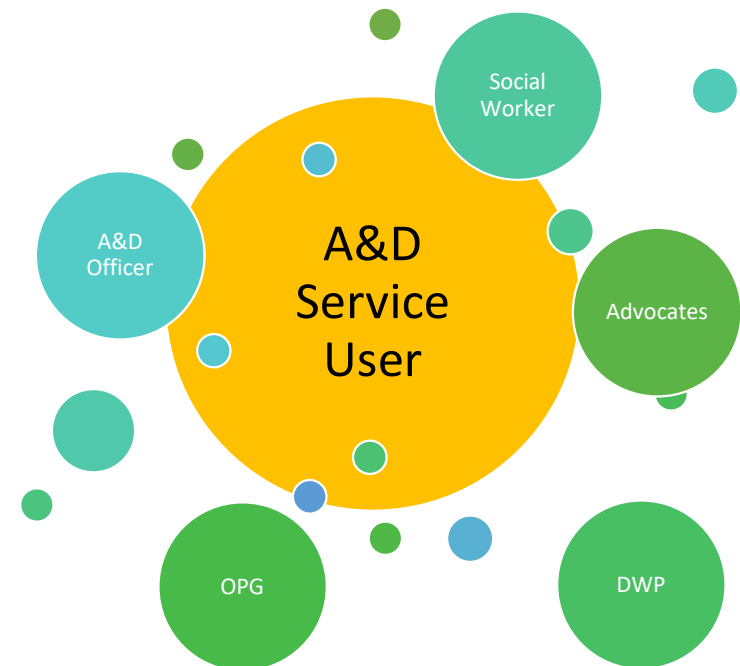
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# Managing risks and promoting independence of clients

- All clients within the Appointeeship & Deputyship service will lack capacity to manage their funds, bringing a level of vulnerability
- The role of an Appointee or Deputy is to ensure the client's financial affairs and welfare are well maintained and safeguarded
- The service will ensure residents' best interests are a priority
- Services within care and support will also be involved in the client's care to ensure client wellbeing and promote independence.
  - Having others involved in the client's care such as an advocate and the requirement to complete an annual report to Office of the Public Guardian (OPG) will reduce risks to the resident
  - Arrangements are in place with internal audit to periodically review cases to protect the interest of the service user and LBB
  - The OPG also carries out audits to ensure best practice



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# Deputyship Charging Policy Summary

Charge Title	Detail	Charge (max)
Application fee	Work up to and including the date upon which the court makes an order appointing LBBD as deputy for property and affairs	£745
Annual management fee	(a) In first year	£775
	(b) In subsequent years	£650
	Or (c) where net assets < £16k	3.5% total value of net assets
Annual Report Fee	Report to Office of Public Guardian	£216 per report
HMRC Income Tax return fee	Basic return	£70
	Complex return	£140
Disbursements	Various payments for services which can be funded via the clients assets e.g. Bank Charges, travel costs, COP fees, OPG fees.	Various

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# Appointeeship Charging Policy Summary

Charge Title	Detail	Charge (max)
Initial set up and administration	Work up to and including the date upon which the appointeeship is agreed	£150
Annual management fee	Clients in residential care	£500
	Clients in the community	£650
Discharge	On death of client (If there is no beneficiary for assets & Bona Vacanti referrals are required)	£25 admin fee for referral
	Family, Individual or alternate appointee	£75

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