



Office of the
Public Guardian



Assurance visits

What you need to know

OPG assurance visits – guidance

This document is available in large print, Welsh, audio and braille on request. Please call +44 (0)300 456 0300 or email customerservices@publicguardian.gsi.gov.uk

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An introduction to assurance visits

The Office of the Public Guardian (OPG) uses assurance visits as a means of supervising and supporting Professional and Public Authority deputies.

Assurance visits look at specific client cases selected for review and also at how a deputy ensures the proper management and administration of their deputyship caseload. Court of Protection visitors conducting assurance visits will make reference to the published [deputy standards](#) when reporting findings and observations to the OPG.

Assurance visits take around three and a half hours. If it's going to take longer, the Court of Protection visitor (visitor) will let you know.

Before your visit, OPG will have asked the visitor to meet with and report on a selection of your clients. These reports will help the visitor decide what to cover with you.

There are two stages to your assurance visit.

For stage 1 you will need your case files for each client selected for review. Within each file you will need to show evidence that you are adhering to the [deputy standards](#) to make sure your clients' best interests are served at all times.

For stage 2 you will need to show how you manage your deputyship caseload as a whole.

Your case files must be accessible to the visitor. If you use any electronic systems to store documents not held on case files, you must provide access to them.

For older cases with very large files, the last two years' worth of records need to be available for the visit.

You must be able to direct the visitor to specific articles and documents in each case file to demonstrate the following:

Stage 1 – your cases

Invoices

- compliance with Part 19 of the Court of Protection Rules 2007 as supplemented by Practice Direction B.

Contact, consultation and accountability

- visits to the client
- consulting others
- staying accountable for your actions and decisions as a deputy.

Correspondence

How you have dealt with certain issues, including:

- telling banks, building societies, other financial institutions and other interested parties about the deputyship order
- working with the Department for Work and Pensions to make sure that your clients get all the benefits they should
- consulting with others (for example, the client's family, or experts such as architects, estate agents and case managers) at the appropriate time.

Other documents

The visitor may also want to see other documents, including:

- insurance certificates
- investments or pension statements
- bank statements (including electronic)
- copies of contracts (such as care home contracts)
- copy invoices (care costs)
- any reports or assessments
- completion statements for any purchase or sale of property
- Certificate of Costs from the Senior Courts Costs Office where applicable.

Past decisions and future plans

- your past decisions and future plans for each of your cases.

Stage 2 – managing your caseload

The visitor will also report to OPG on your approach to:

Deputyship management

- your involvement in the day-to-day management of your cases
- the size of your caseload
- how you delegate tasks (such as filling in annual reports and visiting clients).

The Mental Capacity Act 2005: Principles and Code of Practice

- managing your caseload in line with Section 1 and Section 4 of the Mental Capacity Act 2005.

Safeguarding

- your staff's awareness of the wellbeing of your clients
- training to identify any risks to the client's finances or welfare
- reporting these risks.

Fees

- evidence of your awareness of the costs rules, and how these rules are applied across your caseload.

Contact and correspondence

- making sure the client and those close to the client (such as family, friends or carers) can stay in touch
- your understanding of how a deputy should avoid any uncertainty, conflict or dispute.

How you deal with the client's property

- house clearances
- insurance
- property maintenance
- your knowledge of each client's last will and testament
- consulting your clients
- family and dependants
- consulting surveyors, valuers and other experts.

Conflicts of interest

- avoiding or managing potential or actual conflicts of interest.

Accounting and banking

- managing bank accounts
- staff access to account information
- making and authorising transactions
- if, and when, you use corporate client accounts
- safe storage of sensitive financial articles or documentation.

IT security and information assurance

- IT systems protection (such as passwords, system access monitoring, backing up information)
- safe storage of case files and original documents (such as wills and original orders).

Consulting and contracting with third parties

- choosing third party services (such as estate agents, case managers or independent financial advisers)
- negotiating fees
- giving instructions
- standard practices for consulting care providers or clients' families
- contracts with registered care or nursing homes.

Court of Protection orders

- your knowledge of Court of Protection orders
- when these orders are necessary or urgent
- what you would do if an order was needed, (such as a database of precedents or specialist publications, or consultation with experts).

After the visit

The visitor will send their written report to OPG. The case management team will keep in touch with you about any issues that come out of the visit.

Contacts

For more information on visits, contact your visitor or your case management team.

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