



# Raise a concern about an attorney, deputy or guardian



Use this form if you're concerned that decisions made by an attorney or deputy are not in the best interests of the donor or client.

## Where to send the completed form

Email: [opg.safeguardingunit@publicguardian.gov.uk](mailto:opg.safeguardingunit@publicguardian.gov.uk)

please write 'Concern raising' as the subject



## What sort of concerns we can help with

You might have worries about:

- how an attorney has acted since we registered the LPA or EPA
- whether an attorney made an LPA or EPA legally
- how a deputy has acted since they were appointed by the Court of Protection

Your concerns could be, for example, about misuse of the donor's money or decisions that are not in the donor's best interests. By law, we can look into these concerns and start an investigation.

Complete this form to notify us of your concerns if:

1. you have conducted your own initial safeguarding queries
2. you believe the donor or client lacks mental capacity to deal with the concerns themselves
3. there is enough evidence to warrant further investigation

## What information you need to provide

You need to fill in as much of the form as possible.

If you don't have exact dates, then estimates such as 'June 2020' are still helpful. If you have any supporting evidence such as bank statements or capacity evidence, please attach or enclose those as well when you send us the form.

## When we have legal authority to investigate

We can usually investigate if:

- the donor or client lacks mental capacity to deal with the concerns now and at the time the concerns happened
- the concerns are about an attorney or deputy
- there is a registered LPA/EPA or deputyship order made by the Court of Protection.
- the concerns relate to the type of registered instrument or court order. For example, the concerns are financial, and the donor has an LPA for property and financial affairs.

We might also be able to investigate before an LPA is registered if your concerns are that the LPA is being made illegally.

## More information

For information about how we deal with safeguarding concerns visit

[www.gov.uk/guidance/how-we-deal-with-safeguarding-concerns](http://www.gov.uk/guidance/how-we-deal-with-safeguarding-concerns)

To request this form in large print, email [customerservices@publicguardian.gov.uk](mailto:customerservices@publicguardian.gov.uk)

Please include:

- your name
- address
- telephone number



# Raise a concern

## Section 1

### Your details

Title \* \*required information

Full name \*

Phone \*

Email address \*

Date the form was completed \*  
    
Day                  Month                  Year

## Section 2

### Donor or client's details

Title \*

Full name \*

Address \*

Postcode

Date of birth \*

Previous addresses

Please complete section 3 on the next page before submitting this form

## Section 3

### Mental capacity

OPG can only investigate if the donor or client lacks mental capacity to deal with the concerns and lacked mental capacity at the time the concerns happened.

Lacking mental capacity means the person doesn't understand the concerns and isn't able to make a decision about what to do about them.

If any mental capacity assessments have been completed for the donor or client, please attach them when submitting this form to us.

**Do you believe the donor or client is able to understand and make a decision about the concerns now? \***

Yes  No

**If no, please explain why you think the donor or client is unable to do so**

**Do you believe the donor or client is able to understand and make a decision about the concerns at the time they happened? \***

Yes  No

**If no, please explain why you think the donor or client was unable to do so**

**Has the donor or client been diagnosed with a condition or illness that affects their ability to understand information and make decisions? For example, dementia or a severe learning disability**

Yes  No  Don't know

**If yes, please give details:**

**Date of diagnosis**

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Day                      Month                      Year

**The diagnosis**



OPG can only investigate if the donor or client lacks mental capacity to deal with the concerns.



OPG can only investigate if the donor or client lacked mental capacity at the time the concerns happened.

## Section 4

### The concerns being raised

Date the alleged abuse happened \*

Name(s) of alleged perpetrator(s) \*

Details of the concerns \*



If you need to enter more than one date (abuse over a period of time, or multiple financial transactions), put these details in the section below.

## Section 5

### Social care details



This is the local authority the donor or client is currently being cared for by

**Local authority name and address \***

**Allocated (social) worker details**

Title \*      Full name \*

 

Phone \*

Email address \*