



Get help with paying OPG deputy fees



You can use this form if you're a deputy appointed by the Court of Protection and the person you act on behalf of (your 'client') needs help with paying their Office of the Public Guardian (OPG) deputy fees.

You can apply for:

- an **exemption** – when your client does not have to pay deputy fees because they get certain means-tested benefits
- a **remission** – when your client gets a 50% reduction in deputy fees based on their financial circumstances.

To get this form in Welsh (Cymraeg), email OPG at: customerservices@publicguardian.gov.uk



Guidance

Fee	Full	Remission	Exemption
Deputy assessment	£100	£50	£0
General supervision	£320	£160	£0
Minimal supervision	£35	Not available	£0

Deputy fees

After you become a deputy, you need to pay OPG a **deputy assessment fee** and **supervision fees** (general or minimal) on behalf of your client.

You can pay the deputy fees either:

- directly from your client's funds
- from your own funds and get the money back from your client.

Deputy assessment fee

This is a one-off payment that covers the cost of assessing the level of supervision a deputy needs.

You need to pay this once OPG receives the Court of Protection order.

Supervision fees

These cover the cost of supervising deputies.

You need to pay them at the end of the financial year.

Deputy fee reductions

Your client may be entitled to a reduction in their deputy fees depending on their finances. You can apply for:

- an exemption – when your client pays no fees
- a remission – when your client pays 50% of the fees.

You can also apply for an extended award for up to three years.

Exemptions

Your client will qualify for an exemption of deputy fees if they:

- get certain means-tested benefits
- have not been awarded personal injury damages of more than £16,000 (which were ignored when your client was assessed for the benefit).

Qualifying benefits include:

- Guarantee Credit element of Pension Credit
- **Income-based** Employment and Support Allowance (ESA)
- **Income-based** Jobseeker's Allowance (JSA)
- Income Support
- Housing Benefit
- Council Tax Benefit (not the 25% single person reduction or any other exemptions)
- Local Housing Allowance
- Universal Credit
- a combination of Working Tax Credit and at least one of Child Tax Credit, Disability Element of Working Tax Credit, or Severe Disability Element of Working Tax Credit.

We'll write to let you know how long the exemption award lasts for. You will not need to apply again until the award ends.

Remissions

Your client may qualify for a remission of deputy fees (but not minimal supervision fees) if their gross annual income is less than £12,000.

Sources of income include:

- employment
- pension credit
- non-means-tested benefits and pensions, including Attendance Allowance (AA), Disability Living Allowance (DLA) and Personal Independence Payment (PIP)
- Universal Credit
- state and private pensions
- property rental income
- interest from capital investments and savings.

We'll write to let you know how long the remission award lasts for. You will not need to apply again until the award ends.

When we've already granted an extended award, the fee invoices issued to the deputy will include the remission, and we cannot make any further reductions.

Extended awards

An extended award allows for remission or exemption for up to 3 years. However, you need to be aware that:

- acceptance depends on whether your client's benefit or income are likely to be the same for the next 3 years
- OPG can review the award at any time
- you must tell OPG as soon as possible if your client's benefits or income changes.

Universal Credit

Your client may qualify for an exemption or a remission if they get Universal Credit.

Send a copy of your client's Universal Credit statement (together with a completed OPG120 form) to OPG at the address in the 'How to apply' section.

You can get this statement by signing in to your client's Universal Credit account at: www.gov.uk/sign-in-universal-credit.

Acceptable evidence

Any evidence you provide must:

- include your client's title, full name, address and postcode
- confirm the amount of benefit or income being paid
- relate to the period the fee covers.

Exemptions

You need to provide a letter or notification from the benefit provider confirming that your client has received a qualifying benefit during the period the fee covers.

Remissions

You need to provide proof of your client's income from:

- **paid employment** – the last three consecutive wage slips from current employment
- **non-means-tested benefits and state, private or occupational pensions** – an official letter or notice from the payer
- **interest and dividends from capital, stocks, shares or bonds** – statements, vouchers or tax certificates showing gross income
- **self-employment** – most recent tax return (self assessment) and most recent HMRC Self Assessment Tax Calculation.

We don't accept bank statements as proof of income.

If your client has **no** income, you need to provide a signed written statement to that effect with this application.

To get a remission for general supervision fees, you need to provide evidence showing income received in the 12 month period before the date of the invoice.

How to apply

Fill in the OPG120 form and send it together with supporting evidence to:

Office of the Public Guardian
PO Box 16185
Birmingham B2 2WH

DX: 744240 Birmingham 79

Fax: 0870 739 5780

Email: customerservices@publicguardian.gov.uk



Please make sure OPG receives your application within six months of the fee being due.

Welsh and alternative formats

To request this form in Welsh, braille, audio or large print, email OPG at:

customerservices@publicguardian.gov.uk

Please include your address and the format you need.

Hardship

If your client does not qualify for an exemption or remission, but paying deputy fees would cause financial hardship, you can write to OPG to ask for their deputy fees to be reduced.

You'll need to send us copies of supporting statements and documents showing savings, income and outgoings.

Further information

Telephone: 0300 456 0300

(open 9am-5pm weekdays, except Wednesday 10am-5pm)

Textphone: 0115 934 2778

Website: gov.uk/become-deputy/fees

How to pay

You can pay your client's deputy fees either:

- directly from your client's funds
- from your own funds and get the money back from your client.

Bank transfer or online banking

Our bank details are:

- sort code: 60-70-80
- account number: 10029052

Please quote your case number (OPG reference).

Direct Debit

Email OPGFinance@publicguardian.gov.uk to ask for a Direct Debit instruction form.

Credit or debit card

Call our supervision payment line on: 0121 600 6118.

You'll need to tell us your payment card and invoice details.



Office of the
Public Guardian

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Section 1

Case information

Case number

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Your client's details

Title Full name

Address

Postcode

What does your client need help with?

- Deputy assessment fee
- General supervision fee
- Minimal supervision fee



You **must** provide supporting evidence if you apply for an exemption or a remission.



Where you find the case number

Every letter from us will have your case number – look for 'OPG reference'.

Section 2

About you

What is your relationship to the client?

- Deputy
- Solicitor
- Other (please specify below)

Title Full name

Address

Postcode

Telephone

Email

If you have already paid the fee, who would you like the refund to be paid to if your application is successful?

What deputy fee reduction are you applying for?

- Exemption – go to section 3
- Remission – go to section 4

Section 3

Fee exemption based on qualifying benefits

3a. What benefit does your client get?

- Income support
- Income-based** Employment and Support Allowance (ESA)
- Income-based** Jobseeker's Allowance (JSA)
- Guarantee Credit element of State Pension Credit
- Housing Benefit
- Council Tax Reduction/Support – also known by other names (not the 25% single person discount)
- Local Housing Allowance
- A combination of Working Tax Credit and at least one of:
 - Child Tax Credit
 - Disability Element of Working Tax Credit
 - Severe Disability Element of Working Tax Credit
- Universal Credit



You cannot apply for a fee exemption based on:

Disability Living Allowance (DLA), Attendance Allowance (AA) or Personal Independence Payment (PIP).

3b. Has your client received personal injury damages of more than £16,000?

- Yes – answer question 3c
- No

3c. Were the damages ignored when your client was assessed for the qualifying benefit(s)?

- Yes
- No

Section 4

Fee remission based on gross annual income

Is your client's gross annual income less than £12,000?

Yes

No



To apply for a remission you **must** provide proof of your client's gross income and pay half the invoiced fee.

Section 5

Extended award

Are you applying for an extended award?

Yes

No

Section 6

Declaration

I declare that the information I have given is true and to the best of my knowledge. I enclose the required documentary evidence to support the claim for a fee exemption or remission. I understand that this application will be refused if I fail to provide the evidence.

If my client is granted an extended award, I undertake to notify OPG immediately if:

- for an exemption, my client's entitlement to qualifying benefits ends
- for a remission, there's a change in my client's financial circumstances that would affect their entitlement.

Signature

Name

Date

Day

Month

Year



You can sign by typing your name into the **Signature** box, or you may be able to use PDF software to insert a signature drawn on your computer.