



Office of the  
Public Guardian

# Office of the Public Guardian

Our business plan for  
2019 to 2020

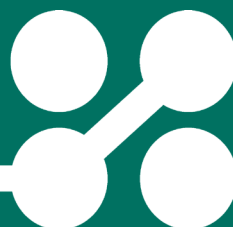




# Supported decision making

Our vision is for the Office of the Public Guardian to strengthen supporting decision making.

We'll encourage freedom of decisions for all who can make decisions, support for all who could, and provide protection for any who cannot.



## Foreword by Edward Argar MP

Modern living has changed us in ways we could never imagine. A 21st century society and advances in technology have given us more choice in what we do, and has changed the way we live. Those born in the 1980s can expect to live until they are 89, and a quarter of babies born today will live to be over 100.

An ageing population and a changing social, cultural and technological world bring opportunities and challenges for the economy, our services and society. Fewer people are living in traditional family units, while the rate of dementia is on the rise. These factors increase the need to make sure everyone has the freedom to make their own decisions about their affairs. Government needs to provide support to those who need help in making decisions about their finances and care. It also has a duty to protect those who lack the mental capacity to do so for themselves. OPG's role in registering lasting powers of attorney and supervising deputies means that it is central to fulfilling our commitments to the most vulnerable members of our society. That is why I'm pleased to introduce the OPG business plan for 2019 to 2020 which sets out the agency's aims for the year.

Safeguarding is a priority for OPG. This is about working together with colleagues across private, public, voluntary and community organisations.

OPG aims to provide better support and protection for our users, building on the work that has already been done in this area. I welcome the steps we have taken towards raising awareness of the need for lasting powers of attorney. This means more people will know how to appoint people they trust to support them in making decisions, if they lose mental capacity.



OPG's transformation programme (OPG 2025) is aimed at making sure it continues to provide highly efficient services, allowing our people to help others to uphold the principles of the Mental Capacity Act 2005.

This will be the final business plan published under the leadership of Alan Eccles. Alan's passion and drive will be truly missed. I'm grateful for his commitment and dedicated public service. As Public Guardian for England and Wales, Alan has been as



an exemplary public servant who has done much to bring OPG's work to the fore and raise greater public awareness. In Nick Goodwin, OPG has a fine replacement who I believe can build on the ambitious direction Alan has set for the future.

**Edward Agar MP, Parliamentary Under Secretary of State for Justice**

## Introduction by Alan Eccles CBE

People today are living longer than ever. In the UK there are 850,000 people currently living with dementia. This number is likely to rise to over 1 million by 2025 and to 2 million by 2051. The Stroke Association confirms there are over 1.2 million stroke survivors living in the UK. Headway, the brain injury association, recorded a 10% increase in admissions for acquired brain injuries between 2005 to 2006 and 2016 to 2017. With figures like these, there will be a growing demand for our services.

Over the past 7 years as the Public Guardian for England and Wales, both government and society have changed. Since we started in 2007, we have grown rapidly from a small London-based workforce to a substantial Midlands-based employer. Our staff numbers have increased to more than 1,500 staff in total within our Birmingham and Nottingham offices.

Year-on-year, we have managed record numbers of lasting powers of attorney (LPAs). In our first full year, we handled over 90,000 applications. By the end of 2018, over 3.4 million LPAs and 150,000 enduring power of attorneys (EPAs) were on our register. At the same time, we have continued to supervise about 59,000 court-appointed deputies.

With such an increase and more awareness of what we do, we expect future demand for our services to grow. More people will need our support to plan for their future or for a time where they need to help others make decisions.

For these reasons, we must adapt, keep pace and continue to provide the high-quality service our users need.

Our transformation programme – OPG 2025 – is about changing the way we provide services. It will help us meet the growing needs of our users, partners and our stakeholders. It will make sure our users experience a better level of support.

Overall, it will help us to respond to the changing needs of society. This is so we can better support adults at risk and create high-quality services that are accessible and affordable.

To make sure we do this work right, this year we'll continue to pay more attention to the changing needs and experiences of our users.

And for the first time, we will be supervising court-appointed guardians of missing people as detailed within the Guardianship (Missing Persons) Act 2017.

From being mostly paper-based, we aim to move towards online services. We want to offer timely processing and have the ability to take on new opportunities. We recognise that we provide unique services and understand the environment in which we operate.

This ambition reflects our commitment to create services that are open to all, and that everyone can have confidence in. OPG 2025 will help to achieve this aim.

**Alan Eccles CBE, Chief Executive and Public Guardian for England and Wales**



2018 to 2019

Our year in numbers



# Facts and figures



Clearance time for powers of attorney

38 working days (target 40)

Average time for investigations to reach a decision signed-off by the Public Guardian

66 working days (target 70)

Deputy first contact support within 35 working days – 92% (target 85%)

Risk assessment within 2 working days – 95% (target 95%)

Number of professional and local authority deputies reviewed – 33% (target 33%)



Average time to get deputy report – 42 working days (target 40)

Average time to review deputy report – 11 working days (target 15)

Average time to reply to requests for searches to the registers – 5 working days (target 5)

Average time taken to implement OPG owned actions within Public Guardian recommendations where:  
Court action has been deemed necessary  
34 working days (target 35)

Court action has not been deemed necessary  
11 working days (target 25)





# Customer service indicators

80%

Complaints fully responded to within deadline (10 working days) Aim: 90%



97%

Customer correspondence responded to within deadline (10 working days) Aim: 90%



89%

Customer satisfaction survey % very or fairly satisfied with OPG services Aim: 80%



96%

Customer satisfaction survey % very or fairly satisfied with OPG digital services Aim: 80%



29%

Of customers are submitting their LPA applications digitally



38%

Of deputies are submitting their annual reports digitally



82

seconds

Customer contact centre average call wait time. Target: 150 seconds

# Our transformation

“We want our lasting powers of attorney services to be as well-known as driving licences – affordable, portable, flexible and accepted wherever they are used.”

Alan Eccles CBE, Public Guardian and CEO



# OPG 2025

## Changing how we provide our services – improving lives together

Our transformation programme, also known as OPG 2025, is about changing how we provide services so we can meet our future challenges. It will help us to make our long term aims a reality, so we can improve lives together. Making better use of digital products, services and smarter ways of working will help us to free up our time to offer more support, advice and better outcomes for everyone.

A digital future will make our services more available, flexible and simpler for customers to use in a way that is affordable and convenient for them. We'll do this while making sure our services are accessible to all of our customers.

We'll work with our partners and stakeholders, so the services we develop put us in the best position to meet our users' needs. We'll do this while we continue to put safeguarding at the heart of everything we do.

OPG 2025 will be our foundations for the future.

### To do this we will:

- better understand and meet the needs of our users now and in the future
- create greater awareness and understanding of LPAs
- spend more time supporting, advising and guiding others; giving greater protection for any adults at risk
- introduce new services needed by our users
- reduce the handling, use and storage of paper within the organisation
- make sure that we provide services that are affordable and sustainable

**“Filling in a lasting power of attorney form took me 45 minutes to do online, and for the second LPA it was even quicker”**

Sheila Woodcock, retired, South Wales

#YourVoiceYourDecision

## In 2019 to 2020, we will:

- carry out research to find out why more people do not take out an LPA
- carry out research to understand what support our users need from us to help them in their role as deputies or attorneys or when making an LPA
- establish what impact LPAs have had on society and what this means for our future services
- develop a proposal for a paperless LPA
- launch an online service to make to quicker and easier for attorneys and third parties to use an LPA – including a Welsh language version
- encourage the use of different ways to pay for our services with less use of cheques
- promote LPAs through a targeted campaign – Your Voice, Your Decision
- complete the development of our case management system, moving all relevant data and shutting down older systems
- look at ways to reduce the large volume of paper we receive in the organisation
- confirm plans for moving to a new Birmingham office location in 2022 to help us to provide better services
- encourage our people to work smarter, helping them to easily work together, more flexibly and creatively





# Our business as usual

“We protect people who may not have the mental capacity to make certain decisions for themselves. Where people lack mental capacity, we support those who act on their behalf to make good decisions. We supervise court-appointed deputies and investigate concerns about the conduct of attorneys and deputies to protect the interests of adults at risk.”

Julie Lindsay, Chief Operating Officer



# 2019 to 2020

## Preparing for the future while providing an excellent service today

While we look to the future and change the way we deliver our services, we will not forget the importance of providing an excellent service today. We will remain focused on our service commitments in registering powers of attorney, supervising court-appointed deputies and investigating concerns.

We will do this through our values of:

**Purpose** – being proud to make a difference for the public we serve

**Humanity** – treating others as we would like to be treated; valuing, supporting and encouraging everyone to be the best they can be

**Openness** – innovating, sharing, and learning; being courageous, curious and pursuing ideas to improve the services we provide

**Together** – listening, collaborating and contributing; making sure we act together for our common purpose

“You can decide who can have power of attorney and what you want them to do for you. It’s all about the people you trust.”

Emma Quarshie, retired, Slough

#YourVoiceYourDecision

## In 2019 to 2020, we will:

- increase awareness about our safeguarding role
- begin to implement the recommendations from our safeguarding strategy to better protect adults at risk
- have a system in place for supervising court-appointed guardians (in line with the Guardianship (Missing Persons) Act 2017)
- complete and evaluate the mediation pilot started in 2018 – this is to encourage the use of mediation over court proceedings to settle disputes and better protect the adult at risk
- implement further improvements we've identified in the supervision review
- develop proposals for a new supervision fee structure
- increase understanding of powers of attorney (both lasting and enduring) and deputy court orders with our partners in health and social care
- improve the way in which people can apply for a reduction of fees (remission or exemption)
- continue to implement targeted leadership development groups aimed at growing the diversity of our people represented at senior levels and being a better representation of the society in which we provide our services
- support an environment that is flexible where our people can be at their best, encouraging them to develop their skills and offering varied career opportunities
- support our people and develop confident leaders to inspire and help meet our objectives – line management programme
- launch a new people strategy that sets out our strategy for building capability, diversity and inclusion for the future
- continue to support and grow our social mobility routes into work through several schemes, for example apprenticeships, care-leavers and returners to work

# Performance indicators

## Customer focus

80%

Customer satisfaction survey percentage for:

Power of attorney services  
Deputyship services  
Online services  
(very or fairly satisfied)

90%

Percentage of complaints fully responded to within 10 working days

35%

Percentage of deputies choosing to submit their deputy reports online

30%

Percentage of customers choosing to make their LPA applications online

<74

Average age of donor

95%

Percentage of calls answered within 5 minutes



# 2019 to 2020

## Operational delivery

**95%**

Percentage of:  
Safeguarding risk  
assessments within 2 working  
days

Safeguarding risk assessment  
to reach final outcome in 5  
working days

Percentage of lasting powers  
of attorney registered without  
error

**35** (working days)

Average time taken to  
implement court action  
if necessary

**15** (working days)

Average time taken to  
review deputy report

**25** (working days)

Average time taken to  
implement actions if  
court not necessary

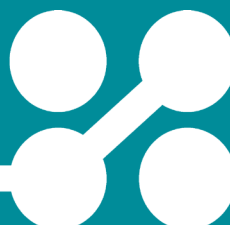
**70** (working days)

Average time taken  
to reach Public  
Guardian sign-off  
investigations report

**40** (working days)

Average time for:  
power of attorney  
services clearance

Obtaining the deputy  
report



# Performance indicators 2019 to 2020

80%

Percentage of staff participated in a learning or development opportunity in the past 3 months (Pulse survey)

62

Staff engagement score (Pulse survey)

52

(working days)  
Average time to hire

7.5

(working days)

Average days lost due to sickness

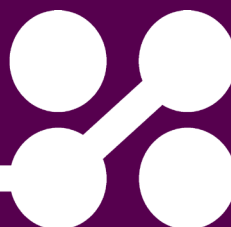
10%

Staff turnover

# Our people

“I am delighted that the work we have put in to create the right work environment has been positive for everyone who works at OPG.”

Alan Eccles CBE, Public Guardian and CEO



## About us

The Office of the Public Guardian (OPG) in England and Wales is a government body and an executive agency of the Ministry of Justice (MOJ).

We sit within the framework of the Mental Capacity Act 2005.

We were established on 1 October 2007 to replace the Public Guardianship Office (PGO). Initially located in London, most functions transferred to offices in Birmingham and Nottingham in 2009.

We offer a range of services to our users.

These include:

- registering lasting and enduring powers of attorney
- supervision of court-appointed deputies
- maintaining registers for deputy court orders, lasting and enduring powers of attorney
- investigating concerns reported against deputies and attorneys
- offering support to MOJ, health and social services to uphold the principles of the Mental Capacity Act (MCA) 2005

In 2019, we'll begin to supervise court-appointed guardians of missing persons in line with the Guardianship (Missing Persons) Act 2017.

Our current Public Guardian and Chief Executive is Alan Eccles CBE. He succeeded Martin John in April 2012. Alan recently announced his intention to retire in June and Nick Goodwin will replace him as the new Public Guardian from July 2019.

1564



Members of staff

(June 2018)

306,705

Telephone calls



3,753,097

Power of attorneys on the register



13,786



Visits completed in 2018 to 2019

286



New investigations

March 2019 (275 Concluded)



# Glossary

## Donor

Someone who has created either an enduring or lasting power of attorney. They are referred to as donors because they have donated certain decision-making powers to someone else.

## Attorney

The person chosen to act for someone else on a lasting power of attorney (LPA).

## Client

Refers to the person you have been appointed to act on behalf of.

## Deputy

A person appointed by the Court of Protection to support someone (the client) who lacks the mental capacity to make certain decisions themselves. A deputy is appointed if someone loses mental capacity and does not have a lasting power of attorney in place.

## Lasting power of attorney (LPA)

A legal document which is used to appoint someone to support you should you lose the mental capacity to make certain decisions yourself. There are two types of LPA:

- health and welfare
- property and financial affairs

Both types of LPA must be registered with OPG before they can be used.

## Enduring powers of attorney (EPA)

Replaced by lasting powers of attorney (LPAs) in October 2007. Like an LPA, it is a legal document used to appoint someone to make decisions on your behalf should you lose mental capacity. EPAs signed and dated before 1 October 2007 are still valid and can be registered with OPG when the donor starts to lose, or has lost, mental capacity.

## Mental capacity

The ability to make a specific decision at the time that the decision needs to be made. You can find a legal definition of mental capacity in section 2 of the MCA.

## Best interests

Any decisions made, or actions taken, on behalf of someone who has lost mental capacity must be in their best interests. There are standard steps to follow when deciding on someone's best interests. These are set out in section 2 of the Mental Capacity Act (MCA) code of practice.

## User

Anyone who makes use of OPG services. This could be LPA or EPA donors, attorneys, deputies, clients, partners or intermediaries. It also covers staff using OPG systems.



# Contact details

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