



Office of the
Public Guardian

Office of the Public Guardian

Business plan 2021
to 2022



Helping protect your best interests if you no longer can

We believe every person deserves the right to choose, and to have their wishes and dignity protected, especially at their most vulnerable. That's why...

Our mission is to promote for everyone in society the legal power to choose someone trusted to make decisions in their best interest should they lack mental capacity and protect those best interests at all costs.

We'll achieve this through a compassionate focus on the needs and wants of our users both now and in the future.

With four values that unite and guide us. We have a purpose to deliver excellent public services. We treat others with humanity as we would like to be treated ourselves. Through openness we innovate, share and learn, and together we listen, collaborate and contribute. Our values are at the heart of everything we do.

PURPOSE

Justice matters. We are proud to make a difference for the public we serve.

HUMANITY

We treat others as we would like to be treated. We value everyone, supporting and encouraging them to be the best they can be.

OPENNESS

We innovate, share, and learn. We are courageous and curious, relentlessly pursuing ideas to improve the services we deliver.

TOGETHER

We listen, collaborate and contribute, acting together for our common purpose.



Foreword from the Parliamentary Under-Secretary of State, Alex Chalk MP

I am pleased to be writing this foreword to the OPG 2021/22 business plan which sets out plans to both continue with the modernisation of the OPG's services and return to normal service levels following an extraordinary year.

While this plan looks to the year ahead, I'd like to take this opportunity to say how proud I am of the efforts of all OPG staff for their work through the coronavirus pandemic.

Having a system reliant on paper meant the pandemic had a significant impact not just on people's ability to make lasting powers of attorney (LPAs), but also on OPG's ability to register them while maintaining staff safety.

The pandemic also highlighted just how much societal benefit OPG's services provide and how important it is that those services are accessible and fit for purpose at times when none of us can predict what is around the corner.

To make the system less vulnerable, safer and more accessible, the Ministry of Justice, in partnership with the OPG, will be launching a consultation paper on modernising LPAs later this year.

The pandemic has also underscored the importance of staff health and wellbeing. I am supportive of all the OPG's efforts to provide excellent support to its people.



Introduction from the Public Guardian for England and Wales, Nick Goodwin

Given creating and registering a Lasting Power of Attorney (LPA) is a paper based process, the impact of COVID-19 restrictions has been significant on both the public's ability to make LPAs and the Office of the Public Guardian's (OPG) capacity to register such documents.

To mitigate this impact, the OPG produced public guidance on how to create LPAs whilst conforming with both the safeguards required by law and the COVID regulations.

LPAs and deputyships provide significant societal good – in allowing others to make decisions on behalf of those who cannot do so themselves and so it is vital that OPG keeps offering its services in all circumstances.

But what the last year has highlighted is how fragile a process based on paper is and how OPG needs to change and adapt its services so that our customers can make and use their powers in all circumstances – and pushing forward with doing this will be a key plank of our business plan in the year ahead.

OPG has done all it can to clear backlogs but full recovery will remain challenging until COVID restrictions have been lifted or the legal framework for creating LPAs has been modernised.

Key to OPG in the year ahead will be clearing the COVID backlogs and getting back to achieving our targets for registration of LPAs. But as with last year, we are dependent on what happens with COVID and how and when the government relaxes restrictions.

The OPG has also innovated this year in providing a fast track referral service for NHS staff, moving to virtual and garden visits (for care home residents) and by expanding the Use a Lasting Power of Attorney service, all of which has been to the benefit of users and we will continue to look for other ways to innovate our services (within our existing legislative framework) in the months ahead.



Our year in
numbers



As at 31 March 2021 we were supervising 57,446 deputyship orders, a decrease of 3,347 from the end of 2019/20 (60,793)



The number of applications to register LPAs and EPAs received in 2020/21 was 691,746 a decrease of 225,804 from 2019/20 (917,553)



We ended the year with over 5.3 million Power of Attorneys on the register

Our achievements



Average actual clearance time for power of attorney applications.
Target: 40 working days



Average time to obtain annual reports.
Target: 40 working days



Average time to review annual reports.
Target: 15 working days



Customer satisfaction survey % with PoA services (very or fairly satisfied)
Target: 80%



Customer satisfaction survey % with deputyship services (very or fairly satisfied)
Target: 80%



Customer satisfaction survey % with digital services (very or fairly satisfied)
Target: 80%



% of safeguarding risk assessments carried out within 2 days
Target: 95%



Average time to conclude investigations
Target: 70 working days



% of calls answered within 5 minutes
Target: 95%



% of complaints fully responded to within deadline
Target: 90%

OPG 2025

Transforming our services

Changing how we provide our services. Improving lives together.

As the needs of society continue to change, so must our business and the COVID-19 pandemic has made this clear– our services have to be both easy to use and easy to access.

OPG 2025 will help us to better empower people to plan ahead and create high quality services that are accessible and affordable.

Central to our vision is greater digitisation of our services which will provide resilience for both OPG and our users to deal with issues such as COVID-19 in the future.

In 2021 to 2022 we will:

Our services

Continue our work promoting lasting powers of attorney to all parts of society – expanding our campaign to reach those from minority ethnic and lower socio-economic groups, working in partnership with local authorities, charities and healthcare colleagues in England and Wales to reach those most effected by COVID-19.

Launch, in conjunction with Ministry of Justice, a consultation paper gaining views on our plans for the modernisation of the lasting power of attorney service which, in the future, will allow us to remove paper from our processes.



“We suddenly realised, actually, if anything did happen to Mum, we’ve got challenges to deal with. So we applied at that time for a lasting power of attorney.

We don’t want to use it, that’s the simple truth but I think we see it as an insurance policy.”

#YourVoiceYourDecision

Alongside the consultation, we'll continue our work with stakeholders and end users to ensure that our plans are based on what they need from the service.

Establish a future business model which will form the basis of the transformation programme in the years ahead.

Harness the ideas of our people to drive innovation in the way we develop our services and organisation for the benefit of our customers.

Continue to build on the smarter working we have embedded to deal with COVID-19 across our business areas and support our people in adopting this in the new "normal".

Our partners

Providing greater support to our customers in using their LPA by working across sectors such as finance, legal and health to make the process easier and LPAs more recognised.



Providing an essential service today. Preparing for the future.

We are committed to providing an excellent service for all our customers now and in the future.

Our role in registering powers of attorneys, supervising court-appointed deputies and guardians and investigating concerns remains our focus.

We will deliver excellent services to all our customers ensuring they receive a top-class service while looking to transform the way we deliver and also deal with of the ongoing impact of COVID-19.

Whilst long term changes in relation to LPAs requires legislation, OPG is also focussed on making changes that we can to improve all our services whilst we look to consult on the wider change programme.

In 2021 to 2022 we will:

Our Customers

Achieve our performance and customer service targets to deliver the best possible service to our customer (within the bounds of the impact of COVID-19) - and in the current pandemic ensure that our users can still access our services including clearance of our COVID backlogs.

Review our internal processes in relation to supervision to ensure we are delivering as efficiently and effectively as we can against our statutory duties.

Plan and manage the move to our new building within Birmingham – ensuring that the customer sees no impact on service levels.

Our People

In 2021 we will launch our new people strategy: OPG's People Promise 2021 – 2025. OPG is already a great place to work. By 2025 we want to be a brilliant place to work, for everyone.

To deliver our people promise we will work on five strategic themes:

Belonging: This means we belong in a workplace where we all feel connected, to each other and our purpose. How we interact, build trust and support each other to be our best selves at work brings our values to life.

Our actions within the belonging theme of our People Strategy aligns with the Ministry of Justice's commitment to make real, long-term systemic change to build and sustain a diverse workforce at all levels and improve the experience of our staff.

Feeling Good: We know what improves our own wellbeing and resilience and that of our teams. We are supported and we support each other to be well and thrive through our 'how are you?' culture.

Developing Ourselves: We know that development is achieved through many routes. We have person-centred development so that we deliver the best services, fulfil our individual potential and achieve our career goals.

Great Leaders at all Levels: We have great leaders and communicators providing excellent leadership and management. Our leaders reflect the society we serve and are inclusive leaders. They lead through and live by our values and are confident coaching, engaging and inspiring others

Fit for the Future: Through our People Strategy and our annual people plans we will also ensure OPG can thrive in the future, attracting the best people with the right skills and potential to grow with us and stay with us on our OPG journey.

We are currently working up a year by year plan for delivery of this strategy.



“I saw the Lasting Power of Attorney and thought it would be good to do it while I'm still capable to take the stress and strain away from the children.

‘Cause round the corner you never know what is going to happen.”

#YourVoiceYourDecision


Performance indicators



Whilst it is the OPG's intention to meet all its performance indicators, in the year 2021/22 the continued impact of COVID-19 on things such as the number of staff present in the office is likely to significantly impact on our ability to do so.


Our Customers

Our targets:



90%

Calls answered within 5 minutes



35%

Deputy annual reports received digitally




90%

Complaints responded to within deadline

Our operational delivery

Our targets:




95%

LPAs registered without error



40 days

Average time taken to obtain deputy annual report



4.5%

Deputy reports outstanding for over 98 calendar days



15 days

Average time taken to review annual report

Our People

Our targets:

60%

Staff engagement

<11%

Staff who have personally experienced bullying or harassment in the last 3 months

<11%

Staff who have personally experienced discrimination in the last 3 months

90%

Staff who have participated in a learning or development opportunity in the last 3 months

10%

Staff turnover

7.5
days

Average working days lost due to sickness

There are currently 1,689 staff working at OPG

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 a deputy has 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, and 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 or partners, intermediaries. It also covers staff using OPG systems.

Contact details

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