

PANEL DEPUTY COMMITMENT

Panel deputies are appointed and managed by the Office of the Public Guardian (OPG).

OPG requires deputies who are appointed to the panel to carry out their role as a deputy to an extremely high standard; this document outlines these requirements and how OPG will work with you to ensure they are met. All deputies appointed to the panel are expected to sign the agreement at the end of this document.

The commitments set out in this document may be subject to change and panel members will be advised of any significant changes by email.

Failure to comply with these commitments could result in removal from the panel.

As a panel deputy, OPG expects that you will:

- Be fully compliant with every aspect of your court order.
- Be fully adherent to the principles of the Mental Capacity Act 2005 (MCA) and Code of Practice, the Lasting Power of Attorney, Enduring Power of Attorney and Public Guardian Regulations 2007 and the Public Guardian's Deputy Standards.
- Meet the requirements of your professional regulatory body and advise OPG of any referral to a disciplinary tribunal.
- Have processes and procedures in place to ensure your practice aligns with new case law, and guidance published by OPG.
- Have mechanisms in place to increase your caseload should it be necessary to accept additional cases at short notice.
- Complete a COP4 deputy declaration and associated Court of Protection forms when requested to do so by OPG or to provide a valid reason as to why you are unable to accept a case. You may be required to accept a number of cases with low value estates. The value of an estate is not regarded by OPG as a reason in and of itself for a panel deputy to refuse to accept a case. Similarly, once a panel deputy has been appointed on a case, OPG does not expect that deputy to seek to be discharged because the value of the case has depleted over time. If a Panel Deputy has a specific concern about accepting a case; for example, they believe there may be a conflict of interest or other barrier, they should contact OPG as a matter of urgency to discuss this.
- Provide information to OPG at least annually, or as required, about the proportion of your caseload which are covered by fixed costs.
- Be able and willing to manage a range and variety of deputyship cases.
- Engage with OPG and provide information as required. This will include notifying us if you intend to leave your current organisation.

As a panel deputy, you will be expected to adhere to high standards of professionalism and conduct. You will be expected to act:

- In the best interests of each P
- In a way that upholds public trust and confidence in the Public Guardian and his/her Office
- With independence, honesty, and integrity
- In a way that fosters equality, diversity and inclusion

Review of Panel Deputy Status

The Panel Deputy Committee within OPG will review the panel and its membership on a regular basis, looking at all panel deputies' compliance with this commitments document. We will contact all panel deputies after each review to inform you either that we are happy for you to remain on the panel or, in the event of any concerns being highlighted, to discuss these with you; concerns may lead to an investigation being undertaken. This committee may also meet to consider serious and/or urgent issues. The Panel Deputy Committee will also consider any new applications to join the panel in the course of future recruitment campaigns and will ensure that the published list of panel deputies is accurate and up to date.

The Panel Deputy Committee will have the power to suspend a deputy from the panel (they will not have any new panel cases allocated to them) or remove a deputy from the panel. If a panel deputy is suspended or removed from the panel, this does not affect their obligation to continue to provide deputyship services on their existing caseload until such cases come to an end or unless otherwise directed by the Court.

The number of panel members will not be capped, although this may be revisited, and a limit set in accordance with business need. The business need will take into account the ongoing management and supervision of the panel, and potential future caseload.

Panel Members' Expectations of OPG

As a member of the panel, you can expect the following from the OPG:

- We will communicate with you clearly, appropriately and in a timely manner, including responding to any concerns. OPG will have a specific Panel Deputy Team who will be your point of contact with us. Any information provided to us may be shared with the Court.
- We will inform you of any significant changes, developments or issues affecting your role or position on the panel.
- Your name will appear on GOV.UK on the list of panel deputies appointed by OPG.
- If you raise a concern about your work as a member of the panel or about how OPG is supervising you, that concern will be looked into thoroughly and in a timely fashion.
- Panel deputies will have the opportunity, if they so wish, to be considered for inclusion on OPG's panel of guardians for missing persons.

Appointment to the panel is not a guarantee that you will be appointed to manage a case in your capacity as a panel deputy. Where OPG selects a panel deputy for the Court to consider, OPG will endeavour to allocate cases to the most appropriate deputy with reference to geographic location and any other relevant factors.

Joint and Several Appointment

On occasion, it may be appropriate for a panel deputy to be appointed jointly and severally with, for example, a colleague from the same organisation who is not themselves a member of the panel. In cases such as this, OPG would regard it as the responsibility of the panel member to ensure that the deputyship is managed in line with the commitments set out in this document. Where a joint and several appointment is made, and OPG is happy that the non-panel deputy is providing a service commensurate with these commitments, OPG considers that this experience can be helpful in succession planning if, for example, the panel member is planning to retire. Under these circumstances, OPG would welcome an application from the joint and several deputy to apply to join the panel in their own right.

I agree to abide by the requirements for panel deputies:

Date:

Signed:

Amy Holmes Public Guardian

Signed:

Panel Deputy