



Professional
Deputies

**MANAGING THE PROPERTY AND FINANCIAL
AFFAIRS OF VULNERABLE ADULTS**

ACTING AS YOUR DEPUTY





WHEN CIRCUMSTANCES CHANGE

The administration of one's financial affairs is never easy and becomes more complex as we become older and our needs change. Wealth planning, state benefit entitlement, care fee costs, wills, long term care funding, powers of attorney - the list goes on and on. Few individuals have experience of such matters, yet are often required to provide support to family members, friends and relatives, often with little or no notice. This can be further complicated when an individual requires personal care, and their mental capacity starts to diminish.

WHO ARE WE?

At Professional Deputies we have built a dedicated team of professionals from both the private and public sectors, enabling us to offer assistance and expert guidance in addressing these issues, allowing family and friends to concentrate on caring for their loved one, knowing that their financial affairs are in safe hands. With a wealth of experience in the field, we are able to provide an all-round money management system for people that are unable to manage their own finances due to mental incapacity.



WHAT DO WE DO?

Professional Deputies manage the property and financial affairs of adults who are deemed mentally incapable of doing this themselves, and have no family or friends that could or want to assist them with this vital day-to-day task. These adults are some of the most vulnerable members of society, and safeguarding their assets is at the heart of what we do. By working with the individual's support network, we are able to concentrate fully on our main responsibility - administering our client's funds and assets. Assisting families with Court of Protection applications also forms a large part of our work.



REGULATORY, INSURANCE & PRINCIPLES

All of our court appointments are authorised by the Court of Protection and regulated by the Office of the Public Guardian, which ensures the actions we take on behalf of our clients are transparent, fully compliant with the Mental Capacity Act and subject to independent review. Professional Deputies is under-written for £3,000,000 of Professional Indemnity Insurance. In addition security bonds are also taken out for every Court of Protection client whose affairs we manage. We are also required to submit an annual report to the Office of the Public Guardian for all of our Court of Protection clients, accounting for how we have managed our clients' financial affairs throughout the year. Lastly an assurance visit is conducted annually by the Office of the Public Guardian where they visit a selection of our clients, whilst also physically visiting our offices.



We believe in openness and full accountability, and have based our business on four sound principles:

- Do what you say you are going to do
- Finish what you start
- Treat others how you would like to be treated
- Always say 'please' and 'thank you'



THERE MAY COME A TIME WHEN A PERSON NO LONGER HAS CAPACITY TO MAKE CERTAIN DECISIONS FOR THEMSELVES. IN THIS SITUATION SOMEONE ELSE MAY NEED TO MAKE THESE DECISIONS ON THEIR BEHALF. THIS PERSON IS KNOWN AS A DEPUTY.

Deputyship is appropriate when someone has not previously appointed an attorney in either an Enduring Power of Attorney (EPA), or a Lasting Power of Attorney (LPA), and does not have the mental capacity to make an LPA.

Deputyship provides protection when it comes to the client's assets, savings or property. Deputies are appointed by the Court of Protection (CoP), and are required to obtain an Assessment of Capacity Form (COP3) with relation to the client, before they can proceed with their application.

The Office of the Public Guardian (OPG) is entrusted with supervising the work of deputies appointed by the CoP. Deputies are provided with sealed legal documents allowing them to act for an individual in all aspects of their financial affairs.

Some of the key responsibilities of a Deputy include:

- receiving the individual's income from all sources, including shares, occupational pensions, state benefits etc
- administering the day to day finances of their client eg. paying bills
- keeping accurate records of the administration of their client's finances, and being accountable to the OPG in the form of an Annual Report, which is required by law
- making tax returns
- looking after the client's property
- closing down bank accounts and opening one interest bearing account to be used for the maintenance of the client
- taking out insurance which covers the client's income & spending during the life of the deputyship
- co-operating with any CoP Visitor
- keeping to all orders & directions the Court makes

In our day-to-day work acting as deputies for our clients we are required to adhere to the Mental Capacity Act 2005 (MCA), which makes clear who can make decisions, in which situations and how they should go about it.

Some of the main restrictions deputies need to take into account include:

- acting with due care and skill (duty of care)
- not to take advantage of the situation of the incapacitated person (fiduciary duty)
- protecting the person against liability to third parties caused by the deputy's negligence
- not to delegate your duties unless authorised to do so
- to act in good faith
- respecting the person's confidentiality

WE WORK WITH LAW FIRMS, WILL WRITERS AND ESTATE PLANNERS, LOCAL AUTHORITIES, CHARITIES, CARE PROVIDERS, THE NHS AND THE GENERAL PUBLIC TO NAME A FEW, WHILST OUR CLIENTS WILL GENERALLY COME FROM ONE OF THE FOLLOWING CLIENT GROUPS: ELDERLY, LEARNING DISABILITIES, MENTAL HEALTH, ALCOHOL & SUBSTANCE MISUSE AND PHYSICAL & SENSORY DISABILITIES.



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You can also keep up to date with what is happening at Professional Deputies, by following us on LinkedIn at:
www.linkedin.com/company/professional-deputies



Andy Riddle, the owner of Professional Deputies, also owns and manages the main group on LinkedIn when it comes to managing vulnerable clients' financial affairs – Managing the Financial & Legal Affairs of Vulnerable Adults. If this is of interest please visit:
www.linkedin.com/groups/4034445/profile

**CALL TODAY FOR A
FREE
CONSULTATION
020 3011 5586/5587**

We provide a free consultation in order to fully understand your requirements, and ensure we can offer appropriate assistance.