



Office of the
Public Guardian

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

Tel: 0300 456 0300
Fax: 0870 739 5780
DX: 744240 (Birmingham 79)

customerservices@publicguardian.gov.uk
www.gov.uk/opg

Ms Vicki Smallwood
Flintshire County Council
Social Services
Ty Dewi Sant
St Davids Park
Ewloe
Flintshire
CH5 3XT

Sent via email: neil.j.ayling@flintshire.gov.uk / vicki.smallwood@flintshire.gov.uk

27 January 2020

Dear Ms Smallwood

Re: Assurance Visit

I am writing following the assurance visit that took place on 07 January 2020. The visitor's report has now been received and reviewed. Thank you for taking the time to meet with the visitor and discuss the management of the deputyships.

Section 1 of this letter outlines the purpose of an assurance visit and how the information obtained at a visit is reported back to the Office of the Public Guardian (OPG).

Section 2 summarises the visitor's findings and Flintshire County Council's performance against the public authority deputy standards.

Section 3 summarises the client visits with recommendations that were made following the visits.

Section 4 summarises your feedback for OPG and any further action that will be taken on receipt of this.

Section 5 then provides an overall summary of Flintshire County Council's management of its deputyship cases.

1. Assurance visit process

OPG uses assurance visits as a means of supervising public authority deputies.

Assurance visits look at specific cases selected for review and also at how a deputy ensures the proper management and administration of their deputyship caseload. Court of Protection visitors conducting assurance visits make reference to the published public authority deputy standards when reporting their findings and observations to OPG.

The standards, released in July 2015, clearly set out what is expected of public authority deputies and provide an important checklist of actions and behaviour every deputy should follow. They form an important part of OPG's improved approach to supporting public authority deputies, and help to make sure clients' best interests are served at all times.

Seven of Flintshire County Council's deputyship clients were selected to be reviewed as part of the assurance visit, and were visited by a Court of Protection visitor. The visitor then met with the deputyship team to discuss the clients visited and the management of the deputyship caseload as a whole.

2. Performance against the deputy standards

Standard 1: Secure the client's finances and assets

NatWest accounts are accessed online and are reviewed regularly. Clients are issued with prepaid cards and some care homes have been provided with the cards.

Some care homes invoice for personal expenditure separately or provide personal allowance sheets which are then recorded on the Paris system for audit purposes.

The Welfare Rights Officer is located in the same building as the team and assists with any appeals and interviews. Social workers support clients with DWP applications. The Housing Benefit Team also provide information and advice.

Two deputyship officers are required to authorise payments or set up direct debits or standing orders.

From the evidence gathered at the assurance visit Flintshire County Council is meeting standard 1.

Standard 2: Gain insight into the client to make decisions in their best interests

The visitor noted that the deputyship officer relies on the social worker to ensure that the client is supported to make their own decisions as much as possible. Deputyship officers have full access to social worker notes on the Paris system.

Social workers are asked to explore client's circumstances and family members. All cases of financial abuse are automatically offered a deputyship or appointeeship.

It would appear from all the information provided that Flintshire County Council is meeting standard 2.

Standard 3: Maintain effective internal office processes and organisation

The visitor noted that the fixed costs are being charged correctly.

No issues have arisen at this assurance visit in terms of day to day management but the visitor questioned whether the current team staff resources will be sustainable.

The team also manage appointee cases and the split is as follows:-

Naomi Harper
142 appointee clients & 42 deputyship clients

Cath Buxton
106 appointee clients & 67 deputyship clients

The new team manager, Vicki Smallwood, also manages the financial assessment team and does not manage any cases herself. This is a strain on the deputyship officers as Helen Draper had her own caseload and she has not been replaced with a deputyship/appointee officer. The team has just heard that Emma Davies will join the team in a full time administrative role only.

Naomi has been completing some work on the appointee clients. There are 25 with assets over £16k (one with assets over £67k) and she has asked Social Workers to complete COP3 Mental Capacity assessments on these clients but there are a further 47 clients with assets between £6k and £16k with the majority having assets above £12k (this is due to many clients receiving back dated ESA awards or inheritances). These extra cases would make the existing deputyship officers caseloads unmanageable.

Bank accounts are monitored regularly and any unusual requests may prompt a deputyship officer to request a social worker visit.

There is a formal policy regarding conflicts of interest, and an example was provided when one of the deputyship officers stepped away from a case due to knowing a party involved in a property sale.

It would appear from the information provided that Flintshire County Council is meeting standard 3.

Standard 4: Have the skills and knowledge to carry out the duties of a deputy

Deputyship officers consult social workers for more information if unwise decisions are considered.

Best interests decisions are made based on information available from relevant parties, the cost, and practicality. All decisions are recorded in a deputyship folder on the Paris system.

From the cases reviewed the visitor was fully satisfied that the deputyship team has a good understanding of the Mental Capacity Act (MCA) 2005 and its five statutory principles, and are applying these in the management of their cases.

From the information provided Flintshire County Council is meeting standard 4.

3 Client Reviews - Client Review Information has been removed for confidentiality reasons

4. Your feedback to OPG

The visitor was asked to gather any feedback from Flintshire County Council to OPG during the assurance visit. No feedback was recorded.

5. Overall summary

The visitor stated that both deputyship officers displayed a very good knowledge of their clients and their personal circumstances and manage their cases in a very effective way.

All clients visited stated that the officers were quick to respond to requests and could be contacted easily.

However, they are under-resourced and there is little by way of contingency should one of the two officers be absent, sick, or leave their post.

A full time experienced team member was lost when Helen Draper retired in July 2018. A new full time administrative officer is commencing shortly, which will help with some tasks but this will not address the shortfall in resources, which will increase when the new deputyships identified increase the workloads further.

Vicki Smallwood explained that another deputyship officer is required. The caseload is increasing through usual procedures and an additional 25 cases have been identified through a review of current appointee cases. A further 47 appointee clients would require a deputyship. One deputyship officer has been absent due to stress, and substantial additional workloads will shortly make the level of work to be carried out unsustainable.

Officers would like to be able to visit clients, but simply do not have sufficient time to do this.

To summarise, the visitor stated that the team are currently managing their cases very effectively in the best interests of their vulnerable clients.

The workloads have increased and are set to increase substantially in the near future when the identified new deputyships are appointed.

Additional staff will be required in order to maintain the high level of deputyship management that is currently provided by Flintshire County Council.

Once again, I would like to thank you for your co-operation in the process of the assurance visit. If you have any questions please do not hesitate to contact me on 0115 934 2817 or email OPG.publicauthorityteam@publicguardian.gov.uk.

Yours sincerely

Tony Williams
Office of the Public Guardian