

NORTH LINCOLNSHIRE COUNCIL

ADULT SERVICES CABINET MEMBER

**COURT OF PROTECTION AND DEPARTMENT OF WORK AND PENSIONS
BENEFIT APPOINTEE**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1. To seek approval to create a post of Managing People's Affairs Senior Officer, within the Customer Finance Team.
- 1.2. The role is to support the appointed deputy in the administration and casework undertaken for Department of Work and Pensions (DWP) Appointeeships or Court of Protection Deputyships.
- 1.3. The cost for this post will be met by income received for administering the duties of this service.

2. BACKGROUND INFORMATION

- 2.1 North Lincolnshire Council has a statutory duty to manage the property and financial affairs for vulnerable adults who do not have capacity to manage their own affairs where there is no alternative DWP appointee or Deputy available.
- 2.2 The functions of a Department of Work and Pensions appointee involves acting on behalf of individuals to ensure their state benefits are maintained and the income is used to support their living expenses and care costs. For some people, the Council is required to act as Court of Protection Deputy (CPD) to manage all their financial and property affairs. Under the direction of the CPD, an officer within the Customer Finance Service carries out the administration and operational duties required.
- 2.3 The service provided and the requirements of the CPD role are specified within Office of Public Guardianship standards. This includes annual financial plans, monitoring of expenditure, maximising income and benefits and provided evidence to the Court of Protection where there are any challenges made in respect of an individual's affairs.
- 2.4 The demand for this function has increased over the past year with the number of Court of Protection Deputyships the council manages increasing from 56 in April 2015 to 75 in December 2015 with a further increase to over 100 during 2016.
- 2.6 The increased number and level of complexity of casework in preparation for the decision making and assurance by the CPD led to a review of duties within the service being undertaken.
- 2.5 The council is entitled to charge an administration fee from the Service User to assist the council in managing their financial affairs under Rule 167 of the Office of Public

Guardianship. Rule 156 provides that these costs shall be paid by the service user or charged to their estate if they have passed on.

3. OPTIONS FOR CONSIDERATION

Option 1

3.1 To approve the creation of 1 FTE Managing People's Affairs Senior Officer, within the Customer Finance Team.

Option 2

3.2 Not to approve the creation of this post.

4. ANALYSIS OF OPTIONS

Option 1

4.1 The council has a statutory duty to support vulnerable adults who do not have the capacity to manage their own property and financial affairs where no alternative provider is available.

4.2 The creation of the new post will enable the council to provide its responsibilities as outlined in the guidance issued by the Office of Public Guardianship, responding to the demand for this support and increasing complexity of people's financial affairs.

4.3 Funding for the posts will be provided by the council's right to charge administration fees to cover the costs of managing a service user's property and financial affairs.

Option 2

4.4 If the proposed increase to the establishment is not approved, alternative arrangements would need to be made to ensure the council can respond to the increase in demand.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Staffing

5.1.1 The changes to the establishment are:

Create Managing People's Affairs Senior Officer post (Grade 7)

5.2 Financial

5.2.1 Costs are neutral

Salary costs:

Grade 7 post (mid point + oncosts) £32,414

5.2.2 The existing income budget is based on 40 cases; therefore the additional income from managing 100 cases equates to £35,100 per annum and therefore covers the cost of the new post.

5.2.3 The caseloads are closely monitored, should the income not be generated, the budgets will be managed across the wider service, re-aligning work when vacancies occur.

6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

6.1 There are no other implications

7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

7.1 N/A

8. RECOMMENDATIONS

8.1 To approve the creation of the post outlined in option 1.

DIRECTOR OF PEOPLE

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Background Papers used in the preparation of this report: None