



Office of the
Public Guardian

Office of the Public Guardian

Our roles and responsibilities



Office of the Public Guardian (OPG)

Who are we and what do we do?

- MoJ executive agency
- Registering lasting powers of attorney
- Supervising deputies
- Safeguarding adults at risk
- Investigating abuse



The Mental Capacity Act (MCA) 2005

Five key principles:

- Assume a person has mental capacity unless proven otherwise
- Do not treat people as unable to make a decision unless you have tried all practicable steps to help them
- Do not treat someone as incapable of making a decision just because you think their decisions are unwise
- Any act or decision made for or on behalf of someone without capacity should be in their best interests
- Before acting or making a decision on someone's behalf, consider whether you could achieve the same outcome in a less restrictive way



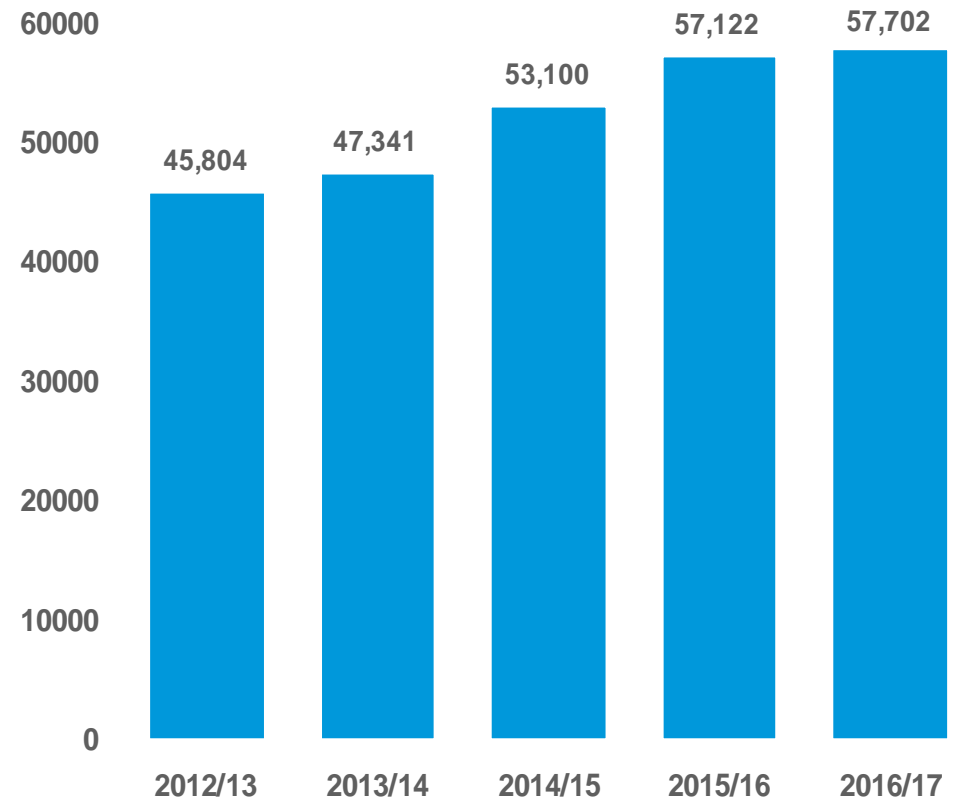
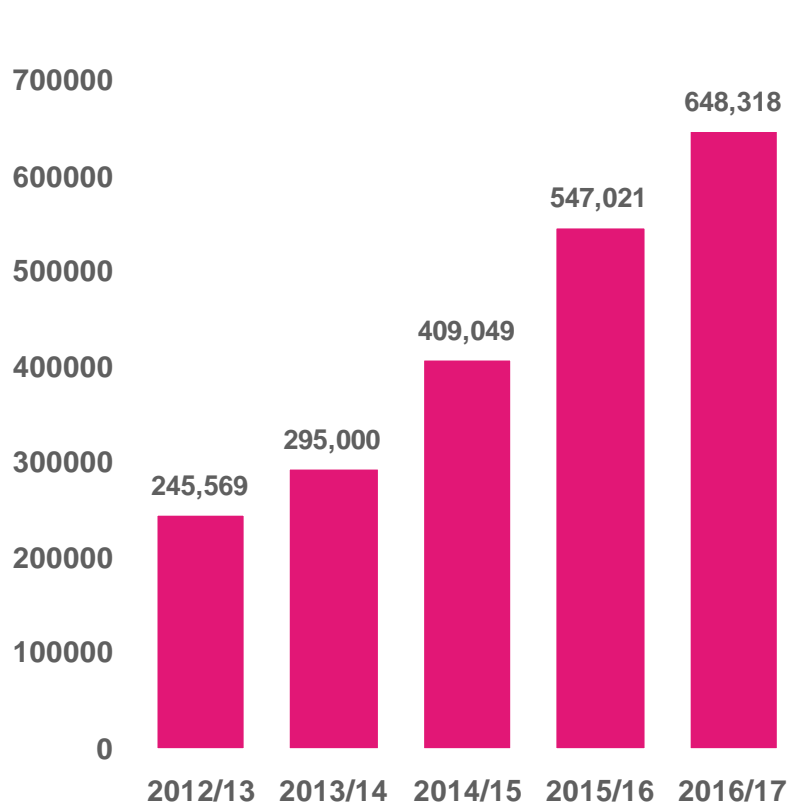
The Public Guardian's core functions

- Register Lasting Powers of Attorney (LPAs) and Enduring Powers of Attorney (EPAs)
- Maintain the registers of deputies, LPAs and EPAs, and respond to requests to search the registers
- Supervise deputies appointed by the Court of Protection
- Investigate complaints, or allegations of abuse, made against deputies or attorneys acting under registered powers

Our business

EPA/LPA applications received

Deputyship orders supervised



Future projections

The number of people in the UK with dementia will double in the next 40 years.

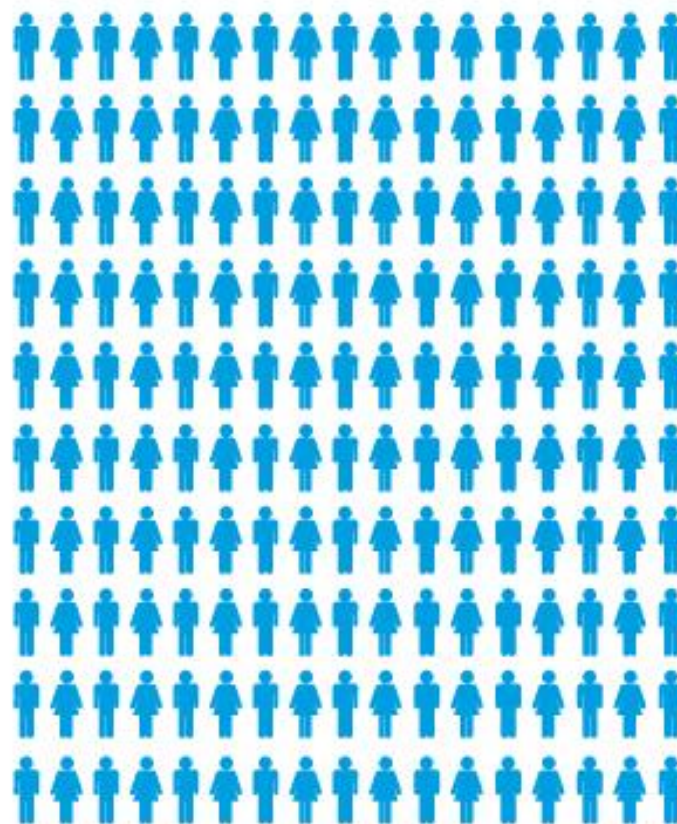
 = 10,000 people



800,000 people
with dementia in
2012



1,000,000 people
with dementia in
2021



1,700,000 people
with dementia in
2051



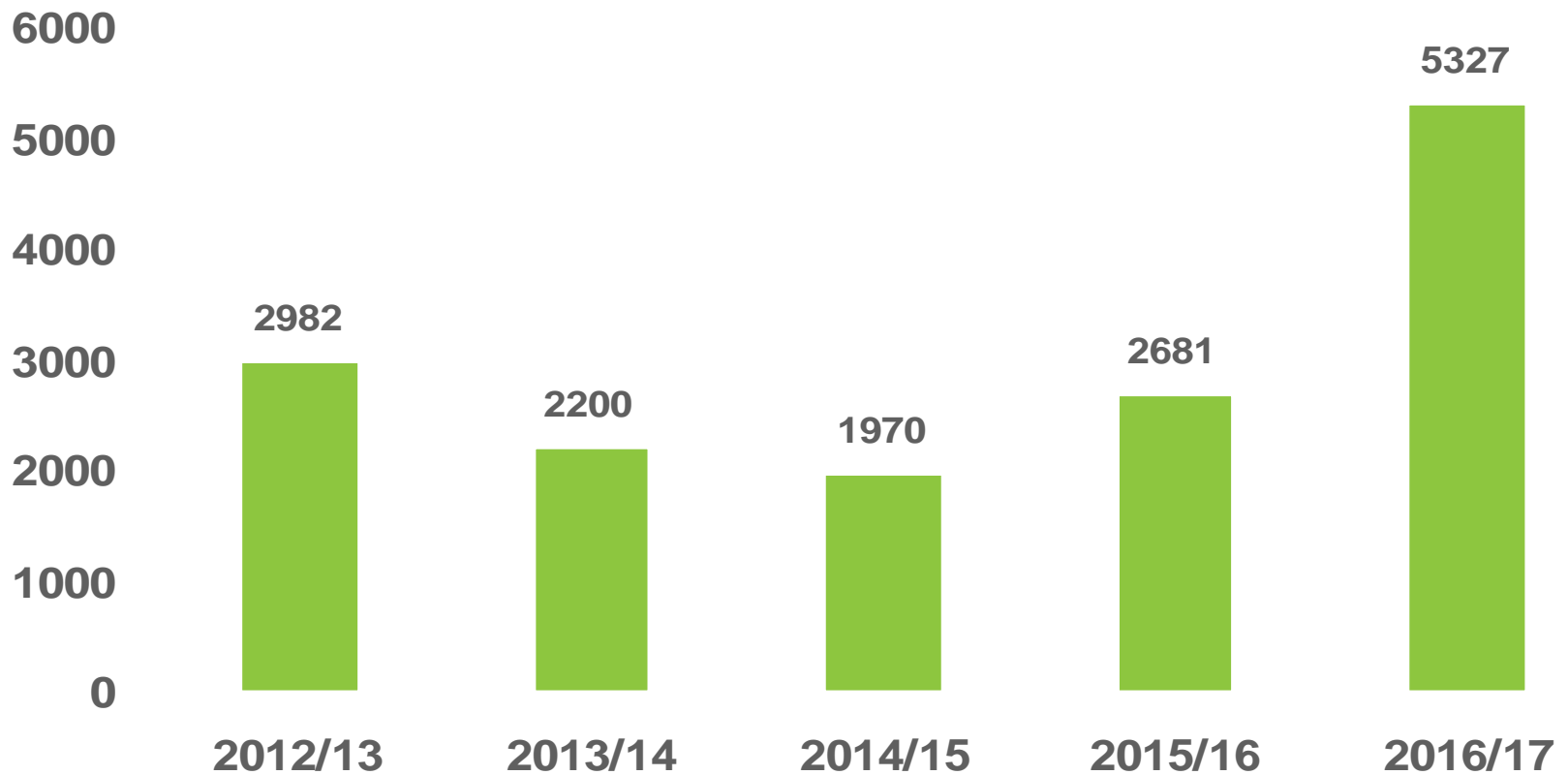
OPG's role in safeguarding

- OPG safeguards people at risk of abuse or neglect by attorneys or deputies
- OPG's investigations focus on whether the attorney or deputy is acting in the best interests of the client
- OPG can require a deputy or attorney to provide specified information or documents when investigating complaints or concerns



Our business

Safeguarding alerts received



Who we work with

- Police
- Social services
- Local authorities
- Legal professionals
- Charities
- Friends and family
- Banks and financial institutions
- Solicitors Regulation Authority
- DWP



Common themes of investigations

- Financial abuse
- Gifting of a client/donor's funds
- Failure to pay care home fees or personal allowance
- Decisions not in the best interests of the client/donor
- Charges made by professionals
- Welfare neglect
- Care and medication arrangement



Investigation outcomes

- Action taken discharge deputy or attorney
- Court application to forfeit security bond
- Level of supervision for deputy increased
- Formal instruction from the PG directing the deputy or attorney to comply or take specific action
- Referral to police if criminal action is suspected
- Referral to SRA or Disclosure and Barring Service
- Complaint or concern not upheld



gov.uk/power-of-attorney

How do I make a Lasting Power of Attorney (LPA)?

It's a three step process...

1 *Create*
your LPA online



[Learn more about creating an LPA](#)

[Create your LPA](#)

2 *Sign*
your LPA



[Learn more about signing an LPA](#)

3 *Register*
your LPA



[Learn more about registering an LPA](#)

[Register your LPA](#)



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