



I am writing to request information under the Freedom of Information Act 2000 regarding your council's management of deputyship matters for individuals who lack mental capacity. I would be grateful if you could provide the following information:

1 Deputyship Service Structure

1.1 Does the council operate an internal team responsible for managing deputyship matters under the Mental Capacity Act 2005? **Yes**

1.2 If so, please provide a short description of how the service is structured (e.g., staffing, governance, internal processes).

Official Deputy, Group Finance Manager, one full time member of staff and one member of staff who works two days per week. We follow the Court of Protection and the Office of the Public Guardian standards / guidelines.

2 Use of External Solicitors

2.1 Does the council instruct or refer work to external solicitors, law firms or legal professionals in connection with deputyship-related legal matters (e.g., conveyancing, disputes, statutory wills, litigation)? **Yes**

2.2 If yes, please provide:

- a. The names of the firms used;
- b. The types of matters each firm typically handles;
- c. Whether instructions are made under a framework agreement, panel, or on an ad-hoc basis.

Platt & Fishwick – conveyancing, land registry issues and Probate/LOA.
Weightmans – Complex Deputy applications.

Both Ad-hoc basis.

3 Criteria for External Referral

3.1 Does the council have a financial value threshold (e.g., property/asset value) above which legal matters are referred externally rather than handled internally? **No**

3.2 If applicable, please specify the threshold and rationale.

3.3 Are there any non-financial criteria (e.g., complexity, conflicts of interest, required specialism) which automatically trigger referral to external solicitors?

4 Internal vs External Case Handling

4.1 What categories of deputyship-related legal work are handled internally?

Any potential application for Deputyship is heard before Finance Protection Panel – the SW, Manager, Finance Manager for Appointee/ Deputyship, AD for ASC and Health and a Team Lawyer consider each case on a case by case basis considering the value of the estate, complexity of the estate and any other issues to determine whether it is appropriate for the LA to deal with.

4.2 What categories are *always* outsourced?

There are no categories that are always outsourced – decisions are made based on a case basis taking account of a number of factors including complexity, timing and capacity. The LA may make the application and invited the Court to appoint a panel Deputy or outsource as appropriate.

4.3 Please provide any policies, guidance documents, or internal decision-making criteria relevant to this process.

None available.

5 **Volumes and Spend** - *For each of the past three financial years (2022/23, 2023/24, and 2024/25 to date):*

5.1 How many deputyship matters were referred to external solicitors?

2 cases in 2024/2025.
1 case in 2023/2024

5.2 What was the total spend on external legal services for deputyship matters? If possible, please break this down by firm and year.

This information is not recorded and would require examination of each individual file which would take in excess of 18 hours including file location, examination

6 Financial or Non-Financial Benefits

6.1 Does the council receive any financial consideration, referral fee, commission, rebate, or any other form of payment or benefit (financial or non-financial) from any external solicitor or law firm in connection with the referral of deputyship-related work?

No

6.2 If yes, please provide details of the nature of the arrangement, the firms involved, the amounts or benefits received over the last three financial years, and any relevant agreements or policy documents.

6.3 If no such arrangements exist, please confirm that no financial or non-financial benefits are received when referring work externally.

No financial or non-financial benefits are received.

7 Supporting Information

7.1 If available, please provide any public reports, policies, or internal documents outlining your approach to supporting individuals who have lost capacity, including management of property and financial affairs.

Follow the Office of Public Guardian standards