

COP/02/12

Policy & Scrutiny Committee Community and Older People

Date 12 January 2012

Report by: Ciaran O'Hart, Essex Guardians

Telephone: 01245 438412

E mail: ciaran.o'hart@essex.gov.uk

Essex Guardians

Report attached.

EssexWorks.

For a better quality of life



essexguardians
managing money matters



**Community and Older People
Policy and Scrutiny
Committee:
Essex Guardians
12th January 2012**

For many years Essex County Council, Shared Services provided an appointee/receivership service as part of the package of support services to Adult Social Care. The service was known as "The Receivership Team".

This service was established to provide social workers with a dedicated team within the Council that would expertly handle the financial affairs of service users when they no longer had the mental capacity to do so on their own. There was no statutory obligation for the Council to provide such a service and for this reason the service was insular and restricted to a service of last resort. The provision of the service was considered to be part of the Councils duty of care and the cost of the service was fully paid for by the Council.

The implementation of the Mental Capacity Act in 2007 brought a new foundation for local authorities' working with service users who lacked the mental capacity to manage their own financial affairs. Everyone working with an adult who lacked capacity to make specific decisions was required to comply with this Act.

The Receivership Team function was reviewed to ensure its services complied with the Act

This review identified that whilst the service to date had been adequate, improvements could be implemented in conjunction with the new the Mental Capacity Act to enable the team to deliver a still higher standard of service, greater protection of service users funds, generation of revenue to self fund the service and the opportunity to promote the service beyond existing county boundaries.

In February 2009, following the approval of a business case to expand and develop the receivership functions the team was re-branded as Essex Guardians and its service offerings amended to reflect the outcomes of the review. The principle changes were:

- Essex Guardians would promote as a feature the new visions of the Council, making excellent customer service and safeguarding vulnerable adults' absolute priorities.
- The criteria for referral to the service were significantly broadened.
- The Court of Protection (Deputyship) was deemed to be the professional and appropriate way to manage a person's finances and would replace the historic use of the Department for Work and Pensions appointee system which is restricted to the administration of state benefits.
- Investment in new systems to manage clients finances and personal data commenced
- The service was proactively promoted both within AHCW and to selected contracted support providers.

The results of these changes have been significant.

- An enhanced income stream for Shared Services, fully funding all Essex Guardians operational costs
- Increased income maximisation for the Council through the payment of service users clients contributions to care fees.

- The identification of potential future income opportunities through the development of new products.
- Support to AHCW to demonstrate adherence to corporate safeguarding pledges.
- Support to contracted support providers in Essex, by offering to accept the transfer of responsibility to administer a service users finances, removing professional conflicts of interest.

Market Expansion

As many as two million people in England and Wales lack the mental capacity to make decisions for themselves. Under a quarter have made preparations for their finances to be managed if they became unable to do so, on their own. (Mori)

The opportunities to expand the services of Essex Guardians within Essex and beyond are significant.

- There is no statutory duty for any organisation to undertake the management of an individuals finance once a person is unable to do so on their own.
- Local Authorities reluctantly provide a 'last resort' appointees service under 'duty of care' but this is becoming increasingly difficult in the current period of austerity measures.
- Modern family dynamics result in the diminishing availability of support "for family, from family"

These opportunities have and will continue to be the driving forces behind the continued growth of Essex Guardians, providing a cost effective service where it is needed to some of the most vulnerable individuals in our communities.

Promotion of our services has been undertaken through many media channels;

- Trade press
- Direct mailing activities
- Promotion at nation trade events
- Web advertising
- Direct marketing
- Promotion to care providers within Essex.
- Promotion to other Local Authorities.

The engagement of dedicated marketing personnel is currently being evaluated to drive additional growth.

Achievements

Since its concept and launch in February 2009 Essex Guardians has continued to grow at a steady pace in many areas.

- New computer systems have been procured and installed to deliver high standards of financial management of client funds.
- Clients can have access to their funds via debit cards, a service provided in conjunction with Lloyds TSB
- Agents have been engaged to manage clients physical property while they are in care

- Close links have been formed with both Safeguards and the Counter Fraud teams and across AHCW as a whole.
- Care providers have 'adopted 'Essex Guardians' as their preferred providers resulting in the offering of our services outside of Essex boundaries.
- Discussions have been undertaken with other authorities concerning the transfer of clients.

Perhaps more importantly, we have been able through expansion and increased availability of our service to provide protection to an increasing number of clients across England.

	2009/10	2010/11	2011/12 (forecast)	2012/13 (forecast)
Client numbers	527	744	1865	3089
Staffing (FTE)	7.6	9.6	24.03	32.53
Net Income £(000)	(144)	(246)	(324)	(643)