

**Business Plan**  
2011 – 2012



## Contents

	page
Foreword by Martin John, Chief Executive and Public Guardian	5
The Role of the Public Guardian in Delivering Public Services	6
Building for the Future: the Challenge of Transforming Service Delivery	7
Vision and Mission Statements	11
Objectives	12
Workloads and Indicators	14
Sustainability	15
<b>Annexes</b>	
A. Organisation Chart	18
B. Office of the Public Guardian Fees	19
C. How to Contact Us	20



## Chief Executive and Public Guardian's Foreword



Churchill is quoted as saying: “A politician needs the ability to foretell what is going to happen tomorrow, next week, next month, and next year. And to have the ability afterwards to explain why it didn’t happen.” I am of course not a politician but, as predicted in my foreword to the Office of the Public Guardian (OPG) Business Plan 2010/11, a great many choices had to be made last year and a large proportion of our deliberate plans had to make way for emerging priorities. Accordingly, a noticeable proportion of our agenda for 2011/12 re-frames previous aims and objectives.

I make no apology for this, but I highlight the fact given the context for OPG has changed significantly. Last year we were seeking to build on a platform of stronger performance and greater resilience. The experience of dealing with unprecedented demand for our services deferred some key ambitions: we rightly focused on how we could do much “more of the same”. That’s not to say we did not continue to innovate and develop – work in this coming year to continue OPG relocation; to further improve our operational resilience; and to develop supporting technology, has its roots in progress made during 2010/11.

So 2011/12 sees us return to our agenda for the future, but with a great deal of learning under our belts. A significant challenge will continue to be in balancing the needs of our customers, on a day-to-day basis, with the vital transformation work which must progress. We must guard against over-reaching on either front. Equally we must continue to challenge ourselves as to what we can achieve.

Each year OPG stretches itself – in scale, in form and in delivery. But our people, right across the organisation, keep focused on improving and striving to do better for our customers. We have achieved much, but not yet all that is possible. Returning to Churchill, there is much truth in his view that: “continuous effort is the key to unlocking our potential”. This business plan hopefully demonstrates the efforts everyone in OPG will make to deliver on our collective potential.

A handwritten signature in black ink, appearing to read 'M. John'.

Martin John

Chief Executive and Public Guardian

## The Role of the Public Guardian

The Public Guardian is appointed by the Lord Chancellor under Section 57 of the Mental Capacity Act (2005) (MCA). As the Chief Executive of the Office of the Public Guardian (OPG) and Accounting Officer, the Public Guardian is responsible to the Lord Chancellor and Secretary of State for Justice for the effective operation of the agency.

### Office of the Public Guardian core activities

The OPG supports the Public Guardian in the delivery of his statutory functions under the MCA and is an executive agency of the Ministry of Justice.

The Public Guardian's core functions are to:

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

### Ministry of Justice Corporate Strategy 2011-15: Justice Transformed

The Ministry of Justice's Corporate Strategy for 2011-15 is based upon a determination to increase the responsibility and power of the citizen. It aims to ensure that those who break the law are properly punished and that those who want to reform are supported to change their lives, re-enter society and to break the cycle of reoffending. It also seeks to change the way services are delivered right across the department to ensure that they are delivered transparently, simply and with minimal bureaucracy.

These ambitions will involve us working in new ways in all areas of the department. It will mean developing innovative models that deliver services more effectively and efficiently. It will mean greater involvement of the private and third sectors in helping to provide those services. And it will mean creating a leaner organisational structure that is focussed squarely on delivering quality services to customers in an environment where high performance and high standards are the norm. Taken as a whole, the changes will deliver a lean, efficient and reformed justice system.

The work needed each year to deliver this strategy is outlined in individual business plans, such as this one, that show how each area is contributing to the achievement of the Ministry's goals.

## Building for the Future: the Challenge of Transforming Service Delivery

### Ministry of Justice strategic vision

The work of the Office of the Public Guardian and our plans to transform service delivery over the period 2011-15 directly contribute to the delivery of all three of the key priorities outlined in the Ministry of Justice's Corporate Strategy.

#### *Increasing responsibility and the power of the citizen*

We will develop simpler, less bureaucratic processes that will enable more people to have greater control over how their affairs would be managed, were they to lose capacity, and avoid the need for state intervention and unnecessary applications to the Court.

#### *Changing how we provide services to the public*

We will make the processes for planning ahead as simple, transparent and accountable as we can. We will minimise bureaucracy as much as possible and introduce new ways of delivering services that take full advantage of the opportunities that technology offers. We will actively seek to utilise private and third sector expertise to help deliver these changes.

#### *Working differently, saving money and focussing on the front line*

In line with wider departmental changes, our policy responsibilities will transfer to a slimmed down, central, strategic core and we will take full advantage of the new shared service model to provide our HR and finance functions. We will also radically reform our organisational structure to ensure our management layers are lean and efficient. These changes will allow us to concentrate all of our attention on our frontline activity and focus on delivering high quality services at low cost to customers.

## OPG operational challenges

Against the backdrop of this wider departmental strategic vision, the OPG's experience since October 2007 has been one of dramatically increasing volumes of business year on year. This has been across the board: in applications to register LPAs, in the numbers of Deputies appointed by the Court, and in the number of investigations undertaken. The ageing population demographic, coupled with increasing awareness of the need to plan ahead for a possible lack of capacity in the future, means that we expect these volumes to continue to grow.

Compounding this, our current business model is heavily paper-based and relies upon processes and IT systems that have limited flexibility. This has impacted on our ability to scale up operations to deal with future high volumes of work, as well as any moves towards a simpler, more user-friendly, customer-focussed process.

Substantial changes are therefore required to the current OPG operating model, both in order to build capacity to deal effectively with future high work volumes, as well as to transform the delivery of OPG services in line with the ambitions of the Ministry of Justice's Corporate Strategy.

## Our future business model

In order to enable the OPG to deliver the Public Guardian's statutory functions effectively, and to support the delivery of the Ministry of Justice's four year corporate strategy, we have developed a transformation agenda that will radically reform the way services are delivered. We have outlined a high level blueprint to map the customer experience post-transformation, the key features of which are summarised below.

We will be consulting widely as we develop these plans for transformation in more detail and will be seeking views from across the third and private sectors, from partner agencies and departments at local and national level, and from the general public.

### *Key features of the future model*

- As many people as possible should be encouraged to choose who they would want to manage their affairs in the future by making a Lasting Power of Attorney. LPAs are a positive option that minimise the need for any future Court involvement. They promote early discussions within families and communities around the mechanisms to be put in place to support and care for loved ones were they to lose capacity.
- The process for making and registering an LPA should be as simple and straightforward as possible whilst ensuring adequate safeguards are provided. There should be minimal bureaucracy, or administrative complexity and as much of the process as possible should be capable of electronic completion. Paperwork should be minimal but a paper-based system will be retained for those who wish to use it.

- The supervision of Deputies should be proportionate and balance the protection of vulnerable individuals with the need for minimum state intervention unless absolutely necessary.
- Where there are accusations of abuse or fraud, the Public Guardian should be capable of taking swift and effective action and will engage actively with other partners in the safeguarding arena to ensure action taken is consistent and robust.
- The OPG will seek to develop strong and lasting relationships with community groups, third sector partners and private companies to understand how services can be delivered more effectively and efficiently in partnership. The OPG will continue to support local initiatives to raise awareness of the Mental Capacity Act (2005) and its services.

### OPG transformation agenda 2011-15

We have developed an ambitious programme of work to transform the way OPG services are delivered in line with the Public Guardian's statutory functions under the Mental Capacity Act (2005) and the reform priorities outlined in the Ministry of Justice's 2011-15 Corporate Strategy. This will deliver the model outlined above and enable the OPG to deal effectively and efficiently with future workloads across all areas of the business. Our yearly business plans throughout the period 2011-15 will therefore be focussed on delivering this programme of change balanced alongside the need to continue with business as usual in order to provide a high level of service to our existing customers.

The transformation programme will require us to look at all aspects of our current business model: operational processes, estate strategy, IT systems including the scope for e-delivery of services, and developing strong internal and external partnerships. It will require the implementation of a new operating model that is streamlined, efficient and scalable to deal with the predicted volumes of future LPA applications. Delivering change of this size and scope, whilst minimising the impact on existing customers, will be challenging. We therefore continue to develop and deliver a strategically-aligned, structured and achievable programme of work, which will realise our new business model over the course of 2011-15.

The programme consists of 5 key work streams:

**Service Delivery** – We will continue to set ourselves challenging targets to deliver services in support of the Public Guardian's core statutory functions. We will ensure our current customers continue to receive appropriate levels of service and support throughout this challenging period of change. We will strive to ensure that the delivery of longer-term transformational benefits is appropriately balanced with the achievement of our current service standards. Where improvements are identified that could deliver immediate benefits we will endeavour to implement them quickly.

**Customer Strategy and Business Performance** – We will develop mechanisms and build relationships with stakeholders and develop mechanisms to increase our

understanding of, and responsiveness to, our customers' needs. This will include the development of a coherent and consistent approach to analysing all customer feedback and responding swiftly where things need to improve. We will develop robust and transparent methods for setting business objectives, aligned to our delivery of our services and for monitoring those objectives at all levels of the business.

**People and Culture** – We will create a culture that is focussed on putting the customer at the heart of all that we do and will support our staff to develop further the skills and capability to deliver high quality services across the range of our business functions. We will continue to build our leadership capability and capacity to deliver our future business model and become an exemplar public service. We will overhaul our organisational structure to ensure that our management layers are lean and that the agency's priorities are focussed squarely on supporting our front-line delivery teams to provide a high quality of customer service.

**Processes and Technology** – We will develop business processes that are simple, efficient, and user-friendly, supported by effective IT systems, in order to streamline services and encourage take-up of Lasting Powers of Attorney. We will develop processes that enable electronic completion as much as possible and minimise the use of paper-based products.

**Partnerships** – We will develop partnerships with organisations in the third, private and public sectors in order to deliver our services in the most effective and efficient way. We will develop and support external initiatives, especially at local level, to raise awareness of the Mental Capacity Act (2005), OPG services and the value of making an LPA. We will specifically seek to identify ways in which we can support third sector organisations to support and educate the public.

## Vision and Mission Statements

Our vision is a concrete statement that translates our strategy into a clear message. It communicates the Office of the Public Guardian's over-arching purpose both to its staff as well as to its customers and is the focus for all of our activity.

Our mission statements outline the key strategic statements that support the delivery of the vision. They provide the framework for the OPG's corporate objectives, which will be aligned to one or more of the mission statements. The mission statements drive the delivery of existing services as well as continuously challenging the OPG to improve and develop the way services are delivered to our customers.

### OPG vision

To encourage everyone to prepare for a possible lack of mental capacity and to empower and safeguard those who lack mental capacity now.

### Mission

To deliver excellent services to attorneys and deputies, and those they represent in order that actions are taken or decisions made, optimally and quickly.

To seek constantly to develop innovative ways of improving the way that we deliver services to all of our customers.

To create a customer-focussed, proficient and motivated workforce with the skills to carry out their roles effectively.

To improve our mechanisms for building knowledge of our customers and their needs, and developing robust mechanisms for using that knowledge proactively to deliver better customer outcomes.

To develop effective relationships with partner organisations in order to support the delivery of OPG services and increase the impact of the Mental Capacity Act (2005).

## Objectives

OPG mission statements form the overarching objectives for delivery. In progressing these objectives, the key activities in 2011-12 will be:

### **Deliver an excellent service to attorneys, deputies and those they represent**

- Develop and publish a Customer Charter, including a broader range of service standards for the OPG Contact Centre by December 2011
- Introduce new measures for resolving non-compliance with the Public Guardian's and Court's requirements by Deputies by October 2011
- Progressively develop and publish Public Guardian Practice notes, setting out the Public Guardian's operational policies and guidance – to begin May 2011
- Improve OPG signposting information on websites of other major organisations
- Remodel our approach to supervision of professional and local authority Deputies by March 2012
- Develop and implement an OPG Equality and Diversity strategy, aligned to Ministry of Justice equality objectives and compliance with Equality Act by September 2011
- Ensure that our transformation programme develops robust mechanisms for ensuring the impact of change is balanced with business as usual activity

### **Changing the way that we deliver services to our customers**

- Continue to review and improve our complaints procedures to ensure accurate tracking and monitoring of all complaints and consistent, quality responses
- Re-design our operational structures in line with the transfer of the majority of OPG work to a new Midlands core office by February 2012
- Develop mechanisms for capturing and assimilating all customer intelligence received across the business and from external sources in order to shape improvements to service delivery by March 2012
- In line with Government targets, to migrate all customer-facing web content to DirectGov; and to migrate practitioner content to MoJ website to ensure a consistent and coherent approach to the provision of information by September 2011
- Consolidate arrangements for the new panel of Deputies, and evaluate benefits by March 2012

### **Create a customer-focussed, skilled and motivated workforce**

- Deliver a new corporate structure to ensure slimmer management layers and a focus on the front-line delivery of services by March 2012
- Ensure there is flexible managerial and leadership capability to support and implement change
- In line with the development of our customer charter, begin the process to develop a culture that places customers at the heart of everything we do
- In line with developing PG Practice, update and create new best practice business manuals for all areas of the OPG commencing May 2011
- Provide key staff with training in mediation and negotiation to better support the achievement of satisfactory outcomes to casework disputes by March 2012
- Improve positive staff engagement by 3% against the 2010/11 results.

### **Improve our mechanisms for developing knowledge of our customers**

- Improve understanding of when and why individuals choose to make Lasting Powers of Attorney, how they are made and how our service delivery is received
- Improve understanding of how Deputies, and those they serve, receive our services and what variations there may be in terms of different customer experience
- Generate a baseline measure to seek to increase the percentage of the population to take out a Lasting Power of Attorney by September 2011
- Develop mechanisms, including engagement with appropriate media and building relationships with third sector partners, to highlight OPG services and to encourage sustainable demand for Lasting Powers of Attorney

### **Develop effective relationships with partner organisations**

- Consolidate and strengthen new Stakeholder Groups to encourage participation in the development and delivery of future OPG services and partnerships by December 2011
- Expand and develop the Deputy Support Group to provide support to users and to extend customer insight for the OPG by March 2012
- Develop a network of supporting organisations to help sponsor and promote the MCA and services of the OPG by March 2012
- Seek opportunities to work in partnership with organisations serving the same client base and to develop options for utilising partnerships as a means of delivering improved services

## Workloads and Indicators

As part of the MoJ's Information Strategy and the Government's Transparency Agenda over the coming year we will publish information about the operation of the OPG to assist the public in understanding how we are performing. These indicators, listed in the table below, will identify service inputs and the impact on our performance.

The table below also sets out the anticipated workload of the OPG for 2011/12 financial year set against its key financial objective to achieve full cost recovery through the fees it charges to its customers.

<b>Applications to register LPAs and EPAs</b>			
Workload Forecast	Fee	Input Indicators	Impact Indicators
Lasting Powers of Attorney: 185,000	£120*	Staff deployed	The percentage of LPAs / EPAs registered within 11 weeks
Enduring Powers of Attorney: 15,000		Accommodation utilised	
<b>Supervising Deputies</b>			
Workload Forecast	Fee	Input Indicators	Impact Indicators
Supervision cases at end of FY 2011-12:  Type 1: 500 Type 2A: 7,000 Type 2: 23,000 Type 3: 8,300 Total: 38,800	Type1: £800* Type 2A: £350* Type 2: £175*	Staff deployed  Accommodation utilised Visits conducted	The number of case reviews of Deputyships.  The number of visits undertaken.  The number of Annual Reports reviewed.
Deputy assessments: 12,500	£100		
<b>Investigations</b>			
Workload Forecast	Fee	Input Indicators	Impact Indicators
Referrals risk assessed: 2,500  Investigations into Deputies and Attorneys: 550	Not charged directly (funded proportionately from fees for services)	Staff deployed  Accommodation utilised	The percentage of concerns risk assessed within two working days.  The number of investigations concluded within 3 and 6 months.  Outcomes recorded from applications to Court of Protection.

\* Please see Annex B.

### Customer Service indicators

The percentage of Deputies notified of the Supervision level within 20 working days of OPG receiving the order.

The percentage of calls to OPG’s Customer Contact Centre answered within 60 seconds.

The percentage of complaints resolved, and responded to, within ten working days.

### Corporate and other Financial indicators

All spend and contracts over £25,000

Cost recovery percentage

## Sustainability

We will work with the Ministry of Justice to develop and improve our performance against the Government targets.

By 2020 government departments are aiming to:

- Reduce CO2 emissions by 30%
- Recycle 75% of waste
- Reduce the waste we generate by 25%
- Reduce water consumption by 25%

Our strategies and plans for the future will take into account these aims. We will ensure they are included when taking decisions on service improvement and service delivery.

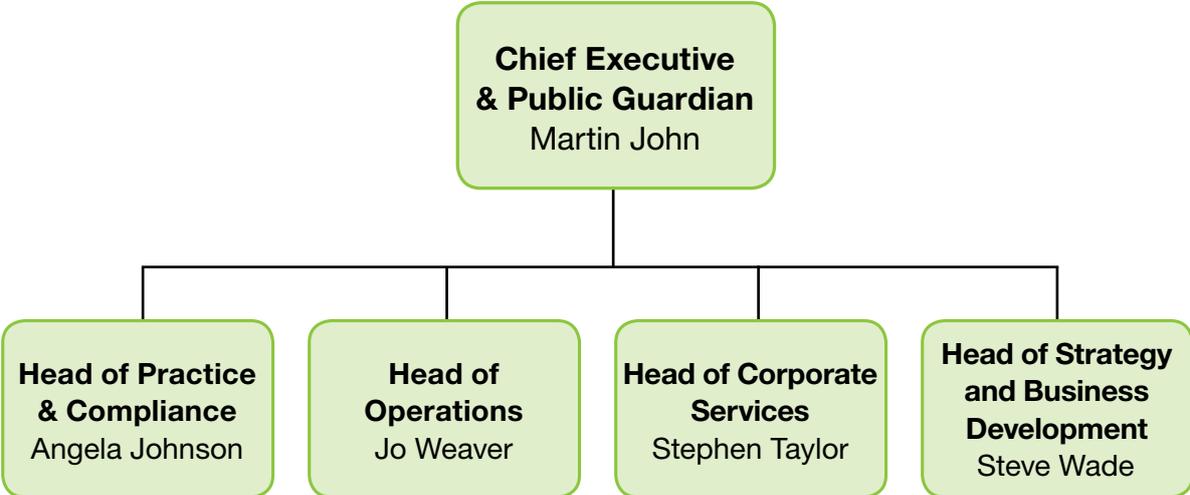
The OPG has a “Sustainability Champion” in each of its sites who leads local activities and practices.



# | Annexes

# Annex A

## Organisation Chart



## Annex B

### Office of the Public Guardian Fees

As at the beginning of the financial year, the OPG is consulting on potential changes to its fees and to the framework of fee remissions.

In the light of the views raised through consultation, the Government will issue a response and decide whether to progress relevant changes in law. At this time, any potential changes to fees are expected to come into effect from 1 July 2011.

In the meantime information about our current fees and charges can be found on our website:

[www.publicguardian.gov.uk](http://www.publicguardian.gov.uk)

Alternatively you can obtain details from our Helpline on: 0300 456 0300

## Annex C

### How to Contact Us

Office of the Public Guardian  
PO Box 15118  
Birmingham B16 6GX

DX 744240  
Birmingham 79

**Email:** [customerservices@publicguardian.gsi.gov.uk](mailto:customerservices@publicguardian.gsi.gov.uk)

**Web:** [www.publicguardian.gov.uk](http://www.publicguardian.gov.uk)  
[www.direct.gov.uk](http://www.direct.gov.uk)

**Helpline:** 0300 456 0300

Phone lines are open Monday - Friday 9am - 5pm (Wednesday 10am - 5pm)

**Fax:** 0870 739 5780

If you have speech or hearing difficulties, and you have access to a text phone, you can call the OPG text phone and a customer service operator will assist you.

**Tel:** 020 7664 7755 9am – 5pm, Mon – Fri

If calling from abroad, please telephone +44 20 7664 7000



If you would like the information in this booklet in an alternative format, please email [communications@publicguardian.gsi.gov.uk](mailto:communications@publicguardian.gsi.gov.uk)

Alternatively, please write to:  
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