



## Office of the Public Guardian

The Office of the Public Guardian (OPG) protects people in England and Wales who may not have the mental capacity to make certain health or financial decisions for themselves

### What we do

OPG carries out the Public Guardian's legal functions under the Mental Capacity Act 2005. We do this by:

- supervising deputies appointed by the Court of Protection and making sure they carry out their duties in line with the Mental Capacity Act 2005
- registering lasting powers of attorney (LPAs) and enduring powers of attorney (EPAs) so people can choose who they want to make decisions for them
- maintaining a public register of deputies and people who have been given lasting and enduring powers of attorney
- investigating reports of abuse against registered attorneys and deputies.

### Who we work with

OPG helps to ensure our customers make suitable use of powers of attorney and deputyship orders easily and without complication. We work in partnership with organisations that share our focus. We also seek to improve safeguarding networks to help protect adults at risk.

### Safeguarding adults at risk

OPG safeguards people at risk of abuse or neglect. This includes investigating suspected abuse by deputies and attorneys appointed under registered LPAs and EPAs.

If you have concerns about an attorney or deputy, for example if you think they are misusing their power or making decisions which are not in the best interests of the person they're acting for, please let us know.

You can email [opg.safeguardingunit@publicguardian.gsi.gov.uk](mailto:opg.safeguardingunit@publicguardian.gsi.gov.uk) or call **0300 456 0300** – lines are open **9am to 5pm** Monday to Friday (except Wednesday when it's **10am to 5pm**).

## **Safeguarding adults at risk – continued**

Anyone who raises safeguarding concerns to the OPG can request that they remain anonymous to ensure their identity is protected. Their concerns will still be taken seriously and they can still be informed of any action we take.

## **Investigating concerns of abuse**

OPG can investigate the actions or conduct of a deputy or a registered attorney.

Investigations focus on the best interests of the client. Whether the attorney or deputy is acting in the client's best interests will determine whether or not the Public Guardian takes any action.

Investigators may collect evidence from all relevant organisations such as banks, medical and care institutions or individuals, as well as commissioning a Court of Protection visitor to visit the attorney/deputy or client.

The outcome of an investigation may mean OPG increases its level of supervision, refers the matter to the police or asks the court to discharge the subject of the complaint and appoint someone else to look after the client's affairs. This could typically be a local authority or a professional.

## **OPG search form**

We keep records of all registered LPAs and court orders.

These records are publicly available. To search our registers, complete an OPG100 form to find out if someone has an LPA, EPA or court-appointed deputy acting on their behalf.

- The search is free of charge.
- Your request will be dealt within 10 working days and you will receive a certificate confirming the outcome of the search.
- To access the form, visit

[www.gov.uk/government/publications/search-public-guardian-registers](http://www.gov.uk/government/publications/search-public-guardian-registers)

## **More information**

There's lots of information online about what we do. To find out more go to

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