



## **KNOWSLEY DISABILITY CONCERN**

### **Appointeeship and Referrals policies and procedures**



Thank you for your referral to Knowsley Disability Concern (KDC). We are a dedicated team that strive to provide the best possible service for our clients and will be there to help and support vulnerable people in community at all times.

We now ask for you to consider the information below which specifies how we operate, the next steps, our expectations and duties as well as policies and important information that may be required from yourself e.g. information regarding bills, benefits and properties. If you are unsure of any of the information or have any questions then please contact us.

**You will need to complete the accompanying form and return it to us.**

**Important:**

The appointeeship process can take several weeks to set up so it is vital that the client has sufficient funds in place for **at least** 4 weeks to assist their needs so as to not temporarily run out of funds. Please ensure that suitable provisions have been implemented to provide the client with necessary financing until our formal appointment has been confirmed and is in place.

<b>CONTENTS</b>	<b>Page</b>
<b>1. The referral procedure overview</b>	<b>4</b>
<b>2. Important information required</b>	<b>4</b>
<b>3. Working together</b>	<b>4</b>
<b>4. The role of an Appointee</b>	<b>5</b>
<b>5. The legal authority of an Appointee</b>	<b>6</b>
<b>6. Access to funds</b>	<b>7</b>
<b>7. Client contact policy</b>	<b>8</b>
<b>8. Abusive behaviour policy</b>	<b>8</b>
<b>9. Data protection and policy regarding client financial information</b>	<b>8</b>
<b>10. Financial assessments and care contributions</b>	<b>9</b>
<b>11. Budgeting and forward planning</b>	<b>9</b>
<b>12. Additional money requests</b>	<b>9</b>
<b>13. Purchase request policy</b>	<b>10</b>
<b>14. Client visiting policy</b>	<b>10</b>
<b>15. Relinquishment of the appointeeship</b>	<b>10</b>

## 1. The referral process overview:

- 1) Referral is received from a Social Worker, Local Authority, Care/Nursing Home, Carer, Solicitor or other.
- 2) A managed bank account is set up for the client to receive benefits payments.
- 3) A DWP BF56 form is completed by KDC with new bank account details and sent to DWP to confirm appointment.
- 4) DWP provides documentation to confirm the appointment of KDC (usually within 4 weeks).
- 5) Benefit agencies and service providers (such as utilities) are contacted and provided with the new bank account details and KDC's Appointment.

## 2. Important information required

- Utility Bills (Gas, Electricity, Water, Telephone, Internet).
- Mortgage/Rent Account Details (Mortgage provider or Housing Association).
- Care Fees & correspondence (Local Authority, Care provider, Domiciliary Carers, meals on wheels, etc).
- Insurance Details (Home, Contents, Life Policies, Funeral Plan, etc).
- DWP Benefits Correspondence (DLA, PIP, Pension Letters, ESA, etc).

## 3. Working together

Throughout the referral process and continuing thereafter, we are reliant on the information provided by the referrer and others involved in supporting the client. The information is essential to ensure the appointeeship is put in place in a timely and accurate manner so that the transfer or setting up of money management responsibilities can commence correctly.

We are an approachable and friendly team that are always available to help if you have any questions or queries; don't hesitate to phone or email us with any concerns that you may have.

**Communication is key!** If we are unable to obtain any information, including the information required not being provided to KDC in a timely manner, which

results in us being unable to carry out the legal duties as an Appointee we may arrange for a social worker or visiting officer to visit our client and their support workers in order to collect the necessary information.

Due to the nature of appointeeships and the circumstances of the clients referred to KDC, it is not always reasonably possible to ascertain all of the information from the client directly due to their disability or vulnerability and as such we may make attempts to approach you to retrieve this information.

It is pivotal that all parties involved **take ownership** and **work together** to avoid any issues that may arise during this process.

The referral process does not end upon the submission of a client referral form but when all relevant information that is needed to efficiently manage a client's finances have been provided successfully. Indeed, even after an appointeeship has been confirmed, there will be situations after this when we may still need to ask questions about the client's circumstances and we thank you in advance for your continued **cooperation** and **teamwork** in moving forward together.

#### **4. The role of an Appointee**

The Department for Work and Pensions (DWP) provides the following in regards to the role of an Appointee:

*“As an appointee you're responsible for making and maintaining any benefit claims. You must:*

- *sign the benefit claim form.*
- *tell the benefit office about any changes which affect how much the claimant gets.*
- *spend the benefit (which is paid directly to you) in the claimant's best interests.*
- *tell the benefit office if you stop being the appointee, for example the claimant can now manage their own affairs.*
- *If the benefit is overpaid, depending on the circumstances, you could be held responsible.”*

This is a generic overview, in reality the role is more complicated and complex as we will explain in more detail below.

## 5. The legal authority of an appointee.

**Appointee Bank Account** – An appointee has the legal authority to manage welfare benefits funds on behalf of the client; so long as this is done in the client's best interests. The Appointee bank account will be used to effectively manage receipt of welfare benefits and to make payments on behalf of the client.

**Private Bank Account** – (Natwest, Barclays, TSB, HSBC, etc) An Appointee only has the legal authority to manage welfare benefit matters. They cannot legally access private bank accounts belonging to clients or manage funds or capital outside of the remit outlined above e.g. savings, investments, etc (if this is required to be managed then Power of Attorney or Deputyship should be sought instead). As an exception to this, Post Office accounts may be legally accessed and closed by an Appointee, providing the correct mandates are completed, as these accounts are a different type of bank account that is designed solely for the purposes of DWP benefit payments.

**Please note: DWP have announced that the Post Office card accounts (POca) were due to be closed in November 2021 however, due to the pandemic, this has been extended for 12 months to allow additional time to make alternative arrangements. DWP is contacting all affected customers.**

**Utility Companies (TV, water, gas, telephone, internet, electricity providers, etc)** – Utility companies are not legally obliged to acknowledge an appointee. This can cause complications if we are attempting to contact the company on behalf of the client in relation to obtaining or querying information regarding the account.

If the client is able to then we will ask them to sign an Authority to Act Form which will be forwarded to the utility companies and serve as permission for us to discuss and manage the account.

**Private Pension** – Similarly to private bank accounts, private pension providers are not legally obliged to recognise an Appointee.

**The death of a client** – Our legal authority ceases upon the death of a client. Any remaining funds will only be released to the Executor of the deceased client's estate once we are in receipt of a death certificate and a signed declaration if the funds being held are £5000.00 or below. If there are funds held above this limit, then we will require a Grant of Probate document. This is

an administrative process and therefore will be subject to a service charge. Any associated fees will be agreed with the executor or administrator accordingly.

## **6. Access to funds**

In order for our client to access their benefit funds, an Appointee account will be opened following the completion of a successful referral. This will enable KDC to receive the welfare benefit payments and subsequently manage and process bill payments on the client's behalf. This will also allow us to provide funds to the client in a controlled manner, for the purposes of their own independent purchases.

Due to the nature of the client's circumstances, many are supported with by a carer who may undertake relevant duties such as shopping. As such, a separate card account will also be opened alongside the Appointee bank account where required. A prepaid Card, which is limited to 20 characters, and instruction letter will be issued initially to KDC to ensure that valid checks can be made and suitable measures put in place and then the client will be contacted to arrange an appropriate distribution. If the client's name is longer than 20 characters then appropriate adjustments will need to be made in order to conform to this remit. Monies will then be transferred upon request, subject to agreements and referenced against pre-agreed budget plans, between the Appointee account and the card account to support the client's needs. The robust system is designed to alleviate the need for cash to be carried and therefore reduces risk of financial loss as all spending can be tracked. Indeed, if cash is required then the card will allow for ATM withdrawals.

It is important to understand that the card is not a credit facility and works only on a prepaid basis; that is to say that it works on a 'pay as you go' basis and once the funds that have been applied onto the card have been used, no further funds or spending can be accessed until it has been reloaded.

If carer(s)/care homes are also using the card or assisting with the card use, then receipts will need to be retained as we may make requests for these for auditing compliance.

The accounts will be managed by Knowsley Disability Concern and all monies in and out will be monitored, recorded and audited.

## **7. Client contact policy**

We will endeavour to answer all queries on the initial contact, adopting an 'only needed once' approach. We appreciate that there may be occasions when an answer is needed quickly and we always aim to deliver on our attitude and outlook.

However, if we are unable to deal with your request immediately then we will do our utmost best to ensure that your query is responded to in a timely and reasonable manner. If requests are unreasonable, excessive or continuously repeated about the same initial query then these will be managed in accordance with our existing workload and dealt with as soon as reasonably practicable.

## **8. Abusive Behaviour Policy**

We appreciate that supporting clients with disabilities, vulnerabilities and/or challenging behaviour requires due care, patience and consideration. Whilst we will always ensure that we uphold our values and are considerate and empathetic, we will not accept abusive or disrespectful contact via any form of communication. If such behaviour does occur then we will request that any further contact is made via a Carer, Social Worker or Care Home Manager.

## **9. Data protection and policy regarding client financial information**

With consideration to existing data protection legislation and to safeguard our client's privacy, it is our policy not to send financial information directly to our clients as vulnerable adults.

If a request is made for financial information by a third party involved in the care and/or support of the client, this will need to be submitted in writing stating exactly why the request is being made and a decision as to whether such information is made available will be made accordingly by the named appointee within KDC. We will treat all requests with the due level of care and consideration that should be expected when helping and supporting those within the clients support network and all decisions made will be based upon the best interest of the client.

## **10. Financial assessments and care contributions**

If a Financial Assessment is required to be undertaken by a Local Authority to assess the client's financial status in relation to care and funding, we will assist with this process in line with our Appointee responsibilities. As such, we will provide financial information that is held by KDC for the sole purposes of the financial assessment and in the best interest of the client.

## **11. Budgeting and forward planning**

Upon confirmation of the appointeeship by DWP, our client's financial position will be considered and discussed within the context of existing funds, financial commitments/bills and forward planning. As mentioned previously, we would advise that prior to any referral being confirmed that the client has a plan for sufficient funding provisions in place to avoid any detrimental shortfalls during this transition period. A future budget will be set in conjunction with client and/or their circle of care and a payment date and frequency will then be set and money transferred as part of this agreement.

## **12. Additional money requests**

As outlined above, the client's budget and weekly spending funds will be agreed during the initial transition as part of an overall financial plan. KDC will not transfer additional funds over the clients weekly spend or send funds earlier than previously agreed, as this would negate the purposes of the plan and budget and accrues an additional expense.

If additional emergency funds are required, each request must be submitted in writing setting out the sum involved and what this will be used for, and will be based on its own merit by the nominated Appointee with due consideration to the client's best interest. The decision may also require confirmation to validate the request by a Social Worker, Support worker or Occupational Health Specialist dependant on what it related to; especially if it relates to equipment or an alteration to living arrangements.

### **13. Purchase request policy (e.g. Equipment, decorating, holidays, etc)**

All requests to make a payment to a third party provider, other than those listed on the KDC referral form, must be submitted in writing and at least 7 days in advance of the date of the payment being due.

Should a request of £250.00 or above be requested, they will be subject to the same procedure and will also require proof of at least 3 quotes for the service or purchase accordingly.

If the payment request is in relation to necessary equipment or an alteration to any living arrangements then either an Occupational Health Specialist, support worker or social worker may need to be consulted prior to any agreement being approved.

Again, all requests will be considered with the client's best interest in mind and the discretion of approval for purchases is held with the Appointee.

### **14. Client visiting policy**

We wish to ensure that our services are accessible and affordable to all and our fee structure relates to our office based operations. In some circumstances, we may require a home visit to be carried out in order to accurately support and understand the best interests of our clients. We may therefore work with independent visiting officers and/or other professionals who can complete reports and carry out tasks accordingly. Such visits will be reasonably charged.

### **15. Relinquishment of the appointeeship**

In order to comply with our obligations with the DWP as an Appointee, any request that is made for the client to manage their own welfare benefits will require confirmation, in writing, from a Social Worker or appropriately qualified NHS Health Professional. This will need to satisfy criteria that the client has the ability to manage their legal responsibilities regarding their financial affairs moving forward.

The role of an Appointee is a formal undertaking and commitment and it is important to specify that the referring party acknowledges that costs will be incurred from the onset.

An appointeeship is only suitable for individuals that evidently need ongoing support over a substantial period of time. Crucially, the appointeeship should be discussed comprehensively with the client before any referral is made and all known and able persons have been approached regarding assuming the role, prior to any referral being made. **A Corporate appointeeship should be used as a last resort rather than a primary candidate.** It should also be explained that any relinquishment requests will be subject to a standard fee as set out in this document.

Following the instruction to relinquish, KDC may ask for a visiting officer to meet with the client directly so as to satisfy an independent criterion. Until the DWP formally acknowledges the relinquishing of the appointeeship, we will continue to act and manage the client's account and funds on a standard operational basis.

In regards to a transfer of appointeeship, we will require a copy of the DWP BF57 document from the new appointee confirming that the appointeeship has been transferred to that organisation or individual which will allow us to release any monies held. Any costs incurred by KDC will be deducted or billed accordingly and reasonably.