

PROCEDURES AND POLICIES DOCUMENT

CLIENT NAME:

We would like to take this opportunity to thank you for your new referral to The Money Carer Foundation (MCF).

As with all organisations supporting vulnerable adults it is also our aim to provide excellent customer service to our mutual clients. In order to assist with this we would like to draw your attention to our procedures and policies and the actionable points that need to occur in order to ensure a smooth transfer of our clients daily money management matters to our organisation. This document also serves to provide clarification as to the duties, responsibilities and legal role of an appointee authorised by the DWP.

1.THE ROLE OF AN APPOINTEE

The DWP provides this explanation of the role and responsibilities of an appointee on the "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.

If the benefit is overpaid, depending on the circumstances, you could be held responsible"

2.CLARIFICATION ABOUT THE LEGAL AUTHORITY OF AN APPOINTEE

- **Private Bank Accounts** (Natwest, Nationwide, HSBC etc) - An appointee only has the legal authority to manage welfare benefit matters. This means that an appointee is not legally able to access private bank accounts belonging to service users. An appointee can however access funds or close Post Office accounts as these are a different type of bank account designed only for DWP benefit payments.

- **Utility Companies** (TV, water, gas, telephone, internet, electricity providers etc) – Utility companies are not legally obliged to acknowledge an appointees authority as a representative of a client. This can sometimes cause issues if the appointee is contacting a utility provider trying to obtain account information to make payments or to query a bill on behalf of the person they are supporting. If the client is able we will ask them to sign an Authority to Act Form (enclosed) so that we can then forward a copy to the utility companies in order for them to register our clients permission for us to discuss and manage their account accordingly. NB: Where possible we will transfer eligible utility bills to The Utility Warehouse as our preferred supplier due to customer service awards, greater account accessibility and client budgeting facilities.

- **Legal Role When A Client Dies** - When a client passes away all legal authority to manage that persons financial affairs cease (whether appointee, court of protection deputy or Attorney) It is our policy that we will only release funds to an executor of the

deceased person's estate upon receipt of a **Death Certificate** and a **Grant of Probate Document**.

- **Private Pension Companies/Payments** – As with private banks private pension companies are not legally obliged to recognise the authority of an appointee.

3.THE MONEY CARER FOUNDATION CARERS SHOPPING CARD SYSTEM

As many of our clients are supported by carers who undertake their shopping requirements for them we operate a very popular carers shopping card facility to make the handling of client funds by carers more secure for both service user and carers. Our system is also designed to eliminate or reduce the need for carers to handle cash and is a robust, modern and convenient way of providing carers with service users money needed for everyday shopping tasks. This facility is very popular and the system operates as follows:

- MCF open a managed bank account specifically to be used for a service users carers to access an agreed weekly shopping funds amount.
- MasterCards are issued to named carers in their own name with their own 4 digit PIN number for protection, compliance and security reasons. The cards are not a credit facility and no credit check is required.
- Carers are responsible for the appropriate use of their card and are required to retain copies of shopping purchase receipts in exactly the same way they should already operate when handling service user cash. MCF may request copies of these receipts for reconciliation and auditing purposes.

4. PROCEDURE FOR BECOMING APPOINTEE – THE REFERRAL PROCESS

Although we have a set process for becoming an appointee (detailed below) in the initial client referral stage we are very much reliant on the referring individual/organisation and other people involved in supporting the vulnerable adult to provide us with the necessary information to ensure a smooth transfer of daily money management responsibilities. In short **good communication** between the referring individual and MCF is **absolutely essential!**

With the majority of individuals referred to MCF it is not reasonably possible for us to obtain all of the financial information we need from the client themselves given their likely disabilities or vulnerabilities. As such it is very important for the referring party and ourselves to both **take ownership** of the referral process together as a team in order to avoid any issues in the initial transitional period. It is important for the referring party to understand that the referral process does not end upon submission of a client referral form. Rather it ends when the information needed to properly manage a service users day to day finances have been provided in full. Again, the key theme here is **good communication**.

The technical system that we have in place to become the named appointee is detailed below however it is the **team work** between the referring party and other members of the clients mutual circle of care that make the transitional period smooth and effective.

APPOINTEESHIP SET UP PROCESS & TIMINGS

1. New referral form received from social worker, carer, LA, Solicitor, other
2. New managed bank account set up for client (7 working days)
3. DWP BF56 form completed by MCF with new bank account details
4. MCF receives notification from DWP that Appointeeship is active
(This is usually when MCF receive clients benefits into their new managed bank account circa 5 weeks after BF56 form submitted to DWP)

ESSENTIAL INFORMATION REQUIRED FOR APPOINTEESHIP

- Utility bills (gas, electricity, water, telephone, internet)
- Rent / Mortgage Account Details (Housing Association, Mortgage)
- Care Fees (local authority, care provider, meals on wheels etc.)
- Bank Account Details (if funds are to be paid into existing account)
- Insurances (home contents, life policies, funeral plans etc.)
- DWP Correspondence (DLA, ESA, PIP, Pension Letters etc.)

5. FORWARD PLANNING REQUIREMENT

As mentioned earlier in this document because the client referrals made for the Appointeeship service are for adults that are likely to have a disability or other vulnerability it is vital that an element of forward thinking is adopted from the outset. An example of this could be to put in place a plan so that a referred client has access to sufficient funds in the transitional period of MCF becoming their appointee to avoid a shortage of funds when their benefit payments are transferred to MCF at the start of the Appointeeship. We will of course assist with this process wherever we can. Again, it is all about **good communication** and a common sense approach from all parties involved in supporting the individual.

6. SERVICE COSTS

The fees associated with the MCF office based Daily Money Management Service are as follows:

Community Based Service Users:

- Current Monthly Fee - £65 PCM (from July 25th 2017)
- One Time Appointeeship Set Up - £150
- Managed Bank Account Cost - £45 (Then £35 annually)
- Carers Card Cost (New and Replacement) - £4.95
- Carers Card Transactions – No Charge
- Cash Withdrawals from ATM's - £0.99
- Relinquishment Fee - £100

Nursing Home/Residential Home-Based Service Users:

- Current Monthly Fee - £35 PCM (from July 1st 2018)
- One Time Appointeeship Set Up - £150
- Managed Bank Account Cost - £45 (Then £35 annually)
- Carers Card Cost (New and Replacement) - £4.95
- Carers Card Card Transactions – No Charge
- Cash Withdrawals From ATM's - £0.99p
- Relinquishment Fee - £100

- Please note that we reserve the right to recover any upfront costs incurred by the business when setting up banking facilities for a prospective client and the referral is subsequently cancelled.

MCF reserve the right to charge additional fees for services required to support clients outside of our standard office based daily money management service. The rate that we charge for undertaking required work is £75 per hour. Examples of additional work might include but is not restricted to the following:

- Property visits to search for important documentation such as Deeds or Wills or financial records.
- Property visits to compile inventories, meet locksmiths, estate agents etc
- Attending best interest meetings or other meetings that are held in order to make best interest decisions.

Please note that where it has been agreed that a third party will pay our fees our policy is that the monthly fee will be debited from our clients managed bank account and then replenished when MCF have received the agreed fee payment from the third party. Our payments terms are 14 days from invoice date.

7. CLIENT CONTACT POLICY

We will endeavour to respond to client calls and contact requests within 48 hours. However, unreasonable or excessive contact requests will be managed within the context of our workload accordingly. In some instances it might be appropriate to 'allocate' specific time frames that clients are able to contact their named Account Manager to manage excess requests sensibly.

8. ABUSIVE BEHAVIOUR POLICY

Supporting clients with disabilities and/or challenging behaviour inevitably requires patience and consideration. However, as with any other organisation, we will not accept abusive or disrespectful telephone calls and in such cases will request that telephonic communication is made via support workers if direct communication becomes problematic.

9. DATA PROTECTION AND POLICY REGARDING CLIENT FINANCIAL INFORMATION

It is the policy of MCF not to automatically send financial information to clients directly in order to safeguard the privacy of our clients financial circumstances as vulnerable adults. If financial information is requested by third parties involved in supporting our client then we require a written request confirming why the request is being made and a decision as to whether to make available such information will be made by the named appointee within MCF.

10. FINANCIAL ASSESSMENTS FOR CARE CONTRIBUTIONS

Where financial information is requested for the purpose of financial assessments undertaken by local authorities we will assist with this process in line with our responsibilities

as appointee. As such we will provide copies of the financial information that we hold for our client to the local authority to assist them in completing their assessment forms.

11. CLIENT STATEMENTS

Statement requests made by clients directly will be honoured where possible providing the MCF appointee is satisfied that the provision of such information will not make our client more vulnerable. MCF will charge a fee of **£1.50** for the provision of statements to clients via Royal Mail however statements delivered via email will not incur a fee. Where MCF are requested to provide statements beyond a 6 month period a fee of £10 will be charged to cover the costs incurred for this process and the fee charged to MCF by our banking partners.

12. ADDITIONAL SPENDING MONEY REQUESTS

MCF requires 72 hours' notice for requests for additional monies to be made to service users outside of the regular amounts sent as part of their money management arrangements. We will endeavour to meet such requests within this time frame where possible however we may require written requests to be made with an explanation as to why additional monies are needed

13. PURCHASE REQUEST POLICY

Requests by third parties for the purchase of goods over £300 will need to be made in writing and approved by MCF. Purchases over £500 or for purchases for services such as decorating, building, gardening, maintenance or holiday bookings will need to be made in writing along with the provision of 3 quotes for such purchases or services accordingly. Ultimate discretion for agreement of purchases is with the named MCF appointee.

14. CLIENT VISITING POLICY

Our daily money management service and fee structure relates to our office based operation. We acknowledge home visits are often required in order to obtain important information necessary to fully support the best interests of our clients. As such we work with a national network of independent social workers and professionals who can make visits and complete reports and tasks accordingly. Such visits are chargeable to the client and invoiced to MCF separately.

15. RELINQUISHMENT OF APPOINTEESHIP POLICY

In order for us to meet our responsibilities to the Department for Works and Pensions as Corporate Appointee MCF will need to be satisfied that the individual is able to manage their legal responsibilities as a welfare benefit recipient.

It is important for the referring organisation/individual to acknowledge that assuming the role of an appointee represents a formal undertaking by an individual or organisation. Appointeeships are suitable only for those individuals that demonstrably need ongoing support over a medium or longer period of time. Wherever possible, the suitability of an Appointeeship should be thoroughly discussed with a service user before a referral is made.

Although appointeeship is not covered by the Mental Capacity Act 2005 (see para 8.36) or its governing principles, in the everyday delivery of our appointeeship service we follow its 5 underlying principles whenever practically possible. We also acknowledge and support our clients rights in respect of the United Nations Convention on the Rights of Persons with Disabilities (CRPD).

After a best interest decision has been made and if it has been agreed that an appointeeship relinquishment (or transfer) is appropriate then MCF will request for the DWP to arrange for a Visiting Officer to meet with the client to satisfy their own relinquishment criteria.

We will continue to act in our role as appointee until confirmation of relinquishment has been received from the DWP. In respect of the transfer of an Appointeeship, we will require a copy of a BF57 document from the new appointee confirming that the Appointeeship has been transferred to that organisation or individual in order to release any residual funds held. All costs incurred by MCF will be deducted or billed accordingly.

Please can you provide your name, occupation and date below to acknowledge that you have read this document. Completed and returned referral forms will be accepted as acknowledgement that our Procedures and Policies Document have been read and we are being asked to start the appointeeship process upon receipt. Latest versions of this document available by emailing help@moneycarer.org.uk

NAME: _____

OCCUPATION (if signing on behalf of a person lacking Capacity) _____

DATE: _____

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