



Court Funds Office

Guidance booklet

For those who act on behalf of
Court of Protection clients



Contents

Welcome.....	Page 2
Mental Capacity Act.....	Page 3
The Court Funds Office.....	Page 4
Investments (Securities).....	Page 6
Interest, Statements and Tax Vouchers.....	Page 7
How to lodge money.....	Page 8
How to set up a Regular Payment.....	Page 9
How to withdraw money.....	Page 11
How to notify us of changes/updates.....	Page 13
Closing the account.....	Page 15
Fees payable.....	Page 18
How to contact us.....	Page 19
How to complain.....	Page 21
Contacting the Public Guardian (OPG).....	Page 22
Frequently Asked Questions (FAQs).....	Page 23
Glossary.....	Page 25

Welcome

This booklet has been designed to explain to our users how the Court Funds Office operates.

If you have any special requirements, such as needing information in languages other than English, please call our Customer Services Helpline or write to us and we will do our best to assist you. Our contact details are on page **19** at How to Contact Us.

We are committed to our customers and we are always interested in any comments or suggestions you have about how we can improve our services. Please feel free to write to or call us with your comments or questions.

Mental Capacity Act (MCA)

As a Court appointed Receiver, you are already aware of the approaching implementation of the Mental Capacity Act due to take effect from October 2007.

When the new Act comes into effect, there will be changes to the scope of decision-making on behalf of adults who lack mental capacity – either at certain times in their life or from birth.

At the moment, the jurisdiction of the Court is restricted to the property or money of those who lack capacity. When the MCA is implemented, the Court's jurisdiction will extend to health and welfare-related matters.

The powers of existing Receivers will not change unless the Court issues an amended Order. However, following implementation of the MCA, Receivers will assume the role of Deputies. Those making decisions on behalf of the individual who lacks capacity will now have a legal responsibility to act in that person's best interest.

There will also be administrative changes that affect the working relationships and responsibilities of the Court of Protection, the Public Guardianship Office and the Court Funds Office.

After the MCA is implemented, the Public Guardianship Office (PGO) will cease to exist and a new public official called the Public Guardian will come in to being. The Public Guardian designate is Richard Brook and the Office of the Public Guardian (OPG) will support him in this role.

The OPG will supervise and support Deputies in carrying out their roles; ensuring any Court directions are followed, and that decisions made for the person lacking capacity are in their best interests. The Public Guardian's main function will be a supervisory one. The OPG will no longer be responsible for arranging payments (lodgment) into or payment out of CFO as the PGO does currently.

In the lead up to October, existing Receivers / Deputies will have their current roles and responsibilities reviewed with regard to access to the client's account. Certain Receivers will be empowered to direct lodgments in and payments out of the client's account, through a direct relationship with the CFO.

This booklet is designed to assist with how you, as an empowered Receiver, will be able to direct the CFO in relation to accounts held for Court of Protection clients.

Please keep this booklet in a safe place in case you need to refer to it at a later date.

The Court Funds Office (CFO)

The Court Funds Office provides a banking and investment service for the courts of England and Wales, including the Court of Protection.

We account for money paid into and out of court and, where necessary, look after any investments made with that money.

Our clients are people who have money 'held in court'. These can be:

- people involved in a civil legal action where money is paid to us to hold (this could be a case in a county court in England or Wales or the High Court of Justice); or
- clients who, due to mental incapacity, cannot manage their affairs and property and, as a result, currently use the services of the Public Guardianship Office (formerly the Public Trust Office).

The Civil Procedure Rules and Court Funds Rules regulate our work. We have the authority to accept payments into court under certain circumstances until we are instructed to pay them out.

Payments In

The CFO holds funds on behalf of clients who are incapable of managing their own finances, following directions from a court, such as the Court of Protection.

Until recently, lodgments (payments in) into court for Court of Protection clients would have been directed by the PGO.

With the implementation of the Mental Capacity Act, Receivers will be able to lodge directly into the CFO, provided the lodgment is within the powers given to the Receiver by the Court of Protection.

For information on how to make a payment into Court, please see How to lodge money on page **8**.

Payments Out

Payments out for Court of Protection clients may either be in the form of Regular Payments – where a set sum is transferred automatically to a specific account at regular intervals – or for 'one off' interim payments where monies are paid out as and when requested.

Until recently, payments out of court for Court of Protection clients would have been directed by the PGO on behalf of the Court. With the implementation of the Mental Capacity Act, Receivers will be able to arrange payments, including regular payments, directly with the CFO, provided the payment is within the powers given to the Receiver by the Court of Protection.

We pay out from the account by cheque. In certain circumstances, a BACS payment (direct to a bank account electronically) may be possible. The availability of this depends on the circumstance, amount and reasons that are decided on a case-by-case basis.

For amounts of £500 and over, a cheque is sent straight to a bank or building society (using the details provided).

For amounts under £500, a cheque made payable to the Receiver may be sent direct to the home address provided, if desired.

For information on how to arrange a Regular Payment, please see How to set up a Regular Payment on page **9**.

For information on how to request a 'one off' payment, please see How to withdraw money on page **11**.

Investments (Securities)

Where directed to do so by the Court of Protection (or at the moment, the PGO), funds will be invested on behalf of clients in stocks and shares (also known as securities) depending on the amount of money being paid in and the length of time that we expect to hold it for.

We use private client fund managers (PCFM) to process our investment instructions. Our current private client fund managers are Gerrard and Rensburg Sheppards.

Court of Protection clients have access to a simple and low cost fund known as the Equity Index Tracker. This is only available for certain clients of the DCA. There is a nominal dealing charge.

In most cases, the sale or purchase of an investment held In Court is triggered by the PCFM who manages the assets. The PCFM sends their investment recommendations to the CFO to ensure that the client holds sufficient cash for purchases or is holding the appropriate stocks for sales.

Interest, Statements and Tax Vouchers

In a similar way to a High-Street bank, the CFO pays interest on the accounts it holds. For Court of Protection accounts, it is credited every six months, at the end of May and the end of November.

As the money held is on behalf of a client, the interest added to the account is gross i.e. without taking any tax from it. The rate of interest paid by the CFO is subject to change. For details of the current rates of interest, please contact us. See How to Contact Us on page **19**.

Statements are issued in April and October and show the value of the money in the account, and any transactions that have taken place up to the date the statement was printed. Statements may be requested in writing at anytime outside of these dates. They do not show the value of any equity investments. Statements can only be sent to third parties with prior written authority from the receiver.

The CFO also issues Tax Vouchers, which will show how much interest has been credited to the account during the year. These may be required when preparing a tax return. For Court of Protection accounts where interest has accrued on the account, tax vouchers will be included with the statements issued in May, when accounts close, or when requested by clients.

We can send statements and tax vouchers only if we have the correct name and address details for the Receiver. Please make sure you inform the CFO about any changes to your contact details by writing to us at our details shown at How to Contact Us on page **19**.

How to lodge money

When you are instructed to pay money to the CFO by the Court of Protection, you will need to complete and submit the following to us:

- Form F108 (Lodgment form)
- A copy of the sealed order (you will only have to send this the first time you lodge funds)
- A cheque made payable to the 'Accountant General of the Supreme Court'
- Form CP22 (Authority to access the account)

Please note that we cannot accept post-dated cheques or photocopies or faxes of the Form F108.

To complete the Form F108, you will need to ensure the following are filled in:

- Full name of the Court of Protection client
- The case number (available on the court order)
- The amount to be lodged (available on the court order)
- Your contact details, ensuring you sign and date the Form

Please send the completed Form F108, payment (cheque) and copy of the order directly to:

Court Funds Office
22 Kingsway
London
WC2B 6LE

We will send you a receipt to acknowledge your payment within 5 working days.

We also have a Public Counter at our office and can accept lodgments into Court this way as well. If you would like to use this facility, please see the How to Contact Us section on page **19**. You will need to provide the same documents as you would if making a lodgment via post.

Once we receive a client's funds, we put the money in an account held in the client's name, where it receives a competitive rate of interest.

How to set up a Regular Payment

The Regular Payment facility is useful for recurring payments on behalf of the Court of Protection client to cover such costs as nursing home fees. The payment goes direct to the Receiver account. Any payments out must not exceed (as a total) any annual limit set by the Court of Protection. We will check the account and court order to ensure that this is not the case.

Provided that the regular payment does not exceed that of any annual limit set by the Court of Protection, payments will automatically be made for a fixed amount at a set time. The set time may be monthly, quarterly, half yearly or annually depending on the instructions you give us. The regular payment facility is available for a maximum of 24 months (2 years) at a time.

To arrange this facility, you will need to fill in and submit Form F301R. You must also attach a sealed copy of the order appointing you as receiver if you have not registered this previously. When filling in the Form F301R, you will need to ensure the following are completed:

- Full name of the Court of Protection client
- The case number (available on the court order)
- The annual limit granted by the Court (available on the court order)
- The date your withdrawal limit is renewed (the date of the court order)
- Tick the 'NEW' box to demonstrate this is a new regular payment
- The amount of money to be paid out (in words and figures)
- How often it is to be paid out
- The commencement date
- Amount of time the payment will be made (maximum of 24 months)
- Account details of the Receiver
- Your contact details, ensuring you sign and date the Form

If you are using this facility for the first time, and have not yet provided us with your bank details, you will also need to send in the following:

- The completed Form CP22 (Authority to access the account)
- A letter from the bank or a bank statement no older than 3 months
- A sealed copy of the order appointing you as receiver.

Renewing a Regular Payment

As each regular payment runs for a limit of 24 months (2 years), at the 23rd month, we will write to you to seek your instructions on whether to renew the facility or not.

Each renewal of a regular payment will require a new Form F301R to be completed. Forms will be provided to you with our letter. You should ensure that you tick the 'RENEWAL' box on the Form.

Amending a Regular Payment

If you wish to amend an existing regular payment for any reason such as the amount needed or frequency of payment has changed, you will need to complete a new F301R instructing us to do so, ensuring that you tick the 'AMENDING' box on the Form.

Also see Change of Bank Details on Page 15.

Stopping a Regular Payment

If you wish to stop an existing regular payment for any reason you will need to complete a new F301R instructing us to do so, ensuring that you tick the 'STOP' box on the Form.

Please send the completed form F301R, whether a New, Renewal, Amending or Stop instruction, to:

Court Funds Office
22 Kingsway
London
WC2B 6LE

Please note that we cannot accept photocopies or faxes of the Form F301R.

We will return any payment instruction if there are any difficulties with it, such as incomplete information, lack of date or signature or the documentation received is a photocopy or fax

Please be aware that any instruction for a payment out that exceeds the annual financial limit directed by the Court of Protection, or where there are insufficient funds available on the account, will be returned automatically.

We will explain the reason for the return and state what is needed in order to process it correctly.

We will process the Regular Payment instruction and will send you confirmation that this has been done within 5 working days of receipt of a properly completed instruction.

How to withdraw money

From time to time it may be necessary to request payments to deal with ad hoc costs. For example, holidays or general maintenance fees that are not covered by the Regular Payment facility. The payment goes direct to the Receiver account.

To arrange to withdraw money to cover such payments out, you will need to fill in and submit Form F301P. You must also attach a copy of the order appointing you receiver the first time you wish to access the account. When filling in the Form F301P, you will need to ensure the following are completed:

- Full name of the Court of Protection client
- The case number (available on the court order)
- The annual limit granted by the Court (available on the court order)
- The date your withdrawal limit is renewed (available on the court order)
- The amount of money to be paid out (in words and figures)
- Account details of the Receiver
- Your contact details, ensuring you sign and date the Form

Please send the completed form F301P to:

Court Funds Office
22 Kingsway
London
WC2B 6LE

You must also attach a copy of the order appointing you receiver the first time you wish to access the account. If we do not already hold your account details you will also need to complete and send in the following:

- The completed Form CP22 ((Authority to access the account) See page 16

A letter from the bank or a bank statement no older than 3 months.

Please note that we cannot accept photocopies or faxes of the Form F301P.

Please be aware that any payments out must not exceed (as a total) the annual limit set by the Court of Protection. We will check the account and Court order to ensure that this is not the case.

We will return any payment instruction if there are any difficulties with it, such as incomplete information, lack of date or signature or the documentation received is a photocopy or fax

Please be aware that any instruction for a payment out that exceeds the annual financial limit direct by the Court of Protection or where there are insufficient funds available on the account will be returned automatically.

We will explain the reason for the return and state what is needed in order to process it correctly.

Any payment out will be made via cheque and will be issued within 5 working days of receiving the properly completed instruction.

Third party payments

Occasionally it may be necessary to arrange a direct payment to a third party such as a solicitor to pay fees, rather than make a payment to the Receivers account in the first instance. The Court of Protection will make the direction for such a payment to be made. This facility is not available as an option under the Regular Payment or withdrawal arrangements.

If the Court does make such a direction, you will need to fill in and submit Form F301P with a copy of the sealed court order. When filling in the Form F301P, you will need to ensure the following are completed:

- Full name of the Court of Protection client
- The case number (available on the court order)
- The annual limit granted by the Court (LEAVE BLANK)
- The date your withdrawal limit is renewed (LEAVE BLANK)
- The amount of money to be paid out (in words and figures)
- Account details of the recipient (3rd party)
- Your contact details, ensuring you sign and date the Form

Please send the completed form F301P with a copy of the sealed court order to:

Court Funds Office
22 Kingsway
London
WC2B 6LE

Please note that we cannot accept photocopies or faxes of the Form F301P or Court order.

In some circumstances when the Court of Protection has made a direction to pay to a third party, they will provide the documentation (payment instruction and copy of the sealed court order) directly to us. If this happens, it will not be necessary for you to take any action.

For example, this may happen when you have notified the Court of Protection of a change of Receiver (see How to notify us of changes / Change of Receiver at page 13) and they direct the CFO to make a payment to a third party to cover the period whilst a new Receiver is assigned.

We will return any payment instruction if there are any difficulties with it, such as incomplete information, lack of date or signature or the documentation received is a photocopy or fax. We will explain the reason for the return and state what is needed in order to process it correctly.

Payments to third parties will be made by cheque, within 5 working days of receiving a properly completed instruction.

How to notify us of changes/updates

If there is a change that affects the administration of the Court of Protection client account, you will need to update certain parties as soon as possible.

Whenever you contact any of the associated offices, please ensure that you provide the full name of the Court of Protection client, the case number and / or the CFO account number.

Below are a few examples of what you might need to notify us about with an explanation of how to go about it.

Change of Receiver

If a change of Receiver is needed for any reason, notification must be provided to the CFO, OPG (PGO) and Court of Protection as soon as possible.

It is essential that notification be provided to all three bodies at the same time. This is so that the necessary administrative changes may be made to ensure there is as little disruption to the continued handling of the Court of Protection client account as possible.

In the unfortunate event that the Receiver dies, written notification of their death plus a copy of the Death Certificate should be sent to the Court of Protection, Public Guardian and CFO.

If the circumstances of the Receiver change and they are no longer able to effectively handle the account, written notification should be sent to the Court of Protection, Public Guardian and CFO explaining this.

The contact details for the Court of Protection, Public Guardian and CFO are shown at How to Contact Us and Contacting the Public Guardian at pages **19** and **22** respectively.

Irrespective of the reason for the change of Receiver, once notification is received, the CFO will cease all existing payment arrangements relating to the relevant account and will delete existing address and bank details for the Receiver.

No further action will be taken on the Court of Protection client's account until the appointment of a new Receiver unless the CFO is directed by the Court of Protection to make a payment out to a third party. Please see Third Party Payments at page **12**.

Once a new Receiver is appointed, it is important that the correct documentation is completed, using Form CP22B and provided promptly to CFO to 're-activate' the account.

If you have any concerns regarding the notification of a change of Receiver, please do not hesitate to contact the CFO or PGO/OPG directly for clarification. If the Receiver has been discharged, please see Closing the Account / [Discharge of Receiver](#) for further information at page **15**.

Change of address

If the address details of the Receiver change, please notify us in writing ensuring that you provide the FULL address including the postcode. It will be useful if you also provide confirmation of the previous address so we may ensure we update our records accurately. Please also notify the PGO of any change to address details.

Change of Bank Details

If the Bank details of the Receiver change, you will need to complete Form CP22B and send it to the CFO at the address shown at How to Contact Us on page **19** with an accompanying Bank Statement (dated within the past 3 months) reflecting the new details.

When completing the Form CP22B, you will need to ensure the following are completed:

- Full name of the Court of Protection client
- The case number (available on the court order)
- The 'AMENDING' box is ticked
- The order date (available on the court order)
- Account details of the Receiver
- Your contact details, ensuring you sign and date the Form

Please note that we cannot accept photocopies or faxes of the Form CP22B or of the accompanying Bank Statement. We will return the original Bank Statement when we acknowledge the change of Bank Details within 5 working days of receipt of the notification.

Please note that this list is not exhaustive. If you are unsure of what we need to be notified of, do not hesitate to contact us for advice. You may write in or contact us by telephone at the details shown at How to Contact Us at page **19**.

Death of Court of Protection Client

If the Court of Protection Client dies, please see Closing the Account / What to do if the Court of Protection Client dies for further information at page **15**.

Closing the account

It may be necessary to close the CFO account due to a change in circumstances such as the recovery or death of the Court of Protection client or the discharge of the Receiver.

This section covers how to go about making arrangements to close the account.

Recovery of the Court of Protection client or Discharge of the Receiver

In the event that the client recovers and is able to administer their affairs or the Receiver is discharged and not replaced, the Court of Protection will notify the CFO directly. A sealed copy of the court order will be submitted to the CFO with a direction to pay out all the available funds directly to the client or a specified beneficiary. If the client has recovered, the court order will also state that they have been restored to the management of their affairs. Any investments held on behalf of a Court of Protection client will be sold or transferred as directed.

As the Court of Protection will provide all the relevant Bank Details with their direction(s) there is no need for the client / beneficiary to arrange a separate instruction to the CFO.

Any payments made out will take 5 working days from receipt of the court order. Please be aware that any transactions relating to investments may take longer as instruction will need to be given to Brokers and / or Fund managers to sell or transfer the holdings.

When an account is closed following the recovery of a Court of Protection client, the CFO will contact the client with details of the final payment.

If there are any investments, a letter will be sent to the client once the final settlement is reached detailing the amounts realised on sale, or when transfers of investments are complete.

What to do if the Court of Protection Client dies

In the unfortunate event that the Court of Protection client dies, notification must be provided to the CFO, OPG (PGO) and Court of Protection as soon as possible.

It is essential that notification be provided to all three bodies at the same time so that the necessary administrative changes may be made to ensure minor disruption to the handling of the Court of Protection client affairs.

A Bereavement Pack, which contains information on how to go about 'winding' up the Court of Protection client affairs, will be sent to the Receiver or person dealing with the administration of the estate. This pack includes details of the Forms required by the CFO to close the account.

A request for confirmation as to the monies and / or investments held at the CFO must be made in writing to the CFO directly. Upon receipt, we will provide you with a Certificate of Funds that shows the value of the cash in the CFO at the date of death and details of any other investments. It does not provide a valuation of those investments. This will be needed when dealing with Probate Registry and the Inland Revenue.

Once the Executor or Administrator has been appointed, they will need to instruct the CFO to pay out cash, sell or transfer any investments and close the account. To do this, Forms F209 or F210 are used depending on the value of the Court of Protection client's estate. The relevant Form must be completed and sent to the CFO with an Office Copy of Grant of Probate or Letters of Administration as issued by the Probate Registry, where appropriate.

Please note that for each Form, a Declaration must be made before any person whom an affidavit may be sworn such as a practicing solicitor, Commissioner for Oaths, Notary Public or a Justice of the Peace.

For estates under £5000, you will need to fill in Form F210, ensuring the following are completed:

- Full name of the Court of Protection client
- The case number (available on the court order)
- The CFO Account number (if known)
- The account details to where the payment is to be made
- The Declaration section

We also require a copy of the Death Certificate and, where appropriate, Letters of Consent, dated and signed, from all parties who are equally entitled to receive a share of the estate. The Letter(s) of Consent must also be declared before a practicing solicitor, Commissioner for Oaths, Notary Public or a Justice of the Peace.

For estates over £5000, you will need to fill in Form F209, ensuring the following are completed:

- Full name of the Court of Protection client
- The case number (available on the court order)
- The CFO Account number (if known)
- The details of the Legal Representative(s) including signature(s)
- The account details to where the payment is to be made
- The Declaration section

We will return any payment instruction if there are any difficulties with it, such as incomplete information, lack of date or signature or the documentation received is a photocopy or fax. We will explain the reason for the return and state what is needed in order to process it correctly.

If the Court of Protection client dies, has not left a Will and has no blood relatives, you will need to notify the CFO of their death (and these circumstances). If you have the Death Certificate, please also supply a copy of it.

The CFO will contact the Treasury Solicitor, the Solicitor for the Duchy of Lancaster, or the Solicitor for the Duchy of Cornwall as they hold responsibility for the administration of such estates on behalf of the Crown. The CFO will interact with these organisations to ensure that the Court of Protection client's account is dealt with appropriately and that the funds are managed correctly.

Closing the CFO Account

In the event that you wish to close the CFO account and transfer the funds (and investments held) elsewhere, you will need to send us a Form 301P, requesting that we close the account and pay all capital and interest to you.

Please note that if you are only empowered to receive a certain amount on behalf of the client each year, and closure of the account will exceed this limit, the Court Funds Office will be unable to process the request. You will need to apply to the Court of Protection for a direction to close the account.

Fees Payable

At the moment, Receivers are subject to a range of fees which are payable to the Court of Protection and PGO.

Due to the implementation of the MCA and the associated administrative changes within the PGO / OPG, a set of proposed fees and scales are currently under consultation.

Please note that the CFO does not make any charges in relation to the handling of the account. However, Brokers will levy a commission charge for buying and selling securities.

How to contact us

You may contact the CFO using the details listed below. We have a dedicated Customer Services team who will assist you with any enquiry, concern or suggestion you wish to bring to our attention.

So that we may be able to provide you with an efficient service, it would be helpful that when you contact us, you supply the full account title, case number and/or account number.

You may contact the Customer Services team via post, email, fax or telephone. Please note that we also have a Text phone telephone facility if you require it.

Postal Address:	22 Kingsway London WC2B 6LE
Document Exchange:	DX 149780 Kingsway 5
Email Address:	enquiries@courtfunds.gsi.gov.uk
Customer Services Helpline:	0845 223 8500 (local call rate)
Text Phone:	020 7947 7911
Customer Service Fax:	020 7947 7967
Website	www.courtfunds.gov.uk

There is more information on the CFO and it's history, role and responsibilities on the Internet, which you will find at the Court Funds website address.

Hours of Business

Please note that our Customer Services Helpline team is available 9am to 5pm Monday to Friday, excluding Public Holidays.

Our Public Counter is open 10am to 4.30pm, Monday to Friday, excluding Public Holidays.

Our Targets

At the CFO, we strive to provide an efficient service to our customers. We have targets to which customers may expect us to deliver to them.

When a payment in is made (lodgment), we will send an acknowledgment to the party / parties specified on the Form F108 within 5 working days.

We will act on an instruction to make a payment out within 5 working days.

We will return any instruction if there are any difficulties with it, such as incomplete information, lack of date or signature(s) or the documentation received is a photocopy or fax within 5 working days.

Please be aware that any instruction for a payment out that exceeds the annual financial limit directed by the Court of Protection or where there are insufficient funds available on the account will be returned automatically. We will explain the reason for the return and state what is needed in order to process it correctly.

Please be aware that any transactions relating to investments may take longer due to the involvement of organisations outside of the CFO.

Please note that we will respond to any correspondence within 5 working days of receipt. If we are unable to provide you with a full response within this time, we will contact you to explain that we are conducting further investigations. We will provide a date that we will get back to you in full.

We will endeavour to answer our telephones within 5 rings. However, please be aware that at busy times, we may not always be able to achieve this and we ask for your patience if this occurs.

How to complain

If you have a complaint or a problem that you feel the Customer Services Helpline team cannot deal with, please contact either the Section Manager of the Court of Protection Division at the address above or the Customer Feedback Co-ordinator by post, fax, email or telephone using the following details:

Postal Address: Customer Feedback Co-ordinator
Customer Services
Court Funds Office
22 Kingsway
London
WC2B 6LE

Document Exchange: DX 149780 Kingsway 5

Email Address: complaints@courtfunds.gsi.gov.uk

Direct number: 020 7947 7959

Text Phone: 020 7947 7911

Customer Service Fax: 020 7947 7967

Please include the following details when you contact us.

- Your name and address.
- The case number and/or account number of the matter.
- What you are complaining about. Include as much information as possible about your complaint, for example, events and dates.
- What you would like us to do to put things right.

If you write to us with a complaint or you require a written response to a telephone complaint, you should receive a full response within 5 working days. If this is not possible we will write to you detailing when you should receive our response.

If you are not happy with how we have handled your complaint, you may contact our Head of Business to raise your concern (please see How to Contact Us above). Your complaint will again be fully investigated and you will receive a response within 5 working days. Once again if this is not possible, for example, if legal advice is required, you will be informed when you should receive a full response.

Contacting the Public Guardian (OPG)

If you have a query regarding the Office of the Public Guardian and their services, please contact them directly at the details below. Please note that the Court of Protection is also located at the same address.

Postal Address:	Office of the Public Guardian Archway Tower 2 Junction Road London N19 5SZ
Document Exchange:	DX 141150 Archway 2
Email Address:	custserv@guardianship.gsi.gov.uk
Contact Centre:	0845 330 2915 (local call rate) (9am to 6pm)
Text Phone:	020 7664 7755 (9am to 5pm)
Customer Service Fax:	0870 739 5780 (UK callers) or +44 207 664 7000 (for callers outside UK)
Website:	www.guardianship.gov.uk

FAQs

- **Will a court order be required to make any payment out of the CFO?**
Yes, but once you have registered your empowered order with us you will not have to do so again to withdraw monies, unless the order is amended or a third party order is made.
- **Will I need to provide a new court order each time I wish to renew a regular payment?**
No, as long as the changes to the regular payment do not exceed any payment limit set by the Court.
- **How do I go about closing my account if I wish to move the money from the CFO?**
You can only close the account if you have an extended order, or if doing so is within the limits of your restricted order. If this is the case, please see pages 16-18.
- **Am I allowed to change Banks from the CFO?**
Yes, see the above answer, and pages 16-18 for further details.
- **Do I need a separate form to arrange the settlement of any investments when closing an account?**
No, although you will need to give us clear instructions on what you want us to do with the security holdings.
- **If the money is already in Court and relates to a child, what happens?**
The Court where the damages action is settled should provide the CFO with a direction to transfer the monies to a Court of Protection account.
- **How will any due fees be paid?**
Any fees due to the PGO prior to October will be paid according to current arrangements, e.g. they will either be deducted from the account on request from the PGO or you will be asked by the PGO to pay them direct. After October, the OPG will have no authority to deduct fees from accounts with the CFO. If you need to withdraw funds to pay these fees, the sum withdrawn will form part of your limit if you have a restricted order.
- **Who will make the arrangements to pay these?**
See the above answer.
- **How will I be notified of fees due?**
As per existing arrangements with the PGO.
- **How do I go about checking whether a payment in / out has been made?**
If the payment is not shown in your Receivership bank account, please telephone or e-mail the CFO and we will check our records to ensure the payment has been made.

- **Do the CFO charge fees?**
No, although there are charges made by brokers for sales or purchases of securities.

- **Do the CFO charge any interest penalties if closing the account?**
No. Interest is paid up to the date on which the account is closed.

Glossary

Administrator	A person appointed by Probate, in the absence of a Will, to manage the closure of an individual's financial affairs.
CFO	Court Funds Office
Deputy	A court-approved individual appointed to make decisions on behalf of a person lacking mental capacity, for health, welfare, financial and property matters.
Executor	A person who executes the wishes expressed in a Will.
Investments	Funds invested on behalf of the client in stocks or index tracker funds.
Lodgment	Money paid into the Court Funds Office.
MCA	Mental Capacity Act
OPG	Office of the Public Guardian
PGO	Public Guardianship Office
Receiver	A court-approved individual appointed to make decisions on behalf of a person lacking mental capacity for financial and property matters.