General Visitor for the Court of Protection (CoP) and Office of the Public Guardian (OPG)

CANDIDATE INFORMATION PACK

Reference number: OPGGENERAL15
Closing date for these posts is noon on: Fri, 2\textsuperscript{nd} October 2015

Your application should be submitted to:
opgvisitorsrecruitment@publicguardian.gsi.gov.uk

If you require an alternative formatted version of this application form, please contact:
Visits Team on 01216316916 (or at the following e-mail address:
opgvisitorsrecruitment@publicguardian.gsi.gov.uk) to discuss your requirements

Commissioner for Public Appointments Survey

The Commissioner for Public Appointments would like to find out what you think of the public appointments process. When you have completed the process, the Commissioner would appreciate a few minutes of your time to complete this survey: http://publicappointmentscommissioner.independent.gov.uk/candidate-survey/. Your response will be anonymous and will inform the Commissioner's ongoing work with Government Departments to improve the public appointments process.

Twitter: Follow us to keep up to date with public appointments vacancies
<table>
<thead>
<tr>
<th>Contents</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction – A message from the Public Guardian</td>
<td>3</td>
</tr>
<tr>
<td>Diversity and equality of opportunity</td>
<td>4</td>
</tr>
<tr>
<td>- Flexible working practices</td>
<td></td>
</tr>
<tr>
<td>- Arrangement for candidates with a disability</td>
<td></td>
</tr>
<tr>
<td>- Equal Opportunities Monitoring Form</td>
<td></td>
</tr>
<tr>
<td>Background to the organisation</td>
<td>5</td>
</tr>
<tr>
<td>Role of General Visitor</td>
<td>5</td>
</tr>
<tr>
<td>Person specification and eligibility criteria</td>
<td>5</td>
</tr>
<tr>
<td>Conditions of appointment</td>
<td>7</td>
</tr>
<tr>
<td>Standards in public life, political activity, and conflicts of interests</td>
<td>8</td>
</tr>
<tr>
<td>Indicative timetable and how to apply</td>
<td>8</td>
</tr>
<tr>
<td>How we will handle your application</td>
<td>9</td>
</tr>
<tr>
<td>Complaints Process</td>
<td>10</td>
</tr>
</tbody>
</table>

**Appendix 1**
The seven principles of public life ........................................... 12
Dear Candidate

Thank you for your interest in becoming a General Visitor for the Court of Protection and Office of the Public Guardian.

You may already have some idea about the important work carried out by the Court of Protection and Office of the Public Guardian and the following pages will tell you more about the organisation’s purpose and the nature of the General Visitor role.

I do hope you will consider applying for this important position.

If, after reading the material, you have further questions about any aspect of this post, you are welcome to speak to a member of the visits team (0121 631 6916).

If you have questions about the appointment process, you can contact the Public Appointments Team at: PublicAppointmentsTeam@Justice.gsi.gov.uk or call Visits team 0121 631 6916.

If you believe you have the experience and qualities we are seeking, we very much look forward to hearing from you.

Alan Eccles CBE
Public Guardian & Chief Executive
Diversity and equality of opportunity

Diversity of opportunity is something the Ministry of Justice cares passionately about.

Applications are encouraged from all candidates regardless of ethnicity, religion or belief, gender, sexual orientation, age, disability, gender identity. We particularly welcome applications from women, those with a disability and those from a black or ethnic minority background.

We would also particularly welcome applications from those currently working in, or with experience of, the private sector, and those who have not previously held public appointments. We want to explore the widest possible pool of talent for these important appointments.

Flexible working practices
The OPG recognises flexible working practices. The role of a CoP Visitor is such that you will be able to coordinate your own workload in your own way and time. However, it is expected that Visitors will be able to attend conferences and workshops, mostly held in London and Birmingham at least twice a year.

Arrangements for candidates with a disability

Guaranteed Interview Scheme
The Ministry of Justice operates a Guaranteed Interview Scheme (GIS) for disabled people. The Equality Act 2010 defines a person as disabled if they have a physical or mental impairment and the impairment has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities. Under the GIS, a disabled candidate will be selected for interview if they meet the minimum criteria for the role, decided by the selection panel at sift. To ensure fairness, the panel will not be informed of who has applied under the GIS until they have set the minimum criteria at the start of the sift meeting. If you wish to be considered under the scheme, please complete the Guaranteed Interview Scheme Declaration attached to the application form and return it with your application form.

Adjustments
If you have a disability and require adjustments to help you attend interview then you may wish to contact:

- Visits Team (by e-mail opgvisitorsrecruitment@publicguardian.gsi.gov.uk or on 0121 631 6916) about your requirements at the interview stage should you proceed in the process;

If you require adjustments to help you in the role of a General Visitor then you may wish to contact:

- Visits Team (by e-mail opgvisitorsrecruitment@publicguardian.gsi.gov.uk or on 0121 631 6916) about your requirements to carry out the functions of the post should you be successfully appointed.

Equal Opportunities Monitoring Form
The Equal Opportunities Monitoring Form is for monitoring purposes only. By collecting and analysing the data of those applying and obtaining an appointment, we can improve our diversity strategy. This form is not part of the selection process and will be treated in confidence. It will be kept separate from your application and not be seen by the selection panel.
Background to the Organisation

The Office of the Public Guardian (OPG) is an executive agency, sponsored by the Ministry of Justice. The role of OPG is to protect people in England and Wales who may not have the mental capacity to make certain decisions for themselves, such as about their health and finance.

It supports the Public Guardian in the registration of Enduring Powers of Attorney (EPA) and Lasting Powers of Attorney (LPA), and the supervision of deputies appointed by the Court of Protection.

It works closely with other organisations to ensure that any allegations of abuse are fully investigated and acted on.

Locations

We are seeking applications from candidates based in the following regions (please note, if successful, you will be expected to travel within these areas):

- 3 x North West
  - Lancashire, Cumbria, Preston, Blackpool and Blackburn
  - Manchester, Bolton, Oldham and Wigan
  - Halifax, Huddersfield and Leeds
- 1 x North East & East Midlands
  - Hull, Doncaster and Lincoln
- 2 x East Midlands
  - Lincoln and Peterborough
  - Derby and Leicester
- 2 x West Midlands
  - Coventry, Northampton and Milton Keynes
  - Birmingham, Wolverhampton and Walsall
- 5 x South East
  - Tonbridge, Redhill and Brighton
  - Dorchester, Bournemouth and Southampton
  - Guilford and Portsmouth
  - Luton and Stevenage
- 2 x Greater London
  - Croydon and Bromley
  - Twickenham and Kingston upon Thames

Please note that this role will require you to travel extensively and you may occasionally be asked to travel outside of your area.

Role of General Visitor

You will visit our clients and those acting for them, and report to the Public Guardian or Court of Protection on the client’s needs, wishes and best interests and on how the deputy or attorney is managing their affairs. You will be asked to assess the client’s capacity to make certain decisions and be expected to consult with associated agencies such as Social Services, Residential or Nursing Care Home Managers, providing accurate and concise written reports within a designated time scale and in accordance with agreed targets and standards.

You will be engaged on a self-employed basis and will be responsible for paying your own tax, national insurance and having professional and public liability.
This position may be combined with other work commitments, paid or unpaid.

**General Visitor Job Objectives**

- Organise and manage visits to Clients, court-appointed Deputies and others on behalf of the OPG or Court
- Prepare and submit reports for the Public Guardian and Court of Protection within agreed timescales, ensuring that all relevant issues are addressed and are presented accurately and objectively
- Work closely with staff within Supervision and other teams in the OPG to ensure that the Visits service is efficient and effective. Liaise with other Visitors to co-ordinate work effectively across the regions
- Liaise with Deputies, carers and other agencies and partners, e.g. Local Authority Social Services Departments, Primary Care Trusts, etc to ensure effective provision of the Visitors
- Maintain files, data, spreadsheets and reports, ensuring confidential information is securely held
- Communicate by email, internet, telephone and other means with Deputies, agencies and the OPG, as required
- Maintain and develop your knowledge of the Mental Capacity Act
- Take reasonable care for your own health and safety and for the safety of others in consideration of OPG Health and Safety procedure

**Person specification and eligibility criteria**

**Eligibility criteria**

Candidates for the OPG General Visitor post who are employees of the OPG may apply, but would need to resign their current position if they were appointed.

**Essential**

We are seeking self motivated individuals who are able to demonstrate their professional knowledge, experience or qualifications in social care or health, or areas related to finance or law (e.g. health profession, social work, law, finance, etc) to work as a General Visitor. Please, see application form for further details.

You must have an excellent understanding of the Mental Capacity Act 2005 and be willing to travel extensively within your region.

This is a statutory appointment under Section 61 of the Mental Capacity Act 2005.

**Desirable**

Knowledge of the following would be desirable:

- Best Interest assessments
- The Deprivation of Liberty Safeguards
Conditions of appointment

Remuneration, allowances and abatement

- The role will require a commitment of between 50-150 visits per annum, and be remunerated at a rate of £128 to £184 per visit/report. The appointment will be made by the Lord Chancellor for an initial period of up to 3 years and may be renewable for another term assuming satisfactory appraisal of performance. Total time served in post will not exceed 10 years.
- Remuneration is taxable under Schedule E and subject to Class I National Insurance contributions. It is not pensionable.

Appointment and tenure of office

- General Visitors are appointed by the Lord Chancellor on the recommendation of the Public Guardian.
- It will be important that a General Visitor’s other commitments do not cast any doubt on their ability to act independently and impartially in discharging the role; any potential conflict of interest must be declared.

Performance appraisal

The Visitor will be formally assessed once every three years against their performance for each year of their appointment, which will be carried out by a person of appropriate level within the Ministry of Justice.

Standards in public life, political activity, disqualification from appointment and conflicts of interests

Standards in public life
Candidates must also confirm that they understand the standards of probity required of public appointees outlined in the “Seven Principles of Public Life” drawn up by the Committee on Standards in Public Life (see Appendix 1).

Public bodies are expected to maintain a register of members’ interests to avoid any danger of a member being influenced - or appearing to be influenced – by their private interests in the exercise of their public duties. Candidates invited to interview will be questioned about any real or perceived conflicts of interest. These do not constitute an automatic bar to appointment, but they must be manageable.

Political Activity
Members of the Visitors’ Panel will need to show political impartiality during their time on the Panel and must declare any party political activity they undertake in the period of their appointment.

Due to the nature of the appointment it is not appropriate for members of the Panel to occupy paid party political posts or hold sensitive, senior or prominent positions in any political organisation. Nomination for election to political office, for example the
House of Commons, the Northern Ireland Assembly, Scottish Parliament, the European Parliament, is not considered compatible with membership of Panel.

Subject to the foregoing, members are free to engage in political activities, provided that they are conscious of their general responsibilities and standards for public life and exercise proper discretion.

The Political Activity Declaration will be kept separate from your application and will only be seen by the selection panel prior to interview. However, it is appreciated that such activities may have given you relevant skills, including experience gained from committee work, collective decision making, resolving conflict and public speaking. If, therefore, you have had such experience and you consider it relevant to your application for this post, you should include it separately in the main body of your application.

If you are successfully appointed to the post, details of your response to the Political Activity Declaration will be included in any announcement of your appointment.

**Conflict of Interests**

You will be required to declare any conflict of interest that arises in the course of your appointment and must declare any relevant business interests, positions of authority or other connections with commercial, public or voluntary bodies. Any actual or perceived conflicts of interest will be fully explored by the panel at short listing or interview stage.

More generally, there are five issues most frequently encountered that could lead to real, or apparent, conflicts of interest:

- Financial interests or share ownership –for example, holding shares in a firm that is considering applying or has licensed body status in relation to Alternative Business Structures could be a particular area of concern
- Expertise or activity in particular areas, that whilst not precluding appointment may be perceived by the public as a conflict of interest –for example, it is especially important that associations with legal firms are explored fully
- Membership of some societies or organisations –for example, dealings with the legal and financial sectors will need to be explored fully
- Rewards for past or future contributions or favours
- The activities, associations and employment of relatives or partners.

Further advice about conflicts of interest can be obtained by contacting Visits team 0121 631 6916

**Indicative timetable and how to apply**

**Timetable**

**Vacancy opens:** 7th September 2015  
**Closing date:** noon on 2nd October 2015  
**Outcomes / Interview invites:** 22nd – 27th October 2015  
**Interviews:**

- Birmingham 5th - 6th November 2015  
- Nottingham 10th – 11th November 2015  
- London 16th – 20th November 2015  
- Manchester 24th – 25th November 2015

* Please note that dates / locations are indicative and may be subject to change – date and location of your interview will be confirmed in your outcome letter.
Provisional appointment start date: **January 2016**

**How to apply**

To apply, please complete the application form.

You may also provide a copy of your CV.

Please ensure you include preferred daytime, evening and mobile telephone numbers, as well as a preferred e-mail address, which will be used with discretion.

You should also complete the separate supporting documents including providing any political activity, conflicts of interest, public appointments currently held and the names and contact details of two referees. Please note referees may be contacted if you are shortlisted for interview.

Please note that applications may be passed, in confidence, to the Commissioner for Public Appointments (CPA) and the Commissioner’s auditors for the purposes of complaints investigation and audit (8.2 of the CPA Code of Practice refers).

**Your personal information**

We will process your application in accordance with the Data Protection Act 1998 and the Ministry of Justice’s Information Charter, which can be found at [https://www.gov.uk/government/organisations/ministry-of-justice/about/personal-information-charter](https://www.gov.uk/government/organisations/ministry-of-justice/about/personal-information-charter)

**How we will handle your application**

The selection panel will be formed of three panel members including two members of Office of the Public Guardian and one external member who will provide an independent perspective.

We will deal with your application as quickly as possible (timings below are indicative).

- Once you have submitted your application, its receipt will be acknowledged;
- Your application will be assessed against the essential criteria and experience for the post. It is important that you provide as much detail as possible within the limit constraints of specified word count;
- The sift panel will aim to have decided the candidates who will be invited for interview, taking account of the evidence provided on your application on or around 22nd – 27th October 2015.
- Where a candidate is unable to attend an interview on the set date then an alternative date will only be offered at the discretion of the panel;
- Interviews are currently intended to take place at different locations including London, Birmingham, Nottingham and Manchester. The applicants will be invited to attend interviews based on the location applied for. Please note that travel expenses will not be payable for attending interviews.
- If invited to interview, the panel will explore with you your experience and expertise to find whether you meet the essential criteria. You may be asked to start the interview with a short presentation;
• If, in the view of the panel you have the skills for the post and are appointable, your name will be amongst those recommended to the Public Guardian who will decide on the appointment;

• The Lord Chancellor or another Minister may ask to meet each of the appointable candidates (after interview by the selection panel).

• If you are successful, you will receive a letter formally appointing you as a Court of Protection Visitor;

Security Clearance

For the successful candidate, final confirmation will be subject to basic clearance checks, covering confirmation of identity and right to work in the UK plus a criminal record check. This will involve completion of several paper and electronic forms and can take up to five weeks to process following completion of the forms.

You will be asked to bring relevant evidence for successful completion of Disclosure and Barring Service form on the day of your interview.

Complaints Process

If you feel that you have any complaint about any aspect of the way your application has been handled, please contact opgvisitorsrecruitment@publicguardian.gsi.gov.uk.

If you are not satisfied with the response you received, then in the first instance please write, or e-mail, the Public Appointments Team at the address or e-mail address given below quoting the appropriate reference.

Mike Gibbs
Ministry of Justice
Head of the Public Appointments Team
ALB Governance Division
10th Floor, 10.10
102 Petty France
London, SW1H 9AJ

E-mail address: PublicAppointmentsTeam@justice.gsi.gov.uk

Complaints must be received by the Public Appointments Team within 12 calendar months of the issue or after the recruitment competition has closed, whichever is the later.

Your complaint will be acknowledged within 2 working days of receipt and answered as quickly and clearly as possible; at the most within 20 working days of receipt. If this deadline cannot be met we will inform you why this is the case and when you can expect a reply.

Taking it further

If, after receiving a comprehensive response, you are still concerned, you can write to the address below:

Commissioner for Public Appointments
Room G/8, Ground Floor
1 Horse Guards Road
London, SW1A 2HQ
The Commissioner for Public Appointments regulates and monitors appointments to public bodies to ensure procedures are fair. More information about the role of the Commissioner and his Code of Practice is available from http://publicappointmentscommissioner.independent.gov.uk/

For full details of the complaints process for public appointments please click on the following link which will take you to the Commissioner for Public Appointments website http://publicappointmentscommissioner.independent.gov.uk/contact-us/

Alternatively please contact the Commissioner’s office on 020 7271 0831 for a printed copy.

Alison Wedge
Ministry of Justice
Head of ALB Governance Division
10th Floor, 10.10
102 Petty France
London, SW1H 9A
Appendix 1

The seven principles of public life

All candidates for public appointments are expected to demonstrate a commitment to, and an understanding of, the value and importance of the principles of public service. The seven principles of public life are:

Selflessness
Holders of public office should act solely in terms of the public interest.

Integrity
Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity
Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability
Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness
Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty
Holders of public office should be truthful.

Leadership
Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.