

The Care Act 2014 – Infosheet
**City of York Council – Court of
Protection and Appointee Service**



Court of Protection Deputy

A Deputy is a person or organisation who has been appointed by the Court of Protection (COP) to manage the affairs of someone who lacks the mental capacity to do so themselves.

Although the Deputy is usually a friend or a relative, in some cases the person may not have close family members, or there may not be anyone suitable to undertake this role.

If this is the case, the City of York Council (CYC) can apply to the Court of Protection to become the Deputy, and manage the individual's finances on their behalf. This includes managing their income, payment of bills and care fees, and overseeing any investments or debts.

The Deputy's responsibilities

City of York Council will apply for a Property and Affairs deputyship, which enables us to manage bank accounts, investments, and properties on behalf of the client. This does not allow us to make decisions about care needs or where a person should live. All decisions we make must be in accordance with the [Mental Capacity Act 2005](#).

Appointeeship

City of York Council will apply for appointeeship of state benefits through the DWP, where a customer has no other means of income and does not have savings in a bank account.

Appointeeship only allows the council to receive and manage benefits in that person's best interest.

Charges for providing this service

The council is allowed to charge set fees for administering the property and affairs of clients under the Court of Protection. The council also

charges to cover day-to-day administration charges for the provision of banking services, and the management of appointeeship cases.

Court of Protection Deputyship Fees			
Organisation	Fee Type	Amount	Reduction/exemption available?
HMCTS	Court of Protection Application	£385	Yes – dependant on circumstances
CYC	Appointment of Deputy Fee	£745	No
CYC	First year Annual management fee	£775	Yes – if capital is less than £16,000 (*if below £16, 000 then 3.5% of customer asset value on date of anniversary)
CYC	Second and subsequent year Annual Management fees	£650	Yes – if capital is less than £16,000 (*if below £16, 000 then 3.5% of customer asset value on date of anniversary)
CYC	Annual Report Fee	£216	No
CYC	Property Management Fee	£300	No
CYC	Completion of basic tax return	£70	No
CYC	Completion of complex tax	£140	No

	return		
CYC	Travel Rate for Deputyship Work	£40 per hour fixed to cover all travel costs	No
CYC	Estate Administration Fee	£360.60	Yes – if capital is less than £10,000
OPG	Assessment of Deputy Fee	£100	Yes – dependant on circumstances
OPG	Annual Supervision Fee	£320 / £35	Yes – dependant on circumstances
Administration Fees			
Organisation	Fee Type	Amount	Reduction/exemption available?
CYC	Appointeeship Charge	£5.50 per week	Yes – dependent on circumstances
CYC	Provision of Bank Account	£1 per month	No
CYC	Faster Payment	£1 per transaction	No
CYC	Same Day/Next Day Payment	£0.30 per transaction	No
CYC	CHAPS payment	£16 per transaction	No
PFS	Annual Debit Card Account Fee	£6 per annum	No

	Replacement Card	£4 per card	No
PFS	Debit Card BACS or Standing Order payment	£0.25 per transaction	No
PFS	ATM withdrawal	£0.85 per transaction	No
PFS	ATM Enquiry	£0.30 per enquiry	No
PFS	Direct Debit	£0.50 per transaction	No
PFS	Declined Transaction	£0.08 per transaction	No
PFS	Point of Sale Transaction	£0.10 per sale	No
PFS	Account Loading Fee	£0.10 per load	No