

How can I contact the OPG?

You can contact the office at:

Office of the Public Guardian (Scotland)

Hadrian House
Callendar Business Park
Callendar Road
FALKIRK FK1 1XR

- Telephone: 0845 603 1185
- Email: opg@scotcourts.gov.uk
- www.publicguardian-scotland.gov.uk
- Opening hours: 9am-5pm Monday-Friday

Citizens Advice Bureaux provides free independent advice and information to people in need. You can find addresses of your local Citizens Advice Bureau from your phone book or local library. Or contact Citizens Advice Scotland to locate a bureau in your area: www.cas.org.uk

This leaflet is available in other formats and languages. Please contact OPG if you would like to receive this leaflet in a particular format or language.

The OPG subscribes to Language Line and to the RNID Typetalk service.

Other leaflets available in this series:

[The Adults with Incapacity \(Scotland\) Act 2000 - Financial Provisions](#)

[Access to Funds Scheme](#)

[A Power of Attorney](#)

[Intervention Order](#)

[Guardianship Order](#)

[Investigation](#)



The OPG welcomes any feedback or comment you may have on the content of this leaflet

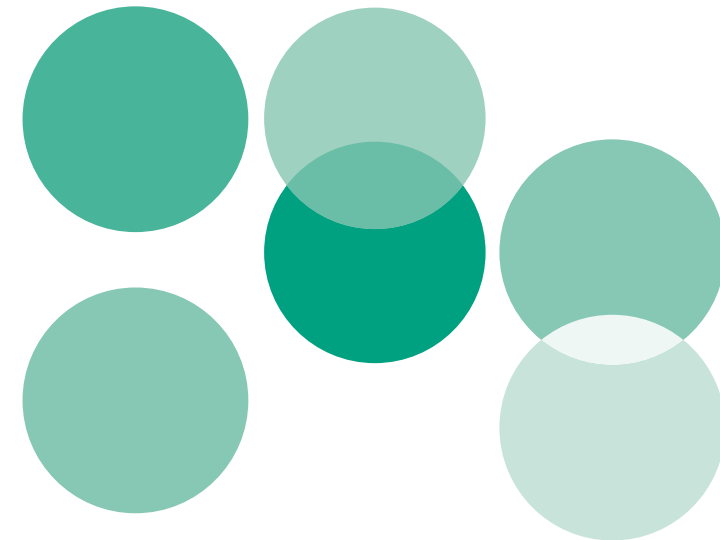
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Issue 4, July 2008



ADULTS WITH INCAPACITY
(SCOTLAND) ACT 2000

What is... The Office of the Public Guardian



OFFICE OF THE PUBLIC GUARDIAN (SCOTLAND)



What is the Office of the Public Guardian?

The Office of the Public Guardian (OPG) came into being when the Adults with Incapacity (Scotland) Act 2000 was passed by the Scottish Parliament.

What does the OPG do?

The Act gives the Public Guardian responsibility to:

- Supervise people appointed in terms of the Act to manage the property and financial affairs of others e.g. Attorneys; Withdrawers under the Access to Funds Scheme; Interveners and Guardians.
- Keep a register of all appointments made under the Act.
- Provide information, advice and guidance.
- Investigate complaints or concerns relating to the management of someone's property or financial affairs.
- Consult with the Mental Welfare Commission and local authorities to safeguard the interests of those who lack capacity to do so for themselves.
- Obtain information from individuals and institutions when carrying out investigations as to how a financial attorney, withdrawer, intervener or guardian has acted.
- Take part in or initiate court proceedings when necessary to safeguard the property or financial affairs of a person who is incapable.

What else does the OPG do?

On application The Public Guardian can grant authority under the Access to Funds Scheme for a person or organisation to access information on the bank accounts belonging to an adult with incapacity. The Public guardian can also grant authority when an application is made to allow someone for a person or organisation to access information on the bank accounts belonging to an adult with incapacity. The Public guardian can also grant authority to manage funds for daily living expenses of an adult who is unable to do that for himself or herself. Further details can be found on the website or from the range of information provided by the OPG.

What does supervision involve?

For financial guardians this could mean providing an Inventory, Management Plan and annual accounts or for a withdrawer a random review of their financial records. Further details can be found on the website or from the range of information provided by the OPG.

What does an investigation involve?

The Public Guardian can investigate a complaint about how someone is carrying out their duties or a general concern that someone's finances may be at risk from misuse. OPG can only look at matters where property or finances are involved. More detailed information is available in this series, from the OPG website or by contacting the Investigation team.

What type of information/advice does the OPG provide?

The OPG provides a wide range of leaflets and booklets free of charge covering Powers of Attorney, Access to Funds, Intervention Orders and Guardianship.

The OPG also provides practical training and guidance to lay and professional guardians, mental health officers, social workers and solicitors.

Where is the OPG located?

Hadrian House, Callendar Business Park , Falkirk.

Does the OPG cover the whole of Scotland?

Yes from Shetland to Dumfries, Stornoway to Eyemouth. We are able to make use of the facilities in the local court buildings or other venues to meet with people where they live.

Is the OPG part of the Scottish Government?

The OPG is part of the Scottish Court Service which is part of the Scottish Government Justice Department.

Does the OPG charge fees for the work they do?

Yes. A note of our current fee levels can either be found on our website or from the office. There is no fee charged for investigations.