**What is a financial intervention order?**

This is an order granted by the Sheriff which provides legal authority to appointed persons, called interveners. The order allows interveners to make specific financial and / or property decisions on behalf of an incapable adult who can’t make these decisions for themself.

An adult is someone aged over 16 years.

A financial intervention order might be needed if there is no other authority in place and decisions need to be taken to safeguard / promote the adult’s interests. The order allows the person authority to carry out one off tasks such as signing legal documents, selling the adult’s house or signing forms agreeing where someone can live.

You need to apply to the sheriff court and the application form must state the powers that you need to help with financial decision making for the adult concerned.

As an intervention order is a legal procedure we strongly recommend that you take legal advice.

|  |  |
| --- | --- |
|  |  |
|  |  |
|  |  |
| **Who can apply to be a financial intervener?** Anyone with an interest in an adult’s affairs can apply to become an intervener. For example this could be the adult’s spouse, partner, relative, friend or someone at the local authority could apply. Sometimes it might be helpful to have more than 1 intervener. However the Sheriff will need to be satisfied that anyone wishing to be an intervener is a suitable person and they have the ability and skills to be a financial intervener. **Duties of the financial intervener** Once appointed, the actions of financial interveners are monitored by the Public Guardian, who is an officer of the Scottish Courts and Tribunals Service. If you are considering applying to become a financial intervener, please familiarise yourself with the key administrative duties that you would be required to do. Financial interveners will be expected to provide a progress report. This is a written update letting us know how you are getting on with the fulfilment of your powers which the Sheriff granted you. We are not looking for a hugely detailed report just enough to satisfy us that you are making progress with the powers you were given.We normally ask for this every 3 to 6 months until the intervention order has been completed. However, in certain circumstances we may agree a different timeframe. We will let you know if this is the case.As all intervention orders differ, we will advise what information is required when we contact you. You should keep hold of all associated documentation such as paperwork and receipts for work you have carried out relating to the intervention order, as we may request to see this information. For further information about the duties of the intervener please refer to our website. |  |

**Further information**

The Scottish Government provides a Code of Practice for interveners and an excellent publication ‘Guardianship and Intervention Orders – making an application A Guide for carers’. This can be downloaded via <http://www.gov.scot/Resource/0044/00441134.pdf> Hard copies may be available on request by telephoning 0131 244 3581. You might find the information on our website a useful place to start. While we are happy to help with general enquiries we are unable to provide legal advice.

**Office of the Public Guardian (Scotland), Hadrian House, Callendar Business Park, Callendar Road, Falkirk FK 1 1XR**

Website: [www.publicguardian-scotland.gov.uk](http://www.publicguardian-scotland.gov.uk) email: opg@scotcourts.gov.uk Tel: 01324 678300