

18 January 2018

Ms A Dunn  
request-453901-  
82fb1039@whatdotheyknow.com

Information Governance Team  
Corporate Services & Digital  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Our ref: ENQ08388-REQ001

Dear Ms Dunn

## **Freedom of Information Request – Lasting Powers of Attorney created by Adult Care/Safeguarding Team**

Thank you for your request for information dated 27 December 2018, in which you asked for the following information:

*How many vulnerable adults have had Power's of Attorney created and registered by men/women working in Adult Care or Safeguarding teams.*

*How do you monitor this very serious application.*

*What steps do you take, if there is an alert made to the registration of Power's of Attorney.*

*Do you call the police and insist on a thorough investigation?*

*Do you place the vulnerable adult in a place of safety following your safeguarding procedures?*

*If the Lasting Power of Attorney is found to be invalid, does safeguarding then come into force?*

Under the Freedom of Information Act 2000 ('the Act') The Council is obliged to:

- Let you know whether we hold the information you have requested
- Provide you with the requested information, if held, (subject to any exemptions under the Act which may apply).

I can confirm that Wiltshire Council holds some of the information you have requested. Some of the information you requested is as follows;

*How many vulnerable adults have had Power's of Attorney created and registered by men/women working in Adult Care or Safeguarding teams.*

This information is not held as the question relates to the role of LPAs undertaken by staff in their private lives, and this is not information that the council records.

*How do you monitor this very serious application.*

This information is not held, please see the response above.

*What steps do you take, if there is an alert made to the registration of Power's of Attorney.*

If the matter relates to a concern about how the power was set up or of a misuse of that power then the case is referred to the Office of The Public Guardian who investigate and have the powers to remove the LPA if appropriate.

*Do you call the police and insist on a thorough investigation?*

If the allegation relates to missuse of funds then the police are informed during the course of a safeguarding investigation. The extent of the investigation is at the discretion of the police.

*Do you place the vulnerable adult in a place of safety following your safeguarding procedures?*

A decision would be made based on the evidence of any risks of remaining at home compared to the risks of moving to another setting.

*If the Lasting Power of Attorney is found to be invalid, does safeguarding then come into force?*

A safeguarding investigation can be commenced If the matter relates to a concern about how the power was set up or of a misuse of that power. The case can be referred to the Office of The Public Guardian, as described in question three.

Information supplied under FOI may be subject to copyright protection under the Copyright, Designs and Patents Act 1988. You can use the information provided in response to your request under the terms of the [Open Government Licence](#).

If you are dissatisfied with the above response you have a right to request a review of your request for information. Details of the complaints and review procedure are appended to this letter.

Yours sincerely

David Sausins  
Information Governance Officer

Direct line: 01249 709558  
Email: [FOI@wiltshire.gov.uk](mailto:FOI@wiltshire.gov.uk)

## **Freedom of Information Complaints & Review Procedure**

Any person who has requested information from Wiltshire Council, which has been dealt with under the Freedom of Information Act is entitled to complain and request an internal review of their request for information if they are dissatisfied with the response they have received.

Requests for review of Freedom of Information requests must be made in writing (includes email) to:

Freedom of Information Lead  
County Hall  
Bythesea Road  
Trowbridge  
Wiltshire  
BA14 8JN

Email [FOI@wiltshire.gov.uk](mailto:FOI@wiltshire.gov.uk)

Please include the reference number, date of your request and details of why the review is being requested. Requests for review should be brought to the attention of the Freedom of Information Lead within 40 calendar days of the response to the original request.

Any request for review will be acknowledged in writing confirming the reasons for the review. The Freedom of Information Lead will allocate the review to someone who is independent of the original decision. The person conducting the review will set a target date for a response with the intention to complete the review within 20 working days. In more complex cases the review may take up to 40 working days.

The reviewer will conduct a full review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account any matters raised by the requestor.

On completion of the review the reviewer will reply to the requestor with the result of the review. If the requestor is still dissatisfied following the review they should contact the Information Commissioner to appeal the decision. The Information Commissioner can be contacted using the following details:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 0303 123 1113 (local rate)  
01625 545 745 (national rate)

Email: [casework@ico.org.uk](mailto:casework@ico.org.uk)