



Information Governance Team

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Dear Sir/Madam

**Freedom of Information Act 2000 (FOIA)
Request ID: FOI792133966**

Thank you for your request for information relating to Deputyship Services and Use of External Solicitors.

You have requested the following information:

I am writing to request information under the Freedom of Information Act 2000 regarding your council's management of deputyship matters for individuals who lack mental capacity. I would be grateful if you could provide the following information:

1. Deputyship Service Structure

1.1. Does the council operate an internal team responsible for managing deputyship matters under the Mental Capacity Act 2005?

No.

1.2. If so, please provide a short description of how the service is structured (e.g., staffing, governance, internal processes).

Not applicable.

2. Use of External Solicitors

2.1. Does the council instruct or refer work to external solicitors, law firms or legal professionals in connection with deputyship-related legal matters (e.g., conveyancing, disputes, statutory wills, litigation)?

If any applications are to be made to the Court to appoint a deputy to manage property and affairs, then legal services will prepare and submit that application.

2.2. If yes, please provide:

- **The names of the firms used;**
- **The types of matters each firm typically handles;**
- **Whether instructions are made under a framework agreement, panel, or on an ad hoc basis.**

Applications to the Court will seek the appointment of a panel deputy to manage property and affairs.

3. Criteria for External Referral

3.1. Does the council have a financial value threshold (e.g., property/asset value) above which legal matters are referred externally rather than handled internally?

3.2. If applicable, please specify the threshold and rationale.

3.3. Are there any non financial criteria (e.g., complexity, conflicts of interest, required specialism) which automatically trigger referral to external solicitors?

4. Internal vs External Case Handling

4.1. What categories of deputyship related legal work are handled internally?

4.2. What categories are always outsourced?

4.3. Please provide any policies, guidance documents, or internal decision making criteria relevant to this process.

In response to Questions 3 and 4, please refer to our response to Question 2.2.

5. Volumes and Spend

For each of the past three financial years (2022/23, 2023/24, and 2024/25 to date):

5.1. How many deputyship matters were referred to external solicitors?

5.2. What was the total spend on external legal services for deputyship matters?

If possible, please break this down by firm and year.

In response to Question 5, we confirm we do not hold this information, and we are informing you as per Section 1(1) of the Act. No applications were dealt with by external solicitors over the past three financial years. Therefore, we do not record this information on our system.

6. Financial or Non Financial Benefits

6.1. Does the council receive any financial consideration, referral fee, commission, rebate, or any other form of payment or benefit (financial or non financial) from any external solicitor or law firm in connection with the referral of deputyship-related work?

6.2. If yes, please provide details of the nature of the arrangement, the firms involved, the amounts or benefits received over the last three financial years, and any relevant agreements or policy documents.

6.3. If no such arrangements exist, please confirm that no financial or non financial benefits are received when referring work externally.

In response to Question 6, please refer to our response to Question 5.

7. Supporting Information

7.1. If available, please provide any public reports, policies, or internal documents outlining your approach to supporting individuals who have lost capacity, including management of property and financial affairs

In response to Question 7, we confirm this information falls under the exemption(s) in Section 21 of the Freedom of Information Act 2000, which relates to 'information reasonably accessible to the applicant by other means.'

The exemption applies as the information is published and publicly available to view by accessing the Council website. Please use the following link:

<https://www.umccoventry.co.uk/>

This is not subject to the public interest test

The supply of information in response to a FOI request does not confer an automatic right to re-use the information. You can use any information supplied for the purposes of private study and non-commercial research without requiring further permission. Similarly, information supplied can also be re-used for the purposes of news reporting. An exception to this is photographs. Please contact us if you wish to use the information for any other purpose.

For information, we publish a variety of information such as: [FOI/EIR Disclosure Log](#), [Publication Scheme](#), [Facts about Coventry](#) and [Open Data](#) that you may find of useful if you are looking for information in the future.

If you are unhappy with the handling of your request, you can ask us to review our response. Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: infogov@coventry.gov.uk

If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email icocasework@ico.org.uk.

Please remember to quote the reference number above in your response.

Yours faithfully

Information Governance