

Frequently Asked Questions



What is a deputy bond and why do I need one?

As an appointed deputy to manage the property and financial affairs of the patient (referred to as P), a deputy is required by the Court of Protection (referred to as the Court) to provide and maintain security by way of a bond. The bond is designed to safeguard the assets of a P and is effectively a promise to pay back a financial loss to that P's estate should a deputy fail to perform their deputyship duties. The order giving the authority to act as a deputy will not be released until the Court and the Office of The Public Guardian are satisfied that appropriate security is in place.

Who are the Office of The Public Guardian?

The Office of the Public Guardian supervises deputies once they are officially appointed by the Court. They are authorised to contact you or visit you to check you are being an effective deputy. They can also give you advice and support during your deputyship and they can be contacted on **0300 456 0300**.

Should there be any change in circumstances, you will need to contact them directly using your Court reference.

Does the bond provide any protection for the deputy?

The security given by the bond is solely for the protection of P, there is no protection for the deputy. Deputies are liable to recompense the insurer (Tokio Marine – HCC) ("HCC") for their loss and costs incurred should the Office of the Public Guardian enforce the bond as directed by the Court. HCC will take such action as appropriate against any deputy in order to recover their loss. If there is more than one deputy appointed, each deputy is liable for the actions of all the other deputies.

Who sets the security value of the deputy bond?

The security value is set by the Court in the Court Order. The amount of security cannot be varied by deputies, the bond provider or the Office of the Public Guardian.

How much does a deputy bond cost?

The bond premiums have been agreed in advance with the Court.

A total of 5 annual premiums will be required for the duration of your deputyship. The plan and premiums may change should the security value be amended by the Court during the deputyship. All premiums payable can be recovered from the P's estate.

Full details of our premiums are included on Bond Premium Facts.

Can I choose the security value of the deputy bond?

The security value amount is set by the Court and you will receive confirmation of this amount directly from them. You will be required to select the correct level of security required by the Court. Should you select an alternative amount from the amount required, the Court will not accept the bond and they will instruct us to cancel the bond. This may cause further delays in your appointment.

If you believe the security amount requires amendment you must contact the Court directly on **0300 456 4600**.

How can I purchase a deputy bond?

We offer three ways to apply for your bond:

1. Online – The fastest, easiest way to obtain your bond is simply to go to www.howdendeputybonds.co.uk. The website is available 24 hours a day, 7 days a week and it only takes a few minutes to complete the application. After the secure online payment has been processed, the bond along with supporting documentation will be emailed to all deputies within 2 hours.

2. Telephone Application – We are now able to process applications by telephone by calling customer services on **0121 516 7690**. Our office hours are 9am to 5pm Monday to Friday. This can take up to 15 minutes to process and the bond will be issued immediately once the premium payment has been confirmed.

3. Request a form – Call our customer services on **0121 516 7690** for an application pack. Once the completed application and cheque has been received, the bond will be issued when the payment has been cleared by our bank. This may take between 5–7 days on receipt of the cheque. Please note that all deputies will be required to sign and date the application form.

Do I need to notify the Court that a bond is in place?

Once you have purchased your bond, we guarantee that we will inform the Court and the Office of the Public Guardian within 2 working days that your bond has been issued. This will enable the Court to confirm your appointment as deputy(ies). If this is a transfer of an existing bond, we will notify the Court and Office of the Public Guardian of the new bond and that it is a transfer of an existing bond. They will then instruct your previous bond provider to cancel that bond.

Can I transfer my existing bond to you?

Yes, if you have an existing bond that is due for its anniversary within the next 30 days, you can use our online portal to transfer the existing bond to us, or complete an application by telephone or request a form. You will be required to provide the existing bond insurer name, reference number and anniversary/payment date. We will notify the Court and Office of the Public Guardian of the new bond and that it is a transfer of an existing bond to ourselves. They will then instruct your previous bond provider to cancel that bond.

How long does the deputy bond last?

Under Court orders, the bond must remain in force at the correct level of security for all deputies for the duration of the deputyship. You will be required to ensure that all premiums are paid in accordance with the bond terms and conditions.

What do I do if another person has been appointed as deputy and needs to be added to the bond?

You will be required to provide us with a copy of the latest order issued by the Court appointing the new deputy by either email or post along with the additional deputy contact details.

The new deputy will be subject to a 'General Financial Soundness'* check which is required by the Court for all deputies. Our Customer Services team will endeavour to contact the additional deputy within 2 working days by email or telephone to seek authorisation to undertake this search.

**General Financial Soundness Check:*

The general financial soundness check consists of a search of public data records for all deputies in respect of County Court judgments, bankruptcy, debt relief orders or whether any individual voluntary arrangements have been entered into. Howden Insurance Brokers Limited will undertake the search using the services of TransUnion and in doing so a record of the search being made will be recorded against your public data credit file. This will not affect your credit history.

For further information on how TransUnion use and share personal data please visit: <https://www.transunion.co.uk/legal-information/bureau-privacy-notice>

Howden Insurance Brokers Limited may share results of the search with the Court of Protection, Office of the Public Guardian and the scheme insurer (HCC) who may each retain the information.

Why have I been referred during a general financial soundness check?

There are a number of reasons why your application may have been referred, including situations where we were unable to adequately identify one or more of the deputies.

Your application will be reviewed by our Customer Services team and we will endeavour to contact you within 2 working days by either email or telephone.

Can I cancel the bond?

Only the Court has the authority to cancel the bond by way of order. Should the bond be cancelled by the Court, there is no refund of premium in the event of early termination or replacement of the bond as the insurance company (HCC) may still be at risk for any potential claims.

When will Howden contact me about my future anniversary payments?

As long as the bond remains in force, we will contact deputy 1 (primary point of contact and correspondence) 21 days prior to the anniversary of the date you were appointed by the Court, not the date you purchased the bond, to confirm premium due.

Please ensure that our email address **customerservices@howdendeputybonds.co.uk** will not be blocked by any spam or firewall filters you may have in operation.

Should your contact details change, please contact our customer helpline as soon as convenient and we will amend our records accordingly.

What happens if the Court increases/reduces the level of security?

The amount of security is set by the Court in the Court Order and only the Court has the right to increase or decrease the security amount. The bond will be automatically amended by the Court if a Court Order is issued changing the security amount. You will receive notification of any security change by letter directly from the Court and any amended bond document from us. Any increase in security will incur an additional premium payable from either the next anniversary date for bonds payable over 5 years or immediately for single payment bonds with the exception of £21,000 bonds for 'life'. Full details are included in our **Bond Premium Facts**.

What happens when I have a £21,000 bond for Life and the Court has ordered an increase or a reduction in in the level of security?

You will be required to purchase a new bond at the revised security value required by the Court.

When you have arranged your new bond, your £21,000 bond for Life will be released from its liabilities.

Please note there is no refund of premium in the event of early termination or replacement of the bond.

What happens if I made a mistake on the bond amount?

If you made a mistake on the bond amount ordered by the Court the estate will be liable for any increase in premium during the policy year. Setting an incorrect bond value may delay your confirmation as a deputy by the Court, we recommend contacting our customer service team to arrange payment of any additional premiums.

What happens if P dies? Do I get a refund?

Should the patient (P) sadly pass away, you must at first contact the Office of the Public Guardian directly quoting your Court reference. To avoid any unnecessary correspondence being sent to you, we would ask that you provide us with a copy of a death certificate by either email to:

customerservices@howdendeputybonds.co.uk

or by post. Please quote your bond reference number and the Court reference on all correspondence. We will then forward this document by secure email to the Office of the Public Guardian for their records and keep a copy stored securely on our records. We will also arrange with the Office of the Public Guardian to discharge your Bond in line with the events and timescales shown under section 2 of the Bond.

There is no refund of premium in the event of early termination of the bond as the insurance company (HCC) may still be at risk of any potential claims. However there are no further premium payments due. Please note that if there are any overdue anniversary premiums that have not been paid, you will be required to settle these immediately from P's estate.

What happens if a deputy dies?

Should we receive notification that a deputy has sadly passed away, the Office of the Public Guardian must be advised directly using the Court reference. To avoid any unnecessary correspondence being sent to the deceased deputy, we would ask that a copy of a death certificate be sent to us by either email at **customerservices@howdendeputybonds.co.uk** or by post*. Please quote the bond reference number and the Court reference on all correspondence. We will then forward this document by secure email to the Office of the Public Guardian for their records and a keep a copy stored securely on our records.

We will also arrange with the Office of the Public Guardian to discharge the Bond in line with the events and timescales shown under section 2 on the Bond. If the deputyship is 'joint' or 'joint and several', we will arrange for a replacement bond to be issued. If the original bond was issued for more than one deputy, the death of one deputy incurs no extra charge and the new bond will be issued in the name(s) of the remaining deputy(ies).

Please note that if there are any overdue anniversary premiums that have not been paid, arrangements will need to be made to settle these immediately from P's estate.

I have been discharged as a deputy – what happens now?

If you have been discharged as a deputy, please provide us with a copy of the Order issued by the Court. We then arrange to discharge the Bond in line with the events and timescales shown under section 2 on the Bond.

If the deputyship is 'joint' or 'joint and several', we will arrange for a replacement bond to be issued. We will arrange to contact the remaining deputy(ies) by email or telephone. If the original bond was issued for more than one deputy, the discharge of one deputy incurs no extra charge and the new bond will be issued in the name(s) of the remaining deputy(ies).

Please note that if there are any overdue anniversary premiums that have not been paid, arrangements will need to be made to settle these immediately from P's estate.

I no longer wish to be a deputy? What do I do?

If you decide that you no longer wish to act as a deputy, you will be required to contact the Office of the Public Guardian direct and make an application to facilitate your discharge. Under the deputyship order the bond must remain in force until you have been officially discharged by the Court by way of order.

Please note that if there are any overdue anniversary premiums that have not been paid, arrangements will need to be made to settle these immediately from P's estate.

Change in circumstances

Should your circumstances change, you will be required to notify the Office of the Public Guardian, and to do so you will need to contact them directly quoting your Court reference. To keep our records updated, we would be grateful if you could notify our customer services immediately in connection with any of the following:

- Death of Patient – no further premiums are charged.
- Death of Deputy
 - Single Deputy – no further premium is charged – but the Court will require a new bond to be taken out by the new Deputy on appointment – this will incur a new premium charge
 - Two or more Deputies – a new bond is issued but at no cost
- Change of any Deputy Name(s)
- Change of any Deputy Address(es)
- Change of any Deputy Telephone Number(s)
- Change of any Deputy Email address(es)

I have purchased a bond but have not received my Court Orders?

You will need to contact the Court directly on **0300 456 4600**. Please ensure you have your Court reference available.

What is Howden Complaints Procedure?

Howden Insurance Brokers Limited strives to do everything to ensure our clients receive the best possible service. If you are not satisfied with the level of service provided by us, we will endeavour to resolve this as soon as possible. For full details and guidance, please see the enclosed **Complaints Procedure** document.

General Financial Soundness Check – TransUnion

The general financial soundness check consists of a search of public data records for all deputies in respect of County Court judgements, bankruptcy, debt relief orders or individual voluntary arrangements having been entered into. Howden Insurance Brokers Limited will undertake the search using the services of TransUnion and in doing so a record of the search being made will be recorded against your public data credit file. This will not affect your credit history. Howden Insurance Brokers Limited may share results of the search with the Court of Protection, Office of the Public Guardian and the scheme provider who may each retain the information.

For further information on how TransUnion use and share personal data please visit: <https://www.transunion.co.uk/legal-information/bureau-privacy-notice>

Exchange of Information

There are requirements to exchange information with the provider (Us/HCC), the Court and the Office of the Public Guardian.

I need help and need to contact Howden Deputy Bonds Team?

We are here to help – you can call our customer helpline on **0121 516 7690** or email us on **customerservices@howdendeputybonds.co.uk**. Our office hours are 9am to 5pm Monday to Friday.

*Postal address:

Howden Deputy Bonds Team
7th Floor
Tricom House
51-53 Hagley Road
Birmingham
B16 8TP