

Challenges
of Managing
Lifetime Budgets

—

A Financial
Deputy's
Perspective

PDF | **THE PROFESSIONAL
DEPUTIES FORUM**

What is a financial Deputy?

- A person appointed by the Court of Protection to make property and affairs decisions on behalf of someone else who lacks the mental capacity to make those decisions themselves.
- Can be lay or professional.
- A Deputy must act in the best interests of the individual (P) (section 1 Mental Capacity Act 2005).
- 2 types of Deputy:
 - Property and affairs,
 - Personal welfare
- A Deputy can only act within the authority granted by the Court – standard Orders usually contain restrictions (gifting and property transactions).

What does a financial Deputy do?

- Subject to the Court Order appointing them and subject to P's capacity to make any decisions themselves, decisions could include:
 - Receiving income and managing expenditure,
 - Claiming and receiving benefits,
 - Managing investments,
 - Managing financial liabilities,
 - Buying, selling, adapting and renting property,
 - Managing business interests,
 - Contracting as agent for P – construction, services etc
 - Employing care and support teams
 - Insuring and maintaining property,
 - Managing bank accounts,
 - Making gifts,
 - Meeting P's tax obligations
 - Buying and insuring vehicles and equipment

Post-Settlement Budgets

“Upon the making of a final award of damages in the personal injury claim being pursued on behalf of P, the deputy shall apply on form COP9 for directions for the management of P’s estate and a review of the security and shall file with the application a witness statement in COP24 setting out (i) the amount of the award and how it is structured (ii) how P’s capital is to be used, identifying the nature and cost of assets to be acquired over the next 3 years (iii) an estimated annual income and expenditure budget for the next 3 years”.

Settlement
v
Reality

Example 1:

- Settlement November 2024
- Accident age 7 years, now age 21 years
- Life expectancy – reduction 5.5 years
- Lump sum (£8.4m) and PPO (£250,000 pa)
- Care and case management:
 - Claimant's evidence - £343,333 pa
 - Defendant's evidence - £204,560 pa
 - Settlement (PPO)- £250,000 pa
 - Actual - £262,000 pa = compromised package / family care
- Accommodation:
 - Settlement - £1.9m including lifetime running costs (utilities, maintenance, insurance etc)
 - Actual - £2m purchase and adaptations
 - Plus utilities, council tax, insurance etc – approx £20,000 pa
- Annual expenditure approx £440,000 > Shortfall £190,000 pa approx
- Reverse indemnity

Settlement
v
Reality

Example 2:

- Settlement 2014
- Birth injury
- Current age 21 years
- Lump sum and PPO
 - 2015 > 2017 = £123,123 pa
 - 2018 > 2022 = £131,000 pa
 - 2023 onwards = £221,500
 - December 2025 = £353,305
- Actual cost of care and case management = £376,000 pa
- Total annual expenditure = £450,000 pa
- Shortfall = approx £100,000 pa
- Maximum investment drawdown = £80,000 pa
- Options:
 - Reduce expenditure
 - Benefits / statutory funding

Settlement
v
Reality

Example 3:

- Settlement 2019 - birth injury
- Current age 13 years / life expectancy age 40 years
- Lump sum (£4.8m) and PPO
 - 2020 to 2023 = £135,000 pa
 - 2024 to 2030 = £143,000 pa
 - 2031 onwards = £196,194 pa
 - PPO December 2025 = £244,320 pa
- Actual cost of care and case management = £147,000 pa – heavy reliance on gratuitous care
- Total annual expenditure = £285,000 pa
- Shortfall = approx £90,000 pa
- Maximum investment drawdown = £60,000 pa
- Rental income to make up shortfall
- Challenges > capital expenditure on property (considering sale of part to parents)

The challenge
of managing
budgets.

- Compensation awards reflect a snapshot in time – rarely provides a financial cushion for challenging times.
- Life is not linear – it is dynamic, complex and unpredictable.
- Reduced options to manage budget challenges:
 - Turning down heating,
 - Using washing machine less,
 - Smaller property,
 - Cheaper insurance,
 - Downsize car,
 - Cheaper holidays.
- Lack of voluntary employment options > increased costs.

Recruitment + Care Costs – the Challenge

- Community Integrated Care (health and social care charity)
 - Unfair to Care 2026 report
 - 28.6% pay gap between social care workers and NHS counterparts
 - Total reward gap (inc pension etc) 43.3%
 - Low pay fuels high turnover
 - Overall vacancy rate – 7% (2.6% average UK rate)
 - Care providers report 9% increase in operating costs

- British Association of Brain Injury and Complex Case Management – BABICM
 - Perfect Storm Survey 2022
 - Recruitment and retention crisis:
 - Low pay / Increased pay in other sectors
 - Poor working conditions / unsociable hours
 - Low status of employment
 - BREXIT / COVID

Recruitment + Care Costs – the Challenge

- COVID – impact on social care:
 - Unable to work,
 - Work outside of social care,
 - Many not returned.
- Recruitment / retention crisis drives increased wages > continuity of care essential.
- Competing with employers outside of social care who offer employment benefit packages > unusual in social care settings.
- Care costs increasing faster than headline inflation rates (CPI v ASHE 6135) > challenges for lump sum settlements.
- Dedicated support team roles – enhancing team stability, retention etc. Additional upfront cost.

Cost Effective Directly Employed Care

Dedicated Team Support Roles in Directly Employed Complex Care Packages

Author: Luis Williamson | Founder | Williamson

Introduction

Support Workers in directly employed complex care packages navigate complex needs, sensitive family dynamics and the challenges of working without on-site management. When issues are left unaddressed, the impact is felt by the client, their family and the entire package.

Dedicated team support roles, including Case Manager Assistants, Enhanced Team Leaders and Support Worker Managers, provide consistent first-line oversight, allowing Case Managers to maintain their clinical and statutory focus.

Aims and Objectives

- Evaluate dedicated team support roles as a best practice model for enhancing team stability, retention and continuity of care in directly employed teams
- Explore the benefits, challenges and complexities of these roles in practice
- Identify considerations for best practice when introducing and sustaining dedicated team support roles

Method

An electronic structured survey and short interviews were conducted with case managers across the UK. All responses were anonymised to encourage open and honest feedback and to protect the identity of respondents and their organisations.

The role in practice

- Provides structured supervision for Support Workers
- Manages induction, performance reviews and disciplinary matters
- Offers crisis intervention and practical support during significant events
- Supports communication between the team, the client and their family
- Acts as the first point of contact for the team, reducing escalations to the Case Manager

Results

100%

reported reduced Case Manager operational time

83%

reported improved team stability

~5,4 hrs

average hours saved per week for Case Managers

100%

reported cost savings on the package

Benefits of dedicated team support roles

Improved retention	<div style="width: 67%;"></div>	67%
Improved Continuity of Care	<div style="width: 67%;"></div>	67%
Clearer communication	<div style="width: 67%;"></div>	67%
Improved team morale	<div style="width: 17%;"></div>	17%

Discussion

All packages in this study have had the role in place for **more than 4 years**, suggesting its value is recognised and sustained over time. Findings indicate dedicated team support roles make a meaningful difference to directly employed ABI care packages. All respondents reported improved team stability and a significant reduction in Case Manager operational time, averaging approximately five hours per week. Two thirds reported improved continuity of care and cost savings.

Considerations for implementation

Whilst **50%** of respondents reported no significant difficulties with the role, some highlighted the importance of clarity and structure when introducing these roles.

Key considerations for successful implementation:

- 1 Clearly define roles and responsibilities from the outset
- 2 The Case Manager should maintain oversight. The role supports but does not replace their function
- 3 Ensure team-wide understanding of the role's function
- 4 Provide structured support including training, supervision and reviews
- 5 Carefully select the right, competent candidate

Conclusion

Dedicated team support roles, implemented thoughtfully alongside existing case management structures, reflect best practice in complex, care environments. Whether delivered through a Case Manager Assistant, Enhanced Team Leader or Support Worker Manager, the common thread is the value of consistent, accessible first-line support for directly employed teams. By strengthening day-to-day team support and addressing concerns early, these roles improve continuity of care, improve team stability and enhance the overall effectiveness of the package



Williamson

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It isn't just
care.....

- Wheelchair accessible vehicles:
 - Settlement 2016 - £46,000
 - Updated for inflation – approx. £62,000
 - Actual cost fully adapted WAV – approx £100,000

- Utilities – ONS data – electricity increased by over 50% in last decade.

- Building costs – increase of 15 to 20% in last 5 years.

- Food prices – increase of 25% in last 5 years.

- Rent – increase over 100% in last 10 years.

Bridging the Gap

- Maximise income:
 - Investment risk - OPG Professional Deputy Standards – *“Deputies must try to get the best return possible on savings with the least amount of risk”*
 - *Direct Payments – statutory funding for care:*
 - *Judicial review*
 - *Lumb v NHS Humber and North Yorkshire ICB & Anor EWCOP 57*
- Reduce expenditure:
 - Greater reliance on family care
 - Reduction of private therapy provision
 - Reduced access to specialist equipment > impacts independence
 - Reduced quality of life.
- Teamwork is essential.

Thank you

Stacey Bryant

Professional Deputies Forum – Chair / Director

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