

Who checks what I am doing?

We will ask to see statements of the designated account which you opened. You will need to keep records of how you use the adult's funds. It is important to do so because we may ask you, at any time, to send us a copy of your records to make sure the money was spent in the way that was agreed in your application.

We suggest that you set up a folder to keep all of the information about your authority to access funds e.g. receipts and bank statements from the designated account.

How long will I be appointed for?

The authority is given for up to 3 years initially.

Where can I get more information?

Our staff will be happy to answer any queries about completing your application and what happens afterwards. Your local Citizens Advice Bureau or solicitor may be able to help.

Our office is open to the public. If you wish to visit the office it is advisable to make an appointment to be sure of seeing a relevant member of staff.

More detailed information is available on our website or you can phone us if you prefer.

Office of the Public Guardian (Scotland)
Hadrian House
Callendar Business Park
Callendar Road
FALKIRK, FK1 1XR

- Telephone: 01324 678300
- Email: opg@scotcourts.gov.uk
- www.publicguardian-scotland.gov.uk
- Opening hours: 9am-5pm Monday-Friday

The Office of the Public Guardian is part of the Scottish Courts and Tribunals Service

Other leaflets available in this series:

Power of Attorney



Intervention Order



Guardianship Order

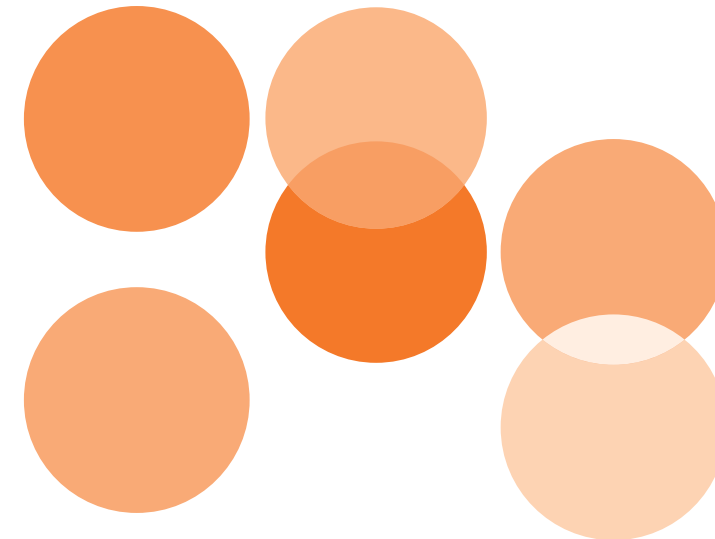


Our leaflets may be available in different formats or languages. We subscribe to Language Line and to the Text Relay service.

We welcome any feedback or comment you may have on the content of our leaflets. You can get in touch with us or fill in the feedback form on the website.

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What is the access to funds scheme?



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Office of the
Public Guardian (Scotland)



What is the access to funds (ATF) scheme?

It is an arrangement that can allow access to an agreed amount of funds belonging to an incapable adult to pay for their day-to-day living expenses and any debts due.

What does incapable mean?

Someone's capacity could be impaired gradually or suddenly as a result of an accident or illness. A registered and licensed medical doctor will be able to say whether or not that person is incapable.

What would ATF be used for?

To pay gas, electricity bills, care home fees etc., or buy things such as clothes, toiletries, food or anything that the adult was in the habit of buying or paying for on a regular basis. It can also be used to request a lump sum to pay off any existing debts or to purchase specific items required by the adult.

How can I access the adult's funds?

The adult must have a bank/building society or other account in their sole name. You can make an application to us using form ATF2 to tell us where the funds are held, the amount you need access to and what the funds will be used to pay for. You can also use the form to request authority to open an account for the adult.

What if I don't have information about the adult's bank account or finances?

You can apply to us using form ATF1 for authority to request account information from banks/building societies. Various items of information about accounts can be requested, e.g. where the account is held; the account details; the balance of funds in the account; and any other information needed to allow you to decide if the ATF scheme is suitable.

I am a Department of Works and Pensions (DWP) appointee, can I apply?

If there is a DWP appointment in place to manage the adult's benefits and this is sufficient to meet their day-to-day living expenses, there is no need to apply for ATF. However, if the adult has income from another source, e.g. private/occupational pension or has savings in excess of the lower savings limit or a lump sum is required for a specific purpose, e.g. accrued debts etc., an application could be made.

Who can apply?

Individuals or organisations can apply. Organisations wishing to apply will have to be approved by us.

How many people can apply?

More than 1 person can apply. Or you can add others at a future date on application to us.

What if the adult has more than 1 account in their sole name?

You can apply to transfer funds between certain accounts by using form ATF2.

How do I apply?

Application form ATF2 must be completed and countersigned by an appropriate person and sent to us along with a specific medical certificate completed by a doctor.

How much does it cost?

We charge a registration fee. You can find out more about our current fees on our website or phone us. There may be other fees due if supplementary applications are made at a later date. The doctor may also charge a fee for the medical certificate. We provide guidance and assistance free of charge. If you employ a solicitor to do this, their professional fees will apply.

Can I be reimbursed for these costs?

These costs can be met from the adult's funds provided they are shown in the ATF2 form. However, restrictions apply to the level of professional fees payable.

How long does it take to be given authority?

The process will take a minimum of 25 days to grant and issue a certificate of authority.

How does it work?

When you receive the certificate of authority you will need to take it to a bank or building society to open an account so the funds requested in the ATF2 form can be transferred into it. This account is called the designated account and must be opened in your name on behalf of the adult.

After the designated account is opened you should contact the adult's bank or building society and inform them of your appointment. They will need to see your certificate to find out how much money is to be transferred from the adult's account to the designated account and how often.

Can I access all the money in the bank account?

No. You are not given direct access to the adult's account. You can only use the money transferred to the designated account for the purposes you told us about in the ATF2 form.