

Our Reference: 2878

25/02/2026

Freedom of Information Act 2000 Enquiry: Management of deputyship matters for individuals who lack mental capacity

Thank you for contacting West Yorkshire Combined Authority ('the Combined Authority') with your request for information, which was received on 28/01/2026.

Your request was:

"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?

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

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)?

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.*

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.

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.

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.

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.

I would prefer to receive the information electronically, by email. If any part of this request is unclear or would exceed the cost limit, please let me know and I will be happy to refine or narrow the scope."

This request was handled under the Freedom of Information Act 2000, and I can confirm that the Combined Authority does not hold the information covered by your request.

Our role as a Mayoral Combined Authority is to act as strategic regional leader that coordinates services and manages the "wider determinants" of health (like transport and housing), such as setting regional health targets and coordinating large-scale integration of health and social care.

The Combined Authority's devolved powers do not extend to managing frontline services and therefore we are not required to, nor do we carry out, any management of deputyship matters for individuals who lack mental capacity.



**West
Yorkshire
Combined
Authority**

**Tracy
Brabin
Mayor of
West Yorkshire**

If you believe that your request for information has not been handled properly, you can ask for an internal review of our decision. Internal review requests should be submitted within two months of the date of receipt of this letter.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

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

Telephone: 0303 123 1113

Website: www.ico.gov.uk

For your information, there is no charge for making an appeal.

Yours sincerely,

Information Governance Officer

freedom.info@westyorks-ca.gov.uk