

Scottish Courts and Tribunals Service



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Dear Mr Ross

SCOTTISH PARLIAMENTARY QUESTIONS: S6W-42596, S6W-42597, S6W-42599, S6W-42600, S6W-42601, S6W-42602

The Cabinet Secretary, in her response to the above PQs, indicated that they related to operational matters within the responsibility of the Scottish Courts and Tribunals Service corporate body. I am now writing in response to the matters raised.

S6W-42596 *To ask the Scottish Government what the current (a) average and (b) longest waiting time is for registration of power of attorney applications by the Office of the Public Guardian (Scotland).*

The current average waiting time for the registration of a power of attorney (PoA) by the Office of the Public Guardian (OPG) is 255 calendar days. As at 12 January 2026, the longest waiting time for the registration of PoA applications by OPG is 417 calendar days, representing those received circa 22 November 2024.

S6W-42597 *To ask the Scottish Government what assessment it has made of the reasons for any recent increase in waiting times for power of attorney registrations.*

The reason for the increase in waiting times for PoA registrations relates to the substantial rise in the number of new PoAs submitted annually for registration, and the associated amendments to existing PoAs. During 2024-25 OPG received 95,000 PoAs for registration; the forecast for this current year indicates that 105,000 PoAs will be submitted, representing a 44% increase since 2021-22.

In addition to this, OPG's legacy case management system, which has now been operational for 26 years, has had a negative impact on processing times due both to slow processing speeds and to the instability of the system. This is being addressed via the implementation and on-going enhancement of a new system.

S6W-42599 *To ask the Scottish Government what the current staffing complement is in the Office of the Public Guardian, and what its position is on whether this is sufficient to meet demand for power of attorney registrations.*

The current staff complement within OPG is as follows:

Staff numbers (permanent headcount): 123
Permanent FTE: 99.12

In addition to the above, a further 8 temporary staff are in post to assist with PoA recovery efforts, and throughout January 2026 an additional 10 temporary staff will be recruited.

The increased business volumes and demand for registration of new power of attorney and amendments to existing PoAs has highlighted that the 2025-26 OPG headcount was no longer sufficient to cope with demand, given this additional temporary staff have been added which SCTS hope to make permanent in the 2026-27 financial year, dependent on the budget settlement.

SCTS continues to liaise with Scottish Government officials to ensure that resource levels are sufficient to meet the needs of the organisation and its customers, in the light of the business volumes received.

S6W-42600 *To ask the Scottish Government what performance measures it uses to monitor the timeliness of power of attorney registrations, and how often the Office of the Public Guardian (Scotland) reports progress to ministers.*

The target processing time for registering a PoA is within 30 business days of receipt. Compliance against this target is reported monthly to the SCTS Executive Team and quarterly thereupon to the SCTS Board. The target processing time for expedited/urgent PoAs is five business days.

S6W-42601 *To ask the Scottish Government how many power of attorney applications have been expedited in each of the last three years, and what the average turnaround time was.*

The following numbers of PoAs were expedited in the last three financial years:

Period	Expedited	Average (business days)
2023-24	9,981	4.16
2024-25	10,100	5.98
2025-26 (to date)	7,116	4.62

S6W-42602 *To ask the Scottish Government when it anticipates that waiting times for power of attorney registrations will return to pre-backlog levels.*

Within the 2025-26 budget, the Scottish Government has provided renew, recover and transform funding to SCTS, which includes funding to provide additional temporary staff to assist in OPG's recovery efforts to reduce the backlog. In addition, substantive staff are also working overtime to aid recovery efforts where possible.

SCTS is also currently investing in the development of a new case management system for all of OPG's functions. The roll-out of the first phase of the new system, which deals with the processing of PoAs commenced during 2025 and continues to be enhanced.

When this system reaches maximum efficiency, PoAs will be processed and the caseloads maintained more quickly and efficiently, thus providing a more responsive service to our customers and one which will keep up with future demands in this area.

In terms of timescales, until we have completed the next stage of improvements to the case management system and measured their impact; and put in place the revised processes and structures based on a new Target Operating Model (which is currently being developed). At present, there is insufficient data to give a reasonable prediction of how quickly we can reduce the backlog and start to meet targets.

A copy of this letter will be placed in the Scottish Parliament Information Centre and published on the Scottish Courts and Tribunals Service website.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Malcolm Graham', with a horizontal line underneath.

Malcolm Graham
Chief Executive