

Key Issues in Financial Safeguarding of Vulnerable Adults

The Advocacy and Financial Abuse
Project

Debbie Dixon

Delivery Manager

Action for Advocacy

Financial Abuse – a definition

Financial Abuse is defined by AEA as: “stealing from, defrauding someone of, or coercing someone to part with, goods and /or property.”

The Cost of Living: ‘growing up is free, growing old is expensive’

www.elderabuse.org.uk

CPA describes Financial Abuse as ranging from: “failure to access benefits, through inadvertent mismanagement and opportunistic exploitation to deliberate and targeted abuse.”

CPA briefings: The financial abuse of older people (2008)

www.cpa.org.uk

Definitions continued

“includes theft, fraud, exploitation and pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions and benefits.”

No Secrets (2000, Dept of Health)

Financial Abuse – what can it look like?

- **Theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions**
- **Misuse or misappropriation of property, possessions or benefits**

Possible Indicators

- **Sudden inability to pay bills**
- **Unexplained withdrawal of money from accounts**
- **Contrast between known income and standard of living**
- **Loss of personal possessions without reasonable explanation**
- **Someone has taken responsibility to pay bills but is clearly not paying them**

Financial Abuse – some facts

- A major prevalence study carried out by Kings College and the National Centre for Social Research 2007, found 0.66% of UK older people, aged 66 and over living at home reported experiencing financial abuse by a close friend, relative or care worker in the past year. (This study excluded older people with severe dementia, those living in residential care and cases of abuse by a stranger.)
- The same study estimated that over 100,000 UK older people (1.2%) had experienced financial abuse, by a close friend or relative, since the age of 65
- In the UK, studies generally show that around 20% of abuse is financial but some studies have found financial abuse in over 80% of cases.
- Indications are that 60-80% of financial abuse takes place in the home and 15-20% in residential care.

- Over 50% of financial abuse is by a grown-up son or daughter and nearly 70% by a family member.
- The risk of financial abuse is greater for those living alone, in receipt of services, in bad or very bad health, and those who are divorced, separated or lonely.
- Financial abuse both at home and in residential care, is tied up with societal attitudes to inheritance.
- Very little is currently known about the financial abuse of older people in black and minority ethnic communities in the United Kingdom and further research is required.
- Any prevalence estimates of financial abuse are likely to be underestimates through under-reporting.

CPA briefings – The Financial Abuse of Older People (August 2008)

Some of the key issues are as follows:

- **Legislation, Guidance & Policy –**

- No Secrets (2000) / No Secrets Review
- MCA (2005) - LPA's , Court of Protection, Office of the Public Guardian
- Fraud Act (2006), Safeguarding Vulnerable Groups Act (2006)
- ADASS Safeguarding Adults (2005)
- Independent Safeguarding Authority – Vetting & Barring Scheme - now reduced
- Care Quality Commission
- Pan – London SVA Policy
- **Personalisation**

However , we have no definition of adult abuse in law & no equal status within law with child protection - will the Law Commission Review change this?

- **Regulatory & inspection systems** could provide greater & improved protection
- **Attitudes** towards older people & other potentially vulnerable adults
- **Lack of support/ inconsistent support** including:
access to **advocacy, information & appropriate independent support**

The Advocacy & Financial Abuse Project – A4A & AEA

- 3 year project funded by the DoH
- Began in July 2010

Aims:

- To explore the role independent advocacy plays in empowering vulnerable adults & those who are experiencing or at risk of financial abuse
- Focus mainly on older people but includes 'vulnerable adults'

- Develop a best practice model drawing on current practice in the advocacy sector and other relevant safeguarding agencies
- Commissioning guidance for commissioners of advocacy services
- A service specification for a 'model' advocacy service / advocacy toolkit

- **What is the current picture in the advocacy sector?**
- *Survey of advocacy services*
- **How does this fit in with the wider picture within the safeguarding sector – OPG, ACPO, ADASS, British Banking Association etc?**
- *Survey of current practice within the safeguarding sector & how they see advocacy fitting with this*

Findings so far

- There is definite interest within the sector on this issue
- Some advocates are not aware of their receiving any referrals relating to financial abuse and therefore assume it is not happening in their area.
- An picture emerging of a difference in knowledge and awareness on the part of individual advocates and organisations relating to this matter.
- Some advocacy services ensure their advocates access local authority safeguarding vulnerable adults training, are signed up to the local safeguarding policies and procedures, have good links to their local safeguarding teams and clearly defined and understood policies relating to this. There is clearly some very good practice and quality of advocacy work occurring.
- Some advocates say they lack confidence in recognising the signs of abuse and would not be clear about what to do if they did suspect abuse of any kind.
- Advocacy outside of the IMCA role can be 'unplanned' in as much as the original advocacy referral does not reflect a specific issue around financial abuse but these issues later emerge as the advocate begins to work with their advocacy partner.
- Some referrals to some advocacy services are specifically about financial abuse. However, if an advocacy service advertises itself as offering particular support around safeguarding, financial management support or any support related to finances, they do get a number of specific financial safeguarding referrals.
- Including IMCA's within the work and anecdotal evidence suggests that much of the safeguarding work they are involved in is around financial safeguarding issues.

Continued

- There is a clear picture emerging so far of huge differences in opinion and practice when it comes to alerting and breaching confidentiality. (This will be one of the major challenges of the project when it comes to addressing good practice.)

- Advocacy work in this area outside of the IMCA role can be 'unplanned' in as much as the original advocacy referral does not reflect a specific issue around financial abuse or any other safeguarding issue but these issues later emerge as the advocate begins to work with their advocacy partner.

- Some referrals to some advocacy services are specifically about financial abuse but are infrequent. However, what appears to be the case is that if an advocacy service advertises itself as offering particular support around safeguarding, financial management support or any support related to finances, they do get a number of specific financial safeguarding referrals.
- We have included Independent Mental Capacity Advocates within the work and anecdotal evidence suggests that much of the safeguarding work they are involved in is around financial safeguarding issues.

In depth work with 8 pilot sites

- The nature of the advocacy work involved – what actually happens when advocacy is involved?
- The links advocacy services have developed with other local safeguarding agencies and stakeholders
- The involvement of the advocacy service in the financial safeguarding process
- The challenges, difficulties and successes involved in advocating in financial safeguarding cases
- The types of financial safeguarding issues advocacy organisations work with
- Policies and procedures developed by the advocacy organisation to encompass this work.
- The type and scope of any support and training in safeguarding adults that advocates receive.

- Examples of good practice in partnership working with other agencies
- Examples of good practice in advocacy around financial safeguarding work
- Areas identified by the advocacy service / advocates for further development
- What do commissioners need to know about how advocacy can support people subject to financial abuse?
- What would the 'ideal' advocacy input be into financial safeguarding – what would this service look like / what would advocates ideally like to be able to achieve for their client / partner?
- Any client / partner feedback on the experience of having advocacy support in this situation. (subject to confidentiality and consent)

Drawing on previous / current work & research

Literature review and learning from other projects:

- Help the Aged – The Financial Abuse of Older People, a review from the literature
- OPAAL Benchmarking – Speaking Up to Safeguard
- AEA / A4A Elder Abuse Toolkit
- Brunel University – Detecting and Preventing Financial Abuse Project
- Ann Craft Trust / BILD – training pack
- Age Cymru - Elder Abuse Project

For more information:

Debbie Dixon

020 7921 4395