

## Abuse

Abuse or neglect can take many forms. Always consider the circumstances of the individual case. Abuse may be:

- a single act or repeated acts
- an act of neglect or a failure to act
- multiple acts; for example, an adult at risk may be neglected and also be financially abused.

Abuse is about the misuse of power and control that one person has over another. Where there is dependency, there is a possibility of abuse or neglect unless adequate safeguards are put in place.

Intent is not an issue at the point of deciding whether an act or a failure to act is abuse; it is the impact of the act on the person and the harm or risk of harm to that person. Abuse can take place in settings such as the person's own home, day or residential centres, supported housing, educational establishments, or in nursing homes, clinics or hospitals.

A number of abusive acts are serious crimes and the police must be informed.

The Care Act Guidance 2014 gives an illustrative list of the sort of behaviour which could give rise to a safeguarding concern: it is not intended to be an exhaustive list.

- Physical abuse – including assault, hitting, slapping, pushing, misuse of medication, restraint or inappropriate physical sanctions.
- Domestic abuse and domestic violence – including psychological, physical, sexual, financial, emotional abuse; so called 'honour'-based violence.
- Sexual abuse – including rape, indecent exposure, sexual harassment, inappropriate looking or touching, sexual teasing or innuendo, sexual photography, subjection to pornography or witnessing sexual acts, indecent exposure and sexual assault or sexual acts to which the adult has not consented or was pressured into consenting.
- Psychological abuse – including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, cyber bullying, isolation or unreasonable and unjustified withdrawal of services or supportive networks.
- Financial or material abuse – including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- Modern slavery – encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

- Discriminatory abuse – including forms of harassment, slurs or similar treatment; because of race, gender and gender identity, age, disability, sexual orientation or religion.
- Organisational abuse – including neglect and poor care practice within an institution or specific care setting such as a hospital or care home, or in relation to care provided in the person’s own home. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.
- Neglect and acts of omission – including ignoring medical, emotional or physical care needs, failure to provide access to appropriate health, care and support or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- Self-neglect – this covers a wide range of behaviour such as neglecting to care for one’s personal hygiene, health or surroundings, and including behaviour such as hoarding. Note that self-neglect may not prompt a Section 42 enquiry.

### Financial abuse

Financial abuse is the main form of abuse recorded by the Office of the Public Guardian both amongst adults and children at risk.

*“Financial or material abuse includes theft, fraud, internet scamming, coercion in relation to an adult’s financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits”<sup>1</sup>.*

So financial abuse can be:

- theft or taking someone else’s money or property
- forging a signature
- misappropriation of money or property
- the misuse of assets or power of attorney
- using deception to get a person to sign a deed, will or power of attorney
- using a person’s property without their permission
- putting pressure on a person to accept lower cost (possibly lower quality services) in order to preserve finances to be passed to a beneficiary in the event of the adult’s death
- overcharging for work carried out
- scams including mass marketing fraud, internet (‘romance’) scams, advanced fee fraud
- telemarketing scams, high pressure sales, deception and exaggerated claims
- rogue traders.

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<sup>1</sup> Care Act Guidance, Chapter 14 (2014), which also gives examples

Internet scams, postal scams and doorstep crime are, more often than not, targeted at adults at risk and all are forms of financial abuse. These scans and crimes can seriously affect the health, including mental health, of an adult at risk.

Financial abuse can occur in isolation, but as research has shown, where there are other forms of abuse, there is very often likely to be financial abuse occurring.

Indicators of financial abuse include:

- an adult lacking the basics (appropriate clothing, food, money for utilities)
- an adult being in debt or being unable to pay bills (including own contribution)
- false signatures on documents
- sudden or unexplained changes in account balances
- bank statements no longer being delivered to the home
- bank statements or other documents now bearing the name of another person
- large withdrawals
- disparity between levels of income and standard of living
- an unusual interest in people's money (from new friends, distant relatives)
- recent changes in asset ownership or management
- significant decisions being made when capacity is lacking or fluctuating
- new friends being involved in finances
- the disappearance of items such as jewellery
- family members or friends who live with the adult but who do not contribute to the household finances
- unfinished or substandard work that has been charged or part charged for.

This is not an exhaustive list, nor does the presence of such an indicator prove that there is actual financial abuse occurring. However, they do indicate that it is worth checking further.

Financial abuse varies greatly in severity, sophistication, impact and regularity. All financial abuse involving those with care and support needs should be raised as a safeguarding concern. Follow the procedures described in the rest of these Safeguarding Procedures.

***Practitioner:***

- Where the abuse is perpetrated by someone who has the authority to manage an adult's money, inform the relevant body – for example, the Office of the Public Guardian for deputies or attorneys and Department for Work and Pensions (DWP) in relation to appointees.
- Report rogue traders or scams to the Trading Standards team for more details.
- Consider involving the police.
- If there are concerns of financial abuse being carried out by a regulated service, report the provider to the Care Quality Commission and to the Croydon Contract Monitoring Team.

- If there are any concerns of financial abuse being carried out by health staff, report them to the hospital or health service management as well as the Croydon Clinical Commissioning Group safeguarding nurse lead and CCG commissioner (of the service concerned).

In terms of prevention, take the following precautions:

- **Assessment:** Cover the management of the adult's finances in any assessment of need or subsequent review. During the assessment process, establish who is involved in the adult's finances, how will they be managed and what the arrangements will look like logistically. Establish the adult's contribution via a financial assessment so that the adult and their representatives know what they are liable for. It is vital that this process is as efficient and transparent as possible.

Establish whether someone has a power of attorney (lasting or enduring) and request a copy of this documentation. Also ask if it is registered and whether is it for health and welfare or property/assets.

- **Money management:** Ensuring that adults have access to sound financial advice and the ability to put such advice into practice is key. Such advice may be available within the adult's network such as from family. However, it may be more objective and reliable to get such advice from a bank, lawyer or third sector organisation, such as Citizens Advice or Age UK financial advocate. This has proved helpful in reducing the amount of cash that adults are required to keep in their possession (such as setting up direct debits or making internet banking available to people).
- **Social networks and resilience building:** Recent research conducted by Croydon Council and the University of Bournemouth found that social isolation and bereavement were key factors for adults who were being financially abused. As such the provision of meaningful social activities is likely to reduce the interaction due to people not feeling isolated and being able to share concerns with others who can assist. Use creativity to develop options for leisure, employment and education, particularly for those who may not favour traditional day centres or lunch clubs.