

Safeguarding Adults at Risk

Financial Abuse Toolkit

Document Review History

Version	Reviewed	Reviewer
Original		
2	August 2021	Internal Audit
3	October 2022	Internal Audit

Table of Contents

The Purpose of a Financial Abuse Toolkit.....	3
What is Financial Abuse?	3
Types of Financial Abuse.....	4
Domestic Financial Abuse	4
Commercial Financial Abuse.....	4
Financial Abuse within the Direct Payments System	6
Recognising Someone at Risk of Financial Abuse	7
The Perpetrators of Financial Abuse.....	8
Recognising Someone Experiencing Abuse.....	9
Reporting Process if Financial Abuse is Suspected	10
Appendices.....	11

Constructive feedback is welcome. Please email comments marked 'financial abuse toolkit feedback' to : internal.audit@kent.gov.uk

The Purpose of a Financial Abuse Toolkit

The toolkit aims to provide practitioners and those working and supporting adults in Social Care and Health with the information they need to recognise, and report suspected cases of financial abuse. It will do this by:

- Highlighting how effective partnership working between departments, such as Adult Social Care and Health, Internal Audit & Counter Fraud, Trading Standards, Client Financial Services & Safeguarding as well as external partners e.g. Kent Police, Care Quality Commission and NHS Counter Fraud Service may create better outcomes for adults and offer more robust investigatory actions.
- Providing case examples that demonstrate how financial abuse safeguarding enquiries (Section 42 of the Care Act 2014) can be conducted effectively.
- Providing information on additional resources for further reading and sharing with persons and partner agencies.

What is Financial Abuse?

Definition

“financial or material abuse, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits”

The Care Act 2014 s. 42(3)

“financial abuse” includes—

- (a) having money or other property stolen,
- (b) being defrauded,
- (c) being put under pressure in relation to money or other property, and
- (d) having money or other property misused.

Types of Financial Abuse

Domestic Financial Abuse

The most common type of financial abuse is committed by people known to the victim such as; partners, family members, friends, or carers. This is committed by people who are trusted. Financial abuse committed by family members is a form of domestic abuse. This may include:

50% of financial abuse is perpetrated by adult children (Age UK)

- Taking money out of a person's account or cash from their wallet/purse without their permission.
- Taking out credit in a person's name without their knowledge or permission such as a credit card or bank loan.
- Cashing a person's cheques or money without their consent.
- A person being stopped from accessing their own finances and bank accounts.
- A person using a bank or credit card without the permission of the card holder to purchase items for their own financial gain.
- Taking possessions or property from the person's home without their consent.

The literature suggests that if perpetrators are heirs, they may feel that they are simply securing assets, to prevent their inheritance being spent on fees for care services (Dessin, 2000)

- A person requesting for benefits to be paid into their account and failing to provide the victim with their benefits.
- Romance fraud, a person who meets an individual online who grooms the person into making payments.

Commercial Financial Abuse

The second type of financial abuse is referred to as a commercial, as it is committed by those who are categorised or purporting to be a commercial entity. Commercial Financial Abuse may include:

- A Trader stating work needs to be done on a property due to it being in "disrepair" or "unsafe". This includes, driveways, tarmacking, gardening, guttering, roofing, tree cutting, etc.
- A person purporting to be a trader, grooming and befriending persons to extort money and assets from them.

- Phone call purporting to be from the bank or police asking the victim to withdraw their savings from the account and meet a courier for collection. Referred to as courier fraud.
- Impersonating of officials such as TV licencing demanding for payment of services, this could be over the phone, online or in person.
- Postal, telephone and internet scams where the person has fallen victim to the fraudster claiming to be an investment company and the person is groomed into giving them money.
- Personal allowance for a person in a care home being absorbed into a care home or household budget or misappropriated by care staff.
- Being deliberately overcharged for goods or services in care or being asked to part with money under false pretences.
- Care provider/ day service intentionally charging a person for support although it is not delivered at the amount agreed in Care and Support Plan i.e. 1:1 support delivered and not 2:1.
- Unlicensed money lending (loan sharks) i.e. being offered a loan on very bad terms (<https://www.stoploansharks.co.uk/>)

Across Kent victims of romance fraud reported losses of £1.8 million between August 2019 and August 2020. (Police, n.d.)

60–80% of financial abuse takes place in the home and 15–20% in residential care. (Help the Aged, 2008)

- Staff or volunteers borrowing money or accepting gifts or money from clients.
- Professionals misusing a person's assets. e.g. Carers using an adults Blue Badge or their mobility car without them present for their own personal gain.

KCC Trading Standards have produced a short hard-hitting film based on real-life stories of vulnerable adults in Kent. The aim is to raise awareness of financial abuse and help you to Spot the Signs. Follow the link to watch the video [Spot the signs of financial abuse](#).

Financial Abuse within the Direct Payments System

The direct payment system is at risk of being a target by fraudsters. This puts those in receipt of a direct payment at a higher risk of becoming a victim of financial abuse. Furthermore, the victims care and support could suffer as a direct result and put the adult at further risk. There are a number of different scenarios that can occur between the person, third party and KCC. It is important for staff to recognise the scenarios so that they can be reported effectively.

<p>The person and/or their third party exaggerating the persons' needs to increase their entitlement.</p>	<ul style="list-style-type: none"> • Possible financial abuse of person if representative is using the money for their own personal gain. • Fraud committed against KCC.
---	--

<p>The person and/or the third party not declaring all their assets or capital to reduce their client contribution.</p>	<ul style="list-style-type: none"> • Possible financial abuse of person if third party is using the money for their own personal gain. • Possible fraud committed against KCC.
---	--

<p>The person and/or third party using the direct payment for items not covered in the care and support plan.</p>	<ul style="list-style-type: none"> • Possible financial abuse of person if representative is using the money to buy items for their own personal gain. • Safeguarding concern if the care and support is not being delivered. • Fraud committed against KCC.
---	---

<p>The person or third party not declaring a change in the person's financial circumstances which would affect their client contribution</p>	<ul style="list-style-type: none"> • Possible financial abuse, if the third party has not informed the person or has transferred the asset into their own name. • Fraud committed against KCC.
--	--

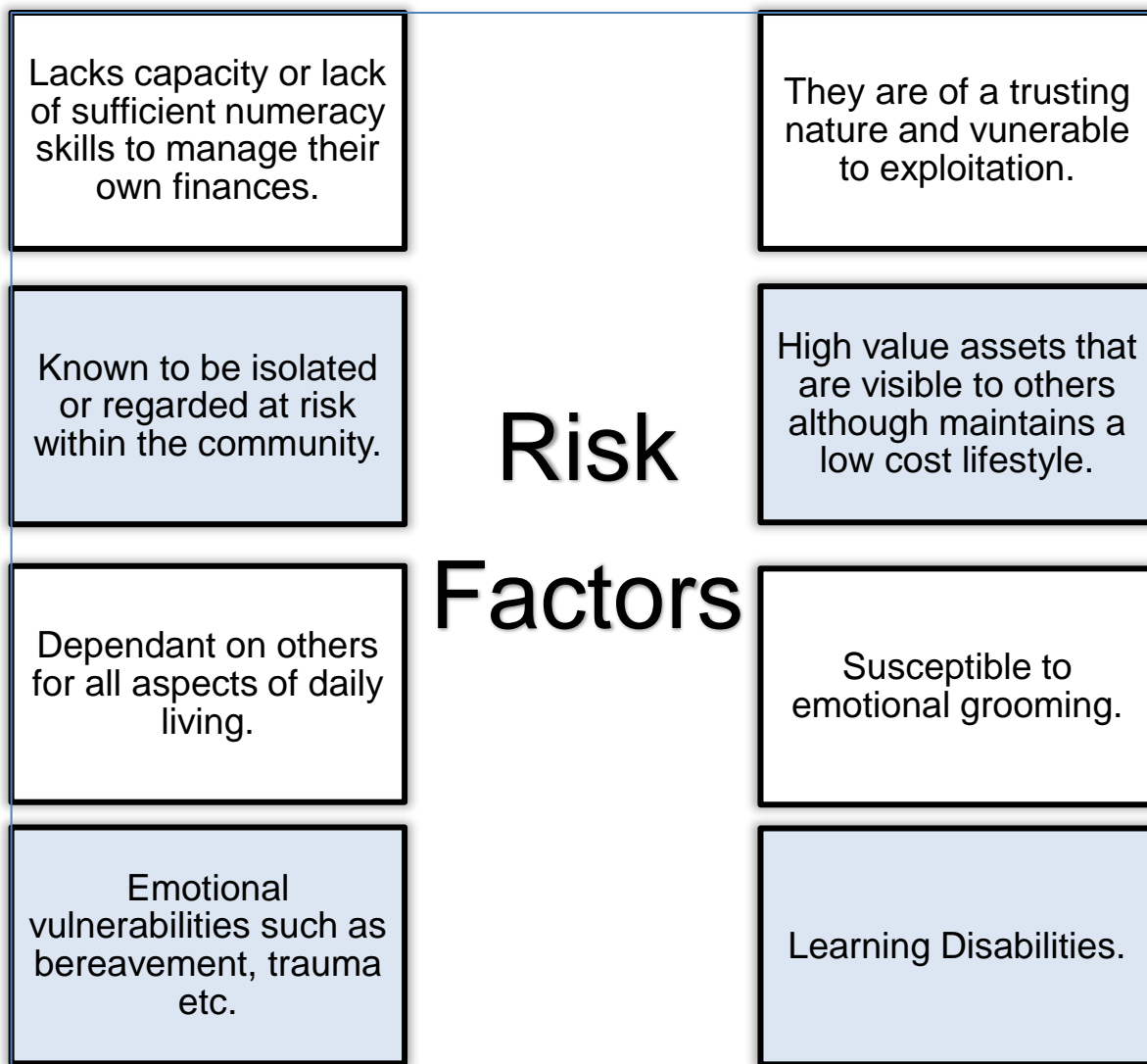
<p>A Care Provider (or Personal Assistant) charging for care which has not been delivered</p>	<ul style="list-style-type: none"> • Financial abuse of person. • Safeguarding concern as correct level of care and support not being delivered. • Fraud committed against KCC.
---	--

<p>Third party who has control of the direct payment not using the payment for care and support, using it for their own financial gain</p>	<ul style="list-style-type: none"> • Financial abuse of person. • Safeguarding concern as care and support not being delivered.
--	---

<p>Third party employing friend or family member to deliver care and support without any experience or appropriate training.</p>	<ul style="list-style-type: none"> • Possible financial abuse of the person if the service delivered is overcharged or not appropriately delivered. • Safeguarding concern of delivery of care and adult at risk.
--	---

Recognising Someone at Risk of Financial Abuse

Whilst a person who lacks capacity may be more at risk of financial abuse, it should be remembered that someone with capacity can be equally susceptible. For example, it should not be assumed that if a person who has capacity makes a gift, then it cannot be regarded as theft. Coercion and undue influence, emotional grooming and predatory behaviours as well as the reasonableness of the transaction all need to be considered. An adult at risk of financial abuse is likely to present one or more of the following:



The Perpetrators of Financial Abuse

Financial abuse is most frequently perpetrated by a person acting in a trusted capacity, for example, a family member or friends and neighbours or care workers / other professionals. A recent paper titled “theft and fraud within families” explains the importance of raising awareness on financial abuse within families such as theft, fraud, coercive control, extortion, grooming and scamming. Perpetrators are people that are usually in a position of trust which they are expected to safeguard. However, with the increase in digitalisation and the increase of personal data being readily available on the internet, financial abuse can be committed by anyone from anywhere in the world.

Examples include:

- Financial representatives exploiting their position by misappropriating funds from the adult.
- Some families may have a view that the income of individual family members, including benefits for the adult, should be pooled into the family income.
- Staff in care establishments exploiting residents by gaining their trust and taking over their finances unlawfully.
- Care providers invoicing for services not provided.
- The person managing a direct payment creating counterfeit or forged records / payslips, to allow monies to be misappropriated.
- Doorstep criminals exploiting and grooming adults and pressuring them into buying goods and services.
- Cybercrime groups, obtaining money and data through phishing scams, website spoofing, ransomware, malware and hacking.
- Organised crime groups, an increasing number of scams and frauds are being carried out by serious and organised crime groups (SOC). Serious and organised crime is planned, coordinated and conducted by people working together on a continuing basis.

For more information on financial abuse of Doorstep criminals please refer to Kent County Council Trading Standards and the following links:

- [Trading Standards](#)
- [Spot the signs of financial abuse](#)
- [National Trading Standards](#)
- [Citizens Advice Bureau](#)
- [Think Jessica](#)

Click the following link for more information on “[theft and fraud within families](#)”

Recognising Someone Experiencing Abuse

FINANCIAL RED FLAGS	PHYSICAL AND MENTAL RED FLAGS	ENVIRONMENTAL RED FLAGS
Unexplained cash withdrawals, expenditure or transfers from a person's bank account or payments to unknown businesses/ persons.	Fearful, nervous, and demonstrating anxious behaviour	Lack of food or amenities in the cupboards, bathroom and fridge.
An unexplained shortage of money, despite an adequate income from pension and benefits.	Reluctance to take part in family events or	A difference between items purchased which are not appropriate for the person i.e. a new car or expensive jewellery and their living conditions.
Unpaid or a sudden inability to pay bills. Including, client contribution suddenly stopping and debt accumulating.	Reclusiveness and isolating themselves from contact with friends and family.	Home interior or exterior improvements or repairs that are not necessary.
Disappearance of financial documents such as statements, banking books and identification.	Ashamed, embarrassed or aggressive when asked about relationships or details of potential financial abuse.	High volumes of paperwork and invoices laying around their house.
Pressure by family members to sell property and assets.	Visible lack of self-care	Often receiving visits from 3rd parties (Doorstop sales, tradesmen)
Loans or credit being taken out by a person in circumstances that give cause for concern. i.e. the capacity of the person taking out the loan and the alleged reason for the loan.	Adult wearing the same clothes at each visit, visibly worn or clothes and shoes showing signs of extreme wear and tear.	The disappearance of valuables, including jewellery and antiques from the property.
Request for a change of deeds, title of house or equity release.	Breakdown in family relationships making the person more vulnerable	High volumes of text messages, frequent calls, emails and post by scammers.
Farfetched explanations of expenditure		Fake medicines and products in their home Or legitimate medicines missing from their home,

Reporting Process if Financial Abuse is Suspected

Victims are often reluctant to report their loved ones – comparisons can be drawn here with domestic abuse and we need a much greater understanding of the impact of coercive control on a person’s finances (Financial Vulnerability Taskforce, 2021). The Multi-Agency Safeguarding Adults Policy, Procedures and Guidance protocol for Kent and Medway states that anyone can report concerns regarding the actual, alleged, or suspected abuse directly to the Local Authority. (Appendix 1 should be followed in conjunction with the below steps);

Step 1 - Assess risk Where possible, ensure the immediate safety and welfare of the adult at risk (and of any other adult or child at risk). If urgent medical or police attention required Call 999.

Step 2 - Identify the type of Financial Abuse

- If you suspect a person is being subject to financial abuse of another, this must be reported to Kent Police, for non- urgent cases 101 should be used.
- If you suspect Doorstep Crime is in progress you can speak to the **KCC Trading Standards Incident Response Officer on: 03000 418 888**, Mon – Friday between 9 – 17:00. Any Intelligence can be emailed to: IntelUnit@kent.gov.uk

External reporting

- If you are external and not employed by KCC and are uncertain whether to refer the matter, you can consult with Social Services, who are there to help. This consultation may be anonymous with regard to the identity of the caller and any other people involved.

Counter Fraud Team (KCC)

- Kent phone 03000 41 61 61,
- Medway phone 01634 334466

- Where an individual is in receipt of a Direct Payment or if KCC are their Power of Attorney contact should be made with the **Counter Fraud Team 03000 414 500** Mon – Friday: 9 – 17:00. Emails can be sent to internal.audit@kent.gov.uk

Step 3 - Safeguarding Adults Form Decide on whether to raise an Adult Safeguarding Concern by gathering only initial information:

- Report concerns to Kent Adult Services, using the [Kent Adult Safeguarding Alert Form](#)
- Report concerns by sending Medway Council a completed a Safeguarding Alert Form document

It is important at the earliest opportunity you document and record the incident and any actions or decisions.

Step 4 - Review On receipt of the form the Safeguarding Team will determine the appropriate law enforcement agency/ agencies to progress the referral. Where an individual’s finances are being abused by another individual, these will usually be progressed by Kent Police.

Appendices

The Appendices (1-6) form separate documents as part of the Finance Toolkit.

Appendix No.	Name
1	Financial Abuse Concerns Scenario Matrix
2	Internal Teams
3	External Teams
4	Seeking Legal Redress
5	Protecting Adults at Risk of Financial Abuse
6	Case Studies
