



**ACTing against abuse**

# **Financial Abuse of People with Learning Disabilities**

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# Financial Abuse of People with Learning Disabilities – Final Report

## 1. Background to the project

In their study of effectiveness of arrangements to safeguard vulnerable adults from abuse (2008), CSCI concluded that 'The increasing number of people managing their own support presents new challenges for safeguarding'. In the Action on Elder Abuse/ Department of Health report (2004) 'Monitoring and Reporting Process for Adult Protection Referrals', financial abuse was found to be the second most common form of reported abuse after physical abuse. The promotion of independence, particularly when linked to reduced levels of support and /or self-directed support and individualised budgets, will increase vulnerability to abuse for several reasons including supervision of lone workers, less regulation and the issue of CRB checks, where some service users will be supported by people who have not undergone checks.

Very little work has been done on tackling abuse through advocacy good practice (the 'Elder Abuse Advocacy Toolkit' focused on wider elder abuse), although training for advocates and those in contact with vulnerable people is crucial. An advocate often has the opportunity to see someone's life as it really is and may find themselves being able to recognise that financial abuse is occurring or has the potential to occur. This is a unique relationship.

Recent legislative changes such as the Mental Capacity Act 2005 have changed the profile of the advocacy sector and IMCAs are dealing with changes in accommodation and serious medical treatment cases where the individual concerned lacks capacity and where their finances are often very relevant.

The personalisation agenda supports personal choice and control, but it also gives rise to new opportunities for financial abuse. People may be managing large sums of money and even where this is not the case, it is crucial that they manage their finite resources to the maximum benefit. The paper 'Individual Budgets and the Future of Adult Social Care' (University of York Social Policy Research Unit, 2009) reports the perspectives of front line staff and service users on the potential for individual budgets to lead to increased negative risks, including financial abuse. It increases the risk of opportunistic abuse and grooming a person for access to income and savings.

Other policy changes around financial assessments for long term care will often involve property and savings. New avenues for financial crimes arise from new technology such as phishing and internet scams, alongside an increasing use of the internet by people with learning disabilities.

Training on these issues for all staff including advocates is generally incorporated into courses covering all forms of abuse and does not cover the specific issues of financial abuse in sufficient depth. For people with learning disabilities there is currently little training available on empowerment and support specifically around financial abuse.

The Ann Craft Trust (ACT) collaborated with the British Institute of Learning Disabilities (BILD) on this two year project, funded by the Department of Health. Our aim was to produce a training pack, available to people supporting adults with learning disabilities with their financial management, especially advocates. The hope was that our training pack would also be used flexibly for training people with learning disabilities in order to raise their awareness about protecting themselves from financial abuse.

## 2. The project

### Summary of the timeline

At the start of the project we produced an easier read project summary (see appendix 1) in order to inform people with learning disabilities about our project. We also did an extensive literature search in April 2010 and collected together the available resources that had been produced to date. Brunel University and ARC had both done recent work looking at financial abuse and we discussed our project with them. The following project summary was written in May 2010:

‘ACT and BILD are collaborating on a two year project, funded by the Department of Health. The aim of this project is to produce a training pack that will be available and accessible to all people supporting people with learning disabilities with their financial management. It will also incorporate training for people with learning disabilities themselves in order to raise their awareness about all aspects of safeguarding their finances. Advocates, deputies, IMCAs, brokers and carers will benefit from the training materials that will offer them sound financial management advice and information about prevention and detection of financial abuse.

This resource will develop guidance on financial abuse and the balance between risk, choice and autonomy with reference to human rights and the Mental Capacity Act. Very little work has been done on tackling abuse through advocacy good practice, although training for advocates and those in contact with vulnerable people is crucial.

This project will provide accessible training to all those who may be responsible for safeguarding people with learning disabilities from abuse, as well as people with learning disabilities themselves. Prevention, detection and reporting of abuse will be covered in the training pack. It will promote best practice in financial management and its outcomes will include support for people to manage their finances independently; how to make support arrangements clear, safe and accountable; considering the balance between independence and security; and effective record keeping.

The project aims to gather information from a network of advocacy services and financial support organisations including banks, brokers and deputies to establish the key areas of concern that need to be addressed through training. This will include looking at financial abuse that has occurred and the risk factors that had been evident and avoidable. We will ensure that equal opportunities and human rights are central to this project, including looking at culturally specific good advocacy practice.’

In May 2010 ACT and BILD trainers were contacted to inform them of this work and to invite them to contribute with the issues of financial abuse that are raised on training. We also attended a Build for the Future meeting in June that year. This is a service user reference group that is co-ordinated by BILD and the people on that group were asked about their views and experiences of financial abuse.

The online survey was written and distributed across advocacy services, carers groups, people with learning disabilities and professionals. There was an additional paper survey available for those who preferred to respond in this way. Findings from the survey were collated and a number of people were contacted for additional information (see section 3).

A project update was produced after 6 months in October 2010 and we attended a meeting at the Department of Health on 8<sup>th</sup> December 2010 to present the progress of our project.

A Steering Group was established to work alongside us and to review and contribute to all aspects of the project which included people with learning disabilities and those supporting people in this area of work. We met the group at regular intervals during the project and they commented on all aspects of the project's progress.

We also met with A4A during the project as they had been funded by the Department of Health during this time to look at how advocacy services were engaging with older people in relation to financial abuse. Their project has not yet been completed and their findings should be available in 2013. We have benefited from input from an interested solicitor, Sheree Green, who has guided us on some relevant legal matters and attended one of the pilot training courses.

We have continued to be contacted by professionals and families giving examples of concern which have repeatedly made us aware of a wide range of ways people can be abused. This has also highlighted the need for awareness of how to maximise the possibility of action by the criminal justice system where relevant. This includes the use of registered intermediaries to facilitate the evidence of vulnerable witnesses.

## **The training**

In 2011 the draft training pack was developed to include sections on detection, prevention, and responses. The training pack offers flexible approaches and methods eg length of course, relevant content etc in order to be widely accessible. When the draft training pack was completed, ACT and BILD's training associates who had contributed were invited to comment.

The pilot training was then delivered nationally by ACT's Training Associates. We developed and ran three pilot training days in:

- Milton Keynes for MacIntyre. We had managers and staff from the finance department on this training.
- Wakefield for Choice Support. We had team leaders on this training.
- Nottingham where the training was delivered as an open course. We had social workers, safeguarding managers and a solicitor on this course.

An evaluation of the training was developed to be used by trainers at each event and then to inform the final version of the training. The pilot training evaluation was also incorporated into the review of the training pack. Conclusions drawn from the feedback from these days included:

- The days went very well and were very interesting.
- People were very keen to find out more and stated the training had helped them consider the area in more depth.
- People liked the use of the case study as a learning exercise.
- Much was learned from the participants in terms of the experiences they shared.
- We were disappointed not to get any advocates on the training (see later).
- Some people want to control people's money too much – some too little.
- Social workers and others do not always look out for signs of financial abuse in the same way they do for other forms of abuse.



- Some people still do not know enough about the Mental Capacity Act and money. People need help understanding about appointees and deputies.
- Social workers need help deciding if people can manage their own money. Sometimes social workers decide people can make their own decisions about money but still keep control.
- People want to know what resources are there to help them.

We have also received and incorporated learning from a number of recently published reports and projects in the area of financial abuse and management into the training;

- Guidance on money management for people who may lack capacity to make some decisions about how their money is used – ARC/SCIE.
- Financial crime against vulnerable adults – SCIE.
- Short Changed: protecting people with dementia from financial abuse – Alzheimer's Society.
- The operation of appointees – CAB.
- Protecting the public purse 2011 – Audit Commission.
- Abuse of vulnerable adults in England 2011- NHS Information Centre.

The final version of the training was approved and information about the training pack is now being disseminated nationally by ACT's extensive networks including marketing on our websites and in quarterly bulletins. The Training the Trainers course will be incorporated into the pack as well as additional materials necessary to ensure that the course will be made available for people with learning disabilities. The training will be integrated into ACT's training service.

### 3. Defining financial abuse

One of the first issues encountered in the project, was the need to reach a commonly understood and accepted definition of financial abuse. This seemingly simple task revealed the complexity of the topic and wide range of activities that can be considered to be financial abuse. Some published attempts at definition focus on listing the **specific actions** that may constitute financial abuse without attempting an overall definition.

#### **Financial abuse can be any of the following:**

- Someone making you take your money out of the cash machine for them.
- Taking money from you.
- Borrowing money and never giving it back.
- Stealing your belongings.
- Someone getting you to sign something and you don't know what it is.
- Someone taking your pension or other benefit.
- Someone asking for money for visiting you socially.

Surrey County Council <http://www.surreycc.gov.uk>

Others include some **types of activity** which may constitute financial abuse within their definitions. Such activity includes stealing, exploitation, fraud and so on.

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.

**No Secrets 2000**

Financial Abuse is defined by Action on Elder Abuse as stealing from, defrauding someone of, or coercing someone to part with, goods and/or property. Financial abuse can involve:

- the direct theft of money and/or other possessions from an older person.
- the withholding of benefits belonging to the older person.
- the misuse of Power of Attorney and Enduring Power of Attorney and other systems giving power to a third party to act financially on behalf of an older person.
- older people being forced to sell their homes, having their homes sold against their wishes, or significant assets from the value of the property removed without their consent or knowledge.
- older people being tricked into scam/rogue investments.

The outcome on older people can be devastating. Many lose large sums of money, lose property they have lived in for years, do not receive benefits to which they are entitled, incur large debts or simply do not have enough money to live on.

**Action on Elder Abuse position paper 2007**

Financial abuse as identified in 'In Safe Hands' includes 'theft, fraud, pressure around wills, property or inheritance, misuse or mis-appropriation of benefits'.

**In Safe Hands 2003**

<http://wales.gov.uk>

The **dynamics of financial abuse** are included in the more overarching definition by Hilary Brown.

Given the complex dynamics, assessment of financial abuse has to take into account:

- The intentions of the (potential) abuser and their relationship with the vulnerable person.
- The nature of the transaction(s) whereby the mechanisms were put in place to access the money.
- The extent to which the money is being used properly to meet the vulnerable individual's needs.
- The degree of harm or loss to the vulnerable person.
- Any conflicting interest the attorney/receiver has in terms of eventual inheritance.
- Any competing claims from other relatives/associates that are being overlooked or sidelined.

So a working definition of financial abuse may be: *The intentional or opportunistic appropriation of the income, capital or property of a vulnerable person through theft, fraud, deception, undue influence or exploitation; including the hoarding of vulnerable person's resources for future gain which is also a form of exploitation and may be associated with culpable neglect.*

**Brown 2003**

The complexity and range of activity constituting financial abuse is highlighted in the following blog extract and there is clearly national concern at the topic of financial abuse, however it is defined.

As we have already seen there are several categories of abuse recognised in law. Some of them are obvious and easy to spot. Others require a bit more thought. At its most basic financial abuse is very clear and straightforward. **Criminal offences such as theft, fraud and extortion leave no room for doubt. They are plainly abusive. However there are other, rather more subtle examples of financial abuse, some of which are a lot more common in practice than we might like to think ...**

- People have the right to choose how to spend their money if they have the capacity to do so;
- When people lack the capacity to make their own decisions their finances should be used in their best interests.
- People should not be coerced into parting with their money.
- Financial abuse is concerned with the disposal of resources as well as money.

<http://stuartsoresen.wordpress.com/>

7.53 There was widespread belief by all the safeguarding partners, the Police Service, and the voluntary sector, that **financial abuse was a growing area of concern with anecdotal evidence suggesting that it might account for approximately one-third of all safeguarding referrals to the police ...** 7.56 Both the British Bankers' Association (BBA) and the Building Societies Association (BSA) responded to the consultation. **The BBA explained that the financial abuse of an adult under the *No Secrets* guidance was a very complex problem, which was often not easily discovered even by relatives, friends or neighbours, and it was therefore very hard for banks and other institutions to identify such cases.** Often there was little or no hard evidence that abuse was taking place so no simple solution or set of best practice existed which the financial services industry could refer to. It was difficult to define who was at risk. Customers would not usually tell their bank that they saw themselves as vulnerable, or they might be under the perception that they were in full control of their finances. Risks could change at short notice with changing circumstances. There were also problems with successfully monitoring accounts as abuse could take many different forms, varying in size and regularity of withdrawal ... 7.57 **The BSA felt that there was a need for a strategic approach to preventing financial abuse covering not just reporting but also identification of high risk persons, intelligence sharing, case reviews, investigation and enforcement.** Both organisations agreed that further dialogue was required to identify the way forward.

**2009 Safeguarding Adults Report on the consultation on the review of 'No Secrets'**

We asked respondents to our survey how they would define financial abuse.

Number of people attempting a definition	
Professionals	244 out of 368 (66.3%)
Carers	191 out of 295 (66.3%)
People with learning disabilities	26 out of 53 (49%)

As with the definitions in the literature, these varied from simple lists of actions, descriptions of the types of activity involved in abuse, to more complex definitions including some of the more subtle dynamics of abusive behaviour such as the vulnerability of the victim and intentions of the perpetrator. Some people admitted to not knowing how to define financial abuse. Some definitions made reference to the fact that the boundary between financial abuse and financial crime was often difficult to define.

### Views of people with learning disabilities

From the surveys received from **people with learning disabilities**, 26 (49%) attempted a definition, although 5 of these were responses such as 'don't know, not sure, never heard of it'. From these definitions and contributions made during the focus groups (see appendix 2) we found that:

- **There was widespread lack of awareness of what financial abuse was. In the focus groups many people also either didn't know or confused it with other forms of abuse.**
- **Most responses, where an attempt at definition was made, gave concrete examples of abusive action; predominantly stealing of money or items (often related to something that had happened to them).**

*"Someone who diddles you – not giving you change"*

*"When someone borrows your card and tries to check the pin number to get your money and doesn't give it back to you"*

*"Nicking money"*

*"Steel[sic] items from my flat – CDS DVDs book and clothes"*

- **There was some recognition that there was sometimes an abuse of trust involved – with frequent mentioning of bullying**

*"Bullying you to make you give them money"*

*"Other people controlling money that does not belong to them"*

- **Despite the fact that people found it difficult to define, there was a strong sense of indignation at the lack of justice when property or money was taken unfairly from somebody. Examples given related to family members, friends and paid staff.**

### **Views of carers**

191 out of the 295 (66.3%) **carer** respondents attempted a definition, although 5 of these were responses such as 'don't know, no idea' etc.

- **There was a wide range of definitions. Some were based on or hinted at carers' personal experience.**

*"Had to take X Social Services to the High Court and I won my case"*

*"Paying support funds to person with learning disabilities who has no proper conception of money without adequate safeguards and control in place to enforce frequent and thorough checks of how money is spent"*

*"Using or charging for services, activities or things which should not come from clients personal allowance. Not having clear and transparent accountability. Excluding Family/unpaid Carers from decisions about spend from personal account when the person clearly lacks the capacity themselves. Delay in sending details of account to Family Carer and not adjusting wrong figures (eg. when client has paid for another client's holiday and activity). Often asking the Family Carers to pay for things and making them feel guilty when they cannot or Carers ask questions"*

- **Some gave generalised definitions, citing the type of abusive activity involved in abuse.**

*"Unauthorised misappropriation, manipulation or control of finances"*

*"Misuse of a vulnerable person's finances"*

*"Taking advantage of someone vulnerable"*

- **Other definitions were specific about the type of actions or activity constituting abuse.**

*"Friends taking advantage"*

*"Fraudulent use of someone else's money"*

*"Theft of money or belongings as well as inappropriate use of finances and belongings"*

- **Some of the responses acknowledged the power imbalance and vulnerability of the person being abused.**

*"When somebody has a hold on another for financial reasons"*

*"When somebody in a position of power takes financial advantage of another person"*

*"A person being subjected to theft of money or assets or deception by another person made easier by the vulnerability of the former"*

- **There was frequent mention of the criminal or otherwise abusive intent of the perpetrator of the abuse.**

*"Using another person's financial assets for personal gain"*

*"Deception or manipulation of an individual for your own benefit and not got the greater good of the individual"*

- **Lack of consent and/or understanding of the person being abused were also mentioned by several respondents.**

*"There are different ways of looking at financial abuse; simple theft of money to the taking (or spending) of a disabled persons money or income without their consent or their understanding"*

- **There was repeated mention of deceit, misappropriation, taking control of somebody else's money or property, misuse of a person's assets, use of money in such a way as to disadvantage them and benefit yourself, theft and the use of coercion or manipulation/exploitation to gain control of somebody else's money for your own personal gain.**

*"Easier to spot than define! Any circumstance where an individual is denied access to, deprived of, not given their rightful finances"*

*"when a carer or professional person persuades or advises a vulnerable person to spend money on inappropriate or unnecessary items for themselves or advises that person to spend money on items which may benefit the professional or carer concerned"*

*"Obtaining money by means of threats; behaviour which deprives a person of money which they consider to be rightfully theirs; enticing people to part with their money; unfair or discriminatory charging structures"*

- **Again, as with the responses of people with learning disabilities, a strong sense of injustice was expressed. Additionally, the need for action to protect vulnerable people from the actions of**

**others (including statutory services) and the need for people with learning disabilities themselves to receive education on financial matters was mentioned by some carers.**

*“Difficult to sum up in a pithy definition but I would consider any mishandling of an individual's finances; not making every attempt to support the individual to be involved in the management of their money; deliberately withholding finance or using an individual to claim benefits or support and then not allowing the individual to have access to this would all count as examples of financial abuse”*

*“A high percentage of people do not know how to manage their finances properly and easily get into debt so how can the learning disabled who are very trusting of people and friends, some just befriend them knowing this. If they are asked could you buy something for them they are more than likely to say yes”*

### **Views of professionals**

Finally, 244 out of the 368 (66.3%) **professional** respondents attempted a definition.

- **There was a wide range of definitions given in the professional's replies. As with carers and people with learning disabilities, there were definitions that included both actions and activities.**

*“Any form of unwanted control or coercion involving money or assets. This could include denying someone access to funds, forcing them to account for their spending, spending money or selling assets without express permission or using them to control someone”*

*“Any person, including another person with a disability, taking financial or material advantage of a vulnerable person. This may be through stealing of money or goods, misappropriation or withholding of benefits, or any action that provides a financial or material benefit for the abuser”*

*“Theft of money, benefits, property, possessions, fraud/pressure in relation to wills, property, inheritance or other financial transactions, controlling a person's finances without their permission/knowledge, blackmail or deception”*

*“Using or taking the money that is allocated/belonging to a vulnerable person for purposes that this money was not allocated for, either surreptitiously or openly manipulating it away using emotional abuse, physical abuse or persuasive tactics. Taking away the right of that person to make choices in how the money is used/spent/budgeted”*

- **The issue of people with learning disabilities not having adequate financial knowledge was again raised by this group, along with lack of accountability or training for support staff and families.**

*“The withholding misuse or misappropriation of an individual's money or funding or any form of coercion used to influence their decision on how to spend it. That said there is a dire lack of accessible support teaching people with learning disabilities how to keep, access, and spend their money and people who support them not to inadvertently abuse them”*

*“any money, property or belongings to the service user or the home is stolen ... not keeping accurate records to show transactions”*

- **Many of the definitions took a rights based approach referring to people's entitlement to autonomy and making specific reference to financial decision making and capacity.**

*"I would define financial abuse as any occurrence of decisions being made on behalf of a vulnerable adult in respect of their finances which is not in their best interest, does not fully involve them and that is not accountable as well as any misappropriation or withholding of any individuals money"*

*"When a person who has capacity is placed into a position whereby they are unable to make their own decisions about how they use the money that is available to them. For a person who lacks capacity to manage their own money, it is financial abuse if there are not rigorous safeguards in place, to ensure that any financial decisions made on their behalf are always made by an appropriate advocate(s) in the best interests of the individual"*

*"The act of spending other people's money unlawfully without their consent"*

*"A person not having control of their own monies and the choice of how they wish to spend them. A person's money being used by another person in a way that is not in their best interests"*

*"taking money or items without the consent of the owner. Manipulating vulnerable people into making financial choices that are for your own benefit rather than theirs. Mishandling other people's property or money. Denying people the right to make choices about their money or property"*

– **Another strong theme that emerged was that of abuse of trust**

*"A more able person, in a position of trust taking money for their own benefit from someone who is less able"*

*"Where an individual has complete control over another with the intention of financially exploiting them for their own gain"*

*"With-holding money Over charging for works carried out Mismanagement of funds - utilising money belonging to another person for personal benefit"*

*"I would define financial abuse wherein one person or persons deliberately withholds any or all monies from a disadvantaged person and informs the disadvantaged person it is for their own protection. Not allowing the disadvantaged person any control over their finances ensures the disadvantaged person remains under the control of the abuser. This is coercive financial control"*

**In conclusion**

It became apparent during the project that alongside being able to understand what constitutes financial abuse, there is also a real need for:

- **People who live with and support people with learning disabilities to be more alert to possible indicators of financial abuse.**
- **People who support and live with people with learning disabilities to have access to better quality advice and support when they are concerned about financial abuse.**
- **People with learning disabilities to understand more about financial abuse and how to safeguard themselves and get help if they are concerned.**

**Some possible indicators of financial abuse**

- Unexplained loss of money.
- Inability to pay bills, overdue rent.

- Person unable to access their own money or check their own accounts.
- Deterioration in standard of living, for example an inability to purchase items that they could normally afford.
- Unusual activity in bank accounts.
- Cheques being signed or cashed by other people without someone's consent.
- Signatures on cheques etc, that do not resemble the person's signature, or signed when the person cannot write.
- Lack of amenities, such as a TV, personal grooming items, appropriate clothing or other things that the person should be able to afford.
- Deliberate isolation of a person from friends and family, resulting in the caregiver alone having total control.
- A person's inability to explain what is happening to their own income.
- Items purchased which are not appropriate for the person.

Our conclusion is therefore that, although a succinct definition may be difficult to agree upon, there are some clearly agreed facts both in the sparse literature on the subject and the reported experiences of those we spoke to during the project. These include:

- **Financial abuse is when somebody takes or misuses money or belongings which belong to another person and uses them for their own advantage.**
- **Financial abuse harms or disadvantages a person and deprives them of their legal right to their own money and belongings.**
- **Financial abuse may or may not involve a crime such as theft or fraud.**
- **Financial abuse can also include telling another person what they can and cannot buy or controlling their access to their money or belongings.**
- **Financial abuse can be committed by anyone and in any setting.**
- **There is a perception of increased risk of financial abuse associated with the larger sums of money available to people with learning disabilities through personalised budgets, and in a time of austerity for example.**
- **Financial abuse is often associated with other forms of abuse. There are many indicators of financial abuse; although worryingly professional staff appear less confident at spotting the signs than with other forms of abuse.**
- **Financial abuse is not just about loss of money. It can often be part of a much wider abusive culture and leave the subject of the abuse psychologically, emotionally and/or physically damaged.**



## 4. The survey

Following the initial literature search, contact was made with other key organisations working on related issues and we met with a number of these for discussion and collaboration prior to developing the survey.

The online survey was designed to cover professionals, carers and advocates and people with learning disabilities themselves. The responses from all three groups exceeded our expectations and we have been able to analyse the findings from the survey to identify the key areas of concern that have informed what is covered in the training. The project co-ordinator also contacted those who completed the survey offering them the opportunity to give us more in depth detail. This has provided the project with additional information and increased awareness of the financial abuse issues that are currently being experienced by people with learning disabilities.

We distributed the survey to professionals, carers and people with learning disabilities themselves to gather views on people's experiences of financial abuse. The response rate was remarkable and convinced us of the importance and need for this training resource. We received

- 368 responses from professionals.
- 293 responses from carers.
- 66 responses from people with learning disabilities.

In addition we followed up those who expressed an interest in talking to us further by phone or letter and held some focus groups for a total of 72 people with learning disabilities

The following are some examples of the issues that were raised:

- Everybody has the right to the money and property that is legally theirs and to live free from financial abuse.
- Financial abuse is unacceptable, and in many cases illegal. It can occur in a person's own home, whilst they are receiving a service or in their community.
- The abuse may be perpetrated by a professional, friend, family member or a stranger. Financial abuse is a complex area and can be hard to recognise and prove.
- Studies show that in some areas it is the most widespread type of abuse. Statistics are startling: Around 24% of all UK cases of adult abuse are financial (NHS Information Centre November 2011).
- One local area reported that 60-80% cases of financial abuse take place in a person's own home and nearly 70% of financial abuse is carried out by a family member.
- It is very important that people with learning disabilities know about their rights not to be financially abused and that others can recognise and prevent it.
- The need to develop a separate accessible information and resource pack for people with learning disabilities to help raise their awareness of financial abuse.

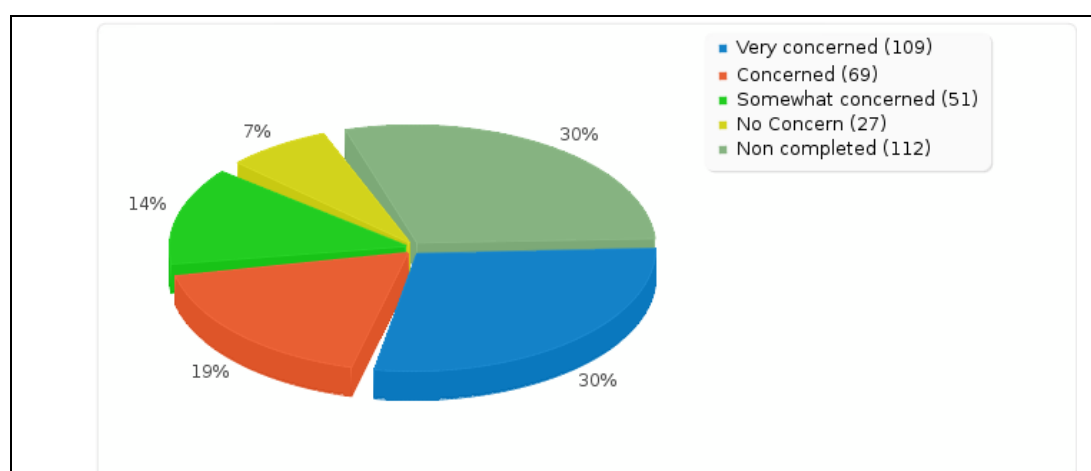
### Feedback from professionals

We had 368 returns on the survey. The majority group (197) worked in social care with just 36 from health and 47 stipulated as 'other'. We also had returns from advocacy and training services, police, advisory and financial services. There was a fairly even spread of returns across England, 27 from Wales and disappointingly only 6 from Scotland.

244 (66.3%) gave a definition of financial abuse. These were wide ranging but included references to:

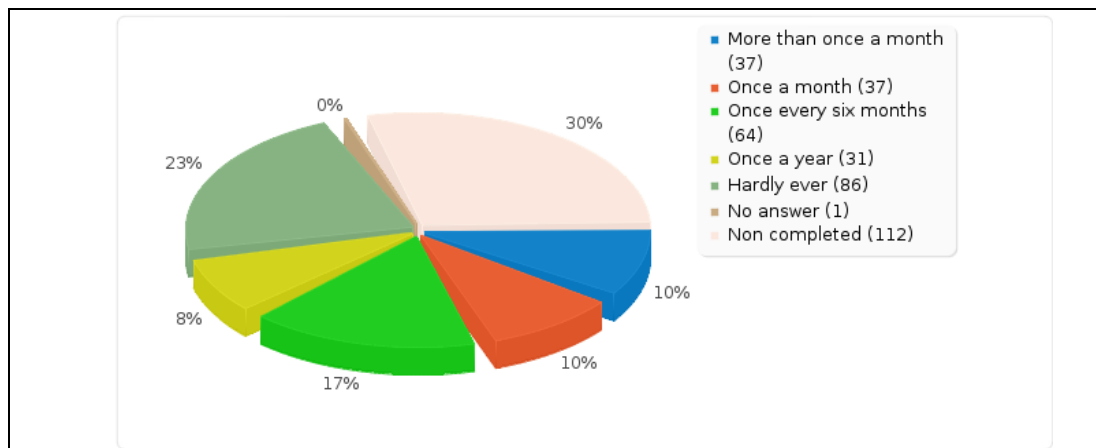
- *Influence and control.*
- *Poor record keeping.*
- *Mismanagement of finances.*
- *Not supporting the person to spend wisely.*
- *Theft.*
- *Opportunistic – BOGOFs, store cards.*
- *Withholding of finances.*
- *Making choices for the person about how to spend their money.*
- *Pressure/coercion/manipulation.*
- *Making access to benefits difficult/not providing right information to access benefits.*
- *Personal gain.*
- *Wills/property.*
- *Putting someone's finances in the household pot.*
- *Scams/cons.*
- *Taking advantage of their vulnerability - staff, neighbours, children, mate crime.*
- *Building up friendship/relationship with intent to steal – mate crime.*
- *Keeping the person financially short.*
- *Power and control.*
- *Overcharging/short changing when aware of vulnerability.*

Nearly half of respondents had worked with a person who had been financially abused (47.55%) and 62.23% found financial abuse an area of concern with 109 respondents stating that they were very concerned. Surprisingly 7.34% found it no concern at all while 30.43% did not give a response to this question.



In relation to whom this group felt to be at the highest risk of abuse there was a response rate of 68.75% with 91 respondents stating that those living at home were at highest risk. 69 people considered that those living independently were at highest risk and then a fairly even spread across residential care and supported living.

With reference to the frequency of respondents dealing with financial abuse, of those who answered this question 13.5% dealt with this more than once a month, another 13.5% dealt with it at least once a month and a further 23.3%, once every six months.



Lack of financial awareness was the biggest area of concern followed by misuse of personal budgets, theft and financial bullying. Doorstep scams, burglary and internet scams accounted for only 4.3% in total of those who answered with fraud accounting for nearly 7%. Only 1% of respondents placed lack of financial awareness as the least concerning. Clearly people with learning disabilities' lack of knowledge in this area is a major concern and reinforces the need to address training issues for this group as well as for those who support them. Most respondents were least concerned about burglary, followed by doorstep scams.

To the question about whether they had had training on financial abuse, there was a fairly even split. It is however unclear from the results of the survey whether they had had specific financial abuse training or whether financial abuse had been referred to in other safeguarding training. However the majority of those who had answered in the negative agreed that they would benefit from training on this subject.

To the further question about what areas they would like training on every area referred to in the survey were responded to. These were:

- *Preventing financial abuse.*
- *Types of abuse.*
- *Risk factors for financial abuse.*
- *Recognising financial abuse.*
- *Good practice in financial management.*
- *Financial awareness for people with learning disabilities.*

Awareness for people with learning disabilities got most responses clearly showing the present gap in information for service users on these issues.

Encouragingly, respondents did seem to think that they could access support, resources and/or training about financial abuse with only about 20% unable to do so. The most helpful resource of the options given was a specialist advisor. with internet information being least helpful. Nearly 50% of those completing the resource section were able to give examples of useful support. These included a wide range of resources including;

- *Other professional colleagues – police, safeguarding team, CAB, safeguarding charities.*
- *Telephone help lines.*
- *Awareness leaflets/posters.*
- *Various training packs.*

- *Books and other written resources.*
- *Department of Work and Pensions.*

## **Feedback from carers**

We had 295 responses to the carers' survey; all of these were done online. 99 responses came from people who categorised themselves as a family carer, 61 were paid carers and 4 were voluntary carers. The remainder classed themselves as 'other' or didn't complete this question. 104 of these responses were not fully filled out.

There was a good geographical spread with the highest response rates coming from the South East and West Midlands (47 each). All regions in England were represented and we also had response from Wales and Scotland.

191 out of 295 (66%) attempted to define financial abuse. They defined financial abuse quite widely and a good proportion were based on the carer's personal experiences. There was a high prominence of the use of the word 'vulnerable' in people's definitions and the concept of 'taking advantage'. There was repeated mention of deceit, misappropriation and taking control of somebody else's money or property.

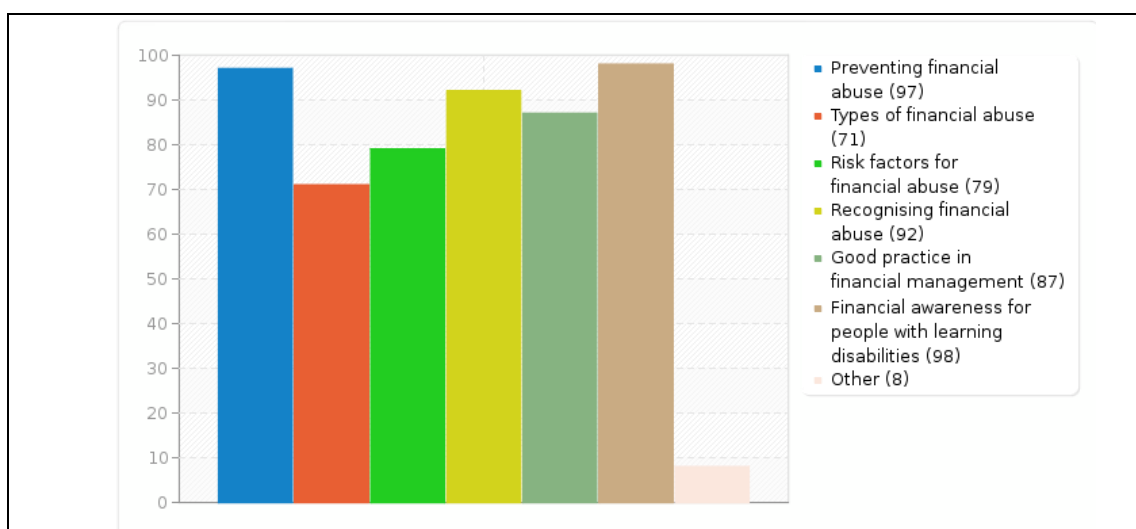
169 (52.29%) were concerned or very concerned about financial abuse. 96 (32.54%) people had personally supported somebody who had been financially abused. The respondents felt that people living with family were most at risk of being financially abused, closely followed by those living independently. It was felt that people living in supported living and residential care were at a lower level of risk in comparison.

Although 85 people (28.81%) stated they hardly ever encounter abuse, there were 22 (7.5%) who came across it more than once a month and a further 105 (28.48%) had come across it between once a month and once a year

People were asked to rank their concerns about financial abuse. From their top ranked concerns, their responses were as follows

- *Lack of financial awareness (22.3%).*
- *Misuse of personal budgets (18.64%).*
- *Financial bullying (10.85%).*
- *Theft (8.14%).*
- *Other (eg doorstep and internet scams, fraud, burglary (5.27%)).*

Only 27% of people had ever had information or training on financial abuse and only 3% thought they would not benefit from receiving this. People wanted to see more information on prevention, types, risk factors, recognising and good practice in financial management.



We followed up 47 carers who wanted to talk in more detail about their experiences. Their main concerns were people's vulnerability balanced with the need for choice and control. All the people we spoke with felt that there was a need for more education and training in this area, including for people with learning disabilities.

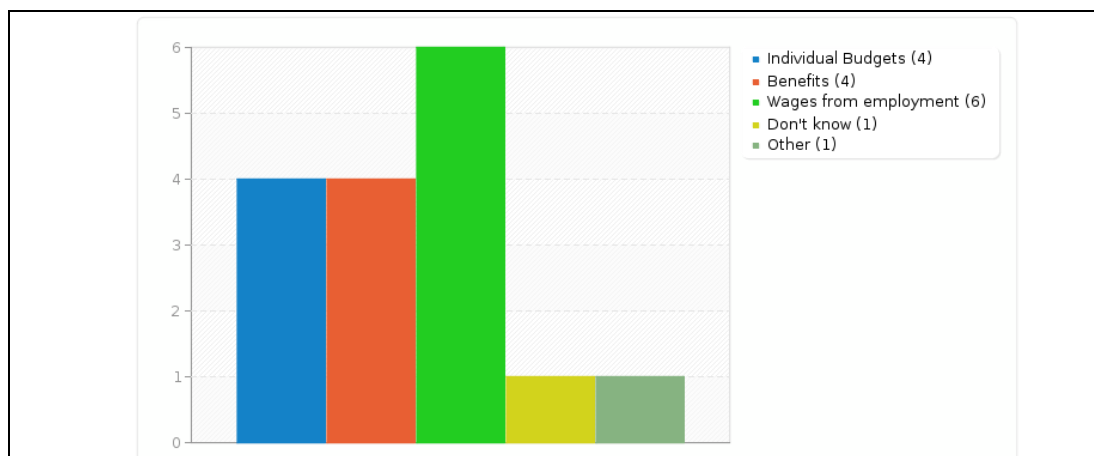
### Feedback from people with learning disabilities

We had three ways in which we consulted with a total of **125** people with learning disabilities. The richest information came from listening to people's stories in the focus groups;

<b>Surveys</b>	
<i>Electronic returns</i>	24
<i>Paper returns</i>	29
<b>Total</b>	<b>53</b>
<b>Focus groups</b>	
<i>Consultation group</i>	35
<i>Day service group</i>	20
<i>Advocacy group</i>	17
<b>Total</b>	<b>72</b>

The survey was sent out nationwide but returns were low, except where groups of people with learning disabilities were gathered together to formulate their responses. This accounts for the larger returns from the East Midlands, West Midlands, North West and South East. We received no response at all from Yorkshire, the North East or Wales.

46 people with learning disabilities answered the question about where their income came from. Some people received more than one type of payment which explains why the totals do not match the number of returns. Of particular note is the low number of individual budgets in use (only 6). Anecdotal evidence would also suggest that many people were only able to answer this question because supporters advised them. The number of people who actually did not know where their money came from is probably higher than these figures suggest.



From the surveys received, only **26 (49%)** attempted a definition, although 5 of these were responses such as 'don't know, not sure, never heard of it'. From these definitions and contributions made during the focus groups we found that there was widespread lack of awareness of what financial abuse was. In the focus groups many people also either did not know or confused it with other forms of abuse. Where an attempt was made at definition, most gave concrete examples of abusive action – predominantly stealing of money or items (often related to something that had happened to them). There was some recognition that there was sometimes an abuse of trust involved – with frequent mentioning of bullying. Despite the fact that people found it difficult to define, there was a strong sense of indignation at the lack of justice when property or money was taken unfairly from somebody. Examples were given involving family members, friends and paid staff.

- *"Someone who diddles you – not giving you change"*
- *"When someone borrows your card and tries to check the pin number to get your money and doesn't give it back to you"*
- *"Nicking money"*
- *"Steel items from my flat – CDS DVDs book and clothes"*
- *"Bullying you to make you give them money"*
- *"Other people controlling money that does not belong to them"*

From the survey returns there were relatively low numbers of people reporting that they had been financially abused (not surprising when people were so unsure about its definition). **9** people (16.98%) said they had been abused, **12** (22.64%) said no, **6** (11.32%) were not sure and **21** did not reply (39.62%). However, the many accounts we were told at the focus group left us in no doubt that many people had experienced financial abuse (whether or not they were able to identify it as such) and it had a profound impact on their lives, and those of their family and friends. Some of these accounts can be found in section 6 – Case Studies.

From the small number of people who were able to report on examples of financial abuse, that they or others known to them had experienced, there were a wide variety of examples given. The quotes listed below give a flavour of this, including the fact that however large or small the financial loss was, there was a real sense of injustice and powerlessness from the victims.

- *"My sister had a clubbie book (mail order catalogue) her niece ordered clothes then stopped paying. My sister had to finish payment. Worst thing - because it was family"*
- *"I heard it on the news. Do not lend people money"*
- *"My mum used to control all my money & only give me some for pocket money. This meant I didn't*

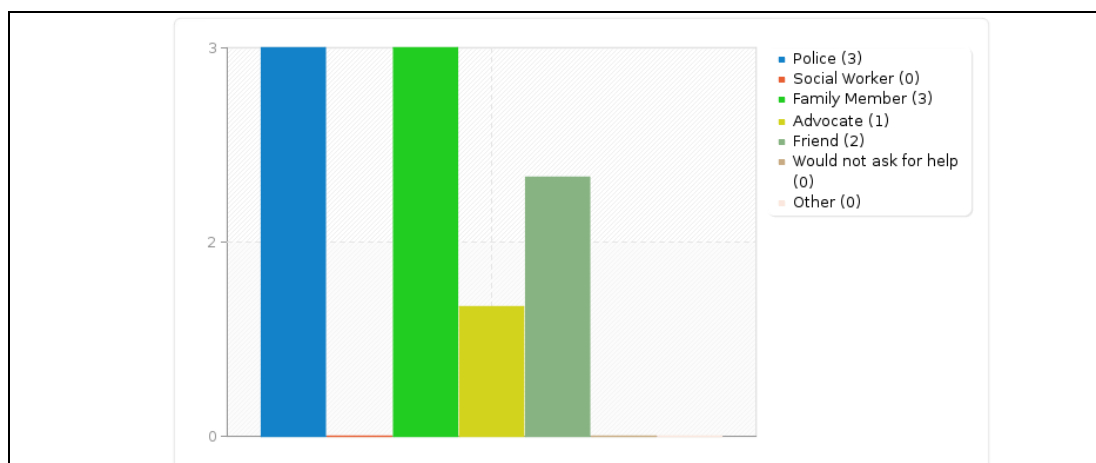
*choose what I wanted to buy it made me feel angry”*

- *“Ex neighbour would visit me and go through my cupboards, She wouldn’t do it if I was in the room. Worst thing - Her taking money without asking. If she had asked I probably would have given her it.”*
- *“At home mum and dad used to steal”*
- *“A mate wanted to borrow 60p. I never got it back”*
- *“Asked money and told to go way. I felt set up”*
- *“I was frightened. I got some support from my parents”*
- *“Yes I was robbed in Hoylake while walking along prom”*

Hardly any of the respondents were able to give clear examples of help they had received.

*“ran away - counsellor - Social services helped”*

We looked in more detail at those responses where people indicated they would seek help if they were being abused. Responses to some extent reflected their own personal support systems but there was most frequent mention of police, social workers, family and friends. Many of the respondents said they would ask for help from **all** the people on the list, but it was noticeable that the police were the most mentioned group.



There was one exception to this from one obviously disgruntled respondent, who wrote:

*“police? No - waist [sic] of time. Social workers? Useless- a waist of time.  
Other? Citizens Advice Bureau”*

A similar pattern of results was found when people were asked where they would advise others to seek help, but with an even clearer preference for contacting the police.

Few people had had clear information or training on financial abuse and over 80% of those who answered the question wanted more. When we asked people in what form they would like this to be, we found that there was a range, with a slight preference being for leaflets with words and pictures and then somebody to talk to.

<i>Leaflets with words and pictures</i>	<i>Mentioned by 15</i>
<i>Someone to talk to</i>	<i>Mentioned by 12</i>
<i>Training session</i>	<i>Mentioned by 10</i>

<i>Information from the internet</i>	<i>Mentioned by 10</i>
<i>No response/not completed</i>	<i>27</i>

Awareness raising and publicity was often mentioned when asked what could help to stop it – eg TV and radio programmes. People felt their social workers should talk to them about it more.

As stated earlier, some of the most powerful messages from people with learning disabilities about financial abuse were received from talking to people at the focus groups. Some major themes emerging from these groups included:

- For many people there was very little knowledge of what financial abuse was – *“I have heard the word but I didn’t know what it meant”* The word ‘abuse’ wasn’t helpful as many people confused this with physical abuse.
- For those who did have some understanding of financial abuse, this was often defined by their own experience of it rather than an understanding of financial abuse in its wider sense. Examples included family taking/controlling their money, having money taken from them in the street.
- People often talked about *“being ripped off”* and *“taken advantage of”*. Some were able to say why they have particular problems with money i.e *“trouble with numbers”*.
- Family abuse was mentioned – eg control of mobility vehicle, taking control over money, stealing between siblings.
- Examples of abuse from staff was also frequently cited – eg abuse of the buy one, get one free offers when supporting people with their shopping.
- Scams were mentioned by a small number of people.
- Although the term was not often raised, other accounts were given that were examples of ‘mate crime’.
- People reported a lack of information about money matters. People felt they needed more help in understanding money issues. Some people did not have much understanding about where their money came from or what they were entitled to.
- People were not sure where to get help, beyond a general sense of needing to tell somebody. Often the police or their social worker was mentioned as being the person they would talk to. Family and friends were also mentioned, but with a sense of them often also not knowing what to do. In all money matters, people reported that they found face to face information easier to understand than that given over the phone.
- People gave accounts of mixed experiences at banks – some reported positive experiences but there was a need for bank staff to be more aware of how to help people with learning disabilities when they visited banks.
- Frustration was expressed by some that their money was controlled by residential care staff – people resented having to ask for money for the smallest item they wanted and felt the staff didn’t



trust them with money. They were only able to access money for planned events (despite having their own bank account).

- Experiences often reported which had not been labelled as financial abuse by the person, but were in fact such.

## Key findings from the survey

### Main themes

- Financial abuse occurs **wherever people live** – residential care, supported living, family home.
- The subject of **mate crime** and the vulnerability of people with learning disabilities often raised.
- Reluctance to raise matters with **the police** or get the police to take action has been a common issue.
- Just about everyone has said they would like **more information or training** on the subject.
- People are increasingly expected to **manage their own money**.
- Alongside this we must not lose sight of the **potential risks** of abuse or crime.
- There are many **ethical and other dilemmas** to balance.
- There is a clear need for a lot **more support and advice** for those working with people with learning disabilities to prevent, detect and deal with financial abuse.

### Professionals' main concerns

- Banks issuing credit cards/ overdraft facilities with no clear instructions.
- Difficulty involving the police.
- Low priority of training on financial abuse.
- 'Private carers' – issues such as large fees, grooming of people, accepting gifts.
- Mate crime –being taken advantage of by 'friends'.
- Family carers looking on person's income as 'family money'.
- People with learning disabilities not recognising financial abuse or knowing how to complain.

### Families' main concerns

- Big concerns about financial abuse and many shared their stories.
- Not being consulted on decisions about financial capacity and risk assessment.
- Worries around when people are not living at home.
- Concerns around reporting crimes and support from police.
- Not understanding their rights and responsibilities when their child becomes an adult.

### People with learning disabilities concerns

- Limited understanding about financial abuse (often confused with other forms of abuse).
- Some awareness of financial abuse in own lives or those of friends e.g. in relation to brokers (more stories from focus groups than surveys).
- Main examples given were family members controlling or mishandling money, staff taking advantage (eg BOGOFs) and 'mate crime' or targeting by people on the street.
- Very little training or information received but was strongly desired.
- Lack of reporting to or follow up by police.
- Mixed experiences with banks.

## 5. Training

The tangible outcome of the project is a training pack, devised to raise awareness of financial abuse amongst those who support or advise people with learning disabilities in managing their finances. This includes advocates, deputies, IMCAs, brokers and paid and unpaid carers. It offers sound financial management advice and information about prevention and detection of financial abuse. The training is developed with options to deliver in a variety of ways: half day, a whole day, or in short sessions, in order to be flexible for different staff and agencies. The pack itself comprises a power point presentation and also a trainer's manual. A sample programme and learning outcomes can be found in **appendix 3**.

During the course of the project, we ran three pilot training days in order to ensure the training was effective and met participants' training needs.

<b>Course one: McIntyre - Milton Keynes 20<sup>th</sup> September 2011</b>
<ul style="list-style-type: none"><li>• 14 participants + 2 interpreters for participant who was profoundly deaf</li><li>• From different parts of the country, working in a variety of roles for McIntyre – ranging from support workers, managers and finance department staff</li></ul>
<b>Course two: Choice Support - Wakefield 27<sup>th</sup> September 2011</b>
<ul style="list-style-type: none"><li>• 18 participants</li><li>• From regional Choice Support services</li><li>• All deputy or assistant managers of residential or supported living services</li></ul>
<b>Course three: Open course - Nottingham 7<sup>th</sup> November 2011</b>
<ul style="list-style-type: none"><li>• 16 participants</li><li>• Predominantly from East Midlands area</li><li>• Social workers, safeguarding trainers, a solicitor</li></ul>





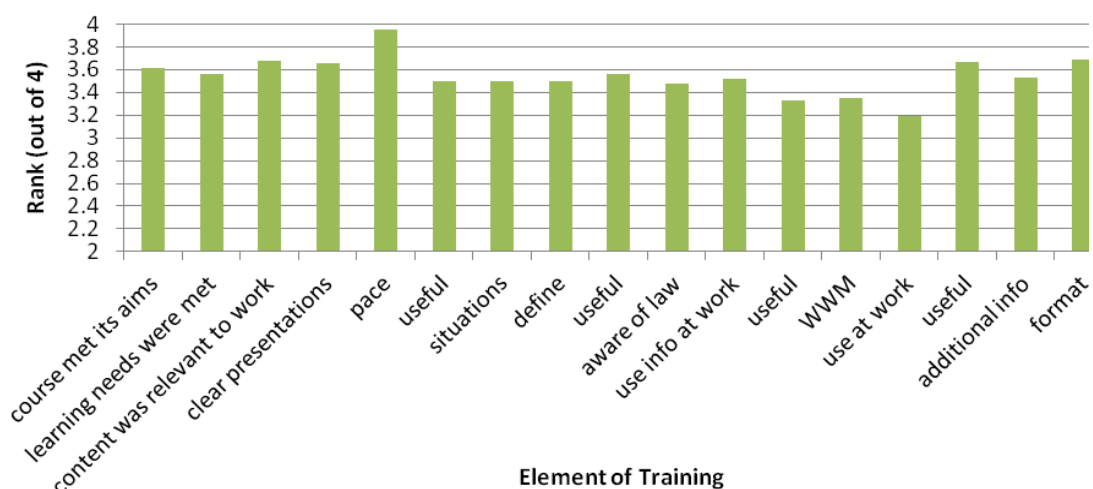



The training days focussed on the following learning outcomes:

- Define and understand the scope of financial abuse.
- Explain why people with learning disabilities are vulnerable to financial abuse.
- Understand policy and the law in relation to financial abuse and crime.
- Be able to identify signs and symptoms associated with financial abuse.
- Identify the actions needed to minimise the risk of financial abuse.
- Know what steps to take in the event of financial abuse.
- Explore a range of relevant resources related to financial abuse.
- Understand their own role in responding to financial abuse.

The pilot days were well received by participants who rated them consistently high across a range of domains.

## Graph of Financial Abuse Training Pilot Evaluations



A number of additional areas of concern and examples of both good and poor practice were raised in discussion at these events. They, together with comments received from participants, were used to refine the training pack into its final form.

### Issues raised by course participants

- Importance of financial audit processes (e.g. abuse of loyalty points spotted when the bottom of receipts had been removed). Important role of finance team in organisations acknowledged by managers. Processes in place but still needed to be vigilant – some complacency was possible, for example past cases of abuse raised (eg buying shopping on person's card etc). Inadvertent abuse – eg a person with learning disabilities whose money was wasted because support staff kept burning his food.
- Safeguarding teams not always willing to act if person has capacity. Getting care managers to take suspected abuse seriously when you are in fact a third party in the situation can be problematic. More information about emotional impact of financial abuse needed alongside awareness of signs of financial abuse, which were often not picked up on.
- Dealing with banks is often a big issue for both staff and people with learning disabilities. Corporate appointees recommended as a useful resource for some. Problematic issues at transition were raised, eg regarding Employment and Support Allowance. Civil proceedings costly and therefore rarely used.
- Ongoing confusion about decision maker under MCA and a lot more help and guidance needed with financial capacity assessments. The time to explain budgets properly to people is not being funded – this task takes time. Likewise, financial checks being reduced in frequency due to financial constraints and cost cutting measure in local councils.

### Comments from participants on feedback forms

- + Very valuable in getting me to unpick the complexities of financial abuse and exploring the issues.
- + Very useful, need to go back and look at our policies and procedures!!
- + Excellent, very thought provoking, lots of useful content but still time/space for debate/ discussion.
- + Enjoyable course, informative trainers made course easy to follow whilst delivering useful information.
- + Really enjoyed the opportunity to discuss the issues around this subject.
- + The interaction and knowledge of the trainers made listening and learning enjoyable.
- + Both facilitators complimented each other, and were very clear in their delivery of the session. It served as a useful tool for self reflection of practices, triggers actions to take forward to services.
- + Found this very useful and it was put forward in a way that I understood, thank you very much!
- + I found this course very interesting and feel that support workers would greatly benefit from attending today's course.
- + Relation to real life situation helps with understanding.
- + Very enjoyable, thought provoking and interesting!
- + I learnt a lot today.
- + There was really good balance of case studies/activities/discussions/presentation by both trainers.
- + I found today really interesting and useful. There's a lot I can take back to the training I deliver.
- + Really useful day that has definitely made me think about my practice as a professional and what knowledge I need to improve on.
- + Would have worked till 4 or 4:30 - I thought there was more to learn.
  
- Could have done with the power points on the day.
- It may have been useful to have an agreed definition.
- Concentrated on adult services maybe a little insight into child/young person services would be useful.
- Tendency to rush the exercises due to time constraints.

## 6. Case studies

We used a rolling case study as part of the training pack which participants found very useful. This particular scenario was based on a range of accounts that were told to us during the duration of the project and which developed in level of detail and complexity as the 3 sections were revealed. We were contacted by Stephen's Mum and we have included a summarised version of his account to illustrate some of the issues for this end of project report. We are very grateful for her time in telling us their account and for agreeing for us to share it.

### David's story

David was born in 1985 and after tests was discovered to have received cytomegalovirus (CMV) damage. David's development was slow and at 13 months he was found to have some deafness which was confirmed at the age of three as being bilaterally profoundly deaf. His head was undersized, (microcephaly), he had good sight in just one eye and had mild cerebral palsy manifesting in mainly balance problems. David went to a school for deaf children and since the age of 18 was regularly asked if he wanted to live independently but always declined. He got a job stacking shelves in a supermarket garage and held this job down with assistance from the garage manager who is a Stage II BSL user, David's preferred language.

Stephen told his family he had made a new friend on Facebook who had gone to his school but many years prior to Stephen being there; the man was 42 years old. His name was Mark; he too was profoundly deaf, used BSL and according to Stephen was a “lovely man”. Stephen then told his parents that he and Mark were in a relationship and that they were boyfriends. His parents told him that was fine and they were happy for him.

Stephen then said he had been invited down to stay at this man’s flat and wanted to go. Stephen’s father asked to meet Mark just so that they knew where Stephen was going and who he was meeting. Mark declined this offer.

Three weeks into the relationship Stephen told his mum that he had a “problem”. Mark was very poor and couldn’t afford to pay his bills and Stephen wanted to send him money. He had shown utility bills to Stephen via a webcam and said he was starving because he had no money. Stephen had told him that he was working, had plenty of money and had shown Mark again over the webcam his Building Society ISA and his bank statements. Stephen sent Mark a valentine’s card with £50 in it prior to even meeting him. Parental concerns were growing as Stephen has a history of giving money to deaf people expecting them to pay him back and they never did.

Stephen then announced that he was going to stay with Mark in just over a week’s time. This was a bit of a shock as his parents were in the process of arranging to stay in a relative’s caravan one weekend the following month, near to Mark’s flat, so as to be “on hand” for the first meeting. Mark had refused to meet them prior to Stephen staying with him, despite numerous requests.

Stephen’s parents kept asking how it was possible to get a capacity assessment done but no one from Social Services was forthcoming with this information. In the end they rang the police’s vulnerable adult team who advised them to go to their local police station and make a complaint as they felt Stephen was being “groomed”. This they did.

A duty doctor arranged a capacity meeting for the Wednesday of that week. The meeting took place and after about a 20 minutes discussion with the assessing psychologist outlining their fears, Stephen’s parents were asked to leave the room so that they could talk to Stephen on his own. His mother writes “My husband and I were made to feel like we were over bearing parents, only concerned that we would lose control of his money and that our real problem was that our son was gay! I raised additional concerns about how was Stephen going to get out of an abusive situation. I was informed that Stephen came up with very sophisticated exit strategies. However, all he was doing was to repeat what he had been taught time and time again during Personal Safety Training at his college. Stephen explained this to me as we walked home from the meeting”.

The Psychologist ruled that Stephen had capacity and that at a later date he should take control of his benefits. From this point on Stephen would make the trip to Mark every fortnight. Stephen always used his bank card but from this moment on his money was drawn out in cash during visits to Mark leaving Stephen with approximately £5 to live on for the month on his return. In addition he took the majority of his saleable belongings in the form of games, videos, hand held gaming devices etc, to Mark which were sold for a pittance. It is clear that the money was handed to Mark. Stephen advised his parents that Mark was looking after his money. On returning from one visit Stephen said he wanted his father’s name taken off his bank account. Stephen has always been happy for his father to help him with his money and this was a further concerning matter. He also said that he was going to see the Social Worker about getting control of his benefits.

None of Stephen's friends liked Mark and were very worried about Stephen being friends with him. Mark instructed him to cut off all communication with them and Stephen did as he was told. Mark was in contact with Stephen constantly mostly cajoling him for money and Stephen changed from a happy and loving son to being aggressive and morose. Always a picky eater he was losing weight by the week because he was being encouraged to take laxatives because he was either too fat or had to have an empty bowel before any of his visits. His weight plummeted to seven and a half stone. He stayed in his room when not working waiting for this man to come on line, even taking his meals there. His manager at the garage commented to his father at how his whole personality had changed and at his weight loss. He wasn't sleeping properly and Mark who was still refusing to meet Stephen's parents, had complete and utter control of him.

Stephen's mother writes "he became aggressive, underhand and viewed us as the enemy especially where money was concerned and demanded more and more despite the fact that every fortnight his wages were handed over to Mark. Family life was hell! At work they were finding him very difficult to deal with as he was constantly lying to them and using his mobile during working hours. Additionally when his mobile was taken from him he was abusive and threatening to a member of staff. This change of behaviour resulted in Stephen receiving two warnings from his employer and he was close to being sacked."

A change of circumstances occurred when Mark, unable to pay his bill, was cut off by BT. This meant that he was no longer able to communicate with Stephen via webcam calls. It also meant that Stephen, who was due a meeting with Social Services, could not be coached by Mark on what to say for 2 hours prior to the meeting; as had been the case previously. Mark therefore decided to travel up for the meeting. Stephen's mother invited Mark to the house so that she could meet him. His manner was immediately intimidating and aggressive towards both Stephen and his mother. Stephen showed Mark a locked cabinet where personal papers such as passports were kept and took him to his room. Mark removed items to take with him. Stephen's mother was upset and concerned and immediately contacted Social Services who had been kept fully informed both by email and telephone of the parents' concerns about Stephen's money going missing and their feelings that Stephen was being groomed for his money by this man.

At Mark's insistence, Stephen refused to have an advocate at the meeting, having previously agreed. Following that meeting and Mark's visit Stephen was invited to go and live with Mark in July. Prior to going his parents had suggested that Stephen appoint an attorney for his financial matters for registration with the court of protection. Stephen agreed to this and was happy for the family solicitor to be appointed. An independent solicitor was instructed for Stephen to visit, in company with an interpreter, who advised Stephen about the Power of Attorney. Stephen was happy to sign and arranged with his attorney that when he moved to be with Mark he would require his help to set up payments for rent etc. However, as soon as he arrived at Mark's, he and Mark went to the CAB and arranged for Stephen to take control of his benefits before the LPA could be registered. Mark refused to allow Stephen to furnish his attorney with the information he needed to set up fair and equal payments each month. Social Services also advised his attorney that Stephen was asking about getting his savings.

Social Services always interviewed Stephen in company with Mark and only got involved after pressure from the parents and his attorney. Stephen's attorney felt that Social Services viewed the parents as rather over protective and in their very brief meeting with Stephen in Mark's presence had formed the opinion that Stephen had mental capacity.

Stephen's mother describes the conclusion of this story. "Basically, we just sat and waited for the inevitable to happen and just hoped that Stephen would not come to any harm. It became clear as the weeks passed that whilst at the beginning Stephen's texts to us were short and matter-of-fact they were starting to become more loving again. It was also very clear that sometimes he would start to write "sweetheart" but failed to finish the message which would end abruptly. On Wednesday, 29 September I received a text from Stephen telling me that he loved and missed his family that Mark was in hospital and could I contact him via MSN using the webcam. I had a Doctor's appointment and couldn't do it then but arranged for the next day. Strangely enough he said he was going to a Cyber Café and would be there at 11 a.m., the next morning. (It transpired that Mark had taken his laptop away and later also his bank card whilst in hospital). The call took place and my 25 year old son sobbed like a baby in a crowded café when I had to say goodbye. He explained Mark limited his contact with family refusing to let him see us and disallowed all communication with friends. He wasn't allowed to go out on his own and was told when and how much he could eat. Simply Mark controlled his entire life and Stephen was too intimidated by him to change this. He told me he wanted to move into a flat on his own. I told him that we would come down at the weekend and help him. Luckily the caravan, I mentioned before, was free and my husband and I were able to use this. From herein the story is that Stephen returned home with us the following Wednesday where he remains".

### **Some issues arising from Stephen's story**

Stephen's parents and Stephen himself have clearly been very distressed by these events and provided the team a number of issues they felt relevant for our project to consider. These are reproduced below.

#### ***Payment of Benefits***

- *Many parents are taken by surprise when benefits are suddenly paid to their disabled son or daughter. No advice is given to help them in dealing with this sudden influx of money and many feel embarrassed to take money for rent. It would be better if their son or daughter is still living at home that an assessment is carried out prior to payment and some of this money is paid direct to the parents as rent.*
- *The disabled person who may have learning as well as physical difficulties suddenly receives what can be large sums of money e.g. between £600 to £700 per month. Many have absolutely no idea how to deal with money or what the money is for. Some open bank accounts and obtain credit cards and get into debt. Others spend the money on alcohol which they become addicted to and others become vulnerable to financial abuse.*

#### ***Mental Capacity Act***

- *The majority of parents are completely unaware that the vulnerable child they have had to help and guide throughout their young lives is suddenly viewed as having capacity. This increases their burden overnight as potentially they are looking after someone who is childlike but cannot be stopped from getting into situations that can have an adverse and sometimes dangerous impact on the whole of the family.*
- *The Mental Capacity Act has no regard to the carer/adviser and the burden put on them. It is clearly not possible to be with the vulnerable adult at all times and many individuals require huge amounts of time to help them make a decision. This is clearly impractical and unworkable. Carers do not have the time that would be required to comply with all parts of the Act. Although we all want those with difficulties to have as fulfilling and independent life as they can this must not be achieved at the cost of the Carer's or families quality of life. Some balance must be found and the Act does not allow for this.*

## **Social Services**

- *The view of Social Services toward parents – often seen as overprotective, manipulating, more interested in keeping benefits than their son/daughters welfare and worse. They tend to ignore information and evidence provided by the parents about their son/daughters limitations or problems.*
- *Poor understanding of the Mental Capacity Act and its implications. If capacity is tested on a certain point and passed they view this as complete capacity on all points and fail to obtain further professional advice when there is clear abuse and clear indications that the vulnerable adult is being aggressively manipulated or unduly influenced in their decision making.*
- *Advice to the vulnerable adult seems poor. It is clear from the Act that they must be helped to see that their decision is perhaps not the right one and encouraged to make the right one. However, there seems to be little advice and more emphasis on allowing them to do whatever they want regardless of the consequences and that they will learn from their mistakes regardless of the extent of the loss suffered!*
- *If these decisions become repetitive leading to continuous abuse from one or more individuals then it should be viewed as a crime by the police regardless of whether the abused individual does not appear to be concerned or even prepared to make a complaint. **A carer should be able to make the complaint on their behalf.***
- *No secrecy – Much has been made of no secrecy between government and local authority departments throughout the country. This is clearly not happening when one County will not even communicate with another to find out what type of situation the vulnerable adult may be getting into. The parents are usually dispatched to contact them and are then again viewed in the same poor light by yet another set of social workers. Additionally each County tries to advise parent's that the other County is required to deal with the matter, leaving the parents trying to find out who is responsible by trawling through pages of local authority policy on the internet.*
- *Support System – In our case the abuser broke down the support system in place and no-one seemed to be bothered about this. Is there no way of involving parents/carers in some way perhaps through mediation meetings?*

## **Interviewing the vulnerable adult in the presence of the abuser**

- *We do not understand how this has become Local Government Policy. Clearly the abused says they are happy for the abuser to be present, they can do no other, or no doubt retribution would take place when they leave. The question should never be asked, it should be made clear at the outset that the vulnerable adult will be seen on their own, or if they require support, with an advocate.*
- *If a Solicitor were to take instructions for a Will from an adult in front of someone benefiting from that Will or who appeared to be manipulating the making of a Will, the Solicitor would be viewed as negligent.*
- *When there is clear evidence that financial abuse is taking place to discuss the finances of the vulnerable adult in front of that abuser can only be viewed as reckless.*
- *In our particular case we feel that there was no analysis of the power difference between the person who is grooming and the person being groomed. These elements were known but not sufficiently analysed so that the bigger picture was not grasped. If it had been this should have led to the abused adult being seen alone and supports put into place for him alone to use in an emergency.*

## **Assessing Capacity**

- *Who should assess capacity?*
- *If a carer or attorney assesses capacity and finds that the decisions being taken by the vulnerable adult are putting them and also sometimes their family at risk and that these wrong decisions are*



*repetitive and the vulnerable adult is clearly not coping with the situation what can be done to stop the situation continuing?*

- To whom can one turn to say that you can now override the decision of the vulnerable adult and take the matter into your own hands and what mechanisms are there in place for this to be done? We have asked countless people these questions and there appears to be no ruling body that can be approached to assist. It would be impractical and too costly to take the matter to court for a decision in every instance. An LPA can be obtained with the agreement of the vulnerable adult but equally they can stop this if the abuser advises them to.*
- Assessment of capacity – There appears to be nothing within the assessment procedure which takes into account whether the vulnerable adult is being unduly influenced and also that they have all the relevant information to make that decision. Also whether they have an historic personality problem which would make them particularly vulnerable in a given situation, in which case a longer assessment should take place before a decision is made.*

**Whilst these are the views of one set of parents, and there is some factual information that can be challenged, they are useful issues raised for further consideration.**

### **Other accounts**

We learnt of many appalling examples of financial abuse during the project. We were struck that, however minor the financial loss that resulted, each had a profound effect on the person and often left them lacking trust in others and feeling powerless. Financial abuse was often committed alongside other forms of abuse. Whether committed by a friend, a family member, paid carer, stranger or even the agencies or authorities supporting a person, the stories never lost their power to shock. Some examples resulted from people with learning disabilities being subject to financial crime in the way that we all can experience. Others were targeted due to their vulnerabilities and were specific to the circumstances they found themselves in as a disabled adult.

Here are a selection of the case studies told to us at the Build for the Future focus group meeting:

The problem was he started using the old bricks that were at the side of the house and he charged us for the new bricks. We found out later that he just came out of prison ... I lost that money completely ... What I'd do now is think about it and get a couple of quotes first.

**Teresa**

In supermarkets you have BOGOF offers – buy one get one free – of course to support workers it's a gift to them - because they keep the free one.

**Darren**

My daughter lived with her dad for a while. Her dad worked. Her aunty who lived next door became like her main carer. She'd go the post office and get her money – give her about £24 and keep the rest – my daughter never knew how much benefit she got, how much DLA or anything. We mentioned it to her social worker but they said there was no proper proof.

**Katrina**

I was sharing a house with this bloke. He had recently had his house left to him by his nan. In the end a relative became his attorney and looked after his property for him. Social services asked him if they could use it as a group home. The idea was to give my friend a bit more money in his pocket as a proper landlord. A chap from a long stay hospital came to live with him and said to my friend "oh you don't

need that – I'll sell it for you and I tell you what I'll look after the money for you". He did this over a couple of months. In the end he got evicted for stealing. My mate said do you think I'll get that money back? I said – "Well I think you've had that". They never reported it to the police. I think they tried to cover it up a little bit.

With personal budgets around I have noticed there are a lot of companies set up as brokers who don't really know what learning disability is ... My main concern is they don't police check the brokers because they don't have to be ... I am concerned for other people with learning disabilities who may have complex needs, maybe can't communicate properly, being ripped off by brokers.

My partner doesn't like to use the debit card and she doesn't like the numbers on it. She's made arrangements with the bank to go up to the bank and do a signature. If there is nobody there who knows her she has to bring her passport, because they won't accept the bus pass. Some people are dyslexic with numbers – I am – and when you're given some money there's always a chance somebody will keep a fiver back – a small amount so it doesn't look too obvious.

**Michael**

One of my friends was forced off individual budget to have a direct payment through a support agency. When he first found out he didn't want that to happen but unfortunately it did. Now he has the right support at the level that he requires but there are quite a few problems. He's approached me but not the support agency. He feels he can trust friends but not support workers ... He couldn't cope with an individual budget and couple of his support workers. They would take money from that individual budget account and used it for her personal shopping. Nobody ever found out about it.

Another vulnerable person I know. There is a girl causing a lot of trouble around the place where they living. This lady took his bank card and pin money 7 times and took quite a large quantity of money from his bank account. When he got his statements he realised. He's a very quiet person and keeps things to himself. Now no-one knows about it even the police. He's told me and he does want to go to the police but he thinks his support won't support him enough to go to the police. He's got to find the confidence in himself to want it to stop.

Another lady who is one of my best mates who has a lot of money worries – especially as her parents keep her money and won't let her touch it and is using it on other expenses. I know she has a mobility car - her parents are using it but won't let her use it. She has an advocate but she hasn't told her because she feels it is better to keep it to herself.

I had a friend who took advantage of my caring nature. She has a lot of money 'cos she wins at bingo quite a fair bit but she doesn't use it – she asked me to use my money on her and it mounted up to about £200! She stole some of my CDs and now she's claiming they are hers. At the time I couldn't do anything but now I have found the confidence inside myself and first discussed it with my dad and my aunty and my aunty encouraged me to talk to my mum and she told her straight to get stuffed! There was an occasion when she pinned me to a wall and took £50 of my Bingo winnings. I did report to the police and got offered help through victim support. The police didn't really do much because she denied it all.

**Kate**

## 7. Advocacy and financial abuse

People are entitled to be in control of their own lives... advocacy and an advocate can help ensure that an individual's views and needs are heard, respected and acted upon.

An advocate will have an opportunity to see a person's life as it really is ... may find themselves in a 'privileged' position of being able to spot abuse that is occurring within someone's life.

An advocate has a unique opportunity to empower a vulnerable adult to demand appropriate interventions and to remain in control of their lives whilst tackling the abuse that they are suffering.

**Adapted from Elder Abuse Advocacy Toolkit**

Throughout the life of our project, we made links with the advocacy project being led by A4A. Unfortunately, the sharing of information has been sporadic as there have been 3 different managers of their work. We did however continue to send updates via email and met with two of the project leads to share findings and ideas.

Our survey findings were illuminating in relation to both how little input we got from advocates and advocacy groups and with what they told us. At a time when their funding situation was so uncertain, we know that groups were busy trying to keep themselves going and that many were understaffed and felt unable to dedicate time to our project. However, we did find out a number of things, including:

- Some groups said they were not funded (or were explicitly prohibited) from doing work in relation to financial abuse.
- Some individual advocates said that they were uncomfortable carrying out work in this area due to the legal complexities.
- Others reported that they had never come across a case of financial abuse.

We held a focus group with a small number of local advocates. All attending were able to give examples of where they had encountered advocacy partners for whom they had become concerned about money management and possible abuse eg use of holiday moneys, being supported to use an ATM machine but money going missing, concerns over a solicitor acting as appointee for an advocacy partner but charging excessively for their services and becoming over-involved in everyday money decisions.

They shared a number of issues they faced as advocates

- Getting evidence of exactly what was going on.
- Establishing financial capacity and what to do when their advocacy partner didn't want any help even though the advocate could see there may be a problem.
- Feeling confident about dealing with financial issues (fine with small amounts – but not when large amounts involved). The quality of advice they and their partners have been able to access to help them has not always been good.
- Poor financial awareness amongst their advocacy partners – may not always recognise what stealing is in certain circumstances.
- Lack of support from statutory services eg people not being helped to monitor their money and savings resulting in DWP suddenly stopping money.
- Issues with families – advocates sometimes feeling stuck in the middle.
- A major concern they had about the future of advocacy in this area was due to cuts and amalgamations going on locally and nationally.

## 8. Recommendations

Throughout the course of this project, it was very obvious to the project team that awareness levels and understanding of financial abuse of people with a learning disability was low. Based on our work and findings, we have made a number of recommendations on the type of key messages that people with learning disabilities need to understand. Secondly, we have also made some recommendations on the messages that other groups involved in the financial processes need to know; these are listed below.

### Key messages for people with learning disabilities

We held a focus group specifically looking at the top tips for people with learning disabilities. We shared with them the key points that had arisen from the project:

- People with learning disabilities should know about financial abuse and why it is wrong
- People with learning disabilities should know how to keep their money and belongings safe
- People with learning disabilities should know how to get the help they need with their money and belongings
- People with learning disabilities should know what to do if they think they have been financially abused

The group then helped us to develop some top tips that they felt they and their friends should be told about in relation to financial abuse (see appendix four).

**People with learning disabilities need more knowledge and awareness of money matters and how to keep themselves safe.**

**Practical support and training should be available and resourced for those who can develop financial capacity.**

**The improved and consistent use of appropriate safeguards and support for those who can't manage their own money should be widely available.**

**Comprehensive assessment of the financial capacity of people with learning disabilities should be undertaken on an ongoing basis.**

### Key messages for families and carers

Family and carers recognise the vulnerability of their sons and daughters and are anxious to be involved in their ongoing safeguarding from financial abuse. Professionals do not always involve them as fully as they should in this process. However families and carers sometimes do not always understand the legal framework surrounding financial management for their adult children. Sometimes they can themselves be involved in the financial abuse of their children, whether intentionally or not.

**Families and carers need more knowledge and awareness (as early as possible) of their rights and responsibilities under the Mental Capacity Act in relation to their son's and daughter's money matters.**

**Families and carers should have appropriate involvement in any financial decision making assessment undertaken on their son or daughter.**

**Families and carers should be made aware of what to do and who to contact if they have concerns.**

## **Key messages for care managers**

The role of the care manager is central to ensuring that people with learning disabilities are safeguarded from financial abuse. We discovered that care managers do not always work as closely and effectively as they might do with care providers and families and carers in this process.

**Care managers should ensure good financial capacity assessments of those for whom they are responsible.**

**Care managers should recognise early signs and symptoms of financial abuse.**

**Care managers should have a better understanding and application of the Mental Capacity Act and role of deputies and appointees.**

**Care managers should involve families and carers as appropriate to safeguard people with learning disabilities from financial abuse.**

## **Key messages for support staff**

Support staff play a central operational role in safeguarding people with learning disabilities from financial abuse by following safe practice and being aware of the risks associated with money management for people with learning disabilities.

**Support staff should receive training on awareness and recognition of financial abuse.**

**Support staff should be supported in their practice by good policies and procedures on financial management.**

**Support staff need access to good resources and support networks to enable them to carry out their role in relation to supporting the money management of the people they support.**

**Support staff should know how to help police investigations and obtain quality evidence of any financial crime.**

## **Key messages for advocates**

Despite the reluctance of some advocacy organisations to get involved in situations relating to financial abuse, we remain convinced they have an important role in minimising the risks for people with learning disabilities. There is a strong argument for a distinct branch of advocacy, focussing on financial advocacy, to be developed in order to allow this role to be available to as many people as require it.

**Advocacy organisations should have clear policies and procedures in relation to clarifying their role in instances of financial abuse.**

**Advocates should have ongoing training in safeguarding; to include financial abuse, and their role in safeguarding investigations.**

**A specialist financial advocacy role should be developed within the profession.**

**Advocates should have a good understanding of the legal issues related to money and advocacy partners who may be unable to manage their own finances.**

### **Key messages for the police**

The police expressed frustration at their inability to proceed to prosecution in some cases of financial crime due to evidential issues. People with learning disabilities expressed mixed views on being able to speak to the police and get action. There is a need for joint working to improve access to justice for victims of financial crime.

**Police should continue to improve their recognition of, and responses to, the vulnerabilities of victims.**

**Police should continue to work with other groups to improve access to justice for victims of financial abuse.**

**Police should be aware and make use of special measures designed to help vulnerable victims give evidence (eg registered intermediaries).**

### **Key messages for others**

People with learning disabilities reported many difficulties with access to banking services. The role of appointees and deputies was poorly understood and there was much mistrust of their role by some people.

**Banks and building societies need to continue to develop ways in which people with learning disabilities can use their services safely.**

**Bank staff need training and awareness of the needs of people with learning disabilities.**

**There is a need for improvement in the uptake and quality of appointees.**

**The role of deputies needs to be better understood by people supporting people with learning disabilities.**

## Financial abuse

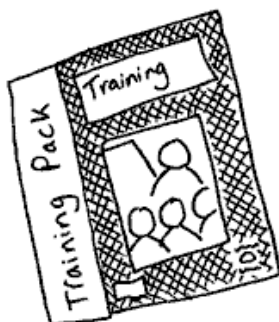


ACTing against abuse



all about people

The Department of Health has given some money to the Ann Craft Trust and BILD to work together for two years.



We want to write a training pack about how to stop financial abuse of people with learning disabilities. The pack will be for advocates, families, staff and people with learning disabilities.



The people who will be working together are Deborah Kitson, Liz Brooks and Sue Thurman.



We have been asking lots of different people about financial abuse.



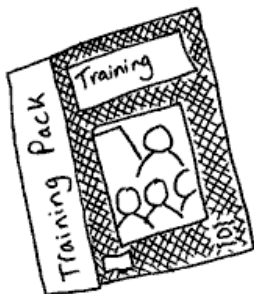
We have asked people what they think **financial abuse** means.



We have asked people about their **stories** about financial abuse.



We have asked people for ideas about what can help to **stop financial abuse**.



We will be writing a **training pack** to help keep people safe from financial abuse. The pack will also teach people what to do if you know somebody who is being financially abused.



We will **try out our training** with lots of different people including people with learning disabilities. We want our training pack to be helpful.



We want to be able to tell people good ways to know when financial abuse is happening and how to **stop it**.



## Appendix two: What the 'Build for the Future' group said when asked to describe financial abuse

- People take advantage of your money ... Borrow off you not paying back - wouldn't pay back ... Things got out of hand ... Someone helped ... Where do we go for help?
- Parents – quite common - total control of money – also have vehicle in person's name ... Cannot use vehicle ... Does not wish to upset family ... Family won't let go of vehicle ... It's emotional abuse ... I would like to move out of family home but family would lose benefits and car.
- Some of us do not know what money we get ... Having to pay for your support worker – don't always understand the rules about this. Contracts need to be written so everyone understands ... It's easier to ask somebody else to look after your money. People often lack direct control over their money. Who decides this?
- Support taking 'their' washing into person's home using person's washing powder, electricity and tumble drier. Holiday support taking advantage. Sometimes people think they are entitled to us someone with learning difficulties' things eg coffee, milk etc ... Shopping – BOGOF. Carer takes free one. Sometimes done discretely, other give a little patter (suggestions bamboozle you!) "You don't need 2. You don't mind do you?" ... Carer using phone in supported hours.
- Person appears very able and collects their own money but doesn't have many friends ... Goes to the pub to make friends. All money goes on buying drinks for "friends." Person drinking too much. When stopped going to the pub "friends" came round to demands money ... "Mate crime" ... People not paying their way.
- Some people have no conscience ... Younger people expect everything ... Doing things behind the person with learning difficulties' back ... **Want:** Treating people with respect, not taking advantage of the person's disability.
- Taking money from you ... Burglary, theft and stealing ... Scams – pyramid system ... Direct debits take more than needed ... Someone taking bank card and taking money out of account, tampering with bank account ... Phone call – you win a prize/holidays/mobile phones ... Short changing ... Getting swindled, Taking advantage ... Maybe crime taking money from purse ... Someone spying on your PIN number.
- Taking advantage of individual budgets ... I worry about brokers ... Sometimes family members use our money. I have come to an agreement with my mum about my money.
- We haven't had any financial awareness training ... I found it hard to get information about housing arrears – easier to do it face to face than on the phone ... Lots of us have "trouble with numbers ... *People talked generally about how hard it was to talk on the phone to people in authority.*

## Appendix three: Learning outcomes and sample programme for training day

**By the end of the programme delegates will be better able to:**

- Define and understand the scope of financial abuse
- Explain why people with learning disabilities are vulnerable to financial abuse
- Understand policy and the law in relation to financial abuse and crime
- Be able to identify signs and symptoms associated with financial abuse
- Identify the actions needed to minimise the risk of financial abuse
- Know what steps to take in the event of financial abuse
- Explore a range of relevant resources related to financial abuse
- Understand their own role in responding to financial abuse

Time	Details	Type of exercise
<b>09.30</b>	<b>Welcome and Introductions</b> <ul style="list-style-type: none"> <li>- Introducing programme and each other</li> <li>- What we learnt from the project</li> </ul>	Pairs and presentation,
<b>10.00</b>	<b>What is financial abuse?</b> <ul style="list-style-type: none"> <li>- How do <b>you</b> define financial abuse?</li> <li>- Definitions and scope of financial abuse</li> </ul>	Small group work and presentation
<b>10.45</b>	<b>Your views and experiences</b> <ul style="list-style-type: none"> <li>- Abuse or poor practice?</li> </ul>	Small group work and Feedback
<b>11.15</b>	<b>What makes people vulnerable?</b> <ul style="list-style-type: none"> <li>- Key risk factors</li> </ul>	Large group Discussion
<b>11.30</b>	<b>COFFEE</b>	
<b>11.45</b>	<b>Case Study</b> <ul style="list-style-type: none"> <li>- Part one</li> </ul>	Small group work and Feedback
<b>12.15</b>	<b>What does the law say?</b> <ul style="list-style-type: none"> <li>- Definitions</li> <li>- Safe recruitment</li> <li>- Financial capacity</li> <li>- Justice</li> </ul>	Presentation, discussion, DVD
<b>1.00</b>	<b>LUNCH and resource display</b>	
<b>1.45</b>	<b>Quiz</b>	Power point
<b>2.00</b>	<b>Case study continued</b> <ul style="list-style-type: none"> <li>- Part two</li> <li>- Part three</li> <li>- Reflection</li> </ul>	Small group work, feedback and reflection
<b>2.45</b>	<b>TEA BREAK</b>	
<b>3.15</b>	<b>Your responsibilities – key issues</b> <ul style="list-style-type: none"> <li>- Identifying: what are the signs?</li> <li>- Minimizing risk: good assessment and practice</li> <li>- Responding: actions you can take</li> <li>- Your role</li> </ul>	Presentation & Discussion
<b>3.45</b>	<b>Where to from here? Action plan</b> <ul style="list-style-type: none"> <li>- Policy recommendations</li> <li>- Practice</li> <li>- Sharing learning</li> </ul>	Pairs and Plenary
<b>4.00</b>	<b>CLOSE</b>	

## Top tips to keep safe from financial abuse



**Financial abuse is always wrong.** Financial abuse is when somebody takes or uses your money or belongings when they do not have your permission to do this.



**It is important that** you know how to keep your money and belongings safe.



**It is important that** you know how to get help looking after your money and belongings.



**It is important** that you know what to do if you think you have been financially abused.



## Know as much as you can about your own money



Learn about how banks work and how to keep your money safe.



Make sure you know what money you should be getting (from your wages or your benefits).



Always know what money you have in your bank or in your purse or wallet.



Learn how to check your bank statements or find somebody to help you do this.



## Getting help with your money



Do as much as you can by yourself but **always get help** if you need help with your money.



Have more than one person who helps you with your money, so they can check on each other.



Ask the bank to help you if you find money or numbers difficult.



## Keep safe and don't be tricked by other people



Remember that if something 'seems too good to be true' - it probably **is too good to be true**. Be careful, in case you are tricked.



If you '**haven't got it don't spend it**' - always make sure you know how you can pay for what you spend.



If you don't understand what you are being asked to do – don't do it. **Ask somebody you trust to explain.**



**Just say no** to texts, phone calls or people at the door who ask you to sign things.



If you are worried about your money or your belongings **talk to somebody you trust.**



**Don't be afraid to talk to the police** if you think there has been a crime.

**“We need somebody to trust but not to run our lives for us” (Mark)**

These tips have been written for people with learning disabilities by people with learning disabilities. Thank you to people who go to Summerwood and Inspire for helping with this. Also thank you to Photosymbols for the pictures.

## **Appendix five: References and resources**

### **Information on financial matters for people with learning disabilities and their supporters**

#### **Association for Real Change (2006 – 2011)**

ARC have produced a suite of material relating to money and people with learning disabilities and related topics such as hate crime

- **Livingstone Jane, 2006** My money matters: guidance on best practice in handling the money of people with a learning disability (loose leaf, CD ROM)
- **Livingstone Jane, 2007** Banking matters to me: the experiences of people with learning disabilities seeking to use banking services and products
- **Livingstone Jane, 2007** Banking matters to me: top tips
- **Livingstone Janet, 2011** Guidance on money management for people who lack capacity to make some decisions about how their money is used
- **Friend or Fake; trainers' resource (2011)** All about Hate Crime and Mate Crime. For more information see <http://www.arcsafety.net/>

#### **Barclays Money Skills (2012) Banking made clear**

This resource has been developed by Barclays in partnership with BILD to provide people with learning disabilities with clear information about how to manage their money. Topics covered include opening and using a bank account, keeping track of your money and budgeting, spending and saving, staying safe, and where to go for more help and support. The booklet is accompanied by a DVD which guides the viewer through the process of opening an account that is right for them, and top tips on keeping safe. There is also a resource pack to help volunteers, support workers, tutors, and other practitioners who work with people with learning disabilities to put together and run successful money management sessions. <http://www.barclaysmoneyskills.com/Information/Resource-Centre/Other-resources.aspx>

#### **Dimensions (2007) My home and money: A guide for people supporting adults with a learning difficulty to manage their money**

A guide for people who support adults with learning difficulties to manage their money (including parents and professionals) which explains what is involved and the steps to take, raises questions and possible problems that could arise, gives tips and ideas of what has worked for other people, gives examples of how people have managed their money and suggests other sources of information and advice. Written by Jenny Pannell and Maurice Harker of Housing Options, May 2007

#### **National Autistic Society (2010) Managing Money**

This on-line resource has 25 sections to help people learn about all the different ways of managing money. Of particular interest are the sections on 'Keeping money' which include modules such as [scams](#), [identity theft and staying safe](#), [letting other people manage your money](#) and [getting help with money decisions](#). There is also a printed copy of the information available. The site was commissioned by the Consumer Financial Education Body (CFEB) which was established by the Financial Services Authority in April 2010. <http://www.managingmoney.org.uk>

### **SEN PRESS**

SEN Press produces simple, age-appropriate reading books and activity packs for 14-19 year old students with learning difficulties. The 'Making Sense of Money' series provides simple narratives about where money comes from, how much things cost, how to budget and people's different financial situations.

**Website:** <http://www.senpress.co.uk/>

### **NOW (2010) Moneyplus Training**

NOW is a Limited Company with charitable status based in North and West Belfast. They provide quality training and employment services for local people with learning difficulties. This includes a money management course aimed at providing people with the experience and skills they require to set up and manage their bank account. [www.trainingatnow.com](http://www.trainingatnow.com)

Tel: 028 9043 6400 [moneyplus@trainingatnow.com](mailto:moneyplus@trainingatnow.com)

### **St John of God and MABS (2010) Money Counts**

MoneyCounts is an interactive tool to facilitate learning of practical money management skills supporting personal safety and independence. It includes a trainer's guide, handouts, videos and downloads. NB As it was developed in Ireland, it uses euros as the currency in its materials.

<http://www.moneycounts.ie/moneycounts>

## **Advice and guidance aimed at those supporting people who need assistance with managing their own money includes:**

- **Age Concern (2003)** Money at home: the home care worker's guide to handling other people's finances and belongings
- **Bewley, Catherine (1997)** Money matters: helping people with learning difficulties to have more control over their money, VIA
- **Challenging Behaviour Foundation (2010)** Getting legal authority to make decisions about money, property and welfare, [www.thecbf.org.uk](http://www.thecbf.org.uk)
- **CSCI (2007)** In Safe keeping
- **Department of Health (2009)** Guidance on direct payments – For community care, services for carers and children's services: England
- **Department of Health (2009)** A guide to getting Direct Payments from your council (Easy Read version)
- **Edinburgh Voluntary Sector (2004)** Banking on change
- **Foundation for People with Learning Disabilities (undated)** Banking on good decisions

- **HFT (2011)** Using the Mental Capacity Act: A resource for family and friends of people with learning disabilities (especially sections 10 – 13 about finances)  
[http://www.hft.org.uk/Family\\_Carer\\_Support/MCA\\_Resource\\_Guide](http://www.hft.org.uk/Family_Carer_Support/MCA_Resource_Guide)
- **Housing Options (2007)** Managing money and living independently
- **In control (2011)** Opening a bank account (fact sheet 25) Updated Feb 2011

## **Guidance aimed at protecting individuals from financial abuse or crime (including those who receive direct payments or individual budgets)**

Advice on avoiding scams [http://www.consumerdirect.gov.uk/watch\\_out/](http://www.consumerdirect.gov.uk/watch_out/)

**Alzheimer's Society (December 2011)** Short changed: protecting people with dementia from financial Abuse <http://alzheimers.org.uk/shortchanged>

**The British Bankers' Association** Banking for people who lack capacity to make decisions  
[www.bba.org.uk](http://www.bba.org.uk)

**Brown, H, Burns, S and Wilson B (2002)** The role of the Public Guardianship Office in safeguarding vulnerable adults against financial abuse. *This is a research project which took place between 2001 and 2002. Although the research was specifically designed to assist the PGO (now known as the Office of the Public Guardian) to better understand and respond to financial abuse in its own context, much of what was revealed has wider implications and applicability.*

**Website of the Office of the Public Guardian:** <http://www.direct.gov.uk>

**Care Quality Commission (CQC)** Supporting note: Managing money belonging to people who use services (PoC2B 100486 1.0) **Website:** <http://www.cqc.org.uk/>

**The Chartered Institute of Public Finance and Accountancy (CIPFA) (2007)** Direct Payments and Individual Budgets: Managing the Finances **Website:** [www.cipfa.org.uk](http://www.cipfa.org.uk)

**Child Poverty Action group** Offers training, publications and advice for people such as The Personal Finance handbook <http://www.cpag.org.uk/default.htm>

**In Control (2006)** A guide to developing contractual and financial frameworks that will enable Self-Directed Support *Plus many other documents including examples of financial policies etc for local authorities*

**Website:** [www.in-control.org.uk](http://www.in-control.org.uk)

**Office for Disability Issues (February 2012)** Disability Hate Crime Guides, part of the joint Let's Stop Disability Hate Crime project between the Office for Disability Issues and Disability Rights UK. It includes guides for disabled, non disabled people and organisations on what is a disability hate crime, why it should be reported, and how to report and respond to hate crime. You can now download the guides at:  
<http://www.radar.org.uk/people-living-with-health-conditions-disability/disability-hate-crime/>



**Office of Fair Trading (2008)** Can you stop the person you care for from being scammed?  
[http://www.oft.gov.uk/OFTwork/publications/publication-categories/consumer\\_advice/scams/](http://www.oft.gov.uk/OFTwork/publications/publication-categories/consumer_advice/scams/)

**Ray S, Thompson P and Ellen Sharp (2008)** 'Doing the Right Thing' The information and support needs of receivers and attorneys: Report to the Public Guardianship Office, Age Concern

**SCIE (Nov 2011)** Assessment: Financial crime against vulnerable adults: adult services report 49

**SCIE (Dec 2011)** Safeguarding adults at risk of harm: A legal guide for practitioners: adult services report 50

**Welsh Assembly (2009)** In Safe hands: the protection of vulnerable adults from financial abuse in their own homes (update 2009) <http://wales.gov.uk/docs/dhss/report/090422insafehands09en.pdf>

**Department of Health (2010)** Practical approaches to safeguarding and personalisation  
[http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/@dh/@en/@ps/documents/digitalasset/dh\\_121671.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/@ps/documents/digitalasset/dh_121671.pdf)

## Assessing financial capacity

**DOSH** provides financial advocacy support and appointeeship to people with a learning disability.  
**Website:** <http://www.dosh.org>

**Suto I, Clare I and Holland A (2007)** Financial Decision-Making: guidance for supporting financial decision-making by people with learning disabilities ISBN 1 904082 96 3

**Social Care TV (2011)** Mental capacity: Roger's assessment  
<http://www.scie.org.uk/socialcaretv/video-player.asp?guid=e7aef971-bb99-4002-9d9e-fc6985f03aec>

**Wilner P, Bailey R, Dymond S and Parry R (2010)** Coins and Costs: A Simple and Rapid Assessment of Basic Financial Knowledge, Journal of Applied Research in Intellectual Disabilities 2011, 24, 285–289

## Organisations and places that may offer support or advice

**Ann Craft Trust** works to ensure that organisations that support people disabled children and vulnerable adults are aware of abuse and protection issues. They provide services to raise professional awareness and also to increase the knowledge and skills of professionals who can then help reduce the risk of abuse and support people who have been abused. **Website:** <http://www.anncrafttrust.org/>  
**Telephone:** 0115 9515400 **Email:** [ann-craft-trust@nottingham.ac.uk](mailto:ann-craft-trust@nottingham.ac.uk)

**Action on Elder Abuse** works to protect, prevent abuse of vulnerable older adults.  
**Website:** <http://www.elderabuse.org.uk/> **Telephone:** 020 8835 9280  
**Email:** [enquiries@elderabuse.org.uk](mailto:enquiries@elderabuse.org.uk)

**Association of Public Authority Deputies** provide a website as a support mechanism for Local Authorities. They have developed Best Practice Guidance and look to expand that work over the next



few years. They hold regional meetings to enable members to network and share problems/ideas, and an annual conference with speakers from the OPG and Court of Protection. **Website:** <http://www.apad.org.uk>

**Citizen's Advice Bureau** The Citizens Advice service helps people resolve their legal, money and other problems by providing free, independent and confidential advice. There are nearly 400 Citizens Advice Bureaux across England and Wales. Citizens Advice is the membership organisation for bureaux.

For more information, visit <http://www.citizensadvice.org.uk/>

**Court of Protection** The Court of Protection is a specialist court for all issues relating to people who lack capacity to make specific decisions. The Court makes decisions and appoints deputies to make decisions in the best interests of those who lack capacity to do so.

**Website:** <http://www.justice.gov.uk/guidance/courts-and-tribunals/courts/court-of-protection/>

**Department of Health Policy and Guidelines:** Government information about the protection of vulnerable adults **Website:** <http://www.dh.gov.uk/health/policy/>

**Department of Work and Pensions (DWP)** is responsible for welfare and pension policy. The Disability and Carers Service is part of the Pension, Disability and Carers Service (PDCS) which is an executive agency of DWP. It provides financial support for customers claiming disability benefits and their carers.

**Agents, Appointees, Attorneys and Deputies Guide** is at

<http://www.dwp.gov.uk/publications/specialist-guides/agents-appointees-attorneys/>

**The Friendly Trust** A registered charity based in Cardiff, South Wales which was set up to advise people with learning disabilities, their families and carers on financial matters. **NB Some of the information on their site does not appear to be up to date when we last checked.**

**Website:** <http://www.friendlytrust.org.uk/>

**Money Carer Foundation** The Money Carer Foundation is a social enterprise that provides a daily money management service to safeguard vulnerable adults who are not able to manage their own financial affairs. Our daily money management and deputyship service is available on a national basis across England, Scotland and Wales. They work alongside care providers, Local Authorities, charities, advocates, family members and many other organisations and individuals that provide care services.

**Website:** <http://moneycarer.org.uk>

**Local services** Make contact with local services in your area that may be able to give help and advice.

- **Local authority safeguarding team**
- **Advocacy organisations**
- **Local law centres**
- **Specialist financial services for people with individual budgets (eg West Lancashire fund management service)**

**Mencap** produce a selection of useful and relevant factsheets, including:

- **Consent and decision-making: Financial matters for people with a learning disability aged 18 or over.**  
<http://www.mencap.org.uk/node/5772>
- **Bank accounts**  
<http://www.mencap.org.uk/sites/default/files/documents/2010-03/bank%20account>
- **Mental Capacity Act** [www.mencap.org.uk/mentalcapacityact](http://www.mencap.org.uk/mentalcapacityact)

To get in touch with the **Learning Disability Helpline**, please contact:

- **England:** Telephone: 0808 808 1111 Email: [help@mencap.org.uk](mailto:help@mencap.org.uk)
- **Northern Ireland:** 0808 808 1111 Email: [mencapni@mencap.org.uk](mailto:mencapni@mencap.org.uk)
- **Wales:** 0808 808 1111 Email: [information.wales@mencap.org.uk](mailto:information.wales@mencap.org.uk)

**Moneybox with Paul Lewis (BBC Radio 4)** A weekly personal finances programme, which often has items on relevant topics. **Website:** <http://news.bbc.co.uk/1/hi/programmes/moneybox/default.stm>  
Paul Lewis also writes on financial matters elsewhere (for example, this item on Lasting Power of Attorney for SAGA.)

**Website:** <http://www.saga.co.uk/money/paullewisontheweb/lasting-power-of-attorney-care-when-you-cant.asp>

**NAAPS** is a UK charity established to represent the interests of all those involved in delivering very small, individualised, community based services such as Shared Lives (formerly known as Adult Placement). They offer training on financial management for shared lives carers. **Website:** [www.naaps.org.uk](http://www.naaps.org.uk)

**No Cold Calling Zone:** Information from Leicestershire County Council Trading Standards on doorstep callers (also available for other areas) **Website:** [http://www.leics.gov.uk/no\\_cold\\_calling\\_zones.htm](http://www.leics.gov.uk/no_cold_calling_zones.htm)

**Office of the Public Guardian (OPG):** Responsible for ensuring that attorneys are appointed to look after the financial affairs of clients, or donors, who are not mentally capable of doing so themselves.

**Website:** <http://www.direct.gov.uk>

**Practitioners Alliance for Safeguarding Adults** promotes good practice in working with vulnerable adults to identify and respond to suspected abuse and neglect. **Website:** <http://www.pavauk.org>

**Public Concern at Work:** Provides free help to prospective whistleblowers, advice on whistleblowing laws and helps organisations create a culture where it is safe and accepted for staff to blow the whistle.

**Website:** <http://www.pcaw.co.uk/>

**Respond** works with children and adults with learning disabilities who have experienced abuse or trauma, as well as those who have abused others, through psychotherapy, advocacy, campaigning and other support. Respond also aims to prevent abuse by training, consultancy and research.

**Website:** <http://www.respond.org.uk> **Telephone:** 020 7383 0700 **Email:** [admin@respond.org.uk](mailto:admin@respond.org.uk)

**Voice UK** is a national charity supporting people with learning disabilities and other vulnerable people who have experience crime or abuse. They also support their families, carers and professional workers.

**Website:** [www.voiceuk.org.uk](http://www.voiceuk.org.uk) **Telephone:** 01332 291042

## Additional reading

- **Age Concern England (2008)** Doing the right thing: information and support needs of receivers and attorneys - a report to the PGO by Sujata Ray, Pauline Thompson and Ellen Sharp
- **Audit Commission (Nov 2011)** Protecting the Public Purse, fighting fraud against local government. <http://www.audit-commission.gov.uk/sitecollectiondocuments/downloads/ppp2011embargo.pdf>
- **Brown H. (2003)** What is financial abuse? The Journal of Adult Protection, 5 (2) May 2003, pp 3-110

- **Brown H, Burns S. and Wilson B. (2003)** Suspected financial abuse among cases administered by the PGO, The Journal of Adult Protection, 5(2) May 2003, pp 26-37
- **Burns S. and Bowman J. (2003)** The work of the PGO in protecting vulnerable people from financial abuse The Journal of Adult Protection, 5(2) May 2003, pp 21-25
- **Centre for Policy on Aging (2008)** CPA Briefing: The financial Abuse of Older People, Centre for Policy on Ageing, August 2008
- **Citizen's Advice (January 2011)** The Operation of Appointees: Citizens Advice evidence
- **Collins M. (2003)** Still in safe hands: financial protection, The Journal of Adult Protection, 5(2) May 2003, pp 47-48
- **Crosby G, Clark A, Hayes R, Jones K. and Lievesley N. (2008)** The Financial Abuse of Older People: a review of the literature carried out by the Centre for Policy on Ageing on behalf of Help the Aged, Help the Aged
- **Duffy S. and Gillespie J. (2009)** Personalisation and safeguarding, In Control, 20th January 2009
- **Fitzgerald G. (2006)** A response to Madden P (2006) Direct payments: freedom from abuse, The Journal of Adult Protection, 8 (4) December 2006, pp 35-36
- **Green S. (2011)** David Cooper: a case study in financial abuse, The Journal of Adult Protection, 13(1) Feb 2011 pp36-45
- **Green S. (2011)** Appointeeship: helping low income clients, Elder Law journal, 2(1) 2011 p 207-212
- **Hampshire Adult Services Department (2007)** Financial Abuse; Prevention and Cure. Joint working in Hampshire: Guidance and Information
- **Madden P. (2006)** Direct payments: freedom from abuse, The Journal of Adult Protection, 8 (4) December 2006, p 32
- **Manthorpe J. et al (2009)** Safeguarding and system change: early perceptions for adult protection services of the English individualised budgets pilots: a qualitative study, British Journal of Social Work, 39(8) December 2009, pp 1465-1480
- **McCawley A, Tilse C, Wilson J, Rosenman L. and Setterland D. (2006)** Access to assets: older people with impaired capacity and financial abuse, The Journal of Adult Protection, 8(1) May 2006, pp 20 - 32
- **NHS Information Centre (2012)** Abuse of Vulnerable Adults in England, 2010-11 Experimental Statistics: Final report  
<http://www.ic.nhs.uk/statistics-and-data-collections/social-care/adult-social-care-information/abuse-of-vulnerable-adults-in-england-2010-11-final-report-experimental-statistics>
- **Nottinghamshire County ASCH/Supporting People(Feb 2008)** Protocol on Managing Service Users Finances in Care Support and Enablement Services

- **Office of the Public Guardian (undated)** Summary of Office of the Public Guardian proposals to take forward the recommendations made by Age Concern in their research report - 'Doing the Right Thing'
- **Penhale B. (2003)** Financial abuse and charging for care: the views of social work and legal professionals, *The Journal of Adult Protection*, 5(2) May 2003, pp 11-20
- **Quigley L. (2006)** A response to Madden P (2006) Direct payments: freedom from abuse, *The Journal of Adult Protection*, 8(4) December 2006, pp 33 – 34
- **SCIE (Nov 2011)** Assessment: Financial crime against vulnerable adults, for the Association of Chief Police Officers/Home Office/Department of Health
- **Setterland D. et al (2007)** Understanding financial elder abuse in families: the potential of routine activities theory, *Ageing and Society*, 27(4) July 2007, pp 599-614
- **Sloman M. (2003)** The risk factor: suspect transactions, *Community Care*, 3 April 2003
- **Solicitors for the Elderly (undated)** A strategy for recognising, preventing and dealing with abuse of older and vulnerable people
- **Swift P. (2006)** A response to Madden P (2006) Direct payments: freedom from abuse, *The Journal of Adult Protection*, 8 (4) December 2006, pp 37 -38
- **Tilse C. Et al (2005)** Minding the money: a growing responsibility for informal carers, *Ageing and Society*, 25(2) March 2005, pp 215-227
- **Valios N. (2007)** Cleaned out by the ones you love, *Community Care*, 30th August 2007
- **Walsh K. and Bennett G. (2000)** Financial abuse of older people, *The Journal of Adult Protection*, 2 (1) February 2000, pp 21-29
- **Williams B. (2005)** The abuse of direct payments, *The Journal of Adult Protection*, 7 (3) October 2005, pp 38-39







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