

# 7-minute briefing on NCC financial safeguarding



## Section 01 - Don't Panic

When we identify a situation of potential abuse it can be worrying. You might have several questions: am I overreacting? Have I misunderstood the situation? By escalating my concern will I make it worse? These concerns are completely understandable, but you cannot ignore your concern. Financial abuse is never acceptable, no matter how minor it may seem. Financial abuse is a crime. You must share your concern with your manager without delay. Believe the unbelievable.

## Section 02 - What does the Care Act say?

Section 42 (3) of the Care Act (2014) notes that: "Abuse" includes financial abuse; and for that purpose "financial abuse" includes (a) having money or other property stolen, (b) being defrauded, (c) being put under pressure in relation to money or other property, and (d) having money or other property misused. The associated statutory Care Act guidance also contains the following definition of financial abuse (Care Act Guidance 14:17): 'Financial or material abuse – including theft, fraud, internet scamming, coercion in relation to an adult's financial affairs or arrangements, including in connection with wills, property, inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.'

## Section 03 - MCA

Mental Capacity Act (MCA) is designed to protect and empower people who may lack the mental capacity to make their own decisions about their care, treatment or financial affairs. It applies to people aged 16 and over. It is important if you are asking someone to make a financial decision that you are confident they have the mental capacity to do so. Remember capacity is both time and decision specific. A person can have mental capacity to make some decisions but not others.

## Section 04 - Impact on the individual

The impact of financial abuse should not be underestimated and can be as significant as any other type of abuse. Even small financial or material losses have the potential to have a significant impact on the adult at risk and can leave people unsettled and without the confidence to live independently. It can cause the person who previously did not have any care or support needs, to deteriorate to a level which does require intervention and the requirement for support and services from Adult Social Care. See section on what should I be looking out for.

## Section 05 - Impact on the local authority

Financial abuse costs our local authority significant losses every year. Nationally one study estimated losses at £5.62 billion. While it is difficult to give a precise figure for Norfolk there is strong anecdotal evidence that the authority is losing significant sums. This is money which is taken away from services, which others have had to pay for.

## Section 06 - MSP

Making Safeguarding Personal (MSP) is the basis on which all safeguarding work must be taken forward. MSP is about focusing on the personalised outcomes desired by people with care and support needs who may have been abused. It is about person-centred approaches to working with risk. Financial abuse has an impact on the local authority and all staff have a responsibility to report their concerns and for all cases to be thoroughly investigated.

## Section 07 - What to look out for?

In your work you are well placed to notice / pick up on a range of signs of financial abuse. These include: signatures on cheques etc that do not resemble the older person's signature, or signed when the older person cannot write | sudden changes in bank accounts, including unexplained withdrawals of large sums of money by a person accompanying the older person | the inclusion of additional names on an older person's bank account | abrupt changes to, or the sudden establishment of, wills | the sudden appearance of previously uninvolved relatives claiming their rights to an older person's affairs or possessions | the unexplained sudden transfer of assets to a family member or someone outside the family | numerous unpaid bills, or overdue rent, when someone else is supposed to be paying the bills – this is an important one | unusual concern by someone that an excessive amount of money is being expended on the care of the older person | lack of basic essential | the unexplained disappearance of funds or valuable possessions | deliberate isolation of an older person from friends and family, resulting in the caregiver alone having total control.

If you see any of the above be professionally curious and look more closely and ask questions, escalate to your manager. Work alongside finance.