

# **Safeguarding Adults: Financial Exploitation & Abuse**

## A Guide for Professionals



West Yorkshire  
**Trading  
Standards**



West Yorkshire  
**Financial Exploitation  
& Abuse Team**



## West Yorkshire Financial Exploitation and Abuse Team

A unique, multi-disciplinary team based within West Yorkshire Trading Standards Service (WYTSS) made up of Criminal Investigators, Trading Standards professionals with the support of Financial Investigators, Intelligence Officers, direct support from West Yorkshire Police and seconded Social Worker.

### WHAT DO WE DO?

- Safeguarding victims of financial abuse and/or exploitation and adults who are at risk of financial abuse or harm in the community.
- Complex criminal investigations such as fraud against an adult at risk, organised criminals targeting multiple elderly victims.
- Prevention advice and support in relation to scams & fraud, including signposting to partner agencies or charities.
- Financial investigations which can include confiscation cases to remove assets from offenders and compensate victims under Proceeds of Crime Act 2002.
- Rapid response visits – call from Citizens Advice Consumer Helpline.
- Intelligence gathering & development to support investigations.

Fraud is the most commonly experienced crime in the UK, affecting UK society economically and socially.



73%  
**UK  
ADULTS**



of all crime is fraud



>£94.7 million  
lost to romance  
fraud  
last year

Average **loss** to victims is  
£1,730 but **fewer** than a **third**  
(32%) report the crime to the  
authorities.



**Romance Fraud**  
reports seen the highest  
increase in 12mths

# Challenges

- The stigma attached to being a victim – feeling foolish about being duped, feeling embarrassed and ashamed.
- Addressing loneliness
- Protecting those unknown to services
- Mental capacity - people have the right to make unwise decisions
- Don't know where to report – lack of awareness on which organisation to report to
- Fear
- Worried may lose independence
- Some people fail to recognise that they have been conned and believe that a decent job has been carried out.

# National Trading Standards #NoBlameNoShame

- ▶ Play short video Coercive Control in Fraud & Scams

<https://youtu.be/lWo4Ta37xq0>

<https://www.friendsagainstscams.org.uk/news-and-updates/noblamenoshame-news-article>

October 2022 report – National Trading Standards Scams Team 'Coercion and control in financial abuse; learning from domestic abuse'

[284744379.pdf](#)



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# WYFEAT Cases

The type of work undertaken by WYFEAT is split between Adult Social Care cases and Doorstep Crime & Fair Trading cases. This involves a range of reports which involve fraud, scams & rogue trader activity.

Recent cases have led the team to investigate instances of financial exploitation of adults at risk by family members, carers and people in a position of trust.

**Case Study 1 – Op Button** – The defendant was posing as a financial advisor, who claimed to be assisting his victims at a very vulnerable & difficult time. He took just under £1million from multiple vulnerable victims.

**Case Study 2 – Op Lennox** – The defendants are the sister and friend of a male adult at risk, who both defrauded the Direct Care Payment process whilst claiming to be caring for the victim. The value of the fraud was over £136,000.

**Lots of prevention focused work is ongoing in relation to doorstep crime.**

**Different initiatives are in place to help increase awareness and vigilance around rogue trader activity, empowering residents of West Yorkshire to 'say no' to cold callers.**

# What is Doorstep Crime?



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# Doorstep Crime

- ▶ The definition of 'Doorstep Crime' is the name given to crimes carried out by bogus callers and rogue traders who call uninvited at homes under the guise of legitimate businesses or trade persons.
- ▶ The phrase 'doorstep crime' includes distraction burglary, bogus callers, rogue traders and unscrupulous salespeople.
- ▶ Doorstep crime can take many forms, including; unfair contracts, overpriced or substandard home maintenance or improvements, phoney consumer surveys and bogus charity collections.

# Doorstep Crime - Typical Signs

The rogue traders will use different tactics in order to put the resident under pressure. They will usually offer limited time discounts or identify a serious safety issue i.e *"your chimney is going to collapse"*

## ROGUE TRADERS

- **Pushy**
- **Persistent**
- **Persuasive**



**They (victim)  
don't need the  
money, we (the  
rogues) do.....**

In the early 2000's, the 'Leeds Distraction Burglary Initiative' was set up, led by a retired police officer. The initiative explored the circumstances behind doorstep style offences, looking in more detail into the victim demographic, the methods used and the offenders.

As part of the research, a selection of convicted prisoners were interviewed in prison regarding their crimes in which they had all targeted adults at risk.

All were prolific offenders, 9 of the 21 offenders had subjected their elderly victim to some form of violence.

The following slides are some of the quotes taken directly from the offenders.....

*"People living on their own are easier to persuade. It doesn't really matter whether it's a man or a woman. If you smile with them and talk to them they're glad to have your company. You can keep going back and take their money bit by bit and really you're making them happy 'cos they're lonely. The trouble is we run out of patience and take too much at once and that's when things start going wrong."*

"It's easy. If you tell them their house is in need of immediate repair or it will immediately deteriorate beyond repair, they're so frightened they'll give you the job in panic."

**"Some are so lonely you just have to smile and talk nice and they'll let you in because they want to talk to you. I have taken money off people like that bit by bit for months. I even exchanged Christmas presents with one but I took him for loads in the end."**

“We often quote low prices, say for example seven pounds and then ask for £170. They get confused and pay up reluctantly. A good way is to quote the price in yardage. That confuses them and you can bump up the charge easily.”

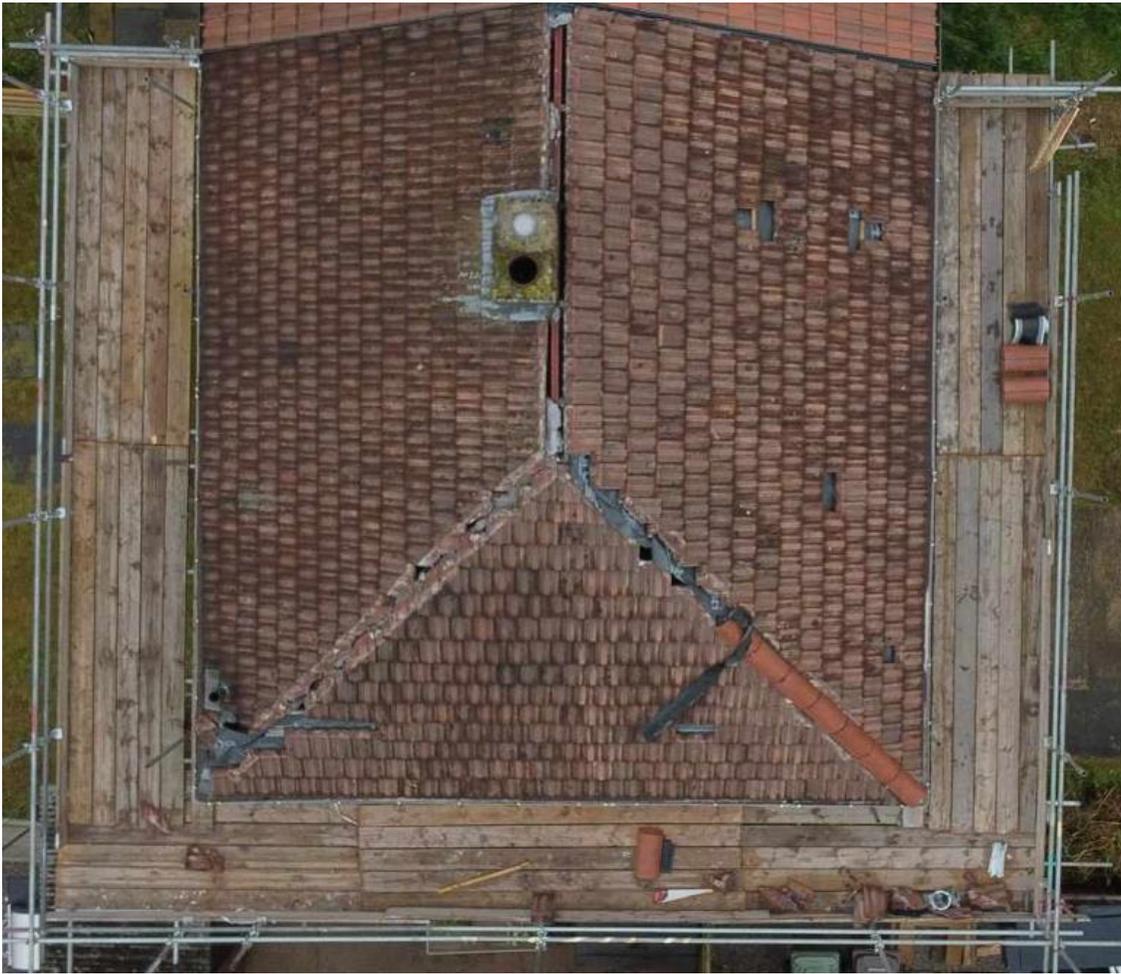
“Firstly I make sure I’m difficult to identify. I have business cards and magnetic signs on my van but they’re just mobile numbers and can’t be traced to me. The trick is to make sure you do a little bit of work. It doesn’t really matter how poor the work is. As long as you’ve done a bit you can claim it’s not a crime, just that the householders had a poor deal.

The police won’t get involved if the householders just had a bad business deal.”

“Good bogeymen travel long distances to do jobs. They’re not known there and cannot be recognised. Old people make bad witnesses so you’re unlucky if you get caught. If you are caught the trick is never to admit it. Insist on an id parade. Fight the committal. Keep going for adjournments at Crown Court. The worry caused to the old witness will probably kill them off before the trial starts. This often helps us get off. Lots of cases fold, or because it weakens the prosecution case we can get a good plea bargain.”



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# Financial Exploitation – Adult Safeguarding



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# Who is at risk of Financial Exploitation, Abuse & Fraud?

## Everyone.....

**Younger people** are the most at-risk group when it comes to online fraud. Becoming a money mule is an issue that affects more younger people.

**'Life established people'** are more likely to be settled and to have access to increased financial assets. Many people in this age range use the internet.

### **'Adults at risk of abuse or harm'**

Adults at risk of abuse or harm are particularly at risk of financial abuse / exploitation and are more likely to be targeted.

A person with a condition which affects their thought processes (cognitive function) such as dementia, learning disability, emotional distress and mental health problems as well as brain injury may be at increased risk of responding to a scam / fraud secondary to difficulties with communication, a reduced ability to concentrate and / or confusion.

Increased challenges with cognitive function can make it difficult for people to understand risk and apply caution to decision making.

# An 'adult at risk'

## **What is an 'adult at risk of abuse or harm'?**

- ▶ The Care Act 2014 defines who is 'an adult at risk' as someone who has a need for care and support, who is experiencing, or at risk of, abuse or neglect and, because of their care needs, is unable to protect themselves.
- ▶ We choose to use the phrase 'adult at risk of abuse or harm' or 'adult at risk' in this document

# Financial Abuse under The Care Act 2014

Section 42 (3) states: "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.

# **Section 42, Care Act 2014: Statutory duty to make enquiries**

Section 42 of the Care Act (2014) says a local authority has a duty to make enquiries into concerns to enable a decision to be made as to whether any action should be taken, and if so what and by whom, when they have reasonable cause to suspect an adult in its area:

- (a) has needs for care and support
- (b) is experiencing, or is at risk of, abuse or neglect, and
- (c) as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.

# Financial abuse within the Adult Social Care system

When someone needs care from the local authority, there is a duty to provide this. The funding of adult social care is subject to regulations which vary depending on the care someone gets and their current circumstances. This is an area that is open to abuse / exploitation. Examples include:

- ▶ **Direct Payment fraud** e.g. funds being spent on things other than the care specified in a care plan / submitting falsified timesheets for personal assistants.
- ▶ **Non payment of contributions towards care costs** Care arranged by the council is means tested. People are expected to pay towards the cost of care. Some people don't pay and sometimes carers don't pay on behalf of their loved ones amassing debt which can create adult safeguarding concerns.
- ▶ **Undeclared capital** If someone has more than £23,250 of savings, they are not entitled to financial assistance from the local authority to fund their care. People may try to hide money from assessors to obtain funding where they are not entitled.
- ▶ **Deprivation of capital / assets** e.g. when someone deliberately reduces their savings or gets rid of assets if they know they will need care from the local authority. People may do this by 'gifting' money or assets to others to try to avoid paying care costs.

# Fraud Act 2006

**Section 2** (fraud by false representation),

**Section 3** (fraud by failing to disclose information), and

**Section 4** (fraud by abuse of position).

The two basic requirements which must be met before any of the three limbs of the new offence can be charged are that:

- *The behaviour of the defendant was dishonest; and]*
- *That the defendant's intention was to make a gain, or cause a loss to another.*

It is no longer necessary to show that a gain or loss has been made, or that a victim was deceived by the defendant's behaviour.

# Abuse of Position of Trust

- Abuse of position for personal or financial gain
- Access to finances creates opportunity for criminal behaviour
- The majority of financial abuse referrals to WYFEAT involving adults at risk are perpetrated by people who are known to the victim -



# What is the Impact of Financial Abuse?

## IMPACT

### On Society

- Cost burden -future care provision
- Money funding organised crime.
- Diverting resources from local authorities

### On Family & Friends

- Relationships break down
- Feelings of frustration
- Financial burden
- Upsetting to watch a loved one go through

### On the Individual:

- Financial
- Physical health
- Mental health
- Independence
- Social connectedness

# Typical Indicators of Financial Abuse

- ▶ Financial hardship, unable to pay for essentials
- ▶ Frequent calls from strangers / unknown numbers
- ▶ Purchasing gift cards
- ▶ Frequent trips to the bank or being unusually short of money.
- ▶ Not knowing their own financial information

- ▶ Unexplained loss of financial documents
- ▶ Sudden changes to a will / deeds or property titles
- ▶ Missing personal possessions
- ▶ Lasting power of attorney (LPA) being obtained after loss of mental capacity
- ▶ Large amount of junk mail

- ▶ Purchases not in keeping with the victim's lifestyle or circumstances
- ▶ The person allocated to manage financial affairs is vague / uncooperative
- ▶ Unable to pay care fees or bills, accruing debt.
- ▶ Increased anxiety / depression, social withdrawal, self-neglect

# Professional Curiosity

Don't be afraid to ask questions  
about finances !

# Sharing Information

If an adult at risk declines consent to support a safeguarding concern, or requests that information about them is not shared with safeguarding partner agencies, there are a number of circumstances where lack of consent can be overridden, including

- The adult lacks mental capacity
- Other adults or children are, or may be, at risk
- Sharing the information could prevent a crime
- The alleged abuser has care and support needs and may also be at risk
- A crime has been committed
- Staff member(s) are implicated
- The adult has the mental capacity to make that decision but they may be under duress or subject to coercion and/or control
- A court order or other legal authority has requested the information

# How WYFEAT Can Support

- WYFEAT social worker can provide safeguarding advice, support and interventions; undertake visits and complete mental capacity assessments in relation to financial decision making as well as make referrals to third sector support organisations and/or the relevant local authority for statutory assessment.
- Advice for professionals on safeguarding cases involving financial abuse cases.
- Education & Prevention Support- Advice on how to stay protected from scams and fraud tailored to victim needs. Easy read resources available.
- WYFEAT can assist with the police Banking Protocol initiative.
- Financial Investigators have the means to approach the courts to get production orders on bank accounts.
- Real time intelligence alerts on rogue traders in specific areas.

# Practical Support To Offer

- Encourage reporting to Citizens Advice and Action Fraud (online or 0300 123 2040)
- Call blockers available for residents in West Yorkshire (funding limited)
- Contacting electoral services regarding the individual being on the open register.
- Changing security settings on social media profiles.
- Signpost to other services- debt advice, Stop Loan Sharks UK, Age UK, Friend Against Scams, GamCare, social groups etc.
- Telephone preference service & mail preference service.
- Forwarding scam text messages to 7726 (National cyber security centre)
- Installing anti-virus software
- Assess suitability for doorbell cameras for example some are non Wi-fi such as GuardCam or even a dummy camera
- Ask Silver – free AI powered scam checking tool that lives in WhatsApp
- [Ask Silver- Free Scam Checker](#)
- Dial 159 if cold called by someone claiming to be from your bank and asking for personal details



# Other Support Available



**Call free on 0800 470 8090** – this is a free confidential telephone service for older people. The helpline provides friendship, conversation and support 24 hours a day, 7 days a week

[The Silver Line Helpline](#)



Mental health support for young and older people – local groups within West Yorkshire

[Guides to mental health support and services](#)



**Free text helpline 078 6005 2906**

**24/7 helpline 0808 808 8141**

Confidential service provides information and support to an older person or anyone concerned about them, who is at risk of, experiencing or recovering from any form of abuse or neglect.

[Hourglass Services | Hourglass](#)



# Making a Referral to WYFEAT

You can request a WYFEAT referral form for professional's  
via email to



[wyfeatreferrals@westyorksjointservices.gov.uk](mailto:wyfeatreferrals@westyorksjointservices.gov.uk)

The WYFEAT referral form allows us assess suitability for further  
WYFEAT action.

WYFEAT website - [www.wyjs.org.uk/trading-standards/wyfeat/](http://www.wyjs.org.uk/trading-standards/wyfeat/)

We also use our social media platforms to post helpful consumer  
advice & guidance -

**FOLLOW US**

@WYTradStandards



# Useful Contacts

- All instances of fraud and scams should be reported to Action Fraud via [www.actionfraud.police.uk](http://www.actionfraud.police.uk) or call **0300 123 2040**
- The general public can speak to Trading Standards via the **Citizens Advice Consumer Helpline** via **0808 223 1133**. They also have lots of really good consumer advice available via the website - [www.citizensadvice.org.uk/consumer/scams](http://www.citizensadvice.org.uk/consumer/scams)
- You can send intelligence involving instances of suspicious activity of potential doorstep crime or scams directly to us via the **Intelligence Unit** at WYTS- mailbox address

[intel.requests@westyorksjointservices.gov.uk](mailto:intel.requests@westyorksjointservices.gov.uk)

**If you believe an offence is occurring at the time- contact the Police immediately on 999**

