## D07c

## Financial protection guidance for care workers

This document is provided to Carers Trust Crossroads West Wales(now referred to as ‘the organisation’) as a Network Partner of Carers Trust.

**Table of Contents**

[SCOPE …….. 1](#_Toc30506582)

[CASH HANDLING AND OTHER FINANCIAL ACTIVITIES 2](#_Toc30506583)

[GIFTS AND LEGACIES 5](#_Toc30506593)

[PROTECTION OF SERVICE USERS’ PROPERTY 5](#_Toc30506594)

[FINANCIAL IRREGULARITIES 6](#_Toc30506595)

[SIGNPOSTING 6](#_Toc30506596)

[LEARNING AND DEVELOPMENT 7](#_Toc30506597)

[ACCEPTANCE 7](#_Toc30506598)

[APPENDIX 1 Financial or material abuse 7](#_Toc30506599)

[APPENDIX 2 Checklist for care workers 8](#_Toc30506601)

# 

# SCOPE

1.1 The aim of this guidance for care workers is to protect the financial interests of people of all ages with care needs. The intended outcome is that their money, property and belongings are kept safe while they are receiving services from the organisation. There is separate guidance for volunteers.

1.2 Terms used

* ‘Person with care needs’ refers to an adult, child or young person who is receiving care and support from the organisation.
* ‘Service user’ refers to both the person with care needs and their parent or carer.

1.3 See also:

* confidentiality and disclosure (D11c)
* data protection and subject access (A03c or A.03d)
* safeguarding adults (B05c)
* safeguarding and child protection (C01c)
* autonomy and independence (D04)
* the organisation’s conflict of interest policy
* the organisation’s gift policy.

# 2.0 CASH HANDLING AND OTHER FINANCIAL ACTIVITIES

## 

## 2.1 Always:

* act with integrity and honesty towards service users
* respect each service user’s right to use their money as and when they choose and to keep their financial affairs private
* treat a service user’s financial information as confidential
* encourage service users to keep money and valuables in a secure place and not to leave them visible or lying around in the house when you are working there
* support and encourage the person with care needs to make their own financial decisions where possible
* make sure the person with care needs keeps control of their own finances unless your line manager instructs you to help them - see 2.3 below
* ensure any financial decisions (however small) taken on behalf of a person who lacks mental capacity to make it themselves are taken in the person’s best interests - see autonomy and independence policy (D04) for details
* inform your line manager immediately if you think a person with care needs is struggling to manage their finances
* keep accurate records as directed by your line manager of all cash handling or other financial activities you have carried out with or on behalf of a service user (see 2.10 below).

## 

## 2.2 Never:

## offer financial advice or information to a service user (see 6.1 below)

* spend, use, carry or transport a person with care needs’ money unless you have been authorised to do so and it is included in their care and support plan
* borrow money from or lend money to a service user or enter into any form of financial transaction with them
* become involved in a gambling syndicate (such as Lottery, football pools) with a service user, or induce them to join a syndicate[[1]](#footnote-1)
* use your own loyalty card when you are helping a person with care needs to shop or are shopping for them - use only theirs
* take personal advantage of promotions or offers obtained by the person with care needs (for example Buy One Get One Free - both items belong to them) - if you are given ANY item as a gift, declare it to your line manager
* use a service user’s concessionary card (for example bus pass, blue badge, carers cards for leisure facilities or other similar products) when they are not with you
* conduct online transactions on behalf of a service user.

## 2.3 Care and support plans

2.3.1 If you are expected to handle a person with care needs’ money or help them with any other financial activity, (for example shopping, banking, paying bills, collecting pensions), details of the task will be included in their care and support plan.

**If the task is not in the care and support plan, don’t do it.**

2.3.2 If someone asks for your help with their finances and it is not included in their care and support plan, let your manager know straight away so that they can discuss the matter with them.

2.4 If a person with care needs expresses concerns about behaviours such as gambling that are causing financial (or other) difficulties or distress, and asks for your help, suggest they contact your manager or offer to do it for them so that they can discuss the matter with them and recommend where to get help (see 6.1 below).

## 2.5 Guidelines for the safe carrying / handling of cash

2.5.1 Where possible, the care planner / assessor will avoid the need for you to handle or carry a service user’s cash and will only agree to such an activity if it has been risk assessed as safe for you to do so. Their assessment will include:

* identifying whether there is a safer alternative (such as online banking, use of a dedicated debit, credit or contactless card, sending a cheque)
* establishing the location in which you would be required to carry the cash (for example in shops, bank, post office, at a particular cash point) and whether it presents any risks (such as remote location, quiet streets, high crime area)
* the amount of cash involved.

If the risk cannot be reduced to an acceptable level, you will not be asked to do it.

2.5.2 If there is no alternative and the risk has been assessed as acceptable, you may be asked to handle or carry a service user’s cash for example:

* going shopping with them
* shopping for them
* collecting their pension
* paying their bills.

2.5.3 When carrying cash:

* always remain alert, vigilant and aware of your surroundings
* think about your personal safety
* always carry a charged mobile phone and personal alarm
* always store the cash you carry discretely and out of sight
* where possible, avoid quiet streets or alleyways and instead stay in busy areas
* if threatened, hand over the cash
* carry only small amounts of your own cash and keep it separate.

2.5.4 To avoid allegations of malpractice or misuse, when handling a service user’s cash:

* count out the amount in front of the person themselves or their parent / carer (as appropriate) and in front of a third party where possible
* check you have the right amount of money at the end of a task (for example, change from a transaction, collected benefits etc)
* retain receipts as evidence of transactions carried out.

2.5.5 If you have any concerns or misgivings about carrying out a cash handling task, speak to your line manager. You have the right to refuse.

## 2.6 Cash to office

2.6.1 Care planners / assessors will follow the same assessment process outlined in 2.5 above if a service user asks you to take a cash payment or donation to the organisation’s office on their behalf. You will only be asked to do this when there is no alternative (such as online banking, sending a cheque) and it has been assessed as safe for you to do so. General safety precautions set out in 2.5.3 again apply.

2.6.2 You will be instructed to:

* count the money with the service user before you take it
* give them a receipt
* record what you have done as directed by your line manager
* deliver the cash to the office as soon as you can.

Office staff will count the cash and you will be given a receipt as proof of delivery.

2.6.3 If you are asked to carry money to the office on behalf of a service user and you have not been authorised to do so, get in touch with your manager to discuss.

2.6.4 If you have any concerns or misgivings about carrying out such a task, speak to your line manager. You have the right to refuse.

## 2.7 Chip and PIN (Personal Identification Number) and contactless cards

2.7.1 If a person with care needs is not able to use a credit / debit / contactless card (including pre-paid or pension cards) without help, it is expected that their parent, carer, family, friend or advocate will do it for them. In normal circumstances, you are not allowed to know / enter the PIN number of any such cards as it could leave you open to allegations of financial abuse.

2.7.2 **In exceptional circumstances,** the care planner / assessor may authorise you to help a person with care needs with card transactions by setting up a safe system to do so. Details will be written in the care and support plan, but you don’t have to agree to provide support of this nature and you won’t be penalised if you decline.

## Online / remote shopping

* + 1. The care planner / assessor may identify a safe way in which you can help a person with care needs to do online / remote shopping (such as teleshopping, eBay, Amazon). Precise details will be written in their care and support plan.

2.8.2 However, you are **NOT ALLOWED** togain access to or enter a person’s:

* computer / teleshopping passwords
* credit or debit card account numbers, sort codes or security numbers.

## 2.9 Online banking

2.9.1 You are **NOT PERMITTED** to:

* assist service users with online banking
* gain access to or enter computer passwords and online banking pass codes
* view online banking activities that give you access to bank account details.

## 2.10 Record keeping

2.10.1 Make an accurate record[[2]](#footnote-2) all cash handling or other financial activities you carry out with or on behalf of a service user, as directed by your line manager.

* Include all relevant details, such as the type of transaction, amount involved, reason for your involvement.
* Sign and date the record and obtain a countersignature from the person with care needs and/or their parent / carer, as appropriate, and in accordance with the (electronic or manual) recording system used.
* Check and keep evidence (such as receipts, printouts) of any transactions / activities undertaken involving a service user’s money or finances.

# 

# 3.0 GIFTS AND LEGACIES

3.1 it is not unusual for service users to form close relationships with individual staff and to want to give them gifts or to include them in their will. This, however, has the potential to lead to accusations of coercion, exploitation or fraud and your organisation is required to have a gift policy in place to prevent this. The policy may be that no gifts are allowed or that they are allowed within strict limits. If you are unsure, ask your line manager.

3.2 If your organisation does allow you to accept gifts, the following principles apply.

* Do not accept personal gifts (including gift vouchers) valued at more than the limit stated in the organisation’s gift policy.
* Never, under any circumstances, accept money/valuables as gifts, however small.
* Inform your line manager straight away if you accept / decline a gift, so that they can make a record of it.

3.3 Never:

* become the beneficiary of a service user’s will
* influence them in the making of a will
* become involved in the making of a will
* act as a witness or executor of a will
* solicit any form of bequest, legacy or item/s from a service user
* become involved in any way with any other legal document.

3.4 If you ignore any of the above restrictions, this may be dealt with under your organisation’s disciplinary policy and you may also face criminal proceedings.

# 4.0 PROTECTION OF SERVICE USERS’ PROPERTY

4.1 When providing care and support to a person with care needs, you are responsible for the safe handling and care of their property and belongings. If anything is damaged, broken or lost, report it to your manager / person on call straight away.

4.2 Always maintain a professional relationship with service users.

4.3 Never:

* buy, sell or dispose of goods belonging to them or their family (including the use of online transactions such as eBay)
* sell goods or services to them or their family
* take responsibility for looking after their valuables
* make personal use of their property, including telephone, other than for electronic monitoring or in an emergency.

# 5.0 FINANCIAL IRREGULARITIES

5.1 If you suspect that a service user is being financially abused, exploited, cheated or defrauded by a third party, you have a duty to report it to your line manager / person on call immediately, as set out in the adults’ and children’s safeguarding guidance (B05c, C01c). A third party could include family, friends, professionals from other organisations, colleagues – whoever it is, do not ignore it.

5.2 If you suspect another member of staff, trustee or volunteer is involved in financial irregularities, report it immediately to the appropriate person as documented in the organisation’s whistleblowing policy. A manager will investigate the matter and any evidence of fraud or criminal activities will be reported to the police.

5.3 If proven that an employee has acted dishonestly, or been involved in theft or fraud, it will be treated as gross misconduct and dealt with through the organisation’s disciplinary policy.

5.4 If asked, you will be expected to cooperate fully with the police and make any relevant documents available to them.

5.5 If a service user states that money or valuable items were taken or went missing during one of your visits, inform your line manager straight away.

5.6 Inform the registered manager, in writing, of any financial or business arrangements you have that might compromise your ability to be involved in a service user’s financial affairs honestly and impartially. This could include:

* having an interest or involvement in another agency that provides care and support services or is responsible for commissioning/contracting such services
* close family members or friends who are engaged in other businesses providing, for example, such services as domiciliary, day, residential or nursing care.

# 6.0 SIGNPOSTING

6.1 Do notgive financial advice / information to service users. If they ask you, recommend they contact a manager, who will direct them to a relevant agency (such as citizens advice bureau or a local law society).

# 7.0 LEARNING AND DEVELOPMENT

7.1 You will find general learning and development requirements relevant to this guidance in the learning and development guidance (E13c).

# 8.0 ACCEPTANCE

8.1 You are required to sign to indicate that you have received, read and understood the content of this guidance as directed by your line manager.

8.2 If there is anything in the content that you do not understand or have questions about, let your line manager know. You will be given the opportunity to discuss your concerns and provided with additional training as necessary.

8.3 On completion of training, it is your responsibility to comply with this guidance. Failure to do so may result in disciplinary proceedings.

# APPENDIX 1

# FINANCIAL OR MATERIAL ABUSE

This can include:

* theft of money or possessions
* misappropriation of property
* fraud, internet scamming
* preventing a person from accessing their own money, benefits or assets
* employees taking a loan from a person using the service
* undue pressure, duress, threat or influence put on the person in connection with loans, wills, property, inheritance or financial transactions
* arranging less care than is needed to save money and maximise inheritance
* denying assistance to manage / monitor financial affairs
* denying assistance to access benefits
* misuse of personal allowance in a care home
* misuse of benefits or direct payments in a family home
* someone moving into a person’s home and living rent free without agreement or under duress
* false representation, using another person's bank account, cards or documents
* exploitation of a person’s money or assets (for example unauthorised use of car)
* misuse of a power of attorney, deputy, appointeeship or other legal authority
* rogue trading (for example unnecessary or overpriced property repairs, failure to carry out agreed repairs or poor workmanship).

**Possible indicators of financial or material abuse**

* Missing personal possessions
* Bills not being paid
* Unexplained lack of money or inability to maintain lifestyle
* Unexplained withdrawal of funds from accounts
* Power of attorney or lasting power of attorney (LPA) being obtained after the person has ceased to have mental capacity
* Failure to register an LPA after the person has ceased to have mental capacity to manage their finances, so that it appears that they are continuing to do so
* The person allocated to manage financial affairs is evasive or uncooperative
* The family or others show unusual interest in the person’s assets
* Signs of financial hardship in cases where the person’s financial affairs are being managed by a court appointed deputy, attorney or LPA
* Recent changes in deeds or title to property
* Rent arrears and eviction notices
* Failure to provide receipts for shopping or other financial transactions carried out on the person’s behalf
* Disparity between the person’s living conditions and their financial resources (for example not having enough food or clothing, inadequate heating)
* Evidence of large or repetitive payments to third parties, which may seem suspicious when there is no material benefit to the person with care needs
* Unnecessary property repairs.

**APPENDIX 2**

## CHECKLIST FOR CARE WORKERS

Standards expected of care workers

Always act with complete integrity and honesty.

Always respect a service user’s right to spend their own money in whatever way they choose and to keep their financial affairs private.

Cash handling and other financial activities

Only help a person with cash handling or other financial activities if the task is written in their care and support plan. **If it is not in the care and support plan, don’t do it.**

You are NOT allowed to:

* assist with online banking
* gain access to or use a service user’s Personal Identity Numbers (PINs) on credit, debit, pre-paid, pension or other cards[[3]](#footnote-3)
* operate a service user’s contactless card
* gain access to or enter a service user’s computer / teleshopping passwords or online banking pass codes.

Keep a record whenever you help a person with care needs with any financial activity.

You will only be asked to handle cash on behalf of a service user if there is no alternative and it has been risk assessed as safe for you to do so. If you have any concerns about doing it, you have the right to refuse.

Only take cash to the organisation’s office for a service user if your manager has agreed it.

* Make sure cash is counted before you accept it and give the service user a receipt.
* Take it directly to the office -you will be given a receipt as proof of delivery.

Neverborrow money from or lend money to a service user.

Gifts and legacies

If the organisation allows you to accept gifts from service users:

* do not accept anything (including vouchers) if its value is more than the agreed limit
* inform your manager know if you accept a gift so that they can keep a record of it
* tell your manager if you turn down a gift so that they can keep a record of this too
* never, under any circumstances, accept money or valuables as a gift, however small.

Never:

* agree to be a beneficiary of a will
* get involved in or influence the making of a will
* solicit any form of bequest, legacy or item/s from a service user
* act as witness or executor of a will
* get involved with any other legal document.

Protection of a service user’s property

Always take good care of a service user’s property and belongings when providing a service and report any loss or damage to your manager / person on call straight away.

Never:

* buy, sell or dispose of goods belonging to a service user or their family (including the use of online transactions such as eBay)
* sell goods or services to a service user or their family
* take responsibility for looking after a service user’s valuables
* make personal use of a service user’s property, including their telephone, unless necessary for electronic monitoring or in an emergency.

Investigation of allegations of financial irregularities

If you suspect that a service user is being financially abused, report your suspicions to your line manager / the person on call immediately.

**Conflict of interest**

Declare to your line manager, in writing, any interest or involvement with any other organisation or person providing care and support services or responsible for commissioning or contracting those services.

I the undersigned have read and understood the above financial protection checklist.

|  |  |
| --- | --- |
| Printed Name: |  |
| Signature: |  |
| Position: |  |
| Date: |  |

1. Some organisations operate official fundraising events (for example “100 Club”) that involve service users and allow staff to participate. Ask your line manager for details if you are interested. [↑](#footnote-ref-1)
2. Records may be made electronically or in paper format, depending on the system used in your organisation. [↑](#footnote-ref-2)
3. Exceptional circumstances may apply – see 2.7.2 in main text of the guidance. [↑](#footnote-ref-3)