

D07c

Financial protection guidance for staff

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

Table of Contents

SCOPE	2
CASH HANDLING AND OTHER FINANCIAL ACTIVITIES	2
Always:.....	2
Never:.....	2
Care and support plans	3
Guidelines for the safe carrying / handling of cash.....	3
Chip and PIN (Personal Identification Number) and contactless cards	3
Online / remote shopping	4
Online banking	4
Cash to office	4
Record keeping	4
GIFTS AND LEGACIES	5
PROTECTION OF SERVICE USERS’ PROPERTY	5
FINANCIAL IRREGULARITIES	5
SIGNPOSTING	6
LEARNING AND DEVELOPMENT	6
ACCEPTANCE	6
APPENDIX 1 Financial or material abuse and possible indicators.....	7
APPENDIX 2 Checklist for staff	8

1.0 SCOPE

1.1 The aim of this guidance 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 whilst they are receiving services from the organisation.

1.2 Terms used in this document

- '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 You also need to read the following guidance for staff:

- 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.

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 spend their money as 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 lying around in the house when you are working there
- start from the assumption that the person with care needs is capable of managing their own finances
- support and encourage the person with care needs to make their own financial decisions wherever 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 if you are concerned that a person with care needs is struggling to manage their finances
- inform your line manager if you suspect a person with care needs is being financially abused - see Appendix 1 for details.

2.2 Never:

- spend, use, carry or transport a person with care needs' money unless you have been authorised to do so by your line manager and it is written in their care and support plan
- borrow money from or lend money to a service user
- become involved in a gambling syndicate (such as Lottery, football pools) with a service user, or induce them to join a syndicate¹

¹ Some organisations operate official fundraising events (for example "100 Club") that involve service users and which staff are allowed to take part in if they wish

- 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, you must declare it to your line manager
- use the benefit of a concessionary card that has been issued to a service user (for example bus pass, blue badge, Carers cards for leisure facilities or other similar products) when they are not with you.

2.3 Care and support plans

2.3.1 In situations where 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), the task will be fully documented in their care and support plan. **If the task is not written in the care and support plan, don't do it.**

2.3.2 If a person with care needs asks for your help with their finances and it is not written in their care and support plan, let your line manager know straight away so that they can sort it out

2.3.3 If a person with care needs expresses concerns about behaviours such as gambling that are leading to financial (or other) difficulties or distress, and asks for help, suggest that they contact your line manager or offer to do it for them so that the matter can be addressed.

2.4 Guidelines for the safe carrying / handling of cash

2.4.1 The care and support plan will set out the circumstances in which you are required to carry a person with care needs' cash, for example:

- when you take them shopping
- when you go shopping for them
- when you collect their pension for them
- when you pay bills for them.

2.4.2 To reduce the possibility of allegations of malpractice or misuse, when handling cash on behalf of a person with care needs, follow the guidelines below.

- Count out change or money in front of the person themselves or their parent / carer (as appropriate) and in front of a third party wherever possible.
- Before leaving a bank or shop, make sure you have been given the right amount of benefit or change and store the money safely out of sight before you leave the building.
- Carry only a minimum amount of personal cash on you while you are working and keep this separate from any cash you are carrying for a person with care needs.

2.5 Chip and PIN (Personal Identification Number) and contactless cards

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

2.5.2 **In exceptional circumstances**, the care planner / assessor may authorise you to help a person with care needs with card transactions if they are able to establish a robust system to

protect the person with care needs from possible abuse and you from allegations of abuse. Details will then 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.

2.5.3 Likewise, you are not allowed to operate a contactless card on behalf of a person with care needs. If you are asked to do so, let your line manager know.

2.6 Online / remote shopping

2.6.1 The care planner / assessor may identify ways in which you can help a person with care needs to do online shopping (such as teleshopping, eBay, Amazon) and the precise details of what you are allowed to do will be written in their care and support plan.

2.6.2 However, you are **NOT ALLOWED** to gain access to or enter a person's:

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

2.7 Online banking

2.7.1 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.

2.8 Cash to office

2.8.1 If you are required to deliver cash to the organisation's office on behalf of a service user (for example to pay their bill or deliver a donation), your line manager will make sure you are given all the necessary instructions. Make sure you:

- count the money with the service user before you take it
- give them a receipt
- record what you have done on the client report form in the home
- deliver the cash to the office as soon as you can.

The cash will then be counted in the office and you will be given a receipt as proof of delivery.

2.8.2 If you are asked to carry money to the organisation's office on behalf of a service user and you have not been authorised to do so, get in touch with your line manager for further guidance.

2.9 Record keeping

2.9.1 Always keep a full record of any tasks that involve you handling a person with care needs' money or helping them with any other financial activity.

- Record details (for example, amount of money handled and reason) on the client report form in the home and also write it down on a cash receipt form or in a cash book.
- Sign and date the record and ask the person with care needs to check and sign if they are able to or ask their parent / carer to check and sign on their behalf.
- Check and keep receipts, together with other written records of transactions involving a service user's money or finances, as directed by your line manager.
- Transfer records kept in the home to the organisation's office routinely (for example, after one month or as directed by your line manager).
- Carry an emergency supply of paperwork (for example cash receipt forms) with you so that you can always keep a record of any financial transactions you have been involved with.

3.0 GIFTS AND LEGACIES

3.1 Accepting gifts from service users could lead to accusations of coercion, exploitation or fraud. If the organisation allows you to accept gifts, the following rules apply.

- Do not accept personal gifts (including gift vouchers) valued at more than the limit agreed by your organisation – your line manager will give you the details.
- Never, under any circumstances, accept money or valuables as gifts, however small.
- Inform your line manager straight away about any gift you have accepted - they need to keep a record of it.
- Let your line manager know if you have turned down a gift and the reason why, so that a record can be kept of this as well.

3.2 Never agree to:

- become a beneficiary of a will
- become involved in the making of a will or soliciting any form of bequest or legacy
- act as witness or executor of a will or become involved with any other legal document.

3.3 Please note: if you fail to declare a gift, accept a gift worth more than the agreed limit, get involved in a will or attempt to solicit money or items through a will or legacy, it will be considered a disciplinary offence and subject to the organisation's disciplinary procedure.

4.0 PROTECTION OF SERVICE USERS' PROPERTY

4.1 When you are 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 line manager / the person on call straight away.

4.2 Always maintain a professional relationship with service users. **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 their telephone, unless you have to use it for electronic monitoring or in an emergency.

5.0 FINANCIAL IRREGULARITIES

5.1 If you suspect that a service user is being financially abused in any way (see Appendix 1), report your suspicions to your line manager / the person on call immediately as set out in the adults' and children's safeguarding guidance (B05c, C01c). It could involve family, friends, professionals from other organisations, colleagues – whoever it is, don't ignore it.

5.2 If you suspect another member of staff, trustee or volunteer is involved in financial irregularities or corruption, report your suspicions 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 it is 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 items were taken or went missing during a previous visit you made to the property, please let your line manager know straight away.

5.6 Make sure you 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 for example:

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

The registered manager will maintain a 'conflict of interest' register of such information that is open to inspection as required.

6.0 SIGNPOSTING

6.1 Do not give any financial advice or information to service users. If they ask, recommend they contact your line manager, who will seek to signpost them to the relevant agency (for example, a Citizens Advice Bureau).

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 and on completion of your training, it is your personal responsibility to follow it. 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 in order to 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 a 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)
- 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 STAFF

Standards expected of staff

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

When you are required to help a person with care needs with cash handling or any other financial activity, the task must be fully documented in their care and support plan. **If a task is not written in the care and support plan, don't do it.**

You are NOT allowed to:

- assist with online banking or shopping
- gain access to or use a service user's Personal Identity Numbers (PINs) on credit, debit, pre-paid, pension or other cards
- 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 money or other financial activity.

Only deliver cash to the organisation's office on behalf of a service user if you have been given written authorisation from your line manager to do so.

- Make sure the money is counted before you accept it and give the service user a receipt.
- Take the money to the office as soon as possible and they will give you a receipt as proof of delivery.

Never borrow 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 any personal gifts (including gift vouchers) if the value of the gift is more than the agreed limit
- Never, under any circumstances, accept money or valuables as a gift, however small
- let your line manager know straight away if you accept a gift so that they can keep a record of it
- tell your line manager if you turned down a gift so that they can keep a record of this too.

Never agree to:

- be a beneficiary of a will, or to get involved in the making of a will or soliciting any form of bequest or legacy from a service user
- act as witness or executor of a will or 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 while you are providing a service and report any loss or damage to your line manager / the 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 you have to use it 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 separate 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 guidance checklist.

Printed Name:	
Signature:	
Position:	
Date:	