

Staying in control when you're older

How to avoid being mistreated and what to do if it happens



Trusted
Information
Creator



Patient Information Forum

Thank you

Independent Age would like to thank those who shared their experiences as this guide was being developed, and those who reviewed the information for us.

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The sources used to create this publication are available on request.

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Date of publication:
January 2020
Next review date:
July 2021

About this guide

Everyone has the right to live in safety, free from abuse and neglect. While you can usually trust those close to you – family, friends and carers – there may be times when they take advantage or mistreat you. It's important to remember you don't have to put up with this, no matter who is treating you badly or how minor you consider their actions. This guide shows you where you can go for help and what will happen after you report abuse or neglect.

In this guide, you'll find reference to our other publications. You can order them by calling **0800 319 6789**, or visiting **independentage.org/publications**.

What is abuse?

Abuse is when someone causes us harm or distress. Anyone can become a victim of abuse – it's no reflection of your intelligence, strength or worth. Abuse can take many forms ranging from disrespect to causing someone physical or mental pain. It can happen anywhere – in someone's home, a hospital, a care home or a public place.

Often, the people who commit abuse are taking advantage of a special relationship. They may be a family member, friend or paid care worker who we expected to trust. Sometimes abuse isn't intentional, but happens because someone doesn't have the skills or support needed to care for someone. This doesn't make the impact of it any less, but it can help to understand how it happened.

Abuse is never acceptable and you don't have to put up with it. There is support available to keep you safe and help you decide what action to take.

2 Different types of abuse

Five common types of abuse are financial, psychological, physical, sexual, and neglect. Someone may experience one or more types of abuse. If someone is mistreating or neglecting you, it's important to speak up. The abuse isn't your fault and there is help available (see page 18).



Financial abuse

Financial abuse is when someone steals or withholds money from you, or cons or pressures you into handing it over. This could be:

- someone taking your money or valuables without permission

- someone who looks after your money on your behalf using the money inappropriately or persuading you to spend it in a way you don't want to
- being pressurised to change your will or sign your property over to someone
- internet, phone, postal or doorstep scams.



Psychological abuse

Psychological abuse is when someone deliberately upsets you by threatening or humiliating you, for example, in a way that chips away at your self-worth and independence.

This could be someone:

- calling you names
- threatening to harm or leave you

- not allowing you to see people you want to see, such as grandchildren
- humiliating, blaming or controlling you
- preventing you from taking part in social, religious or cultural activities
- ignoring you when you need help.

It doesn't leave physical marks but can be very harmful – and can have longer-lasting effects than physical abuse.

Physical abuse

If someone uses force that causes pain, injury or a change in your physical health, this is physical abuse. It could be:

- someone hitting, slapping or pushing you, or handling you roughly
- not being given the right dose of medication
- being inappropriately restrained
- someone making a room too hot or cold, or making you wear too many or too few clothes.

Sexual abuse

Sexual abuse includes someone touching or looking at you inappropriately, assaulting you, exposing themselves to you or making you

undress or look at sexual images. People are less likely to report it than other types of abuse as they may feel ashamed or embarrassed.

Neglect

Neglect is when someone isn't caring for you properly so you may be left hungry, in pain or cold, for example. It could be deliberate or not.

Sometimes it's when you're not able to care for yourself, in a way that puts your health or wellbeing at risk. Self-neglect might include:

- not washing or dressing properly, not getting enough food, or not taking medication
- not looking after the place where you live – for example, living in dirty conditions or hoarding
- refusing services that might keep you safe and well.

You can choose how you want to live and you may not want help, but professionals may have to get involved if they think there is a risk of harm to you or someone else – for example, if your home is a fire risk.

3

Who is at risk?

While any of us could experience abuse or neglect, certain people are more at risk. This includes people who:

- are isolated and have little contact with family or friends
- have memory problems or difficulty communicating
- don't get on with their carer
- misuse drugs or alcohol, or have a carer who misuses them.

Sometimes the person at risk may be a carer.



How to protect yourself

If you're worried about abuse, there are some things you can do to reduce the risk.

Get support

Stay in touch with your friends and neighbours if you can. If you're becoming isolated, try to increase your social contact. Our factsheet **How to stay socially connected** suggests ways to do this. You can also find information about support in your local library, health or community centre.

Go for regular check-ups. You can talk to your GP if you have any concerns and your GP or dentist should be able to spot the signs if you're being abused or neglected.

If you're finding it difficult to manage in your daily life, ask your council for a free care needs assessment. This will work out what your care needs are and what support would help you. To find out more, see our factsheet **First steps in getting help with your care needs**.

When the council assesses your needs or plans your care, they must do all they can to protect you from abuse and neglect, as well as take action if

it occurs. They should give you clear information about how you can get help.

If there's a problem with your care

You should be able to trust your care workers. If you're not happy with the service, for example if they aren't turning up on time or at all, or they're not respectful, tell the agency, or the council if they arranged the care. You can also get advice from the council if you're employing your own care worker. See our factsheet **Getting care services at home** for more information about what you can do if things go wrong.

If you're employing a care worker yourself, ask them for references from previous employers and make sure they've had a Disclosure and Barring Service (DBS) check. This checks to see if they have a criminal record or if there were any other concerns in the past. You can find a useful toolkit to help you employ a care worker on [employingpersonalassistants.co.uk](https://www.employingpersonalassistants.co.uk) or contact Skills for Care on **0113 241 0977**.

If you're in a care home, speak to the care home manager or to your local council if you have concerns about your care or feel you're being abused. You can contact the council even if you arranged your care home place yourself.

If you're caring for someone

Looking after someone else can be demanding. It may be difficult to admit that you're struggling, but if you're not getting any practical or emotional support, you may both be at risk of harm. Contact carers' support services for help. Our guide **Caring for someone** has information about the support available.

Looking after your money

You may be relying on someone else to do shopping for you or to collect your benefits for example. Ask more than one person to support you if possible, for added protection. You could also talk to your bank for advice on managing your money.

- Don't give anyone your PIN or passwords.
- If someone is helping you with your shopping, ask for receipts.
- Keep records and check your statements.
- Set up direct debits for your bills.
- Be aware of common scams – see our guide **Scamwise**.

You could also consider putting legal arrangements in place such as a lasting power of attorney – see chapter 5 for more information.

If someone is putting pressure on you to change your will, seek legal advice. You might be able to get free initial legal advice through a Law Works legal advice clinic (lawworks.org.uk). You can find a solicitor through the Law Society (solicitors.lawsociety.org.uk, 020 7320 5650).

If you're concerned about abuse or neglect, you can contact the Action on Elder Abuse confidential helpline for information, advice and support (0808 808 8141, elderabuse.org.uk). You could also call our free Helpline on 0800 319 6789 and arrange to speak to an adviser.



Planning ahead

Having mental capacity means you have the ability to understand, retain and weigh up the information needed to make or communicate a decision. Someone who lacks mental capacity – because of advanced dementia, a stroke or because they're unconscious, for example – will need someone else to make decisions for them.

People who lack mental capacity may be affected in different ways.

- They may lack capacity to make some decisions for themselves but be able to make others. For example, Jenny has dementia which means she can decide what to eat and what to wear, but can't make decisions about investing her money or selling her home.
- They may be unable to make a decision at a certain time, but be fine at other times. For example, David takes medication which makes him groggy and confused in the evenings, but he is fine in the mornings.
- They may be unable to make any decisions about themselves. For example, Arjun has advanced dementia and is no longer able to

make decisions for himself. He must rely on others he trusts to do so for him.

It's important to know that someone you trust will make decisions on your behalf if there comes a time when you're unable to. There are a number of ways to do this.

Set up a lasting power of attorney

A lasting power of attorney (LPA) is a legal document that gives someone you trust (the attorney) the right to make decisions about your money or welfare on your behalf. It can give you peace of mind to know you've protected yourself if there comes a time when you don't have mental capacity.

There are two types of lasting power of attorney.

- A property and financial affairs LPA lets someone make decisions about your finances. If you want, this can be used while you still have mental capacity.
- A health and welfare LPA lets someone make decisions about your healthcare and your personal welfare. It can only be used when you lose mental capacity.

You can let your attorney make all decisions on your behalf or restrict them to certain tasks.

For example, you could say your attorney can have access to your bank account and pay your bills, but can't make decisions about selling your home. If you wish, you can appoint more than one attorney and specify whether they must make decisions jointly or separately.

Contact the Office of the Public Guardian or visit the Gov.uk website ([0300 456 0300, gov.uk/power-of-attorney](https://www.gov.uk/power-of-attorney)) to find out more about creating an LPA. If you need advice, call our Helpline on [0800 319 6789](https://www.gov.uk/helpline) to arrange to speak to an adviser.

Think carefully about who you choose as your attorney. You must be able to trust them completely to make the right decisions for you. Don't set up an LPA if you feel under pressure to do so.

Unfortunately, sometimes an attorney abuses their position. If you're worried about the decisions your attorney or a deputy (see page 16) is making or you think they aren't acting in your best interests, you can contact the safeguarding unit at the Office of the Public Guardian ([0115 934 2777, gov.uk/report-concern-about-attorney-deputy](https://www.gov.uk/report-concern-about-attorney-deputy)). If you still have mental capacity, you can end an LPA.

Making decisions if you've already lost capacity

If you lose mental capacity and there is no LPA in place, the Court of Protection can appoint a deputy. Deputies are usually relatives or friends but may also be someone like a solicitor or even the local council.

Applying to the Court of Protection to become a deputy is more expensive than setting up an LPA but may offer more protection. When someone becomes a deputy, they have to write an annual report explaining what decisions they've made and why they made them. You can find out more at gov.uk/become-deputy.

Set up an advance decision to refuse treatment

An advance decision is a way to refuse certain types of treatment or care if there comes a time when you lose mental capacity. You may have heard this called a 'living will'. It's a legally binding document so must be followed by healthcare professionals looking after you, unless your circumstances change and the advance decision no longer applies.

Make an advance statement

An advance statement allows you to make more general statements about your health and care preferences. It's not just about medical treatment. It's not legally binding but can help your family, friends, carers and care professionals know your wishes if they have to make decisions for you.

See our guide **Planning for the end of life** and our factsheet **Managing my affairs if I become ill** to find out more about setting up an LPA, or making an advance decision or an advance statement.



6 How to get help if you're experiencing abuse

If someone is mistreating you, it's important you speak out to stop it. Any kind of abuse or neglect is unacceptable, no matter how minor you may feel it is. You have the right to be treated with respect.

Start by talking to family or friends you trust, or your GP, social worker or local social services.



This may feel difficult. You may feel anxious, embarrassed or afraid of what might happen, but it's the best way to start getting the help and support you deserve. To report abuse or neglect,

contact your local council's adult social care team (also called social services). You don't have to be receiving care services from the council to do this – the council has a duty to support people who have experienced or are at risk of abuse and are not able to protect themselves, for example because of ill-health or a disability.

Many councils have a dedicated number that can be called to raise concerns about a vulnerable adult at risk of abuse or neglect. You can find this in the phone book or on the council's website. Write it down here:



If you've been physically hurt or you need immediate protection from someone, dial 999 for the police and/or an ambulance. If you feel a crime has been committed, you can also report your concerns to the police. You can speak to your local police force by calling **101**.

For confidential advice on reporting abuse, contact Action on Elder Abuse (0808 808 8141, elderabuse.org.uk).

You can also get advice and emotional support from Victim Support, a national charity which helps victims of crime and traumatic events (0808 168 911, victimsupport.org.uk).

If you've experienced domestic violence, you can get support from the National Domestic Violence Freephone Helpline (0808 2000 247, nationaldomesticviolencehelpline.org.uk) or the Men's Advice Line (0808 801 0327, mensadviceline.org.uk).

What happens after you report abuse

After you speak to your adult social care team, a social worker will discuss ways to resolve the situation. What happens next depends on:

- whether you are in danger
- how much support you need
- what you want to happen.

They will start a safeguarding enquiry if you are still at risk of abuse or neglect. This could range from a conversation through to a more formal course of action involving different agencies. If the abuse is more serious, the police may be involved. Your views and wishes should be taken into account at every step. The outcome of the enquiry will depend on how serious the abuse or neglect is.

If you need help to express your views, you may be able to get support from an independent advocate. Ask your local council about advocacy services in your area. In certain situations you are legally entitled to an advocate. See our factsheet **Independent advocacy** to find out more. You should be as involved in the process as you want to be.

If the enquiry decides that it's necessary, the adult social care team must put a plan of action or protection plan in place, stating:

- how you will be kept safe in future
- any support, treatment or help you will be given
- any changes needed to the care you receive
- any action to be taken in relation to the abuser
- how you will be supported through any action you plan to take to seek justice.

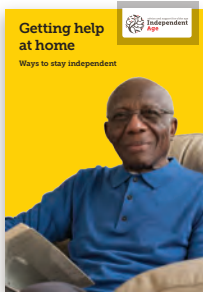
The plan should be reviewed at a future date to make sure you're still safe and that the plan is working.

If a crime has been committed, the adult social care team should tell the police, who will carry out an investigation. They will decide whether or not to charge the abuser with any criminal offence.



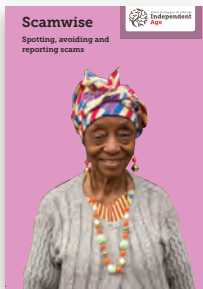
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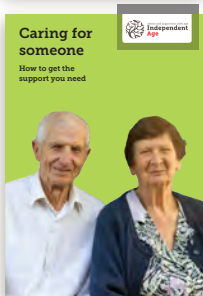
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The information in this guide applies to England only.

If you're in Wales, contact Age Cymru (0800 022 3444, ageuk.org.uk/cymru) for information and advice.

In Scotland, contact Age Scotland (0800 12 44 222, ageuk.org.uk/scotland).

In Northern Ireland, contact Age NI (0808 808 7575, ageuk.org.uk/northern-ireland).

We want the UK to be the best place to grow older and we have ambitious targets to increase the number of older people we help and the difference we make. We receive no state funding and rely on income from individuals, trusts and other sources to continue providing our services to hundreds of thousands of older people in need.

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A charity founded over 150 years ago, we're independent so you can be.

For more information, visit our website
independentage.org

Call us for information or to arrange free, impartial advice from an adviser. Lines are open 8.30am–6.30pm Monday to Friday and 9am–1pm Saturday. Freephone **0800 319 6789** or email **advice@independentage.org**



advice and support for older age

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Independent Age is the operating name of the Royal United Kingdom Beneficent Association
Registered charity number 210729 (England and Wales) SC047184 (Scotland)



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