

Committee Name and Date of Committee Meeting

Cabinet – 19 December 2022

Report Title

Establishment of a Financial Abuse and Exploitation Service for Rotherham

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

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Ward(s) Affected

Borough-Wide

Report Summary

This report sets out proposals for a new service to help prevent the financial abuse and exploitation of Rotherham residents.

The proposed service will include the recruitment of a specialist investigator dedicated to Rotherham to investigate cases where crime is suspected, the review of historic exploitation cases and the delivery of financial exploitation and abuse awareness training for key staff and partners.

This service will add to the existing safeguarding offer within the Council's Adults Safeguarding Service and the Council's Trading Standards Service to provide a more comprehensive response.

Recommendations

That Cabinet:

1. Approve the establishment of a Financial Exploitation and Abuse Service for Rotherham as detailed at Section 3 – Option 2.

List of Appendices Included

Appendix 1 Part A – Initial equality screening assessment form
Appendix 2 Part B – Equality Analysis Form
Appendix 3 Carbon impact assessment form

Background Papers

Analysis of Safeguarding Reviews April 2017 – March 2019 LGA December 2020

Protecting the Public and Supporting Business from Pandemic Recovery to the Cost-of-Living Crisis – The Impacts and Outcomes of Local Trading Standards Services 2021/22 in England and Wales

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Establishment of a Financial Abuse and Exploitation Service for Rotherham

1. Background

- 1.1 The Care Act 2014 describes financial abuse as a type of abuse which includes having money or other property stolen, being defrauded, being put under pressure in relation to money or other property and having money or other property misused.
- 1.2 Financial abuse and exploitation can take many forms, it can happen to a wide range of people and circumstances, not just those who are supported directly by the Council. It is often associated with:
- Someone taking or misusing someone else's money or belongings for their own gain
 - Harming, depriving or disadvantaging the victim
 - Controlling someone's purchases or access to money
 - Other forms of abuse
 - Borrowing money and not giving it back
 - Stealing money or belongings
 - Taking pension payments or other benefits away from someone
 - Taking money as payment for coming to visit or spending time together
 - Forcing someone to sell their home or assets without consent
 - Coercing or deceiving someone into making bad investments
 - Forcing someone to make changes in wills, property or inheritance
 - Providing services to an individual, potentially through coercion or deception and then charging exceptionally high fees for those services, often perpetrated by individuals or companies known commonly as 'rogue traders'.
- 1.3 The signs of financial abuse and exploitation are not always immediately obvious and can be subtle. It can include for example:
- Unexplained money loss.
 - Lack of money to pay for essentials such as rent, bills and food.
 - Inability to access or check bank accounts and bank balance.
 - Changes or deterioration in standards of living e.g., not having items or things they would usually have.
 - Unusual or inappropriate purchases in bank statements
 - Isolation and withdrawal from friends and family
- 1.4 The Council's Adult Social Care Services consistently receive safeguarding concerns that have an element of suspected financial abuse. Since 2019 although the number of concerns raised has fluctuated, (223 in 2019/20, 362 cases in 2020-21 and 318 in 2021-22, 150 to date in the current year) the percentage where financial abuse is suspected has remained around the 43% mark and has been the third highest category of abuse over the three-year period.

- 1.5 There are examples of people who have been exploited and who have been unable to pay for their care and support. The loss of funds in these situations is significant. A sample of eight cases in Rotherham between 2014 and 2019 resulted in a financial loss of £111,678 between the individuals and the local authority.
- 1.6 Deprivation is a known factor in making individuals and communities more susceptible to financial exploitation and abuse. On the Index of Multiple Deprivation 2019 (IMD 2019) Rotherham ranks the 35th most deprived upper tier local authority in England out of a total of 151 authorities. In all, 59 Rotherham neighbourhoods rank amongst the 20% most deprived in England and 36 of these are in the top 10% most deprived.
- 1.7 Research published by The Association of Chief Trading Standards Officers in October 2022 in their Impacts and Outcomes Report 2021/22, suggests that issues related to the current cost-of-living pressures are at record levels and set to trigger unprecedented demand and pressure on services in the future, including Trading Standards teams.
- 1.8 The Chartered Trading Standards Institute (CTSI) has reported that three quarters of UK adults are feeling more vulnerable due to the current cost-of-living pressures and nearly half have seen a rise in scams / financial exploitation. Furthermore, older adults are reported to be disproportionately impacted upon by such scams across the country. The number of adult safeguarding concerns relating to financial abuse also show that 55% of cases involved those aged over 65 years and that the suspected source of harm was a person known to them in 61% of cases.
- 1.9 Given this context and reflective of the Council's core commitment to safeguarding and ensuring Rotherham residents are safe, healthy and live well, the Council has been developing proposals for the development of a new service offer to further help prevent such abuse and exploitation in the Borough.
- 1.10 The work to establish the service offer was delayed, principally by the impact of the pandemic, with colleagues in West Yorkshire experiencing issues with time and resources to support Council colleagues in Rotherham. Post-pandemic, discussions resumed with the necessary urgency to enable the proposals contained within this report to be finalised.

2. Key Issues

- 2.1 The investigation of Financial Abuse and Exploitation is of a specialist nature and the Council currently has limited expertise in this field. The Council was aware of a service which has been successfully operating across West Yorkshire, tackling financial abuse and exploitation, including 'rogue traders' and this offered an opportunity to provide some insight into what may be required in Rotherham. Discussions have subsequently been held with the West Yorkshire Joint Services Trading Standards Team to learn from their experience and expertise, to support the development of options for a service offer for Rotherham.

- 2.2 The West Yorkshire Joint Services created their financial abuse and exploitation service offer in October 2016. Supported by funding from the Office of the West Yorkshire Police and Crime Commissioner, a co-located multi-disciplinary team was established comprising of:
- Trading Standards professionals
 - Financial Exploitation Investigators,
 - A Police Officer
 - A Social Worker.
- 2.3 Following its establishment, the team, which covers the 5 districts of West Yorkshire, began to uncover serious criminal activity and financial abuse linked to rogue traders including sales of home improvements – roofing, guttering, driveways, fascia boards, double glazing, mobility aids etc., with evidence of prolific targeting of older adults to their significant financial detriment.
- 2.4 Since its inception, the service has dealt with over 260 referrals relating to allegations of financial abuse of adults within the West Yorkshire area. Most referrals have come from the Adult Social Care teams in the five districts (81), in addition to those being identified and sent through to the team via the Banking Protocol (67). The Banking Protocol Initiative was launched in May 2017 and is a partnership between financial institutions, West Yorkshire Police and West Yorkshire Trading Standards. This protocol enables bank staff to contact police if they suspect a customer is in the process of being ‘scammed’, with an immediate priority response to the branch. This has resulted in direct referrals where concerns of financial abuse are suspected. Their experience has been that the number of cases is increasing rapidly, as more training is delivered to Adult Social Care professionals, who then begin to recognise the ‘red flags’ within their caseloads.
- 2.5 The discussions with the West Yorkshire service have helped to illustrate the key aspects of work that the team feel would supplement and enhance a Rotherham service offer and which would need to be procured. This activity would be supported by existing resources within Council services such as Adults Safeguarding, Trading Standards and key partners. The new service offer would therefore include:
- The appointment of a specialist investigator to deal with Rotherham casework, with a particular focus on cases where criminal activity is suspected.
 - A review of historic cases to help determine the extent of the issue locally, to inform future service planning and development.
 - Delivery of a programme of awareness raising training for key staff/professionals.
 - Support to develop associated service processes and procedures.
- 2.6 A Council working group including colleagues from Adult Social Care Strategic Safeguarding, Housing Services, Regulation and Enforcement, Finance, Performance and Business Intelligence, Procurement and South Yorkshire Police Safer Neighbourhoods Team, have worked to develop the proposal for

Rotherham. If the recommendation of this report is approved, the working group will implement the service proposal to commence activity from April 2023. The working group will also focus on developing referral pathways and associated procedures to support the implementation of the new service offer.

3. Options considered.

3.1 Option 1 – Commission the service, through an existing service provider, (without a dedicated Rotherham investigator)

The option to establish a Rotherham offer via a fully commissioned model was considered. This option would involve all aspects of the service offer being delivered by a procured specialist provider, as part of their existing service. This would not allow for the development of knowledge in Rotherham or create a post within the procured service dedicated solely to Rotherham casework. The development of local knowledge and a dedicated resource focussing on Rotherham casework are seen as essential to effective service delivery and the future development of the service offer locally.

This option is not recommended.

3.2 Option 2 – Commission the service, through an existing service provider with a dedicated Rotherham investigator (as detailed in 2.5)

This option would supplement existing Council resources and through a procured specialist provider, include the appointment by that provider of a specialist investigator, for an initial period of two years, dedicated solely to Rotherham casework. The procured provider would also be asked to deliver the other activity detailed in Section 2.5 as part of the contract. The appointed investigator would be recruited and managed by the procured provider. It is envisaged that the postholder would benefit from the wider resources of the provider, in addition to building essential operational relationships with Council staff and partners.

This option would deliver the specialist experience and expertise required and a dedicated Rotherham resource.

This option is recommended.

3.3 Once commissioned, it is the intention that day to day management of service provision and contract monitoring will be the lead responsibility of the Strategic Safeguarding Manager within the Adult Social Care Service. The evidence of the first year of delivery following appointment of a specialist service provider will be used to produce an evaluation report, to inform decisions about the service delivery model beyond the initial two years.

4. Consultation on proposal

4.1 The development of service proposals included workshops with the project team and relevant services. As a result of these workshops, it was considered that there was scope to develop an enhanced service offer to help

address financial abuse and exploitation in Rotherham. The working group has been instrumental in shaping the options and recommendation. The proposed service has been discussed with strategic groups that have experience in working with victims of financial exploitation and abuse. This has included:

- The Council's Safeguarding Champions Group – 20th September 2022
- Rotherham Safeguarding Adults Board – 24th October 2022
- Advice in Rotherham Partnership – which includes organisations offering financial advice from across Rotherham – 26th October 2022

5. Timetable and Accountability for Implementing this Decision

5.1 Subject to approval of the recommendation, the working group will undertake the necessary work to procure a specialist provider by March 2023 and implement the service offer from April 2023.

6. Governance

6.1 The service will be subject to regular contract liaison meetings to evaluate the progress of delivery and impact against the agreed outcomes.

7. Financial and Procurement Advice and Implications

7.1 The services to be delivered by an external provider in this report would be classified as Social and Other Specific Services ("SOSS") as defined in the Public Contracts Regulations 2015 (as amended) ("the Regulations"). The value of this commission over the 2-year term proposed (£200,000) is below the threshold for SOSS (£552,950 exclusive of VAT). As such the full application of the Regulations does not apply. At this value, the Council must ensure the procurement activity is undertaken in compliance with the Council's own Financial and Procurement Rules.

7.2 A £100,000 annual revenue budget has been allocated within existing resources to support this work. As such, the proposal will not create a budget pressure.

8. Legal Advice and Implications

8.1 S42 Care Act (2014) provides that where a local authority has reasonable cause to suspect an adult is experiencing abuse (which includes financial abuse or exploitation) it must make necessary enquiries to enable it to decide whether any action should be taken and, if so, what and by whom.

8.2 The establishment of a Financial Abuse and Exploitation Service would assist the Council in carrying out the S42 statutory duty.

9. Human Resources Advice and Implications

9.1 There are no significant HR issues to be considered. Should TUPE apply in the future then due HR processes would be followed.

10. Implications for Children and Young People and Vulnerable Adults

- 10.1 The recommendation within this Cabinet report to establish a Rotherham Financial Exploitation and Abuse Team, if agreed, would have a positive impact on the welfare of adults within the Borough in terms of adding additional safeguarding adults' expertise and capacity into the system in terms responding to potential financial abuse at an earlier stage. This exploitation / abuse may be being perpetrated by someone known to the adult(s) or via the wider community in the case of rogue traders / larger criminal organisations. The establishment of such a service would provide further bespoke financial abuse awareness training into the Borough across all partners / sectors which would promote widest identification of financial abuse cases. This approach is in accordance with and strengthens Rotherham Council's preventative Safeguarding Adults duties under the Care Act as would communications about any successful prosecutions brought about by the Team.

11. Equalities and Human Rights Advice and Implications

- 11.1 Ensuring that services are effective and accessible to all of our communities including protected characteristics groups is important. Referrals from partner agencies to Adult Safeguarding are monitored to show that cases involving all parts of the community are being referred, particularly those from groups who we know are at greater risk of financial exploitation and abuse. This will be part of the ongoing evaluation of the effectiveness of delivery during the two years of the project.
- 11.2 The training will help to raise the understanding and awareness of these issues with staff and the impact on those groups who may be at greater risk of financial abuse and exploitation. As part of the evaluation of the project the appointed provider will be expected to capture the characteristics of the cases that come to light.
- 11.3 The project will include support for media campaigns to raise awareness in the wider community of the risk of financial exploitation and abuse and those who might be at greater risk of falling victim to this type of abuse. The media campaign will be delivered through a variety of channels to disseminate the messages as widely as possible.

12. Implications for CO2 Emissions and Climate Change

- 12.1 The specialist investigator will need to spend some time in Rotherham and some at the providers location. The amount of travel needed will be managed to make best use of resources while minimising CO2 emissions.
- 12.2 The specialist investigator dedicated to Rotherham work will use existing office space. It is not anticipated that there will be an increase in CO2 emissions as a result of this decision.

13. Implications for Partners

- 13.1. The working group included South Yorkshire Police Safer Neighbourhoods Service, Adult Care, Housing Services and Regulation and Enforcement. The working group will work with the procured provider to develop referral pathways to improve access to services for those affected by financial abuse and exploitation at an earlier stage.
- 13.2 Key services and partners will be included in the awareness raising training offered by the provider and in the development of referral pathways as part of the service implementation.

14. Risks and Mitigation

- 14.1 Failure to recruit to the specialist investigator post could delay the project. To mitigate this risk the post will be advertised across the West and South Yorkshire regions. If recruitment is delayed because of a lack of suitable candidates, the contract issued to a provider will require delivery using existing members of their service as far as reasonably practical.

15. Accountable Officers

Paul Elliott, Acting Housing Operational Services Manager
Sue Shelley, Business Development Manager

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	02/12/22
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	01/12/22
Assistant Director, Legal Services (Monitoring Officer)	Phillip Horsfield	01/12/22

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This report is published on the Council's website.