



**Independent
Age**



Staying in control

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



Thank you

We would like to thank those who shared their experiences as this guide was being developed, and those who reviewed it for us. With special thanks to Cruse Bereavement Support for their expert knowledge during the review.

What do you think?

We welcome your feedback on our publications. We use your comments to plan future changes.

If you'd like to help us develop our information products, you can join our Readers' Panel. To find out more, call **020 7050 6560** or visit **independentage.org/readers-panel**.

Our publications

In this guide you'll find references to our other free publications. To order them, call **0800 319 6789** or visit **independentage.org/publications**.

If you would like this information in a different format (such as large print or audio CD), call us on **0800 319 6789** or email **operations@independentage.org**.

While we make every reasonable effort to ensure that our information is accurate at the time of publication, we do not accept any liability arising from its use. Our information should not be used as a substitute for professional advice. The inclusion of other organisations does not constitute an endorsement from us.

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

© Independent Age 2022

Author: Independent Age

Production: Ellice Thatcher

Design: Maria Brosnan

Photography: Leanne Benson cover, pp3, 5, 11, 17, 24, 26;

Lee Townsend pp23, 28

Contents

About this guide	2
1. What is harm?	3
2. Different types of harm	5
3. How to stay safe	11
4. Planning ahead	17
5. How to get help if you're being mistreated	23
6. What happens after you report harm or neglect	26
7. Summary	30
8. Useful contacts	32

Date of publication: February 2022

Next review date: February 2025

We spoke to older people about their experiences. Their quotes appear throughout. We have changed the names of some of the interviewees who wished to be anonymous. Some of the images seen throughout this guide are posed by friends of Independent Age.

The PIF TICK is the UK-wide Quality Mark for Health Information.

About this guide

Everyone has the right to live in safety – free from abuse, harm and neglect. This guide shows you where you can go for help and what will happen after you report harm or neglect.

While you can usually trust those close to you – like 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. There are ways you can end this bad treatment.

This guide shows you where you can go for help and what will happen after you report harm or neglect.



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

Where we refer to local councils in this guide, this means local authorities in Scotland.



1. What is harm?

Harm is when someone causes us pain or distress. Anyone can become a victim of harm – it's no reflection of your intelligence, strength or worth.

1. What is harm?

Harm can take many forms, and can happen anywhere – in someone's home, a hospital, a care home or a public place.

Often, the people who hurt us are people we expected to trust, but who are abusing this trust.

Sometimes harm happens because someone doesn't have the skills or support needed to care for someone. It may not be on purpose, but doesn't make the impact of it any less.

Harm 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 to do.

Who is at risk?

Anyone could experience harm or neglect, but certain people are more at risk, like 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.



2. Different types of harm

There are many different types of harm, and someone may experience more than one type at a time.

2. Different types of harm

Five common types of abuse or harm are:

- financial
- psychological
- physical
- sexual
- neglect.

Someone may experience one or more types of abuse or harm.

If someone is mistreating or neglecting you, it's important to speak up. It isn't your fault and there is help available (see **page 32**).



Financial harm

Financial harm 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 for you 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.

“ If something happens to you that you think is wrong, even for a second, reach out for help.

2. Different types of harm

Psychological harm

Psychological harm is when someone deliberately upsets you by threatening or humiliating you 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.

2. Different types of harm

Neglect

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

Sometimes neglect is 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 medication, not looking after your home, or refusing services that might keep you safe and well.

You can choose how you want to live and may not want help, but professionals may have to get involved if there's a risk of harm to you or someone else.

Cuckooing

Cuckooing is when someone takes over your home so they can use it for drug dealing and other serious crimes, even though you don't want them to. They may build a relationship with you to access your home, or use threats of violence and abuse to move in.



3. How to stay safe

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

3. How to stay safe

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. Don't be afraid to tell your GP or any other medical professional if you're being harmed or neglected.

Ask your council for help

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 harm 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, tell the agency, or the council if they arranged the care. You can tell them about anything you aren't happy with, like if your carers aren't turning up on time or at all, or if they don't treat you with respect. You can also get advice from the council if you're employing your own care worker.



Our factsheet **Arranging home care** has more information on what to 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 (Disclosure Scotland check in Scotland). This checks to see if they have a criminal record or if there were any other concerns in the past.

The Carers Trust has useful information on employing a personal assistant at **carers.org/paid-help-at-home/employing-a-personal-assistant**. You can call them on **0300 772 9600** (England), **0300 772 9702** (Wales) or **0300 772 7701** (Scotland).

3. How to stay safe

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 harmed. 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.

“ In the home my dad didn't receive the medication he needed. He fell and broke his hip, went into hospital and the slippery slope downwards began.

Looking after your money

You may be relying on someone else for things like doing your shopping for you, or collecting your benefits. 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 4** 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**). In Scotland, contact the Law Society of Scotland (lawscot.org.uk, **0131 226 7411**).

3. How to stay safe

“ Seeking help doesn’t come naturally to many in my generation and I have always been an independent spirit, but it is so important for people to know how the system works.

You can also contact Solicitors for the Elderly (**0844 567 6173**, **sfe.legal** – note that 084 numbers can be costly) or, in Scotland, Solicitors for Older People Scotland (**0800 152 2037**, **solicitorsforolderpeoplescotland.co.uk**).

If you’re concerned about abuse, harm or neglect, you can contact the Hourglass confidential helpline for information, advice and support (**0808 808 8141**, **wearehourglass.org**).

You could also call our free Helpline on **0800 319 6789** and arrange to speak to an adviser.



4. Planning ahead

Planning ahead may feel difficult, but thinking about who can help you make decisions as you get older could keep you safe from abuse or harm.

4. 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 – for example, because of advanced dementia, or because they're unconscious – 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.

Arranging for someone else to make decisions for you

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. In Scotland, powers of attorney work in the same way but are known by different names.

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. In Scotland this is called a continuing power of attorney
- 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. This is called a welfare power of attorney in Scotland.

4. Planning ahead

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**) to find out more. In Scotland, contact the Office of the Public Guardian Scotland (**01324 678398**, **publicguardian-scotland.gov.uk**).

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 is making you can contact the safeguarding unit at the Office of the Public Guardian (in England call **0115 934 2777**, gov.uk/report-concern-about-attorney-deputy, in Scotland call **01324 678398**, publicguardian-scotland.gov.uk/power-of-attorney/registration/concern-about-continuing-attorneys). If you still have mental capacity, you can end an LPA.

Who makes decisions if I don't have an LPA?

If you lose mental capacity and don't have an 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. In Scotland, this role is called a guardian and is appointed by the sheriff court.

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 the decisions they've made. You can find out more at gov.uk/become-deputy. In Scotland, visit mygov.scot/guardianship to find out more.

4. Planning ahead

Refusing treatment or care in the future

An advance decision (advance directive in Scotland) 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.

Thinking about your health and care preferences

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.



Our guide **Planning for the end of life** and our factsheet **Managing my affairs if I become ill** have more information about setting up an LPA and making an advance decision or advance statement.



5. How to get help if you're being mistreated

If someone is mistreating you, it's important you speak out to stop it. You have the right to be treated with respect.

5. How to get help if you're being mistreated

Talk about it

Start by talking to family or friends you trust, or your GP, social worker or local social services. In Scotland, contact your local authority's Adult Support and Protection team.

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.



Report it to your council

To report abuse, harm or neglect, contact your local council's adult social care team (also called social services). You don't have to be getting care services from the council to report this. The council has to support everybody who is at risk of abuse and are not able to protect themselves.

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

I need help now

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**.



6. What happens after you report harm or neglect

It can be daunting to report harm or neglect, especially if you aren't sure of the next steps. This chapter tells you what is likely to happen.

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.

If you're still at risk

They will start a safeguarding enquiry if you are still at risk of harm or neglect. This could range from a conversation through to a more formal course of action involving different agencies. If the harm to you 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 harm or neglect is.

6. What happens after you report harm or neglect

Getting help to express yourself

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. In Scotland, contact your local authority or the Scottish Independent Advocacy Alliance (**0131 510 9410**, siaa.org.uk).



Keeping you safe

If the social worker 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 against the person who hurt you
- how you will be supported if you take legal action to seek justice.

The plan should be reviewed in the future to make sure it's working and that you're still safe.

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 person who hurt you with any criminal offence.

7. Summary

- Everyone has the right to live in safety, free from abuse, harm or neglect.
- Five common types of abuse or harm are financial, psychological, physical, sexual and neglect.
- Anyone can become a victim of harm – it's no reflection of your intelligence, strength or worth.
- If there's a problem with your care workers, tell the agency, or the council if they arranged your care. If you're in a care home, speak to the manager or your local council.
- Plan ahead in case you lose mental capacity in the future. Setting up lasting powers of attorney can give you peace of mind knowing someone you trust will make decisions for you. An advance decision and advance statement can mean you'll be treated in the ways you'd want.
- If you're being harmed, talk about it. You don't need to feel embarrassed or afraid. Speak to someone you trust or contact your local council's adult social care team. If you need help urgently, call **999**.

- If you report abuse or harm, a social worker will talk to you about what you want to do next. There could be an enquiry, and the police may be involved. A protection plan might be put in place to keep you safe.
- If you're concerned about abuse, harm or neglect, call the Hourglass confidential helpline on **0800 808 8141**.
- If you need support or advice about any of these issues, call our Helpline on **0800 319 6789** to arrange to speak to an adviser.

8. Useful contacts

Hourglass

Confidential advice on reporting harm and neglect.

- **0808 808 8141**
- **wearehourglass.org**

Victim Support

Advice and support to victims of crime and traumatic events in England and Wales.

- **0808 168 911**
- **victimsupport.org.uk**

Victim Support Scotland

Advice and support to victims of crime and traumatic events in Scotland.

- **0800 160 1985**
- **victimsupport.scot**

National Domestic Abuse Helpline

If you've experienced domestic violence and live in England and Wales.

- **0808 2000 247**
- **nationaldahelpline.org.uk**

Scotland's Domestic Abuse and Forced Marriage Helpline

If you've experienced domestic violence and live in Scotland.

- **0800 027 1234**
- **sdafmh.org.uk**

Men's Advice Line

Advice for men who have experienced harm.

- **0808 801 0327**
- **mensadviceline.org.uk**

National LGBTQ+ Domestic Abuse Helpline

Advice and support for members of the LGBTQ+ community.

- **0800 999 5428**
- **galop.org.uk**

About Independent Age

At Independent Age, we want more people in the UK to live a happy, connected and purposeful later life. That's why we support people aged over 65 to get involved in things they enjoy. We also campaign and give advice on the issues that matter most: health and care, money and housing.

For information or advice – we can arrange a free, impartial chat with an adviser – call us on freephone **0800 319 6789** (Monday to Friday, 8.30am to 6.30pm) or email us at **advice@independentage.org**.

You can also support this work by volunteering with us, joining our campaigns to improve life for older people experiencing hardship, donating to us or remembering us in your will.

For more information, visit **independentage.org** or call us on **0800 319 6789**.



**Independent
Age**

Independent Age
18 Avonmore Road
London
W14 8RR

020 7605 4200
charity@independentage.org
independentage.org
Helpline 0800 319 6789



Like our page **Independent Age**



Follow us **independentage**



Follow us **@independentage**



Subscribe to **IndependentAge**

© Independent Age 2022

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