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Factors used in the detection of elder financial abuse: A judgment and decision making study of social workers and their managers.

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Introduction

Financial abuse of older people is gaining attention from policy makers and researchers around the world. The higher relative wealth of older people, coupled with their vulnerability to physical and mental health problems, are believed to be contributing to the increased risk of elder financial abuse (Kemp and Mosqueda, 2005). In addition, absolute and relative numbers of older people are rapidly growing, thereby heightening the need for greater knowledge in terms of detection and prevention. This study focused on UK social workers' and managers' judgment and decision-making in practice in order to elicit the key factors (decision cues) that raised suspicion when detecting elder financial abuse. In the field of judgment analysis and decision making the term *cue* is used to refer to any piece of information an individual could potentially draw upon when making a judgment (Cooksey, 1996).¹ Thus, when making a judgment concerning financial abuse, a cue could be any case feature that led to abuse being suspected.

Definitions and Prevalence

The National Center on Elder Abuse in the United States defines financial exploitation as the illegal or improper use of an elder's funds, property, or assets (NCEA, 2010). In the UK, elder financial abuse is defined in the guidance document *No Secrets* as '.....theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits (DH and Home Office, 2000, Pg. 9, Section 2.7).'

Previous research has measured the prevalence of different types of elder abuse to evidence the scale of the problem that financial abuse presents. To measure UK elder abuse prevalence rates using a larger and more representative sample than earlier attempts (e.g. Ogg and Bennett, 1992), the charity 'Comic Relief' and the UK Department of Health sponsored a prevalence study, which was conducted by O'Keeffe et al. (2007). The study included people age 66+ (n=2111) across the UK, living in the community; residential homes and NHS facilities were excluded. Financial abuse was found to be the most prevalent form of elder abuse after neglect. The prevalence of financial abuse reported by participants as occurring within the last year was 0.7%, or around 56,000 older people in the UK. However, a commentary from Action on Elder Abuse suggests that the prevalence study figures may be conservative (AEA, undated).

In the United States Acierno et al. (2010) conducted 5777 telephone interviews with older people aged 60+ about their experience of abuse and neglect. A one-year prevalence figure of 5.2% for financial abuse by a family member at the time of the interview was estimated. Another recent telephone survey (n=903) in the US, examining racial differences in the prevalence of financial mistreatment, found financial exploitation rates of 23% for African Americans and 6.4% for non-African Americans in the past six months (Beach et al, 2010).

In Australia, research by Setterlund et al. (2007) investigated the management of family finances from the perspective of 'routine activities theory'. This theory sets family involvement in finances as a caring responsibility, suggesting financial abuse is at the extreme end of likely occurrences. However, opportunities for financial abuse when managing even straightforward financial matters such as bill paying were reported.

Identifying elder financial abuse

The UK report on financial abuse commissioned by the charity Help the Aged (Crosby et al., 2008) noted that most research has considered financial abuse only as part of the study of general elder abuse. It is, therefore, difficult to draw conclusions as to which factors are central to the identification of elder financial abuse.

The limited research on identification of financial abuse has been conducted primarily outside the UK; for example, the United States National Elder Mistreatment Study (Acierno et al., 2010) indicated that non-use of social services was associated with an increased likelihood of financial abuse. Of the few UK studies, O'Keeffe et al. (2007) found elder financial abuse to be associated with circumstances where the victim was in need of support for daily living. Kemp and Mosqueda (2005) developed an eight-item framework for assessing risk of abuse and asked

¹ Full definition of 'Cue' – "Any numerical, verbal, graphical, pictorial, or other sensory information which is available to a judge for potential use in forming a judgment for a specific case and/or which is available in the *ecology* for making predictions about the value of a distal criterion" (p 368)

professionals (n=159) primarily from a legal background, but including some participants from health and social care, to evaluate the form. Age, gender and health status were considered to be key factors for vulnerability. However, it must be kept in mind that this study was of perceptions of factors associated with financial abuse and did not investigate risk factors or signs of abuse in real cases.

A UK scoping study of twelve organizations by Arksey et al. (2008) looked at the role of family members and friends in managing older adults' finances. Where misuse of money occurred it was thought to involve small sums and to reflect differing perceptions of appropriate behavior (e.g. carers taking their bus fares out of the money collected at the bank for the elderly relative) when managing money for a relative. The key conclusion drawn was that older people and carers need clarity about issues ranging from powers of attorney to information relating to financial responsibilities such as bill paying and monitoring bank accounts.

Protective services

A wide range of professionals are potentially involved in adult safeguarding concerning elder financial abuse. This can include prevention in the form of reducing risk factors, as well as action once abuse has taken place. Mansell et al., (2009) reported that 14.6% of all adult protection referrals to two local authorities in the South-East of England from 1998-2008 were in relation to suspected financial abuse.

In the US, where services vary from state to state, adult protective services are most likely to be the point of investigation of reports of suspected financial abuse. Similarly, in the UK social workers and the social services play a central role in identifying cases of elder financial abuse.

A decision science perspective

The methods of decision science are well suited to studying how professionals identify elder financial abuse. These methods can help to make the practice knowledge explicit and to characterize the nature of the factors involved. The process of judgment and decision-making in relation to identifying elder financial abuse involves professionals implicitly asking themselves three questions: (1) Is this an instance of elder financial abuse? (2) Is this my responsibility? (3) What should I do? Although policies and guidelines might indicate what should be done once elder financial abuse is identified, as well as indicate who is responsible for acting after identification, the identification of elder financial abuse itself involves using complex judgments as part of the decision making process.

Decision making and judgment have to some extent been looked at as distinct research areas despite the association between the processes both in terms of lay understanding and research driven definitions. Goldstein and Hogarth (1997) describe judgments to be how people integrate information and the extent to which the judgment corresponds to the information available, whereas decision making focuses more on the outcome in terms of a person's actions or choices, and how these could be improved.

Although the judgment analysis approach has been applied extensively to investigate professional decision making, this approach has not been used to investigate the identification of elder financial abuse. In cases involving a degree of uncertainty, people can apply intuitive strategies known as heuristics to make judgments. Heuristics are cognitive shortcuts that break down problems into something simpler in order to make the judgment process easier (Tversky and Kahneman, 1974). Heuristics are typically applied under circumstances when judgments need to be made quickly and/or when the likelihood of different outcomes cannot be calculated (Gigerenzer, 2008). Thus, rather than aiming for the optimal solution, the reality is more one of "satisficing" to achieve a solution to a problem seen to be good enough, bearing in mind the information and cognitive resources available.

These concepts resonate strongly with the circumstances of financial abuse. The rationality of decision making in relation to suspected elder financial abuse is, therefore, dependent on information constraints and aspects of the individual decision-maker such as their cognitive resources.

There is limited research into elder financial abuse from a professional perspective, and hence only a limited evidence base with which to inform professional training. Understanding the factors used by social workers and their managers to identify elder financial abuse will allow the sharing of practice experience. This may in turn help to make services more effective, which would ultimately assist in ensuring financially abused people are properly protected.

Project background

The study reported here is part of a three phase project on real world judgment and decision making by

social work, health and banking professionals in detecting elder financial abuse. The three phases correspond to three data collection methods: *Phase I* - In-depth interviews using critical incident technique. The purpose of Phase I is to identify the case features (decision cues) used in judging whether or not a case represents financial abuse. These cues will then be used to develop case scenarios for the next phase. *Phase II* - Experiments using case vignettes (factorial surveys) to test hypotheses about the factors that account for the greatest variance in judgment and decision making about financial abuse. *Phase III* - Analysis of policy documents and guidelines with the aim of comparing recommendations with actual practice. The first phase is needed to design the second phase, while analysis of policy documents runs in parallel with the interviews and the experiments. Because it cannot be completed until Phase I and II are completed, the policy analysis is labelled as Phase III.

In this article we describe one of the three studies which formed part of Phase I. The purpose of Phase I was to determine the key case features (called 'cues' in the research field of decision science) which are used when social workers, health care professionals and people in banking identify elder financial abuse. The study presented here was conducted with social workers and their managers. Because the key case features identified in Phase I varied between the groups the data has been analyzed and reported separately.

Aim

The study reported here aimed to identify the case features ('cues') which raised suspicions of elder financial abuse amongst social workers and their managers.

Methods

The first stage of a judgment analysis approach requires an in-depth investigation of the ecology in which decisions are made. This is necessary to identify the possible cues that may be attended to by each individual decision maker. Data were collected via semi-structured interviews, applying the critical incident technique (CIT) to investigate the examples of elder financial abuse detected by social workers and their managers. The critical incident technique (Flanagan, 1954) was used to gather data across real cases where suspected elder financial abuse had been identified. Ethical approval for the project was obtained from both Brunel University and the UK National Research Ethics Service (NRES).

Participant sample

Twenty-three social workers and managers were recruited, twelve from two London Borough Councils and eleven from a Local Authority Adult Social Services Department in a rural location in England. Participants were required to have experience of at least one case of suspected elder financial abuse.

Participants were aged 27-66 and included 21 females and two males; 19 participants were qualified social workers, 13 were managers. A variety of job titles were represented, including social workers (n=10), safeguarding adults managers (n=3), team managers (n=4), and social care management level professionals who worked with older service users in the private sector (n=6). Capturing a range of experiences was important given the potential identification of financial abuse by any social services worker in contact with older people. Length of service ranged from 1-21 years.

Semi structured interviews using the critical incident technique

Participants were asked to describe their most recent experience (critical incident) of a case of elder financial abuse. Only incidents in which participants had been directly involved (cases identified by them or reported to them for action) were included. Prompting was used to obtain details of the incident. CIT was chosen to establish from practice how elder financial abuse was identified. This was in preference to asking a more general question as to how financial abuse tends to emerge, as this may not be reflective of actual experience, and may exclude potentially relevant cues of financial abuse. CIT has been applied in previous research to explore instances of professional decision making (e.g., Lewis and Tully, 2009). CIT requires a transparent and pre-defined understanding of the behavior of interest and the specific circumstances in which it occurs (Flanagan, 1954). In this study this meant describing an experience where financial abuse was suspected. Participants were asked to give as much detail as possible about the case from when they first became suspicious to the point they believed the situation to be resolved.

Procedure

Individual interviews were conducted at the participants' place of work. Participants were required to give informed consent, and were provided with an information sheet highlighting that any case examples would be referred to anonymously in reporting. At the end of each interview participants were also asked to complete a demographic information sheet. Thank you gift vouchers of £10 were provided for involvement. The interviews lasted approximately 35 minutes.

Each interview was transcribed verbatim; the NVivo software package was utilized to organize the qualitative data. To ensure an accurate representation of the interview content (Braun and Clarke, 2006), the transcripts were cross-referenced against the taped recording, providing an opportunity for initial familiarisation with the data for the researchers.

Data analysis

Thematic analysis was conducted to identify the types of financial abuse encountered, and subjective cue usage (Caelli, et al, 2003). The process followed was guided by comparable research involving thematic analysis of interview data (Graneheim and Lundman, 2004; Silén et al, 2008). The first author MD conducted individual analysis of all the interviews (n=23). Authors DC and EN carried out a separate analysis of a sub-set of the interviews (n=12) to enable group validation of emerging cues.

Each interview was read several times and key case details were highlighted, such as the nature of the incident. Across the interviews, 35 critical incidents of financial abuse were identified. Within each incident, quotes relating to factors that made the participant suspect abuse were considered. Aspects covering similar areas were grouped together into a thematic category and given a summary label.

After analysis of each transcript in isolation, the results across the complete interview set were reviewed to determine the coding structure that would best represent the data as a whole. As part of group level validation of the findings, the coding of the multiple researchers was examined to finalise the cue and category structure. As an additional measure of the validity of the findings, the cues and categories were reviewed by the study Programme Management Board, which included experts from social work. This is a technique used to evaluate cue coverage (Kemp and Mosqueda, 2005), enabling discussion of cue use with individuals with appropriate sector experience. The last stage of analysis was to return to the interview transcripts and collate quotes to fit the finalised coding structure of cues, categories and sub-categories.

Results and Discussion

Out of the many cues that could have been used by the participants to classify a case as an instance of financial abuse, (e.g., age, gender, living arrangements, physical health) only three cue categories appeared to be used in determining if financial abuse was occurring. The fact that so few cues were found to be used in identification of elder financial abuse fits with research on the decision making of other professional groups that has also found that only a few of the cues available are actually used (Shanteau et al, 1991). The three cue categories found in this study were (1) the person who raised concern, i.e. the 'identifier' (2) mental capacity of the client, and (3) the nature of the financial anomalies. Each of these cue categories will now be discussed in turn.

Identifier of alleged abuse

Somewhat unexpectedly, the route or path through which the case emerged was found to be a key decision cue when identifying financial abuse. Although some participants described critical incidents in which they personally identified signs of abuse (n=4), most of the cases reported involved other people reporting suspicions of abuse (n=31). This included the older person at the centre of the abuse, family members, friends, and other professionals.

When reflecting on why the reporting of suspicions by other people was a key cue in judging the case, it is important to consider not only what information is available to the decision maker, but also what information cannot be ignored. Professional decision making of the type described in this paper always involves an element of risk. If a case is judged to not represent elder abuse, and it is in fact abuse, a social worker could be subjected to disciplinary action. A social worker notified, by for example a member of the public, that financial abuse is very likely to be occurring might feel that this information must be regarded as significant. Moreover, the suspicions of another

person meant that two people are making the judgment – the external identifier of the abuse and the social worker – lowering the probability of a false positive judgment.

Mental capacity

Mental capacity was considered a key cue in 20 out of the 35 critical incidents and was discussed in the context of ageing and specific conditions such as dementia. Where an older person was identified as lacking capacity to make decisions about finances, suspicion was raised immediately of the potential for abuse because the elder was seen to be at greater risk. Interestingly, the analysis identified differences in opinion as to how capacity impacted upon professionals' experiences of identifying and addressing financial abuse. Participants noted that where older people lacked capacity, it could be more difficult to determine the details of what had happened. Conversely some participants indicated that decision making was easier when an older person had capacity issues.

Relatively new legislation in England and Wales (Mental Capacity Act 2005) has raised awareness of the role of professionals in decision making when an individual does not have capacity (TSO, 2007; Manthorpe et al. 2008). Hence it is perhaps unsurprising that mental capacity should be an important cue helping social workers to answer the question, 'Is this an instance of elder financial abuse?'

Financial anomalies

The third cue category was labeled 'financial anomalies'. In attempting to make a judgment about whether or not what is observed or reported is an instance of elder financial abuse, decision makers appear to pay particular attention to the discrepancy between what is normal or what should be happening and what is happening. For example, those holding power of attorney are expected to act in the best interests of their clients, those running legitimate building companies do not expect payment before work is completed, friends do not expect payment in return for help, seniors with good retirement incomes should not have empty refrigerators, and staff in nursing homes are not supposed to accept money or gifts from residents. The greater the discrepancy between what is expected and what appears to be happening (or is alleged), the greater the suspicion that elder financial abuse is occurring.

Six types of anomaly emerged from analysis of the critical incidents described in the interviews:

Financial anomalies in accounts or bills – Eighteen of the 35 critical incidents described by study participants involved anomalies in accounts and bills. Examples included an unexpected bank overdraft, unpaid care fees or money missing from bank accounts. Although financial anomalies could be viewed simply as theft, there were certain distinctions. An identified financial anomaly cue might refer to 'virtual' finances, such as paperwork that showed missing money or unpaid bills, whereas in instances of stealing from the home or the person the cue may have been more direct and immediate. Cues relating to anomalies in financial management were one of the most common ways in which participants detected abuse.

Discrepancies between income and living conditions - Study participants identified suspicious living conditions in terms of lack of day-to-day necessities such as food, clothing and household utilities as a cue for abuse in thirteen of the critical incidents. Living conditions were a cue of financial abuse both where standards were considered poor, as well as where quality of living had suddenly deteriorated. The association between finances and living conditions also related to older people being entitled to things they did not seem to be accessing. A number of the participants gave examples of people who did not have personal cash for activities such as day centre trips because of money being withheld.

Another anomaly was if living standards did not match what was known about the individual's income. Formal financial assessment for care packages meant that social workers had a high level of awareness of the financial situations of their clients. In some instances, participants also said that poor living conditions indicated other types of abuse that then alerted them to financial abuse. A number of participants noted that general neglect was occurring alongside financial abuse.

Allegations of missing money or personal items - This category reflects incidents where items were alleged to have been taken from an older person's property or from them directly, such as money from a coat pocket; seven cases were described of this nature. Study participants talked about whether claims of missing money or property were in many instances things being mislaid rather than stolen; they sometimes carried out further investigations before

formally reporting an accusation of theft. Participants highlighted the importance of verifying allegations of theft before taking further action, due to the damaging effect of false accusations.

Suspicious relating to theft also seem to be related to the boundaries of what professionals perceive as financial abuse. When the participants were asked to describe what financial abuse meant to them, they talked about abuse occurring at different levels of significance. Theft may therefore be perceived differently from other forms of financial abuse. Perceived severity may affect whether it is seen as abuse at all, and the likelihood of action being taken. A common perception seemed to be that accusations of theft were relatively frequent. This means it is important to understand how decisions are made in such cases as to whether theft has actually occurred and what should be done.

Payments to rogue traders and unknown befrienders – Payments to rogue traders in which work is not carried out, or unneeded work is undertaken, and money given to previously unknown befrienders, were categorised together because both involved a perceived intentional abuse. Apart from anomalies such as payments in advance (not the normal practice of UK builders, plumbers or electricians) and unusual payments for 'help', an anomaly existed in that these acts were performed by people previously unknown to the older person. Most older people use companies that they have dealt with for many years and research evidence suggests that older people tend to socialize and interact mainly with well known and trusted friends and family members (Carstensen, 1993). Thus, a change in established behavior patterns is a cue which raises suspicions of elder financial abuse.

In terms of the critical incidents described, this type of abuse was rare, with only six instances of suspected abuse of this nature reported by study participants. In one incident, builders carrying out unnecessary work on an older persons' house were reported by a neighbor. One incident of befriender abuse was identified when an older man said that he had an adopted daughter; the social worker knew this not to be true.

Befriender abuse is difficult to identify because from an outsider's perspective it appears to be a reciprocal friendship. The critical incidents of this type of abuse also highlighted the complex nature of decision making in such cases. Determining the best action to take was reported as problematic because befrienders often provide support alongside the abuse. In other words, it is less clear if there is an anomaly between what is expected in such situations and what is seen to be happening.

Despite the limited number of cases of rogue or bogus traders in the critical incidents reported, study participants perceived that older people were at high risk of this sort of financial abuse. They talked about older people having behavior patterns or characteristics that identified them to others who might then take advantage. This was seen as a particular problem for older people with a learning disability or those with alcoholism.

Although there has been considerable media attention to financial abuse by befrienders and rogue traders, there is limited research evidence of abuse by strangers. The most recent UK study to determine abuse prevalence (O'Keeffe et al., 2007) did not measure abuse by strangers and research in this area has yet to be undertaken in the UK. Hence, it is difficult to establish the extent to which older people are at high risk of this type of financial abuse.

Misuse of Power of Attorney authority - Abuse by a person appointed as enduring or lasting power of attorney was seen as a distinct type of financial abuse because attorneys have a legitimate access to finances. Importantly, they are able to act with little likelihood of detection. A team manager provided the example of a relative who held enduring power of attorney who closed her sister's bank accounts and tried to sell her house. Because these behaviors are not normally seen as in the elderly person's 'best interests' they act as powerful cues in decision making about whether or not financial abuse is taking place. Only five examples of this type of financial abuse were reported by study participants.

Wills changed or gifts given under duress or deception – Only three critical incidents of this nature were reported; these involved gifts or the changing of wills to benefit friends or acquaintances of the older person. For instance, in one incident a man gave his taxi driver a large sum of money to buy family Christmas presents. Other instances in this area were in favour of paid carers, such as in one incident where a man gave his carer £750.

Study participants reported difficulties when dealing with reports of these behaviors, as the older person may genuinely have wanted to give a gift as a thank-you. Some domiciliary care agencies have policies that stipulate no gifts of any sort can be accepted from service users in order to remove the problem. Concerns relating to gifts may in part be because carers fear being accused of abuse if they accept any presents from clients, regardless of the

meaning behind the gift.

Sudden changes to wills and issues related to gifts were grouped together because both the content of a will, and the choice to give a present, should be at the discretion of the older person.

Study Limitations

One potential limitation of the research concerns the degree of case experience of elder financial abuse. Many participants had only one critical incident to discuss, which for some had occurred several years previously. This may have affected recall accuracy as well as cue salience. Moreover, the years of experience as a social worker could have affected the study outcomes. Judgment and decision making research has shown that 'experts' are more likely to use fewer cues when engaged in judgment and decision making tasks than non-experts (Shanteau et al, 1991). The finding that a limited range of cues were used in judging whether or not elder financial abuse was occurring could have been due to either the prime importance of the three cues identified or could have been due to the high levels of expertise of the study participants. Unfortunately, the small sample size does not enable the type of quantitative analysis that could address this issue. Nevertheless, the experiences of the sample are not unexpected given the relatively low prevalence of financial abuse, in addition to the difficulty of identification.

The finding that there were more reported versus directly observed cases of abuse may have been associated with the high proportion of participants working at management level who agreed to take part in the study. Social workers at management level would be more likely to receive reports of abuse rather than directly observe them. Nevertheless, the results are reflective of qualitative content of the interview data, as participants understandably stressed the importance of being informed about suspicions of abuse from third parties.

Finally, sample bias cannot be ruled out. Participants were required by the ethics committees concerned to 'opt in'. In addition we were required to state in our information sheets that if we came across negligent acts we would have to report the participants, something which might have deterred social workers from taking part in the study.

Concluding Comments

Although many organizations have web pages or advice leaflets listing the 'signs' of financial abuse, we could find no empirical research of case loads which identified cues that raise suspicions amongst social workers, either in the UK or elsewhere. While the cues reported in this study show a family resemblance to those often listed in advice documents, this study is unique in its focus on real world cases and its placement of the study within the field of judgment and decision making research.

Importantly, the findings suggest that not only are a limited number of cues used in making a judgment, but some cues may be weighted more heavily than others. Phase II of the project will provide the needed data on the weightings of each of the cues and the amount of variance that each accounts for in judgments about the certainty that abuse is taking place and the likelihood that action will take place.

Although we must await the results of Phase II of the project to be able to make recommendations for training, these preliminary findings indicate that training opportunities for social workers would contribute to informing, and potentially improving, practice. An understanding of different case experiences, and the potential bias that may influence judgment and decision making due to the use of a limited number of cues, may help them better answer that implicit question, 'Is this elder financial abuse?'

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