A Guide to Decision-Making

Protecting Individual Rights and Reducing the Risk of Elder Abuse

Information about options for financial and personal decision-making is important for supporting the safety, dignity, empowerment, and independence of solder adults.

This guide provides older adults, family members, carers, and service providers with an overview of the current options available to inform decision- making about financial and personal matters. Information and knowledge about these tools and supports can contribute to protecting an individual's autonomy and rights and may reduce the risk of elder abuse.

Financial decisions include matters relating to finances.

Personal decisions are those matters pertaining to health care, where to live, who to associate with, social activities, educational or vocational training, employment, and legal issues.

Elder Abuse

Elder abuse is any intentional or reckless act or willful and negligent disregard, occurring within a relationship of family, trust or dependency, directed at someone 65 years of age or older, that:

- causes physical, emotional or psychological harm;
- involves the misappropriation or misuse of money or other personal possessions or personal or real property;
- subjects an individual to non-consensual sexual contact, activity or behaviour; or
- fails to provide the necessities of life.

Financial and personal decision-making options

Options for Advance Planning	Financial	Personal	Related Legislation
A Personal Directive allows an individual to choose a decision- maker in advance to prepare for a time when, due to illness or injury, he or she no longer has the capacity to make decisions, such as where to live or the medical treatment he or she wishes to receive. Further information is available at through the Office of the Public Guardian and Trustee at https://www.alberta.ca/personal-directive		√	Personal Directive Act
A Power of Attorney is a legal document that allows a capable individual (the donor) to give another individual (the attorney) the power to act on his or her behalf with respect to financial and legal affairs. The power of attorney may be for a specific purpose, or for a predetermined amount of time, (e.g. if an individual is away from the home for an extended period of time), or it may be general in nature. A power of attorney is only valid as long as the donor can manage his or her affairs. Further information is available online at www.justice.alberta.ca	✓		Powers of Attorney Act
An Enduring Power of Attorney allows a capable individual (the donor) to plan in advance for the handling of his or her financial affairs by a trusted individual (the	√		Powers of Attorney Act





Options for Advance Planning	Financial	Personal	Related Legislation
attorney). This type of power of attorney can work in two different ways: it may take effect immediately and continue after the donor loses capacity or only take effect when the donor loses capacity. Further information is available online at https://www.alberta.ca/enduring-power-of-attorney			
Planning and communicating to loved ones about Final Wishes can provide an individual with peace of mind.			
Issues to consider include the kind of funeral or memorial service desired, where the service is to be held and where the body will be laid to rest. Saying Farewell: A Guide to Assist You with Preplanning and the Death and Dying Process is available by calling		√	
Alberta Supports at 780-644-9992 (Edmonton) or 1-877-644-9992 (toll-free) or online at https://open.alberta.ca/publications/9780778570905-2013			

Decision-Making Options	Financial	Personal	Related Legislation
A Supported Decision-Making Authorization allows an individual to authorize someone he or she trusts (the supporter) to help with his or her personal decisions while the person has capacity. The authorization allows the supporter to access relevant information that might otherwise be protected under privacy laws (e.g. information from a pharmacist about potential drug interactions related to the individual's prescriptions). The supporter is also able to help the individual make and communicate decisions. A Supported Decision-Making Authorization is useful for capable individuals with communication barriers (e.g., first language is not English or people with mild disabilities). The authorization form is available online at https://www.alberta.ca/supported-decision-making		~	Adult Guardian and Trusteeship Act
Informal Trusteeship allows an individual to receive assistance with budgeting funds received from various government programs and with payment of monthly expenses. Several provincial and federal benefit programs allow an informal trustee to be appointed, usually by having the proposed informal trustee sign a form. Informal trustees can include family members, friends, landlords and representatives of care facilities. Further information, including a partial list of federal and provincial benefit programs is available online at https://www.alberta.ca/informal-trusteeship	✓		Various federal and provincial legislation and regulations
Distribution of Intestate Estates in the Wills and Succession Act comes into effect if an individual dies	✓		Wills and Succession Act





Decision-Making Options	Financial	Personal	Related Legislation
without a Will. A copy of the Act is available online at https://open.alberta.ca/publications/w12p2			
A Co-Decision-Making Order allows an individual, assessed as significantly impaired, to consent to a Court order appointing a trusted person(s) as his or her codecision maker. The Adult does not lose authority to make their own decisions; authority is shared with the co-decision-maker. This option may be appropriate when the individual has a strong, positive relationship with his or her co-decision maker (e.g., wife acting as a co-decision maker for her brain injured husband). Co-decision-making Orders are granted by the Court of King's Bench. Further information is available online at https://www.alberta.ca/co-decision-making		✓	Adult Guardian and Trusteeship Act
Specific Decision-Making allows a health care provider (e.g. a physician, nurse practitioner or dentist for dental treatment only), to select a relative to act as a specific decision-maker for time sensitive health care or temporary admission and discharge decisions in cases where an individual suddenly loses capacity and does not have a personal directive or guardian for the area specified. Further information is available online at https://www.alberta.ca/specific-decision-making		✓	Adult Guardian and Trusteeship Act
A Guardianship Order appoints a guardian to make decisions when an adult does not have the capacity to make decisions about personal matters, as confirmed by a completed capacity assessment report. A family member or friend may apply to be a "private" guardian. Guardianship Orders are granted by the Court of King's Bench and will identify if the guardian has decision making authority for all or specific personal decisions. If no one is able, willing, or suitable, a referral may be submitted to the Public Guardian. Further information is available at https://www.alberta.ca/adult-guardianship		✓	Adult Guardian and Trusteeship Act
A Trusteeship Order appoints a trustee to make financial decisions on behalf of an individual who has suffered a loss of capacity, as confirmed by a completed capacity assessment report. A family member or friend may apply to be the individual's "private trustee". If no one is able, willing, or suitable, a referral may be submitted to the Public Trustee. Trusteeship Orders are issued by the Court of King's Bench and, unless otherwise specified, apply to all the individual's real and personal property in Alberta. Further information is available online at https://www.alberta.ca/trusteeship	~		Adult Guardian and Trusteeship Act





Additional Information:

Office of the Public Guardian and Trustee

The Office of the Public Guardian and Trustee provides support and services for vulnerable Albertans by: protecting and advocating for individuals who are unable to make personal and financial decisions for themselves; administering the property of represented adults, minor children, and deceased persons; and providing information and education to the public, service providers, and individuals who are fulfilling the role of a legal substitute decision maker (e.g., guardian, agent) for a family member or friend.

Alberta Law Line (a program of Legal Aid Alberta)

Provides free legal information, referrals, and advice to Albertans over the phone. All calls are confidential. Legal advice is provided based on Legal Aid Alberta's financial eligibility guidelines and the nature of the legal problem.

Phone: 1-866-845-3425 (toll-free)

Legal Aid Alberta

Provides low-income Albertans with a range of legal counsel in many of areas of law, including family, criminal, and civil services.

Phone: 1-866-845-3425 (toll-free)

Alberta Supports

A toll-free telephone service available Monday to Friday from 8:15 a.m. to 4:30 p.m. throughout Alberta. Staff provide Information on provincial social-based assistance programs and services offered by the Government of Alberta.

Phone: 780-644-9992 (Edmonton) or 1-877-644-9992 (toll-free) www.albertasupports.ca

Alberta Elder Abuse Awareness Council

The Alberta Elder Abuse Awareness Council is a province-wide network of professionals dedicated to preventing elder abuse by increasing community awareness about elder abuse and the resources available to address it.

The Council's website is an educational and awareness raising resource for professionals that provides access to resources, knowledge and tools for use in programs and practices.

www.albertaelderabuse.ca

Ministry of Seniors, Community and Social Services

Alberta Seniors, Community and Social Services website provides information about the programs and services available to older adults.

www.alberta.ca/seniors-community-and-social-services





Facts on Elder Abuse

What is elder abuse?

Elder abuse is any intentional or reckless act or willful and negligent disregard, occurring within a relationship of family, trust or dependency, directed at someone 65 years of age or older, that:

- causes physical, emotional or psychological harm;
- involves the misappropriation or misuse of money or other personal possessions or personal or real property;
- subjects an individual to non-consensual sexual contact, activity or behaviour; or
- fails to provide the necessities of life.

Who is being abused?

Any older adult can experience elder abuse regardless of gender, race, ethnicity, sexual orientation, disability, income or education.

There is limited data about elder abuse in Canada, and throughout the world. A key reason is that many cases of elder abuse go unreported. However, various studies indicate that between four and 10 per cent of older adults in Canada are likely to experience abuse.

Shame or guilt may prevent an older adult from disclosing or even talking about their situation. Sometimes older adults who have been harmed simply do not have the capacity to report it. Whether a victim is unable or unwilling, some of the barriers to revealing elder abuse include:

- fear
- love for the person causing harm
- · lack of understanding or impairment
- · lack of awareness of resource options
- · cultural complexities
- acceptance of abuse or neglect as normal

Who are the people causing harm?

Elder abuse is often committed by someone the older adult knows. In 2019, one-third of violence (reported to police) against older adults in Canada was committed by a family member, most often by a child of the older adult.

People causing harm can also include friends, neighbours, paid care providers, landlords and staff, or any individual in a position of power, trust, or authority.

What are the signs of elder abuse?

Like other types of family violence, the dynamics of elder abuse are complex. Elder abuse is often impacted by contributing factors for either or both the older adult and person causing harm such as addictions, mental health, unemployment, lack of housing, family stress and caregiving stress. These factors interact in ways uniquely dependent on the individuals involved and the situation.

Risk factors for elder abuse include:

- · history of spousal abuse
- · family dynamics
- isolation
- conflict with relatives, friends or neighbours
- inability to cope with long-term caregiving
- institutional conditions
- ageism and lack of knowledge about the aging process
- · society's acceptance of violence.

Common signs of elder abuse include:

- confusion, depression or anxiety
- unexplained injuries
- changes in hygiene
- seeming fearful around certain people
- fear or worry when talking about money

What should I do if I think I am being harmed or in an unhealthy relationship?

If you are in immediate danger, leave the situation.

 Go to a safe place immediately, such as a neighbour, friend or relative. Go into a business or ask to be taken to a shelter. If you are unable to leave your home, call 9-1-1 immediately.

Confide in someone you trust.

 Talk to someone you trust about what is happening, such as a friend or family member; public health nurse; social worker; home care worker; someone at your place of worship; or a doctor.





Keep a record.

 Write down what is happening to you; keep a daily record. This will help you to document the abuse and help others assist you if you need it.

Take legal action.

 All forms of abuse are immoral. Some forms are illegal. You may want to think about a court protection order that would prevent the person who has been causing harm from having contact with you.

DON'T BLAME YOURSELF.

 Know that it is not your fault and help is available.
 Please ask for help because you do not deserve to be abused. Many groups in your community want to help you to protect your rights, safety and your dignity.

Who do I call if I'm being harmed, or I suspect an older adult is being harmed?

Anyone who is being abused or in an unhealthy relationship and is in imminent danger should contact the police immediately by dialing 911.

Contact the Family Violence Info Line by phone or text at 310-1818 for information, advice and referrals. This 24-hour number is toll-free and available 7 days a week. Service is provided in over 170 languages. You can access the online chat at https://alberta.ca/SafetyChat

Call the Safeguards for Vulnerable Adults Information and Reporting Line at 1-888-357- 9339 (toll-free) to report the abuse of an adult receiving publicly funded care or support services (Protection for Persons in Care); complaints of non-compliance to accommodation standards for supported living and long-term care facilities (Accommodation Standards); or the actions of a co-decision maker, guardian or trustee (Office of the Public Guardian).

More information about elder abuse is available at: https://www.alberta.ca/get-help-elder-abuse

The Alberta Elder Abuse Awareness Council facilitates the sharing of knowledge, resources and tools about elder abuse amongst people who work with older adults in Alberta. Visit the website at www.albertaelderabuse.ca.





Financial Abuse of Seniors

What can financial abuse of a senior look like?

Here's an example:

Janet was an independent and active member of her community. After a fall, simple things like getting groceries or going to the bank became difficult. While she was recovering, her grandson Nicholas offered to help. He would take her to the bank and wait while she deposited her pension cheque and withdrew the cash she needed.

Nicholas helped her run errands and would carry her bags in from the car.

As winter approached, Nicholas suggested he run the errands for her, so she wouldn't have to navigate the snow and ice. Since he had been so helpful, Janet thought nothing of signing her pension cheque over to her grandson, so he could make her purchases and deposit the rest in her account.

Each month, Janet signed her pension cheque over to her grandson, who did the banking, shopping, and other errands on his own. After several months, Janet realized that Nicholas was pocketing the money, causing her account to dwindle. Janet's rent and utilities cheques bounced.

The neighbours noticed that Janet was no longer participating in neighbourhood events and had become withdrawn. Janet was embarrassed and felt ashamed to let people know that Nicholas had taken control of her life.

Who is being harmed?

Canadian research suggests that around 10 per cent of older adults will experience some form of abuse at one point in their life. Abuse of older adults can take several forms, often with more than one type of abuse occurring at the same time.

One of the most common types is financial abuse. Financial abuse involves the misuse of a senior's funds or property through fraud, trickery, theft or force. This type of abuse can include any of the following:

- Stealing money or possessions
- Misusing bank or credit cards
- Misusing joint banking accounts
- Forging a signature on pension cheques or legal documents

- Misusing a power of attorney
- Selling or transferring an older adult's property against their wishes or best interests
- Failing to provide agreed upon services to a senior, such as care giving, home or vehicle repair, or financial management
- Refusing to return borrowed money or property as agreed upon, or when requested by an older adult or their agent
- Changing an older adult's will, trusts or inheritance for the abuser's benefit

The person causing harm in financial abuse situations is often a trusted person in an older adult's life, such as a spouse or partner, family member (often an adult child), carer or friend.

Often older adults who has been harmed are reluctant to speak out. They may be more afraid of what will happen to them if they report the abuse, than of the abuse itself. Sometimes, older adults simply do not have the capacity to report abuse.

In many cases, coercion or threats are used to intimidate an older adult. Comments may be made such as: "if you don't do what I say, I will put you in a nursing home," or "you aren't going to live long enough to spend all this money anyway."

Older adults in these situations may blame themselves for the abuse they are subjected to. They may also be reluctant to report the abuse because they are ashamed or embarrassed that they placed their trust in the person causing harm. Some older adults may also believe that it was something he or she did that brought on the abuse. Furthermore, if abuse has been common in a family, both the person causing harm and the older adult may accept it as "normal" behaviour.

Warning signs of financial abuse

Warning signs that an older adult may be a victim of financial abuse include:

- Unusual bank withdrawals
- Failure to meet financial obligations
- Depression, fear, anxiety or passivity
- Lack of food, clothing and other necessities





- Objects or money missing from an older adult's household
- Withdrawals from investments in spite of penalties for early withdrawal
- Abrupt changes in wills, trusts, contracts, powers of attorney, property titles, deeds or mortgages
- Changes in beneficiaries on insurance policies
- Financial activity that is inconsistent with the senior's abilities, such as ATM withdrawals when the senior has difficulty leaving the house
- Sudden close relationship with a new person (including marriage or domestic partnership)
- A carer with an extreme interest and involvement in an older adult's financial matters
- An older adult's sudden reluctance to discuss financial matters

How can you help an older adult who is being financially abused?

People who have been harmed may not be aware of the community supports and services available to assist them, so it may be up to you to help them.

Here are some things that you can do to support an older adult who may be experiencing financial abuse:

- Educate yourself. Recognize that abuse and neglect exist in your own community. Learn about local resources.
- If you think an older adult needs help, talk to them first (in the absence of the suspected abuser) to find out how you might assist. Ask things like: How are you doing? Are you having trouble at home? Can I help you? Is there someone I can put you in touch with who can help you?
- Listen without judging. Let the senior know that you care and have respect for his or her decision making. Listen to the senior first and talk to him or her about how you might assist.
- Believe the abused senior. Do this even if the suspected person who is causing harm seems nice or is your friend. Do not deny or underestimate what is going on. Abuse is never acceptable and should never be ignored.
- Encourage the senior to seek support and assistance.
- Understand that leaving an abusive relationship is difficult. Leaving is often a gradual process. It can involve many steps and occur overtime. Be respectful of the senior's decisions.
- Do not confront the person you suspect is causing harm. This could put you or the senior in danger.

You may also want to:

- Encourage the older adult to speak with a legal representative.
- Encourage the older adult to cancel any bank cards or credit cards the suspected abuser may have access to and establish a new bank card with a secret access code.
- Work with the older adult to contact pension authorities to have pension cheques directly deposited or sent to a new account.
- Arrange with the older adult to have bills direct debited out of his or her bank account.

Where can you go for help?

Anyone who is being abused or in an unhealthy relationship and is in imminent danger should contact the police immediately by dialing 911.

Contact the Family Violence Info Line by phone or text at 310-1818 for information, advice and referrals. This 24-hour number is toll-free and available 7 days a week. Service is provided in over 170 languages. You can access the online chat at https://alberta.ca/SafetyChat.

The Alberta Elder Abuse Awareness Council facilitates the sharing of knowledge, resources and tools about elder abuse amongst people who work with older adults in Alberta. Visit the website at www.albertaelderabuse.ca.

If you are concerned about the decisions of an agent on an enacted personal directive, court-appointed guardian, co-decision-maker or trustee, it may be appropriate to submit a written complaint to the Office of the Public Guardian and Trustee (OPGT). More information about the OPGT Complaint process can be found at www.alberta.ca/complaints-about-decision-makers

More information about elder abuse is available at: www.alberta.ca/get-help-elder-abuse.





It's your money: protect yourself from financial abuse

What is financial abuse?

When someone misuses your money, financial resources, property, or other personal possessions without your consent or understanding, it is financial abuse. It can happen to anyone for many reasons.

Financial abuse often goes hand-in-hand with emotional abuse and can happen over a long period of time

Who are the people causing harm?

Abuse is committed by those with whom you have a relationship of trust or dependency. People causing harm can be family members, or cares. Even professionals you have hired to help you can be the person causing harm. Abuse can include manipulating you, bullying you or threatening, pressuring or otherwise influencing you to obtain your money, property or other valuables.

Motivations for the abuse include financial problems or greed. Abusers may take advantage of trust, discretion or power that has been given to them. They may have a false sense of entitlement, or they may feel that you don't need all your money.

Steps to protect yourself

Keep your money in a bank or financial institution, not at home. Have regular cheques and payments deposited directly into a bank account.

- Arrange to have bills direct debited out of your bank
- · account.
- Keep a list of all property, bank accounts and belongings.
- Write a plan for the repayment of money before you lend it to a relative or friend.
- Stay in touch with your friends.
- Plan ahead. Prepare a will with a lawyer's help and review it periodically to keep it up to date. Change it only after careful consideration.
- Ask a lawyer how a power of attorney can ensure your wishes are followed.
- Ask a trusted friend or family member to review all documents before signing. Do not share your bank or credit card PINs.

If you are being financially abused, help is available. You can:

Start by calling the police. Although a staring point is what is available in the community, the police can help you determine if the situation is criminal in nature or not. They can also refer you to Victim Services and provide information on other community resources.

Confide in someone you trust. Talk to someone you trust about what is happening, like a friend, family member, public health nurse, social worker, home care worker, faith leader or doctor.

Keep a record. Write down what is happening to you. This will serve as a record and may help others assist you.

DON'T BLAME YOURSELF. It's not your fault. Ask for help because abuse of any kind is wrong. Many agencies and organizations in your community want to help protect your rights, safety and dignity.

For more information about elder abuse and the help available in your community:

Anyone who is being abused or in an unhealthy relationship and is in imminent danger should contact the police immediately by dialing 911.

Visit the Alberta Elder Abuse Awareness Council website at www.albertaelderabuse.ca.

Call or text the Family Violence Info Line toll- free at 310-1818. Phone and text is available 24/7 in over 170 languages. You can also chat online at www.alberta.ca/SafetyChat





Service Provider Screening Guide for Elder Abuse

This screening tool is intended to help front-line staff in assisting older adults in situations where elder abuse is suspected.

Many older adults are reluctant to disclose abuse or agree to assistance. They may be embarrassed, fear the person causing them harm, worry about retribution or be unaware of services or supports that may be available to them.

The wishes of older adults who may be experiencing abuse must be respected.

Assistance should not be forced upon an individual, even if it seems to be in their best interest.

This tool is intended to help service providers identify situations where abuse may be occurring and some steps that can be taken to assist seniors in these situations.

If an older adult is in immediate danger, contact your local police.





Abuse and Neglect of Older Adults

Elder abuse is any intentional or reckless act or willful and negligent disregard, occurring within a relationship of family, trust or dependency, directed at someone 65 years of age or older, that:

- causes physical, emotional or psychological harm;
- involves the misappropriation or misuse of money or other personal possessions or personal or real property;
- subjects an individual to non-consensual sexual contact, activity or behaviour; or
- fails to provide the necessities of life.

WHAT TO DO:

- Acknowledge: Gather and document evidence of suspected abuse.
- Barriers: Speak to the older adult about any concerns they may have about fear of retaliation, withdrawal of support and confidentiality.
- Urgency: Assess if basic life necessities are being provided or whether there is an immediate risk of physical harm.
- Screen: Assess the older adult's ability to make an informed decision and their desire to receive help.
- Empower: Inform the older adult of the right to live free of abuse and the resources available to support this. Establish a safety plan.
- Refer: Seek support or consultation from other professionals and suggest resources to the older adult.

CHECK FOR:

FINANCIAL ABUSE: Involves misappropriation or misuse of money or other personal possessions or personal or real property through fraud, trickery, theft or force.

• Possible Indicators: Standard of living not in keeping with income or assets; theft of property; unusual activity in bank accounts; forged signatures on financial documents; coercion used in signing of wills or releasing property; overdue bills; and limiting a senior's access to his or her own accounts.

EMOTIONAL ABUSE: Actions or statements that cause emotional anguish, fear, diminished self-esteem or dignity.

• Possible Indicators: Fear; anxiety; depression; withdrawal; cowering; secrecy; fearful interaction with caregiver; carer speaking on behalf of the older adult; not allowing privacy; and physical signs of isolation (e.g. lack of a phone or visitors).

PHYSICAL ABUSE: Action that causes physical discomfort, pain or injury. Can also include the intentional or unintentional misuse of medications and prescriptions, such as withholding or providing doses that cause bodily harm, sedation or other adverse effect(s).

• Possible Indicators: Unexplained injuries such as bruises, burns or bites, missing hair, untreated medical problems or history of injury. Misuse of medications may present as changes in mental ability or physical activity and decline in general health status including: confusion, poor balance, falling, depression, recent incontinence and/or agitation.

NEGLECT: The failure to provide the necessities of life. The neglect can be active (intentional) or passive (unintentional) and has the effect of failing to provide an older adult with a basic level of care.

• Possible Indicators: Inappropriate or dirty clothing; poor hygiene; dehydration, unsafe living conditions; lack of social contact; irregular medical appointments; and lack of, or poor condition, of dentures, glasses or hearing aids.

SEXUAL ABUSE: Non-consensual sexual contact, activity or behaviour, including sexual comments, exploitive use of pornography, fondling or sexual assault.

• Possible Indicators: Pain, bruising or bleeding in the genital or chest area, sexually transmitted diseases, recent depression, or recent incontinence.





How to help

Tips for supporting an older adult who may be experiencing abuse:

- Ask the senior questions alone in a safe location.
- Develop trust and be sensitive to the older adult's culture, language, religion, and comfort level in obtaining disclosure.
- Ask the older adult if you can gather information about their situation.
- Let the older adult know that the information they share will be kept confidential but that if he or she is in immediate danger or a crime has been committed, the appropriate authorities will need to be contacted.
- Note anything out of the ordinary about the older adult that could indicate abuse.
- Identify what information is needed to assist the older adult or if necessary, contact the police.
- Be aware that whenever there is a relationship in which one person is dependent and another person has a helping or carer role, there is potential for misuse of power by the caregiver.
- Consider the impact on the person, the willingness to change and the ability to recognize abuse.
- Ensure the older adult is aware that speaking out may lead to legal consequences. Older adults often don't want to see their loved one punished for their behaviour; they simply want the behaviour to stop or change.
- Note the older adult's understanding of the information, consequences of decisions and the capacity to follow through on those decisions.
- If there is no one the older adult trusts to act on his or her behalf, the Office of the Public Guardian or the Office of the Public Trustee maybe be able to provide assistance.

Sample Discussion Questions

- Is there something you would like to share with me?
- Is someone making you feel unsafe?
- Is someone forcing you to do things you do not want to do?
- Is someone refusing to assist you when you need help?
- Are you afraid of someone?
- Have you been asked to sign documents that you don't understand?
- Has someone hurt you?
- Who makes the decisions about your life, such as how or where you live?
- Would you like some help with...?
- It must be hard for you to look after ...?

Education and Referral

Inform the older adult of services specific to their needs. Assist him or her in connecting with community agencies or resources that can provide support and assistance. Encourage the senior to discuss their concern with trusted members of their family and friends.

Safety Planning

Support the development of a safety plan when abuse is identified

Let the older adult know that no one deserves to be abused and that you are concerned for their well-being. Like all forms of family abuse, elder abuse is complex. For a variety of reasons, some people choose to remain in abusive relationships or situations. A safety plan can be a key element in helping to keep them safe.

Advise the older adult to keep a travel bag in a safe place

The travel bag should contain items that will be needed if someone had to leave home quickly, such as ID, medication, change of clothes, copies of house and car keys, cash, and important documents.

Develop an escape plan

Help the older adult plan where to go in case of an emergency. Encourage contact with trusted friends and family. Safety plans will vary depending on the type and severity of abuse.





Community Resources

Call 911 if it is an emergency - Do not hesitate to call the police if you suspect a crime has been committed or that someone is in danger. If there is no immediate danger, call your local police to discuss your concerns with a police officer.

Alberta Family Violence Info Line (province wide)

Phone or text: 310-1818 (24 hours, toll free in more than 170 languages) for information, advice and referrals. Online chat available at www.alberta.ca/SafetyChat

Calgary Abuse Resource Line

Phone: 403-705-3250 (24 hours)

Edmonton Seniors Abuse Help Line

Phone: 780-454-8888 (24 hours)

Lethbridge Elder Abuse Response Network

Phone: 403-320-2222

Medicine Hat Elder Abuse Case Management

Phone: 403-952-8984

Health Link Alberta

Phone: 811 (24 hours)

Provides advice and information on health-related topics.

Office of the Public Guardian and Trustee (OPGT)

Provides decision-making mechanisms for individuals who are unable to make personal non-financial decisions for themselves and protects the financial interests of vulnerable Albertans by administering their estates. To find an OPGT office near you, visit www.alberta.ca/contact-office-public-guardian-trustee

Protection for Persons in Care

Toll free phone: 1-888-357-9339

Out of province of country phone: 780-422-1155 To report abuse or safety concerns for seniors in publicly funded care facilities including hospitals, seniors' lodges and nursing homes.

Alberta Elder Abuse Awareness Council

The Alberta Elder Abuse Awareness Council facilitates the sharing of knowledge, resources and tools about elder abuse amongst people who work with older adults in Alberta. For more information, visit: www.albertaelderabuse.ca

For more information about elder abuse, visit: https://www.alberta.ca/get-help-elder-abuse

The information presented in this document was developed by the Council Against Abuse of Older Adults et al. (Hamilton, ON) and adapted by:

- Alberta Seniors, Community and Social Services
- Alberta Elder Abuse Awareness Council





Social Isolation

The relationship between social isolation and elder abuse

Social isolation and the abuse of older adults deeply impact individuals, families and communities. It is important to understand social isolation, loneliness and elder abuse, and how they interact.

Social Isolation

Social isolation is defined as a low quantity and quality of contact with others. Social isolation occurs when an individual has few social contacts and social roles, as well as the absence of mutually rewarding relationships.

Social isolation can occur among older adults who live alone or who have no friends or family nearby. It can occur when a person moves to a new area or has little social involvement. Older adults who are socially isolated are at a higher risk of experiencing elder abuse.

In Indigenous and newcomer communities, social isolation can be intensified by factors such as geographic remoteness, cultural or language barriers, or limited access to culturally appropriate services. The erosion of traditional support systems, combined with these barriers, increases the vulnerability of older adults in these communities to mistreatment, making it more difficult for them to access help or be recognized by others.

24 per cent of Canadian seniors report low social participation (also known as objective isolation).

12 per cent of Canadian seniors report feelings of loneliness and weak sense of community belonging (also known as subjective isolation).

- Impacts of COVID-19 on Canadians, Statistics Canada, 2020

Loneliness

While older adults who face social isolation may feel lonely, the two experiences are not the same.

Loneliness is a complex and usually unpleasant emotional response. Loneliness can be felt even when surrounded by other people. Social isolation is a lack of contact between an individual and society.

Elder Abuse

Elder abuse is any intentional or reckless act or willful and negligent disregard, occurring within a relationship of family, trust or dependency, directed at someone 65 years of age or older, that:

- causes physical, emotional or psychological harm;
- involves the misappropriation or misuse of money or other personal possessions or personal or real property;
- subjects an individual to non-consensual sexual contact, activity or behaviour; or
- fails to provide the necessities of life.

In Alberta, approximately one in 10 older adults experience one or more forms of abuse.

- National Prevalence Study on Mistreatment of Older Canadians (2015)

Often more than one form of abuse occurs at the same time. In Alberta, financial and emotional abuse are the two most reported forms of elder abuse.

Abuse is a pattern of controlling behavior. In families, an abusive person can use many ways to gain power over another family member. For example, a family member who controls an older adult's finances without permission, forces or withholds medication, or uses emotional or physical violence, is committing elder abuse.

Social Isolation: A Risk Factor for Elder Abuse

Social isolation is considered both a risk factor for and a result of elder abuse. As a risk factor, it represents





the complexity and importance of the social network around the health and well-being of older adults.

Social isolation can lead to increased fear of crime and theft, thus making older adults less likely to participate in social activities.

Over time, someone experiencing abuse at the hands of a trusted person may recede further into isolation because of the dynamics of abuse. Feelings of shame may cause them to withdraw from social settings.

Some may be conditioned to believe this abuse is normal and even acceptable. These feelings and perceptions may keep the victim of abuse silent, reinforcing the isolation that is a part of the cycle of abuse.

Research shows that older adults who are socially isolated and/or have poor social networks are consistently more at risk. There are two key risk factors that may indicate elder abuse:

Ageism, elder abuse and social isolation are some of the top issues facing seniors in Canada.

- National Seniors Strategy, National Institute on Ageing
- not feeling safe with those closest to them
- being prevented from socializing with family and friends

An older adult experiencing elder abuse will likely become more socially isolated as abuse continues and/or worsens.

Health Effects

Social isolation among older adults is related to negative health effects and a reduced quality of life. Social isolation can be triggered by a change in a person's health, affecting their ability to connect with others in meaningful ways. Those experiencing social isolation have an increased chance of reduced quality of life, poor mental health, depression, disability from chronic diseases and premature death.

Help an Isolated Older Adult

As family members, service providers or caregivers, you can:

- measure the supports an older adult has or doesn't have
- inform others on how to include those who are isolated

- make regular phone calls to check-in
- set up a visitation schedule among family and friends
- offer to take the older adult shopping
- offer transportation to medical or other appointments
- invite the older adult to meet for coffee or other outings
- offer assistance with technology
- offer to research community resources
- drop off prepared meals or offer to prepare meals with them
- raise awareness of elder abuse by wearing purple

Reducing social isolation ultimately helps reduce the risk of elder abuse and can improve quality of life.

Finding ways to eliminate isolation and foster a community where people from all walks of life can contribute and engage with others in healthy ways is not only good for an individual's health, but also for the health of our communities.

Social connection resources

For supports to reduce social isolation please contact your local seniors support society or center to learn what programs they have in place.

For a map of services across the province visit: https://www.healthyagingalberta.ca/the-map

Or visit:

- Edmonton Seniors Coordinating Council, Edmonton Contact at 780-423-5635 or at https://seniorscouncil.net/
- Golden Circle Seniors Resource Society, Red Deer Contact at 403-343-6074 or at https://goldencircle.ca/
- Wild Rose Community Connections, Calgary Contact at 403-601-2910 or at https://www.wildrosecommunityconnections.com/
- Kerby Centre/Veiner Centre, Medicine Hat Contact at 403-265-0661 or at https://unisonalberta.com/

For more information about elder abuse: https://www.alberta.ca/get-help-elder-abuse

Alberta Elder Abuse Awareness Council Contact at https://www.albertaelderabuse.ca/





Spot the difference

Learn to recognize elder abuse, bullying, frauds and scams

Overview

This fact sheet outlines the differences between elder abuse, bullying and frauds and scams.

Elder Abuse

Elder abuse is any intentional or reckless act or willful and negligent disregard, occurring within a relationship of family, trust or dependency, directed at someone 65 years of age or older, that:

- causes physical, emotional or psychological harm;
- involves the misappropriation or misuse of money or other personal possessions or personal or real property;
- subjects an individual to non-consensual sexual contact, activity or behaviour; or
- fails to provide the necessities of life.

Often more than one type of abuse occurs at the same time.

Approximately one in 10 older adults in Alberta experience one or more forms of elder abuse.

Elder abuse can be a form of family violence and can also occur in other relationships of trust. Like other types of family violence, the dynamics of elder abuse are complex. Abuse is a pattern of controlling behaviour. In families, an abusive person can use many ways to gain power over another family member.

Shame or guilt may stop an older adult from revealing abuse. Sometimes victims simply do not have the capacity to report it.

Whether a victim is unable or unwilling, some of the barriers to revealing elder abuse include:

- Fear
- Love for the person causing harm
- · Lack of understanding
- Being unaware of available resources
- · Acceptance of abuse or neglect as normal behaviour

Bullying

Bullying is any repeated, hostile or demeaning behavior meant to cause harm, fear or distress, including physical or psychological harm.

Bullying is hurtful and harmful. It is NOT normal and should not be tolerated.

Bullying involves:

- Intent: the actions happen on purpose
- Harm: the recipient is hurt by the action
- Repetition: the recipient is repeatedly targeted

Bullying can take several forms including:

- Verbal: name calling, put downs, threats
- Social/relational: exclusion, gossiping, ganging-up
- Physical: hitting, pushing, slapping
- Cyber: social or verbal bullying through email, text message or social media

Bullying in older adults

In a recent Canadian study, older adults reported that the most common forms of bullying they encountered were being left out purposefully and hurtful comments.

Many older adults reported feelings of dejection and difficulty accomplishing everyday tasks because of bullying. As well, the majority of older adults reported that bullying was a major issue and that bullying represented unacceptable behavior.

A recent Canadian study found that 39% of older adults in communal living facilities had witnessed bullying between peers, and 29% had experienced bullying themselves.





Frauds and scams

Every year, thousands of Canadians fall victim to fraud. Older adults are often the target of scammers.

Fraudsters use various tactics combined with technology to steal personal information and money. Here are some of the scams and tactics used.

Grandparent

<u>How it works</u>: Scammers pretend to be the grandchild and contact older adults claiming to be in trouble and in need of money, gift cards or cryptocurrency. New variations of this scam include being contacted by email or text. Fraudsters often use urgent language, like "act fast" or "click now", to trick you into sending money, personal information or clicking on malicious links.

How to avoid it: Check with family to make sure your grandchildren are safe. Never send money to someone until you have confirmed their identity. Never send cash, cryptocurrencies, or any other funds to unknown persons. Pause to think about whether the call or message seems suspicious and contact the source another way for confirmation.

Telemarketer / door-to-door salesperson

<u>How it works</u>: Some salespeople use high pressure sales tactics to intimidate older adults into buying things they do not need. They change their caller-ID displayed on phones, send convincing information in messages and create emails impersonating someone you know to trick you into giving them personal information.

How to avoid it: If they are selling door-to-door, ask to see their licence, close the door, or call the police if you feel threatened. If it is a telemarketer, hang up the phone. For email, hover your mouse over the sender's email address and look for differences from the real email address. A real email will look familiar and will not have additional numbers or characters added.

Bereavement

<u>How it works:</u> Scammers look through obituaries and contact victims who recently lost a loved one, claiming the deceased had unpaid bills or debts that must be paid.

How to avoid it: Arrange for a trusted family member or friend to handle all financial matters in the days following the loss of a loved one.

Fly-by-night contractor

<u>How it works:</u> Someone approaches the homeowner saying they noticed a feature needs repair. Since they

are in the area, they can provide a great deal if they get a deposit today. After taking the money, they never return.

How to avoid it: When hiring a contractor get three written estimates and check references. Check servicealberta.ca, or call 877-427-4088, for a pre-paid contractor's licence if they want money before completing work. If the contractor cannot show you their licence, pay only after work is complete.

Funeral

<u>How it works:</u> Some funeral homeowners are unscrupulous and may take advantage of people in their time of grief and overcharge for caskets, services or unnecessary items while the person is vulnerable.

How to avoid it: Do your research and bring a friend or family member with you to plan your funeral in advance. Consider buying a membership with your local memorial society who can negotiate for lower funeral services when there is a death in the family.

Sweepstakes, lottery and prize schemes

<u>How it works:</u> If you get a message saying you've won a contest, lottery or sweepstakes and are then asked to pay fees or taxes in advance in order to claim your prize, hang up the phone.

How to avoid it: DO NOT under any circumstances send money or personal/financial information to someone making such a request. The Better Business Bureau warns consumers to be on guard against these serious frauds and their perpetrators.

Get Help

Call 911 if you or someone you know is being abused and is in imminent danger.

For supports with elder abuse or bullying, call or text the Family Violence Info Line at 310-1818. Service is available in over 170 languages by phone. Or chat online at www.alberta.ca/SafetyChat. Supports are available 24/7.

For frauds and scams, call the Consumer Contact Centre at 1-877-427-4088. For a current list of scams, see the Canadian Anti-Fraud Centre website at: www.antifraudcentre-centreantifraude.ca/index-eng.htm

More information is available at:

- Elder abuse: www.alberta.ca/get-help-elder-abuse
- Bullying: www.alberta.ca/bullying-find-supports
- Frauds and Scams: www.alberta.ca/consumer-protection





Understanding Privacy Legislation

A Guide to Help Service Providers Identify and Respond to Elder Abuse

As a service provider who delivers health, social and/or support services for older adults, you are in a unique position to help identify and respond to elder abuse. Older adults who are impacted by elder abuse may confide in those they trust including service providers, such as nurses, doctors, social workers, police, pharmacists or therapists.

Further, through your work, you may witness or become aware of abuse that is committed by co-clients or service providers who are delivering care or support services to seniors.

Because of your role as a service provider, you may learn about situations of physical, emotional, financial, sexual, medication abuse or neglect from any of the seniors you support. So, it is even more important that you understand how to recognize, respond and report in cases of elder abuse.

While it can sometimes be difficult to understand all the legislation surrounding elder abuse, including what you can take action on, it is imperative that you are able to share information when it is in the best interest for the older adult you support.

To help you respond to elder abuse, this guide will provide you with the knowledge of the legislation that applies to your role as a service provider, including how legislation supports you, at work, to prevent and address elder abuse.

The guide will also outline factors that need to be considered in making decisions about how and when information about an older adult can be shared, if elder abuse is suspected.





Definition — What is Elder Abuse?

Elder abuse is any intentional or reckless act or willful and negligent disregard, occurring within a relationship of family, trust or dependency, directed at someone 65 years of age or older, that:

- causes physical, emotional or psychological harm;
- involves the misappropriation or misuse of money or other personal possessions or personal or real property;
- subjects an individual to non-consensual sexual contact, activity or behaviour; or
- fails to provide the necessities of life.

What you can do as a service provider if you suspect abuse:

Recognize: When an older adult discloses or presents with symptoms of abuse, it is important to first acknowledge what the senior is saying. At this time try to assess if basic life necessities are being provided, and if there is an immediate risk of physical harm. If the senior is in immediate danger, call the police.

It is important that you also assess the older adult's ability to make an informed decision, and his or her desire to get help. It is often extremely difficult for people to speak about being a victim of abuse. But you can break down barriers to disclosure by asking the older adult about their situation, and even ask about their concerns for seeking help. Older adults may be fearful of retaliation, withdrawal of support, and may not know who to go to for help.

Respond: After you've recognized the potential situation of abuse, encourage the older adult to seek support. The best way to do this is by educating the senior on what elder abuse is and what services are available to support them. You can also offer to help them develop a safety plan: this is a plan to help ensure the older adult can be safe in the present, as well as a plan in case the abuse occurs again.

Report: Elder abuse is a complex issue needing a complex response. Therefore, it is important to understand who else can help support the older adult from further abuse. If abuse occurs while an older adult is receiving publicly funded care or support services, it is mandatory to report the abuse to an appropriate body, such as the Protection for Persons in Care office. They can be reached at 1-888-357-9339 - option 1, and can investigate reports of abuse or offer advice as appropriate.

If the older adult lives in the community, know that you are not alone in responding to the seniors' needs. You can support the senior to connect with other resources, you can obtain consent to make referrals on their behalf, and if the older adult is in danger, you can contact police.

Many service providers do not know if they are permitted to, and under what circumstances they can, report abuse. In case you have questions about who to report the abuse to, and when you can and cannot share personal information about an older adult, the following legislation may enable you to disclose information about an older adult impacted by suspected abuse.

Reconnect: Elder abuse can be difficult to detect, and the recurrences of abusive behaviours may continue. Therefore, it is important to follow up and reconnect with victims of elder abuse to ensure that the referrals were helpful, the abuse has stopped, and to explore if additional help and resources are required.

The Protection of Persons in Care Act (PPCA)

The PPCA pertains to publicly funded service providers as set out in the legislation, such as lodges, hospitals, nursing homes, group homes, shelters, addictions and mental health treatment and rehabilitation centres, supportive living settings, some of the Persons with Developmental Disabilities (PDD) funded care and support service settings, day programs, residential and care or support services funded by Alberta Health Services (for example, Home Care Services) and social care facilities.

Under section 7(1), every individual who has reasonable grounds to believe that there is or has been abuse involving a client shall report that abuse to a complaints officer; a police service; or to a committee, body or person authorized under another enactment to investigate such abuse.





Scenario:

An elderly couple live together at a care facility where you work. The wife has dementia. You suspect that the wife is being abused by her husband. You are aware of incidents where he has pushed his wife and calls her names but dismisses his actions as being related to carer stress.

Response:

Since this couple is receiving public funded care and support services in the facility, it is mandatory under the PPCA to report abuse and suspected abuse to a Protection for Persons in Care complaints officer, a police service, or a committee, body or person authorized under another enactment to investigate such abuse. Local elder abuse case Managers may also be involved in this situation.

Freedom of Information and Protection of Privacy (FOIP) Act

The FOIP Act authorizes public bodies subject to the Act, and organizations providing services to clients under contract to a public body, to report elder abuse. Public bodies include departments, branches, or offices of the Government of Alberta; Agencies, Boards, and Commissions as designated in the FOIP Regulation; Alberta municipalities; housing management bodies; police services; public libraries; and universities, public colleges, and post-secondary technical institutes.

Under section 40(1)(ee) of the FOIP Act, the head of the public body must believe, based on some form of objective evidence, that a disclosure of personal information will avert or minimize a danger or risk to the physical or psychological health or safety of any person. When balancing the privacy of an individual against the health or safety of others, it is appropriate to err on the side of protecting health and safety. A disclosure of information for this purpose must only be to the extent necessary and done in a reasonable manner.

Scenario:

Jane, who is in her 70's, is a regular client of yours who comes to your Provincial/Municipal Customer Service Counter. During her most recent visit, she seems withdrawn, and you notice bruises on both her arms. You ask her if everything is okay, and she replies that her daughter has been threatening to "put her in a home" if she does not comply with her demands. You learn that the daughter has been taking her mother to the bank to get money and forcing her to sign over her house.

Response:

In this case, you have learned that Jane is at risk of physical harm, as well as emotional and financial abuse. The FOIP Act authorizes you to disclose personal information about Jane in order to help her. Follow your professional protocols for dealing with elder abuse.

The Health Information Act (HIA)

Professionals who fall under The HIA are considered custodians of health information. They are health services providers or organizations that are in the health sector that have health information in their custody or under their control. Professionals need to be aware of all applicable laws, standards and policies that apply to their practice. The HIA may enable the disclosure of health information in cases where a health care provider is concerned that an elderly person in their care may suffer abuse or when medical examinations detect possible indicators of elder abuse. Health information held by custodians may be readily shared with other professionals within the health system for treatment and care purposes.

Those outside the health system are more restricted in their ability to have health information disclosed to them. Unlike FOIP, where information can be disclosed without individual consent unless there is a specific legislative prohibition against it, the HIA starts with the opposite paradigm: nothing is to be disclosed without individual consent unless there is specific authority which allows disclosure of the particular health information being contemplated. Also, the HIA does not require disclosure; rather, it allows disclosure so that custodians can comply with other legislation or court orders that do require disclosure.

Disclosure of health information including diagnostic, treatment and care information is authorized by the HIA as follows:





Under section 35(1) a custodian may disclose individually identifying diagnostic, treatment and care information without the consent of the individual who is the subject of the information

- (m) to any person if the custodian believes, on reasonable grounds, that the disclosure will avert or minimize an imminent danger to the health or safety of any person,
- (n) if that individual lacks the mental capacity to provide a consent and, in the opinion of the custodian, disclosure is in the best interests of the individual,
- (p) if the disclosure is authorized or required by an enactment of Alberta or Canada.
- 37.3(1) disclosure to protect public health and safety the two-part test requires that an offense may have been committed and the disclosure is necessary to protect the health and safety of the individual or Albertans in general.

Scenario:

Bob is a client of yours who is about to be discharged from the hospital after recovering from a serious injury, because of falling at home. While he has been in the hospital, Bob has had visits from his son, who he lives with. You have noticed that Bob is often upset and withdrawn after the son leaves. Since he has learned that he will be discharged, Bob has been guite anxious, and states he is not ready to go home.

Response:

In cases where a serious injury has occurred and the client is exhibiting fear-based behaviors, you may want to consider asking questions about elder abuse. The Service Provider Screening Guide for Elder Abuse provides information on signs and symptoms and includes questions you can ask. If the injury was a result of physical harm by the son, then under the HIA, section 37.3(1) disclosure to protect public health and safety of an individual. In this case let's suppose the injury was sustained by a fall, but the client has disclosed other forms of abuse such as financial, emotional and/or neglect. If you believe it is in the best interest of the individual to disclose the abuse, to protect your client, then you may rely on s35(1)(m)) of the HIA to authorize disclosure to the police. You can also consider contacting the Family Violence Info Line for further information and resources. Always trust your professional judgment in situations like this.

Get Help

If you or someone you know is in immediate danger, phone 911.

If you suspect someone is being abused while receiving publicly funded care or support services, phone the toll-free Protection for Persons in Care Information and Reporting Line at 1-888-357-9339 – option 1.

For information about local family violence resources, phone or text the 24-hour Family Violence Info Line at 310-1818, toll-free in Alberta. Online chat is also available at www.alberta.ca/SafetyChat

For information on elder abuse and resources, visit https://alberta.ca/get-help-elder-abuse or Alberta Elder Abuse Awareness Council – www.albertaelderabuse.ca

If you are still not sure if a disclosure is permitted, consult the following resources for additional information.

Public bodies subject to the FOIP Act should consult with their FOIP Coordinator and refer to AB OIPC Order F2012-01 for additional clarification.

AHS affiliates, subject to the HIA may also want to consult with their manager or the AHS Privacy Office at Phone: 1-877-476-9874.

Other custodians subject to the HIA may contact the HIA help desk: Alberta Health - HIA Help Desk

Email: hiahelpdesk@gov.ab.ca

Phone: 780-427-8089 or call your area code and 310-0000 and ask for 780-427-8089



