

Fraud by Abuse of Position Information Sheet



This happens when someone abuses their position of authority or trust for personal or financial gain, or so that someone else loses money or status.

This applies to anyone in a formal position of trust such as a carer and those who have been trusted by someone to act in the best interests of someone else (a friend or neighbour).

How it happens

Friends, family members, carers, or company employees may be asked to look after your personal or business finances. They may instead take advantage of their [access to bank accounts](#) or information for their own benefit, or [misuse the assets of a business](#) to embezzle funds for themselves.

If you have been given a position of trust, it is your responsibility to keep a close eye on the individual's finances, particularly if they are vulnerable. Handle bills and statements with care and shred them before throwing them out.

This also applies to [Lasting Power of Attorney](#) which allows you to appoint someone to make decisions on your behalf covering financial/property and health/welfare matters, should you ever lose mental capacity.

Any abuse of this position must always be reported to the [Office of Public Guardian](#).

Spot the signs

- You are being pressured into making a decision by someone you have given a position of trust to.
- You are being intimidated or told to keep certain dealings secret from other trustees.
- You notice something suspicious in the finances of the person who has entrusted you, such as a large purchase or bank transfer.

How to protect yourself from fraud by abuse of position of trust

Financial decisions: Make sure you have complete confidence in anyone you entrust to make financial decisions on your behalf. Do not be afraid to change your mind in the future.

Joint decisions: Consider granting the trust to more than one person to make joint decisions (so everyone in the position of trust has to agree on decisions together).

Suspicious behaviour: Have the confidence to challenge suspicious behaviour and monitor your bank or pension statements regularly for any unusual activity.

What to do if you are a victim of fraud by abuse of position of trust

If you have made a payment: Inform your bank as soon as possible, they can help you prevent any further losses. Monitor your bank statements regularly for any unusual activity.

Identity theft: If you have shared personal or financial information, and suspect your [Identity](#) may have been stolen, you can check your credit file quickly and easily online. You should do this every few months anyway, using a reputable service provider and follow up on any unexpected or suspicious results. You can also sign up for [Protective Registration](#) with CIFAS which can help to protect you against fraud.

You could be targeted again: Fraudsters sometimes re-establish contact with previous victims claiming that they can help them recover lost money, this is just a secondary fraud. Hang up on any callers that claim they can get your money back for you.

Legal advice: In many cases of fraud there is a close correlation between what may be considered fraud and the civil tort of deceit and/or breach of contract, for which there are civil litigation options. We would always advise that you seek professional legal advice or contact [Citizens Advice](#) to understand your options.

How to report it

Report it [Report Fraud](#) or call 0300 123 2040. For more advice and to raise any concerns, contact the [Office of the Public Guardian](#).

Further advice

Further advice can be found in our [Fraud Protection toolkit](#) and at [Stop! Think Fraud](#)