

Protection of Property Policy



Dorset
Council

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Protection of Property Policy

Policy Details

What is this policy for?	The purpose of this policy is to set out the responsibilities of the council under section 47 of the Care Act 2014 to protect property of adults with care and support needs being cared for away from home when the individual is unable to do it themselves or make the necessary arrangements. This responsibility extends to all property including pets. This duty is the responsibility of Adult Social Care.
Who does this policy affect?	This policy applies only to: <ul style="list-style-type: none"> • those aged 18 or over and • young people in transition to adult care and support • people ordinarily resident in the Dorset Council area or present with no settled residence.
Does this policy relate to any laws?	The Care Act 2014 and associated guidance and regulation . This policy must be read in the context of other applicable Dorset Council Adult Care policies.
Equality Impact Assessment	Screening complete
Lead Author	Izzy de Saeger, Policy and Engagement Lead

Status and Approvals

Status	Live	Version	V1
Last review date	N/A	Next review Date	3 years after approved, or earlier if underpinning legislation changes
Approved by	Quality Assurance and Operations Group	Date approved	February 2025



1. Induction

1.1 As a council, we have a duty under section 47 of the Care Act 2014 to protect property of adults with care and support needs being cared for away from home when the individual is unable to do it themselves or make the necessary arrangements. This responsibility extends to all property including pets. This duty is the responsibility of Adult Social Care.

1.2 In these circumstances, we will take reasonable steps to prevent or mitigate the loss of damage to property, where it is considered there is a danger of loss or damage to the moveable property of an adult in Dorset Council's area.

2. How we will protect an individual's property

2.1 How we protect an individual's property will depend on that individual's circumstances. The following are examples of the actions we might take in certain situations:

- Ensuring that the doors and windows of a property are locked and secured.
- Arranging secure storage for items in a shared property that may be at risk of being damaged or stolen.
- Making a list of any items removed and arranging storage at a secure location, e.g. within a Dorset Council safe.
- Making arrangements to change locks where another individual has access to the property and there is a risk of unauthorised access resulting in damage or theft.
- Finding suitable arrangements for the care of any pets. If no local alternative can be found this may include approaching animal welfare charities or placement in licenced boarding accommodation, recovering any reasonable expenses for any action taken.

3. Consent and Capacity

3.1 In the first instance, it should be established whether the individual is able to protect their property themselves or make the necessary arrangements. In circumstances where they lack capacity to consent to the protection of property, any appointed deputy or attorney should be consulted. If they are unable to protect the property, or if there is no individual appointed, the



local authority should consider whether the circumstances in section 47 Care Act 2014 are met, and whether there is a duty to act to protect property.

3.2 Before taking any action, the local authority should obtain the consent of the individual. If the individual lacks capacity to make decision regarding their property, consent should be sought from any individual authorised under [Mental Capacity Act 2005](#) to provide consent on the individual's behalf. Where no individual is authorised, the local authority may only act where it is satisfied that exercising the power would be in the individual's best interests in accordance with section 4 Mental Capacity Act 2005.

4. How long will the protection be in place

4.1 The protection of property duty lasts until the individual in question returns home, or makes their own arrangements for the protection of their property, or dies, or until there is no other danger of loss or damage to property – whichever happens first.

5. Recovery of cost

5.1 We have the power to recover from an individual any reasonable costs that are incurred, either as a one-off activity or ongoing costs, in protecting property under this duty. We will look to initiate the process to recover cost(s) via the individual or their appointed representative or deputy.

6. Data Protection

6.1 The council are dedicated to protecting your privacy when using our services. For advice about how we use your personal information and protect your privacy please see the council's website: [Data Protection Guide - Dorset Council](#).



7. Comments, Compliments and Complaints

7.1 We believe in continuously improving our services, so if you have a comment, compliment or a complaint we would like you to tell us. Anyone who is dissatisfied with the Council's services, or a Council decision, or believes that they have been treated unfairly, has the right to make a complaint. If the person remains dissatisfied, they may refer to the Local Government and Social Care Ombudsman.

8. References and related information

8.1 For more information on the duty of protecting property see Section 47 of the Care Act 2014 and chapter 10 of the Care and Support Statutory Guidance issued under the Care Act 2014.

- [The Care Act 2014](#)
- [Mental Capacity Act 2005](#)
- [Care and support statutory guidance](#)

