Case Study: *Court of Protection Case Management Following Traumatic Brain Injury*

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Case Manager Background

Matt McLean has worked in case management since 2015, specialising in complex cases, involving acquired injuries across the lifespan and birth related injuries. He has extensive experience providing skilled and compassionate advocacy, with a particular focus on managing and reporting safeguarding issues, continuing professional development, and clinical supervision.

Client Background

The client was 25 at the time Unite Professionals case manager, Matt McLean, first engaged with him. He had sustained a catastrophic traumatic brain injury at the age of 11, which left him with lifelong cognitive changes affecting memory, impulsivity, inability to learn from mistakes, and highly compromised initiation and maintenance of tasks.

The client also presented with substance abuse and addiction problems related to alcohol and Class A drugs, as well as misuse of prescription medications, which he would attempt to acquire through false pretences. The client was well known to social services and the police, due to an ongoing pattern of petty crime and wasting police time.

Case Context

Litigation and Compensation

The litigation case had concluded before the Case Manager was instructed by the Court of Protection appointed Finance and Property Affairs deputy. The case manager was aware that there had been a substantial percentage of contributory negligence, and therefore the compensation awarded did not truly reflect the resources the client would need to manage his complex presentation and the intensity of intervention required.

Residential History

The client had a history of failed residential arrangements, where tenancies had been terminated or supported living placements cancelled due to antisocial behaviour or risks to others. He was eventually blacklisted from the rental market, and the Court of Protection was not content to release funds to purchase a property, believing this would fail due to his behaviour. The client blamed others for this situation and for residing in temporary accommodation.

Client Behaviour

The client carried resentment around being unable to access the full sum awarded, and was abusive towards both the deputy and case manager on a regular basis, if he did not receive everything he requested. He lived in the moment and was unable to consider how actions and myriad requests in the present may affect the future, particularly long-term financial planning to ensure his compensation would last his lifetime, which was not predicted to have been reduced by his injuries.

The client's cognitive presentation meant that any plans made with him disintegrated shortly afterwards, and his risk-taking behaviour further depleted his funds. Accurate budgeting was difficult on this basis. However, it was recognised that the client would often utilise more professional time and therefore money by disputing matters, than by engaging in beneficial activities. Various methods were utilised to promote his autonomy under the umbrella of risk assessment and management. The deputy and case manager liaised very closely on this case due to the risks, unpredictability of the client, and the unhelpfulness of the local authority, both in terms of accepting their responsibilities towards him from a Care Act and Safeguarding standpoint, and understanding that his funds were ringfenced from capital asset considerations.

Outcomes

Eventually, and after much work from the case manager, the local authority accepted their responsibilities, housed the client, and began funding his care package. This enabled him to better access appointments and the community. Budgets were put in place, and the client was advised that these were rigid and that he needed assistance to stay within them. This allowed for consistent financial planning. Despite initial rebellion, the client was given consistent messages as to the need for this structure, while being supported with ad-hoc requests that were beneficial to him.

The client's behaviour improved dramatically, his risk-taking reduced, and matters progressed towards reapplication to the Court of Protection to purchase a property, as he had been settled in rental accommodation. It was accepted that risks would remain with this client. However, through the consistency of messages and approach, with specific professional intervention where needed, these risks were far easier to mitigate.

For questions and enquiries, reach out to us!

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