

# Agincare

Caring in your community

## Gifts and Legacies Policy

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Name of responsible (ratifying) committee	Policy Review Group
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### Version Tracking

Version	Date Ratified	Brief Summary of Changes	Owner
1	31 August 2018	Amended to reflect updated ISO 9001 2015 controlled document register	JP
16/1	1 April 2020	Annual issue update	JP

### Purpose of this document

This policy is intended to set out the values, principles and policies underpinning Agincare's approach to the giving of gifts to the organisation or to staff by people using the service or their relatives.

It also sets out Agincare's policy on legacies.

The policy is an integral part of our safeguarding procedures, providing detailed guidance on safeguarding people's finances and assets.

### Policy statement

Agincare believes that people have a right to expect that Agincare will have robust and transparent procedures for dealing with and protecting their financial interests.

### Policy on gifts and legacies

It is not uncommon for people who use services to develop close relationships with individual staff and to offer gifts or gratuities or to seek to include a member of staff in their will.

However, such activities can lead to accusations of coercion, exploitation and fraud. It is vitally important that staff at all times uphold the highest standards, always acting in an honest manner with the person's best interests in mind.

Therefore, in Agincare:

- Personal gifts (token gifts such as flowers or chocolates) with an estimated value **below £10** may be accepted and should be recorded in both the person's care records and the staff members' personnel record.
- Personal gifts (token gifts such as flowers or chocolates) should **not** be accepted by a member of staff if the value of the gift is estimated to be **more than £10**.
- Staff should never, under any circumstances, accept valuables or monetary gifts from a person or their relatives/representatives. If there is an offer of such a gift, it should be recorded in the records of the person who uses the service to whom it relates.
- Any gift/money/voucher given or sent to a member of staff must be declared as soon as is reasonably practicable. Details must be recorded in the gifts record in care homes and on CM3 for the staff and people who use the services. In home care and LICS, these gifts must be recorded in the central office. This must include the date that the gift was given and its estimated monetary value. If more than £10 in value it must be returned with thanks.
- Staff must never:
  - Become involved with the making of a person's will.
  - Solicit any form of bequest or legacy from any person to whom a service is provided.
  - Agree to act as a witness or executor of a person's will, nor become involved in any way with any legal documents. If a person needs help with making a will or requests help from staff, they should be referred to an impartial or independent source of legal advice, such as the local citizens' advice bureau or local Law Society, which will hold a list of local solicitors.
  - Accept a loan, any other forms of financial or material gain from a person who uses our services, their families or any other close friends.
- Failure to declare a gift, the accepting of a gift in excess of £10, the involvement in a will or attempting to solicit money or items through a service user's will or legacy will be considered a disciplinary offence.

- Where any employee is left a monetary or gift bequest, they must declare this to their manager immediately. A decision on action to be taken will be agreed with all concerned parties e.g. Agincare senior management, local authority and/or solicitor.
- Agincare understands that in some instances, it can cause offence or difficulty not to accept a gift, but it is crucial this policy is followed and any issues relating to gifts/legacies/money/vouchers are discussed with a line manager who will support and advise to ensure the safety and protection of all parties.

## **Contractual impact**

Agincare's policies and procedures are to be followed in conjunction with the requirements of the contracts under which you provide services. There may be occasions where the contract contains requirements which appear to contradict or be in addition to, standard company policy. In these instances you are to:

- If the requirement is in addition to standard company policy - adhere to the terms and conditions of your contracts
- If the requirement is lesser than standard company policy - follow company policies and procedures

If you require any further clarification, please contact the Commercial Department for guidance

## **Training**

The management team of Agincare believe that, in order to provide a quality service, Agincare requires high quality staff who are suitably trained, supervised and supported.

Agincare policies and procedures are referenced in the induction programme and are available for staff in their work place (Care Home or Branch office). Staff will be informed of how to access all policies, procedures and related documentation and of how to seek further advice regarding Agincare's agreed ways of working. Staff should be provided with regular updates which include latest good practice to encourage continuous improvement. .

Agincare is committed to provide an ongoing programme of support for all staff. This includes supervisions, appraisals and training which will be in line with company policy, contractual obligations and current best practice

## **REVIEW OF THIS POLICY**

Review of this document is recorded on the controlled index and reviewed annually as part of the management review process.

**Name:** Policy Review Group

**Date:** August 2018