

<b>Gifts and Legacies Policy</b>			
		Last review date	Next review date
Approved by policy committee		5 <sup>th</sup> April 2016	5 <sup>th</sup> April 2017
Approved by trustees	N/A		
Website (yes/no)	Yes		

## **Principal Care Quality Commission related legislation relevant to this Policy.**

### **Health and Social Care Act 2008 (Regulated Activities) Regulations 2014-**

- **Regulation 13: Safeguarding service users from abuse and improper treatment.**

## **Policy Statement**

This policy is intended to set out the values and principles underpinning Scotts Project Trust's (The Trust) approach to the giving of gifts to staff by service users or their relatives. It also aims to set out The Trust's policy on legacies.

The Trust believes that its service users have a right to expect that The Trust will be run on an honest and sound financial basis with robust procedures for dealing with and protecting the financial interests of service users. The Trust fully complies with all Care Quality Commission guidance, which expects providers to enable and encourage service users to remain in control of their money and financial affairs for as long as possible in order to retain their independence and personal dignity.

## **Clarification of terms used**

Throughout this policy reference is made to the 'Senior Manager.'

1. For clarification, this includes the term 'Registered Manager' which is used for the Senior Managers of the CQC registered services, that is residential care at St Peter's Row, and the Supporting Independence Service which is delivered at the Oaks and Willows. The Development Centre Senior Manager is an unregistered position.
2. The Senior Managers of St Peter's Row, the Supporting Independence Service and the Development Centre each have the role of a designated vulnerable adult protection lead within the Trust.
3. Reference is also made to 'staff' which for the purposes of this policy refers to everybody involved in the direct delivery of care and/or support to service users.
4. The Trustee designated with responsibility for the protection of vulnerable adults is

Sara Tozzi.

## **Policy on Gifts and Legacies**

It is not uncommon for service users and/or members of their families who have developed sometimes long and close relationships with individual staff 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.

The Trust believes that it is vitally important that its staff uphold the highest standards at all times and that they always act in an honest manner with the best interests of service users in mind. Therefore:

1. Personal gifts should never be accepted by a member of staff.
2. Staff should never, under any circumstances, accept valuables belonging to a service user or monetary gifts.
3. Any shared gifts given to the staff team must be declared to their Senior Manager/ Manager as soon as is reasonably practicable after it is donated. The Senior Managers/ Managers are required to record the details of any shared gifts in a gifts register; these must include the date that the gift was given and its monetary value. The gifts registers are then signed off quarterly by the Finance & General Planning committee.
4. Staff should never become involved with the making of service users' wills or with soliciting any form of bequest or legacy from a service user, and should never agree to act as a witness or executor of a service user's will nor to become involved in any way with any other legal document. If a service user does need help with making a will or requests help from staff then 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 lists of local solicitors
5. Failure to declare a shared gift, the accepting of a personal gift, or involvement in a will, or attempting to solicit money or items through a service user's will or legacy, may be considered a disciplinary offence and subject to The Trust's disciplinary procedures.
6. The Trust discourages the giving of gifts by staff to service users, under any circumstances.