

Gifts and Legacies Policy

Policy Statement

This policy sets out the values and principles underpinning this care service's approach to the giving of gifts to staff by service users or their relatives. It also aims to set out its policy on legacies.

This care service considers that its users have a right to expect that it 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 service fully complies with all regulatory guidance, which expects care 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.

Policy on Gifts and Legacies

It is not uncommon for service users 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.

It is vitally important to the care service that its staff at all times uphold the highest standards and always act in an honest manner with the best interests of service users in mind. Therefore, in this care service:

- a. personal gifts should never be accepted by a member of staff if the value of the gift is estimated to be more than £5
- b. staff should never, under any circumstances, accept valuables belonging to a service user or monetary gifts
- c. any gift given to a member of staff must be declared as soon as is reasonably practicable and details recorded in the gifts record in the office; this must include the date that the gift was given and its monetary value and it must be signed by the recipient
- d. 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

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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

- e. failure to declare a gift, the accepting of a gift in excess of £5, or 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 and the staff member subject to the provider's disciplinary procedures and possibly criminal proceedings.
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