

Adopted: February 2017  
Amended format: Sept 2019

## **GRATUITIES POLICY (inc. Gifts, Tips & Bequests)**

### **PURPOSE**

Older people in contact with Age UK Cambridgeshire & Peterborough (AUKCAP) shall be dealt with professionally and with respect, dignity and integrity.

Staff shall not benefit from their position of trust.

This policy explains how, as a representative of AUKCAP, you should deal with situations where gifts, tips, loans or bequests are offered.

### **SCOPE**

This Policy provides guidance to all trustees, staff and volunteers (referred to as staff) to understand and manage the professional relationship between themselves, service users and the service users' friends and relatives.

During your time with AUKCAP you will undoubtedly build good relationships with those people who use our services. This may lead to the offering of, or giving and receiving of gifts, tips, loans or even a bequest.

What is of paramount importance is that the relationship between staff and services users or their families is on a professional basis and is not a relationship between private individuals. The acceptance of gifts by staff may compromise this professional relationship and may bring the organisation into disrepute.

### **POLICY**

AUKCAP believes that as you build good relationships with people who use our services, this may lead to the giving and receiving of small gifts, tips or being offered a loan. AUKCAP wishes to give clear guidance to safeguard all parties.

#### **1. Gifts in Kind**

- 1.1 Only small tokens of appreciation such as chocolates or flowers can be accepted or given.
- 1.2 All tokens, no matter how small, must be recorded in the gifts book which you will find located at your main base of employment. Your Line Manager will advise you of this. For staff working in the community who do not regularly visit their main office the gift should be reported to your manager for recording in the appropriate gifts book.
- 1.3 It may be appropriate to share small gifts among staff, volunteers and others. This has the advantage of avoiding personal benefit, but all gifts shared in this way must be recorded in the gifts book.

## **2. Monetary Gifts or Tips**

- 2.1 AUKCAP actively discourages the acceptance of monetary gifts. Where a client insists on a monetary gift being accepted, the following conditions shall apply:
  - 2.2 The monetary gift from any one client must not exceed £10 in any one calendar year.
  - 2.3 **Under no circumstances may you solicit or coerce service users to offer gifts.**
  - 2.4 All monetary gifts must be recorded in the appropriate gifts book.
  - 2.5 You may choose to keep monetary gifts or tips as described above, or donate them to AUKCAP

## **3. Loans**

Under no circumstances may you solicit, coerce or accept if offered, monetary loans from service users or their families.

Loans accepted from service users could:

- (a) be construed as 'Abuse' as detailed in AUKCAP's policy and procedures for Safeguarding Adults, and may lead to disciplinary action.
- (b) be held to be unlawful if it gave rise to a later complaint.

You are not permitted to make any loan to a service user or their relative. This does not prevent the use of AUKCAP Samaritan Fund in case of emergency or hardship.

## **4. Buying Goods and Services**

You shall not buy from, or sell to a service user any goods, objects or services (other than services provided by AUKCAP). You should not buy or sell any goods or services on behalf of a service user and receive a commission.

If you are asked to dispose of any unwanted items, you must not personally profit from that disposal.

## **5. Bequests and Legal Agreements**

You must not agree to be party to any legally binding agreement in respect of AUKCAP service users, such as acting as a Power of Attorney, agreeing to become an executor of a will, and witnessing or changing wills. Staff must also not agree to be a beneficiary of a will, nor solicit a bequest.

In the event that staff learn of an unexpected bequest from a service user, staff shall immediately advise their line manager. Staff may, at the discretion of the line manager, be permitted to accept a small personal item or memento and this will be recorded. Staff shall not be permitted to keep items of value or monetary bequests and shall pass these to AUKCAP.

## **6. Bribery and Corruption**

The Bribery Act 2010 makes it a criminal offence to seek a bribe, offer a bribe, or for Line Management to turn a blind eye to any wrongdoing. AUKCAP will never condone any practice of this nature and it will be considered a disciplinary offence regardless of the outcome of any criminal investigation.

Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward, or advantage for doing, or not doing anything, or showing favour or disfavour to any person while the employee is acting in his or her official capacity.

Seeking advice and support in any situation which causes concern and following our Gifts, Tips, Loans and Bequests Policy will help an employee demonstrate that any such rewards received have not been corruptly obtained. In the unlikely event that circumstances arise where you are to make a gift on behalf of AUKCAP in circumstances that could be interpreted as seeking to influence an individual corruptly then written authority from the Chief Executive must always be obtained. Any gift made on behalf of AUKCAP will not be sanctioned where there could be any suspicion of wrongdoing.

The absence of actual corruption is not, in itself, sufficient. Avoidance of any grounds for suspicion of corruption is also important at all times and particularly where contracts are being negotiated. Employees should wherever possible, avoid negotiating with a potential contractor, supplier, or purchaser on a one-to-one basis. Where one-to-one negotiations are involved, including telephone negotiations, the employee must ensure that all steps in the negotiations are recorded in writing and the Chief Executive has been made aware of and approved those steps and the outcome of the negotiations.

**7. Taxation**

All monetary gifts and tips received in the course of employment are taxable. You must report all monetary gifts and tips as set out in sections 5 and 11 of this Policy so that AUKCAP can deal with such payments in accordance with tax / PAYE regulations.

**8. Reporting, Monitoring and Information**

ALL gifts must be recorded in the appropriate gifts book including details of the recipient, the date received, the name of the Line Manager who has been notified, the item received and the name and address of the giver.

The Board of Trustees may request a report summarising the records from all gifts books and are entitled to examine the gifts book at any reasonable time.

Proven failure to comply with this policy may lead to disciplinary action.

**MONITORING**

This policy will be reviewed within 36 months of adoption.

**Gratuities policy approved** 01/09/2020 (Date)



**Signed by Chair of Trustees**