

## Gift, Tips and Bequests Policy

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## Gift, Tips & Bequests Policy

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## Gifts, Tips and Bequests Policy

### 1. Purpose

The dignity and choice of older people coming into contact with representatives of Age UK Hertfordshire must be recognised and valued at all times. It is important that older people trust you in every contact they make. As Age UK Hertfordshire is part of the Age UK network, older people should rightly assume that they will be dealt with professionally, with respect and with integrity.

During your time with Age UK Hertfordshire you will undoubtedly build good relationships with clients who use our services. This can lead to situations where gifts, tips or even a bequest may be offered or suggested by a client.

This policy explains how you are expected to deal with these situations as a representative of Age UK Hertfordshire and how to avoid any situations that could lead to a conflict of interest.

### 2. Scope

This policy and the term “representative” applies to everyone directly involved in activities or services on behalf of Age UK Hertfordshire, whether they are members of staff, casual workers, trustees or volunteers.

### 3. Statement of Intent

Age UK Hertfordshire understands that as you build good relationships with people who use our services, this can lead to situations where gifts, tips or bequests are offered. There are occasions when refusing to accept small gifts can cause offence, embarrassment or be deemed disrespectful by the person offering this and it would be unrealistic to prohibit acceptance in all cases. However there are also circumstances where it would be inappropriate to accept gifts that are offered.

Therefore the intention of this policy is to provide clear guidance to representatives of Age UK Hertfordshire on the appropriate procedures to follow to safeguard all parties, to avoid representatives receiving a personal benefit as a result of their role with the organisation and to avoid any conflicts of interest arising.

#### **4. General Guidance**

Representatives must at all times, be and be seen to be, fair, impartial and unbiased in all their dealings with clients and clients' families. The receipt of gifts, tips and bequests can create conflicts of interest and may give rise to an adverse inference as to the integrity of the donor, the representative or to Age UK Hertfordshire.

Therefore, representatives of Age UK Hertfordshire are expressly prohibited from soliciting monetary or non-monetary personal benefits or rewards in return for providing services, whether those services should be provided as part of their usual role or are expected to be provided because a gift or other inducement has been offered.

It is also not acceptable to borrow money from, or make personal loans to service users. Neither must you ask them to carry out paid or unpaid work or services for you, gamble with them or give them monetary gifts.

Such behaviour as stated above, may, in certain circumstances, amount to a criminal offence, be grounds for a disciplinary offence (please refer to the organisation's Disciplinary Procedure for more information) or result in the termination of a volunteering role.

Representatives receiving offers of gifts, tips or bequests should at all times be aware of the wider situation in which the offer is made. For example, consideration should be given to whether acceptance conforms to the law and whether any conflicts of interest arise between the representative (in light of their role) and the donor of the gift.

Please also refer to the organisation's Conflict of Interest Policy for more information about conflicts of interest.

#### **5. Acceptance of Small Non-Monetary Gifts**

Representatives of Age UK Hertfordshire may, in certain circumstances and whilst adhering to the notification and reporting requirements set out in this policy, accept offers of small non-monetary gifts as we recognise that a refusal may cause embarrassment or offence. Only small tokens of appreciation such as chocolates, packets of biscuits or flowers can be received, and must total a combined value of no more than £20.

However, all such tokens, no matter how small, must be reported to your Line Manager and recorded in the 'Gifts Book' which is located in the HR/Finance office at Head Office, Silver Court, Watchmead, Welwyn Garden City. Please see section 11 for details of the information that must be recorded.

It may be appropriate to share small gifts among staff, workers, volunteers and others. This has the advantage of avoiding personal benefit but, as with individual gifts, all gifts shared in this way must also be recorded in the Gifts Book providing approximate details of those who have benefitted from this shared gift.

## **6. Monetary Gifts or Tips**

Representatives of Age UK Hertfordshire are not allowed to accept monetary gifts as an individual. Any offers of this nature must be treated as a donation to Age UK Hertfordshire and must be given to the Community Engagement Team together with full contact details of the donor. In line with our fundraising procedures, they will write to the donor and acknowledge receipt of this donation to the organisation.

## **7. Goods and Services**

When acting as a representative of Age UK Hertfordshire, you should not buy from, or sell to, a service user any object of value or service (other than services provided by Age UK Hertfordshire). 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 for a client, you must not personally profit from that disposal. This does not, however, prevent monetary donations to Age UK Hertfordshire (see Section 6 for procedure to follow).

All unwanted items that you personally receive must also be reported to your Line Manager and recorded in the Gifts Book.

## **8. Bequests and Legacies**

A bequest or legacy relates to the giving of personal monetary or non-monetary assets or personal property through a will.

If any individual is in a situation where a client raises the issue of leaving a bequest or legacy to them personally in their will, then that individual has a duty to inform their line manager immediately.

Age UK Hertfordshire does not encourage or support a representative of the organisation individually becoming a personal beneficiary of a will of a (current or former) client of the organisation. This situation can give rise to a conflict of interest (such as the possible accusation of financial abuse) and could bring the organisation into disrepute.

If an individual client wishes to acknowledge the support they have received from representatives of Age UK Hertfordshire in their will, you should encourage individuals to name Age UK Hertfordshire and not a particular individual as a beneficiary.

The representative should ensure the client is given details of Age UK Hertfordshire's charity number (1116662) and head office address so that any bequests are received directly by the local charity that supported them (ensuring they understand the difference between Age UK Hertfordshire and Age UK National). Legacy leaflets and other publicity material is available to assist clients who wish to leave a gift in their will. Please contact the Information & Advice team for a copy.

In the event that an individual representative is named as a beneficiary of a will drawn up by a client of the organisation, without their prior knowledge, they have a duty to inform their line manager as soon as they are made aware of the situation. The individual and the Line Manager should seek advice from the HR team as to the appropriate way to respond. This duty exists even if the individual beneficiary has left the employment of Age UK Hertfordshire.

## **9. Legal Agreements**

Representatives should not agree to be party to any legally binding agreement, such as acting as Power of Attorney or agreeing to personally become an executor of a will for any client of Age UK Hertfordshire. This is deemed to be a conflict of interest.

## **10. Taxation**

All gifts and tips received in the course of employment are taxable by HM Revenue & Customs (HMRC), (although HMRC would not be concerned about very small tokens such as a shared box of chocolates).

It is an individual's responsibility to inform HMRC about gifts and tips you personally receive.

## **11. Reporting, Monitoring and Information**

All gifts must be recorded in the Gifts Book including details of the recipient(s), the date received, the item received and, if available, the name and address of the donor.

The Senior Management Team or the Board of Trustees may request a report summarising the records from the Gifts Book and are entitled to examine the Gifts Book at any time.