

POLICY TITLE:	Service Users Funds
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Policy Owner:	Clients' Monies Team
Ratified by:	Mike Bowskill, Clients' Funds Manager
Responsible Signatory:	Jim Lee, UK Finance Director
Outcome:	<p>This policy:</p> <ul style="list-style-type: none"> • Provides clear and ethical guidance regarding the handling of service users' personal funds. • Clearly defines the responsibilities of Priory and employees involved in the management and administration of service users' personal funds.
Cross Reference:	<p>Employee Handbook</p> <p>FIN03 Financial Controls</p> <p>FIN07 Donations, Amenity Funds (Comfort Funds)</p> <p>FIN13 Cash Handling, Transportation & Storage</p> <p>LE02 Combatting Bribery, Fraud and Corruption</p> <p>LE03 Data Protection</p> <p>OP03 Complaints</p> <p>OP05 Mental Capacity</p> <p>OP05.3 Adults with Incapacity (Scotland)</p> <p>OP05.5 Mental Capacity Act (Northern Ireland) 2016 and Deprivation of Liberty Safeguards</p> <p>OP06.2 Child Protection, and Adult Support & Protection (Scotland)</p> <p>OP08.6 Safeguarding Children and Adults</p> <p>OP26 Funds and Possessions of Deceased Service Users (Eng & Wales)</p> <p>OP36 Events to be Notified to the Regulatory Bodies (England)</p> <p>OP36.1 Events to be Notified to the Regulatory Bodies in Scotland</p> <p>OP36.2 Events To Be Notified to the Regulatory Bodies in Wales</p> <p>OP21 Whistleblowing (Protected Disclosure)</p> <p>OP46 Safekeeping of Service Users' Property</p>

EQUALITY AND DIVERSITY STATEMENT

Priory is committed to the fair treatment of all in line with the [Equality Act 2010](#). An equality impact assessment has been completed on this policy to ensure that it can be implemented consistently regardless of any protected characteristics (age, disability, gender identity and expression, marriage or civil partnership, pregnancy or maternity, race, religion or beliefs, sex, sexual orientation), and all will be treated with dignity and respect.

In order to ensure that this policy is relevant and up to date, comments and suggestions for additions or amendments are sought from users of this document. To contribute towards the process of review, email LegalandComplianceHelpdesk@priorigroup.com

SERVICE USERS FUNDS

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1 SCOPE

- 1.1 This policy applies to all sites and services across England, Scotland, Northern Ireland and Wales. Where there are differences between nations, this will be clearly highlighted.
- 1.2 This policy applies to all colleagues working at all levels and grades, including care workers, nurses, site leaders, administrative and accounting colleagues, senior managers and directors, who are involved in the management and administration of service users' personal funds.
- 1.3 A copy of this policy will be made available on request to service users, their financial representatives, referring authorities, appropriate regulatory bodies or anyone who has a legitimate reason for asking for it.
- 1.4 This policy will be reviewed periodically and updated in accordance with current legislation, guidance from regulatory bodies and current best practice.

2 INTRODUCTION

- 2.1 Priory is committed to encouraging and enabling each service user to be as independent as they are able, or choose to be, in looking after their personal finances. Colleagues will work with them to develop their financial profile, including where necessary assessing and formulating care and support plans in relation to their money management skills. **OP Form: 34** is available for this purpose unless documented elsewhere in the service user's records.
- 2.2 Where a service within Priory is involved in the management and administration of a service user's personal funds the processes and procedures used will, as far as possible, be in accordance with:

- (a) Current legislation.
- (b) Funding Organisation Framework Agreements and Service Specifications and individual placement agreements.
- (c) Best practice.
- (d) Each service user's individual choices

2.3 Priory condemns all acts of fraud or theft of service users' personal funds and will take a zero tolerance approach to all such occurrences, working with the appropriate authorities to identify the perpetrators and hold them to account for their actions.

2.4 Priory recognises that involvement in the management and administration of service users' personal funds exposes its colleagues to the risk of allegations of theft or fraud and will ensure that the policies, processes and procedures put in place protect them from these.

3 RESPONSIBILITIES

3.1 It is the responsibility of site leaders and the managers of other teams involved with the management and administration of service users' personal funds to ensure compliance with this policy.

4 DEFINITIONS

4.1 Within this policy the following definitions apply:

- (a) **Financial Representative:** An individual or organisation with legal authority to act on service user's behalf in respect of their financial affairs by virtue of a Guardianship, Power of Attorney, Court Registered Enduring or Lasting power of Attorney, Court Appointed Deputy or Receiver, Advocate, Department of Work and Pensions (DWP) Individual or Corporate Appointee order. This term may also include a spouse, partner, relative or friend with no formal appointment, who has a history of involvement in the service user's financial affairs and who the relevant care professionals agree it is in the best interests of the service user to remain involved;
- (b) **Personal expense allowance:** The amount specified in law that service users who contribute towards their care must retain from their income for their personal use (Pocket money/personal allowance);
- (c) **Personal Funds:** Monies belonging to a service user to purchase discretionary personal items and services or save;
- (d) **Site or Service:** Any Priory facility providing care or support to a service user;
- (e) **Site Leader:** The individual with onsite responsibility for the operation of a Priory facility providing care or support to a service user;
- (f) **Service User:** Any individual receiving care or support from a Priory facility as a patient, resident, tenant or student;
- (g) **Colleague:** Any individual working for Priory or providing a service including permanent, temporary and fixed term employees, bank and agency colleagues, volunteers and consultants.

5 GENERAL PRINCIPLES

5.1 Priory respects and encourages the right of every service user to control their personal finances as much as they are able or choose to.

5.2 Where support is required or requested by a service user, any involvement will be kept to the appropriate level needed to enable them to:

- (a) Receive funds in to their personal bank account or a Priory Clients' bank account
- (b) Access their funds, decide how they wish to spend them and to minimise the risk of fraud or theft.
- (c) Ensure that any funds held on their behalf by Priory are returned to them when they leave as part of the discharge process

(d) When the death of a service user is likely to occur whilst they are being cared for by Priory details of the person to contact regarding their estate should be added to the information held and kept up to date. This may be an executor named in a will or an appropriate relative and will assist with disposal of the estate to the correct party.

- 5.3 Where support is provided it must be documented in the individual's support plan, include details of the level of support provided, and be reviewed regularly.
- 5.4 The provision of support with personal finances that is not in accordance with the plan exposes the Priory and its colleagues to accusations of fraud and mismanagement and may result in financial loss and reputational damage. Deliberately providing support that is not in accordance with the plan may therefore result in disciplinary action.
- 5.5 If personal financial information is held within a service user's Care Records, specific consent must be obtained using **OP Form: 34C**.

6 CONFIDENTIALITY

- 6.1 The information held by Priory regarding service users' personal finances is confidential and must be kept secure at all times. Any disclosure or discussion must be in accordance with the provisions of the Data Protection Act 2018 (Refer to LE03 Data Protection).
- 6.2 Where the service user does not lack mental capacity their consent must always be obtained and recorded before the disclosure of any of their financial information to a third party.
- 6.3 Where the service user lacks mental capacity details of their personal finances may only be disclosed or discussed with their financial representative, relatives (as named in their care plan), social worker, placement manager, representative of the appropriate regulatory body or a court.
- 6.4 Except where fraud, misuse or mismanagement is being reported details may be discussed with other parties only where it is in the best interests of the service user to do so and with the authority of the appropriate onsite manager.
- 6.5 At no time and under no circumstances must a service user's personal finances be the subject of casual conversation by colleagues, in or out of working hours. Failure to observe this rule will be considered an act of gross misconduct.

7 SYSTEM AND STATEMENTS FOR FUNDS HELD BY PRIORY

- 7.1 Where Priory is holding personal funds on behalf of a service user and supporting them with transactions the systems used must be explained to them and, if appropriate, their financial representative.
- 7.2 Each service user for whom funds are held and, if appropriate, their financial representative, must be provided with a statement every calendar month detailing all income, expenditure and the balance held. Statements must also be supplied on request.
- 7.3 Where a service user does not have the capacity to review their own statement and there is no recognised third party (non-Priory) financial representative, the statement must be reviewed by the site leader or another designated colleague each month and a copy placed on their personal file in the service with the date and signature of the reviewer added (Refer to OP05 Mental Capacity). Where possible, the person carrying out the review should not be involved in the day to day management or administration of the service user's personal funds.

8 SUPPORT WITH FUNDS HELD IN SERVICE USERS PERSONAL BANK ACCOUNTS

- 8.1 Service users may request or require support with access to funds held in their personal bank account to help retain their independence. This presents additional challenges as scrutiny may be more difficult and mistakes or fraudulent activity may potentially go unnoticed for longer periods.
- 8.2 Where Priory is supporting a service user with access to funds held in their own bank account the support provided must be fully documented, understood and agreed with them and everybody involved in their care. Where appropriate, **OP Form: 40A** should be used to record regular payments the service user is making so that these can be checked as part of the review process at paragraph 8.4.
- 8.3 Where personal bank cards or passbooks are held by Priory their movement and use to deposit or withdraw funds from, an account must be logged and the value of the transactions recorded on **OP Form: 40B**.
- 8.4 The support provided must include a process for the service user to review their bank account transactions and balances monthly and every time they receive a bank statement. This support should wherever possible be provided by a different colleague to those who provide support with the day to day transactions. The review should, when possible, be signed by the service user and always by the colleague supporting them. An appropriate member of the site management team must have oversight of this process.
- 8.5 Priory employees must not operate personal bank accounts on behalf of service users who no longer have the capacity to be involved themselves, except within Priory's Scottish sites where authority to do so has been granted in accordance with the Adults with Incapacity (Scotland) Act 2000 Part 4. Where there is evidence of decreasing capacity, support plans should be reviewed and new arrangements agreed with the service user and those involved in their care.

9 SERVICE USERS CASH HELD ON SITE

- 9.1 Service users' funds received as cash and held in the safekeeping of the service must be held on site in individual wallets separately from any personal funds float or company cash.
- 9.1.1 Service users whose personal funds are received and held in clients bank accounts managed by the company will have access to cash via a Clients Funds Account (CFA) Float held in the service separately to company cash.
- 9.2 The total cash held at any time must be within the service's insured limit and stored in a safe or other appropriately secure location to protect it from theft. (See policy FIN13)
- 9.3 All service users' funds that are held by the Priory whether as cash on site or deposited in one of the bank accounts specifically set up for that purpose must be recorded on the Personal Allowance section of Income Processing. For recent acquisitions their existing recording system will continue to be used until such as they are transferred to the Priory's chosen system.
- 9.4 Whenever responsibility for the cash changes hands the amounts involved must be counted, agreed and signed for by the person handing over responsibility and the person assuming responsibility. If the cash for each service user is held in separate wallets the count must be agreed to their individual cash sheet.
- 9.4.1 If the person with responsibility for cash is going to be absent from site for more than three days, responsibility must be passed to another colleague and the checks stipulated above completed.
- 9.5 Service users' cash held in the safekeeping of the site must be counted and reconciled to the Income Processing Cash Float Statement each week and the reconciliation recorded on the

system. This reconciliation must be reviewed by the site leader or another designated colleague at regular intervals with a maximum of three months between such reviews.

- 9.5.1 When a site manages small amounts of cash and few transactions on behalf of their service users, they may seek authority from their Administration Business Manager (ABM) or Administration Support Manager (ASM) to increase the reconciliation interval to a maximum of once monthly. Such authority should be reviewed if the amount of cash held and/or transactions increase significantly or after twelve months, whichever happens first.
- 9.6 Where a difference between the cash count and the Cash Float Statement is identified and cannot be immediately rectified, it must be reported to the ABM/ASM for the site or the Finance Business Partner prior to the reconciliation being recorded on Income Processing.
- 9.7 Where a service user is being supported to look after their own cash the support plan must include agreed arrangements on how they are supported to keep their cash safe and a process to help them check it regularly and ensure they are not holding a large sum on site unnecessarily.
- 9.8 Some sites have a specific bank account allocated to them that they use for clients' funds and manage at site. Such accounts should be reconciled by the site in line with policy requirements. For further guidance, the site's ABM or ASM should be contacted (There is also an ['IP Reconciliation guide'](#) available on the Priory intranet).

10 SERVICE USERS PERSONAL FUNDS HELD BY PRIORY & INTEREST

- 10.1 Any funds held by Priory on behalf of service users will be recorded separately from its own finances and, if not held as cash on site, will be deposited in bank accounts specifically set up for that purpose, not forming part of its assets.
- 10.2 These bank accounts will hold funds equal to the total value of all in-hand service users' personal funds statements less cash held on site for use by service users. Amounts will be transferred to and from these accounts to maintain this position.
- 10.3 The value of funds held in such bank accounts, plus the cash held on site for use by service users, will be reconciled to the value of the personal funds statements on a monthly basis.
- 10.4 Where the system used for recording service users' personal funds transactions has the facility to do so, interest will be calculated and allocated to service users' personal funds statements monthly. Interest will be compounded daily on in-hand end of day balances. Interest will not be calculated on overdrawn balances.

11 DISCREPANCIES AND QUERIES

- 11.1 Where there are any queries or discrepancies regarding entries on an individual service user's statement these should be fully investigated and correcting entries made where necessary. For any additional support, site colleagues can contact their ABM or ASM in the first instance.
- 11.2 Where the error is for a significant amount or has been made over a significant period of time and is to the disadvantage of the service user the Clients' Monies Team should be informed so that interest can be calculated on the amount involved and added to the statement balance.
- 11.3 Where the query or discrepancy is suspected or found to be a deliberate act to deprive a service user of their funds this should be reported as per Section 12 below.

12 MISUSE OF SERVICE USERS PERSONAL FUNDS REPORTING & WHISTLEBLOWING

- 12.1 The deliberate or negligent misuse of service users' funds, by any colleague, is considered an act of gross misconduct and may lead to dismissal without notice. Any such alleged deliberate

misuse will be reported to the appropriate regulatory body, local Safeguarding or Adult Protection team and/or the Police informed as appropriate at the earliest opportunity and an internal investigation conducted. (Refer to OP08 Safeguarding Adults or OP06 Safeguarding Children and OP36 Events to be Notified to the Regulatory Bodies (England), OP36.1 Events to be Notified to the Regulatory Bodies in Scotland, or OP36.2 Events To Be Notified to the Regulatory Bodies in Wales).

- 12.2 If any colleague has grounds to believe that there is, or has been, any wrong doing or malpractice with regard to any aspect of service users' personal funds (whether by colleagues, family members or friends) they should, in the first instance, report the matter to their line manager or site leader.
- 12.3 Where this is not possible, the matter should be reported to the site's ABM/ASM or Finance Business Partner or the whistleblowing process should be followed (See OP21 Whistleblowing (Protected Disclosure)).
- 12.4 Any manager receiving such a report must act in accordance with policy LE02 Combatting Bribery, Fraud and Corruption immediately upon receiving such notification.
- 12.5 Where a service user or their financial representative wishes to make a complaint with regard to the handling of personal funds they should be supported in using the Priory complaints process and any other process that is available to them. (Refer to OP03 Complaints).
- 12.6 Where it is established that a service user's personal funds have been misused, mismanaged or subject to fraud, the amount involved will be calculated and refunded immediately, together with any interest for the period that the funds were not available to the service user. This refund will be made independently of any disciplinary, legal or other recovery action that may be taken or is available to the company.

13 FINANCIAL REPRESENTATION

- 13.1 The only formal financial representative status that will be held by Priory on behalf of a service user is that of DWP Corporate Appointee or, for sites in Scotland, the authority to manage a bank account in accordance with the Adults with Incapacity (Scotland) Act 2000 Part 4.
- 13.2 The role of DWP Corporate Appointee will only be taken on in exceptional circumstances and with the specific authorisation of the UK Finance Director or, in his absence, the General Counsel, where there is a legislative or contractual requirement or an overriding business case to do so.
- 13.3 The role of Corporate Appointee will be managed by the Clients' Monies Team who will ensure for each service user represented that the correct amount, required by law, is allocated for their personal expense allowance and any client contribution required by law is paid.
- 13.4 Where an alternative form of financial representation is required, Priory will support family members, funding authorities or other appropriate professional organisations or individuals to apply for this.

14 SUPPORTING SERVICE USERS WITH PERSONAL FUNDS – INCOME

- 14.1 All personal funds deposited with Priory, however received, must be allocated to the correct service users' statement accurately, usually within two days, and never more than one week after they have been identified.
- 14.2 All personal funds deposited at a service by hand, whether cash or cheque, must be receipted and signed by the depositor and the receiver in accordance with current company processes and procedures. Receipts for cheques for personal funds received in the post must be issued upon request.

14.3 Where funds are received at the Northern Office in the form of cheques or bank deposits, receipts will only be issued upon request.

15 SUPPORTING SERVICE USERS WITH PERSONAL FUNDS – EXPENDITURE

15.1 Service users' personal funds must only be used to purchase discretionary items and services for their own use, consumption and disposal.

15.2 Unless a mental capacity assessment shows otherwise, it must always be assumed that a service user has the capacity to choose how to spend their personal funds and they must be involved to fullest extent possible.

15.3 Where support is given with a spending choice and decision, it must always be in accordance with the five principles of the Mental Capacity Act 2005 or the Adults with Incapacity (Scotland) Act 2000. (See OP05 Mental Capacity).

15.4 Service users' personal funds must never be used to purchase items and services that:

- (a) Are included by virtue of a contractual provision in their fee.
- (b) Are required as the result of a medical or behavioural condition that forms part of the reason for using the service.
- (c) Are a permanent additional fixture or fitting to the service.
- (d) Are required as a result of a change to the physical medical or behavioural condition pending reassessment and inclusion in their care package.

15.5 Service users or their financial representatives may choose to purchase items and services that exceed the standard normally provided by Priory (e.g. bedroom furniture), but must not be pressurised by colleagues to do so. In such cases, appropriate consultation with all parties involved in the service user's care should take place and be documented.

15.6 Where Priory is supporting a service user with their personal funds their capacity to understand the impact of any significant expenditure should be assessed, (e.g. holidays, furniture, electronic equipment or a long term commitment) and where this exceeds £100 (or an agreed alternative amount) must be discussed with the appropriate financial representative, family member, Care Manager, Social Worker or Multi-Disciplinary Team. Such decisions must be documented in writing and kept on record. **OP Form: 34A** is available for this purpose.

15.6.1 When support is given to a service user to enable them to purchase attendance at regular activities away from the service (such as recreational activities or training), consideration must be given to the impact of such arrangements on their other routine expenditure commitments, the impact on their capital and its affordability in the short, medium and long term.

15.7 Except where specifically prohibited by purchasers' framework agreements, service users and their financial representatives may elect to make a joint purchase, subject to the purchase and its impact on the service being risk assessed and the amount to be paid by each service user being agreed and, where the item is consumable, appropriate.

15.8 Service users and their financial representatives may choose to make a purchase that requires them to be supported by a colleague and therefore involve additional expense if a concessionary facility is not available, e.g. the purchase of an extra ticket for an event or additional accommodation and other costs for a holiday. Where Priory is supporting the service user with their personal funds, such decisions must be documented in writing and where the purchase equals or exceeds the amounts mentioned in paragraph 15.6, the appropriate Care Manager, Social Worker or MDT should be consulted.

15.9 Neither Priory, its colleagues or other service users must profit from purchases made by or on behalf of a service user by:

- (a) The collection of bonus or loyalty points on a company or personal card;

Operational

- (b) The payment of commission by companies invited to sell items within the service, e.g. clothing companies; (Any commission should be divided between the service users involved in the purchase on a pro-rata basis and deducted from the cost of their purchases)
 - (c) The receipt of commission as an agent or representative of a catalogue or direct selling company;
 - (d) The consumption or use of such purchases for themselves.
- 15.10 Service users who are being supported with their personal finances must not be supported by colleagues to purchase items or services that would put them outside the law, expose them to danger or the risk of criminal prosecution e.g. fake or counterfeit items and pirated media. Care should also be taken to ensure that purchases are not made from sources that may be engaged in criminal activities e.g. tax evasion (usually evidenced by an unexpected insistence of payment in cash). Site colleagues should contact their ABM/ASM if they have concerns over service user expenditure.
- 15.11 Where service users' income and savings are deposited with Priory they must be supported to limit their expenditure to the income and savings that they have available and not have an overdrawn balance. Expenditure in excess of the balance held must only be allowed where it is necessary for a service user's dignity and welfare or where there is a clear agreement from their financial representative that they will reimburse the company for any overdrawn balance. Where Priory act as DWP Corporate Appointee for service user, expenditure in excess of the funds available should not be necessary.
- 15.12 Records and receipts must be kept of all personal funds expenditure where the funds are being held or managed by Priory. Records must be kept available on site for three years and then retained in accordance with the Priory Archiving Policy – Documents not covered by statute (currently ten years).
- 15.13 Wherever possible such records and receipts should be signed by the service user or their financial representative and a colleague. Where this is not possible records and receipts must be signed by two colleagues.
- 15.14 All expenditure of personal funds held by Priory on service users' behalf must be allocated against the correct individual's account on the same day whenever possible, and never more than one week after the transaction has taken place. The only exception to this should be expenditure incurred when a service user is away from the service for an extended period e.g. on holiday.
- (a) Care must be taken when recording transactions on Income Processing to ensure they are correctly allocated as either a cash or bank transaction.
 - (b) Where a service user's balance is held as cash only but expenditure is incurred online, as a POS transaction or BACs transfer, the expenditure must be processed as a bank withdrawal.
 - i) A cash withdrawal and bank deposit for the same amount must also be processed on the individual's account and the cash then banked.
- 15.15 Entries made on Income Processing must include an accurate comment that is sufficiently detailed to enable service users or their representatives to identify a particular purchase e.g. 'Clothing from Next' or 'Snack from Burger King'. The deliberate entry of an inaccurate description on Income Processing to hide the true details of a purchase will be considered an act of Gross misconduct.

16 SERVICE USERS GIFTS, LOANS AND WILLS

- 16.1 In cases where the receipt of a gift by a colleague from a service user is not already expressly prohibited under the terms and conditions of any relevant local authority/NHS commissioner's contract, gifts of a nominal value may be accepted in exceptional circumstances, subject to the prior written approval of the service manager. (Refer to Employee Handbook).

- 16.2 Under no circumstances should a colleague solicit a gift from a service user as this will be considered an act of Gross Misconduct.
- 16.3 A record of all gifts given by service users to colleagues should be kept in accordance with LE02 Combatting Bribery, Fraud and Corruption.
- 16.4 Under no circumstances must a colleague solicit or accept a loan from a service user. Any such action will be considered an act of Gross Misconduct.
- 16.5 Colleagues must not influence the contents of a will, nor should they act as executors or witness signatories of wills made by service users.

17 PURCHASE OF GOODS OR SERVICES BY OR FROM SERVICE USERS

- 17.1 In order to avoid the potential for acts or allegations of acts of exploitation the purchase of goods or services from or by a service user by or from a colleague is not allowed.
- 17.2 Paragraph 17.1 does **not apply** when items are specifically produced for sale (e.g. craft items, cakes, art works) either as part of a therapeutic programme, for charity events or as a result of a service user's hobby or development of an occupational skill. Such items may be purchased by other service users, visitors or colleagues but the following considerations must be made by the SMT before such sales occur:
 - (a) Who pays for the production of the items.
 - (b) Who benefits from any profits gained.
 - (c) The impact on future activities/expectations.
 - (d) Consideration of any risk assessment and insurance requirements.
 - (e) There must be a mental capacity assessment recorded to evidence that the service user understands the process of production and sale of the items.
- 17.2.1 Any items sold for an individual's profit should not be sold in the name of Priory, and there should not be any indication that the proceeds are going to a charitable cause.

18 PERSONAL FUNDS HELD ON BEHALF OF SERVICE USERS NO LONGER SUPPORTED BY PRIORY

- 18.1 Any personal funds held on behalf of a service user who is no longer being supported by Priory must be returned to them, their financial representative or another agreed custodian on the day of their departure or at the earliest opportunity afterwards giving due regard to the best interests of the service user, current legislation and any contractual obligations.
- 18.2 Where a service user has moved to alternative living arrangements, the return of any funds held must be risk assessed and the planned actions agreed with those involved in their new circumstances. In particular it must be ensured that:
 - (a) The transfer of funds to a personal bank account held by an individual service user does not unduly expose them to the risk of financial abuse or fraud and that there is sufficient support in place to assist them with their finances.
 - (b) Where funds are transferred to a third party individual or organisation they have the necessary financial representative status to hold the funds or, in the case of an organisation, the Priory is fully indemnified by an authorised representative against their misuse.
- 18.3 When a service user moves to alternative living arrangements and it is not possible to transfer their funds on the day of departure arrangements must be made for them to leave with an agreed amount of cash and for further interim payments to be made, if required, until the new arrangements for holding their funds are finalised.
- 18.4 In the event of the death of a service user any personal funds held on their behalf will be handled in accordance with the relevant legislation for the specific country of residence. This

process will be led by the Clients' Monies Team. (In England and Wales refer to OP26 Funds and Possessions of Deceased Service Users (England and Wales)).

- 18.5 Retaining a service user's personal funds when they are discharged from our care represents a financial and reputational risk and may result in a complaint of financial abuse or mismanagement against the company or colleagues. It also represents a failure in the financial support plan and discharge process for the service user affected.
- 18.6 Any retained balances must be held on the individual's personal allowance account on Income Processing and must not be moved to a pooled account, such as the Amenity fund or an Old Balances account.
- 18.7 On the rare occasion that Priory has no contact details for a service user who has left a service and funds are still held, all available measures must be taken to contact the service user, their next of kin (if appropriate), financial representative or funding authority at the earliest opportunity. Such efforts must be documented in the service user's file, must include verbal, electronic and written methods and take place at regular intervals (weekly/monthly) until the situation is resolved. Where necessary support should be requested from the ABM/ASM for the site or the Clients' Monies Team.

19 REFERENCES

19.1 Legislation

Adults with Incapacity (Scotland) Act 2000
 Care Act 2014
 Data Protection Act 2018
 Mental Capacity Act 2005
 The Care and Support (Miscellaneous Amendments) Regulations (current year)
 The National Assistance (Sums for Personal Requirements) Regulations (Scotland/Wales)
 Current Annual Amendment

19.2 Guidance

DCA (2007) Mental Capacity Act 2005 Code of Practice
 DH (2014) Charging for Residential Accommodation Guide (CRAG)
 Regulatory standards – CQC, RQIA, SCSWIS, HIS, CCSIW, HIW, Ofsted

20 ASSOCIATED FORMS

- 20.1 **OP Form: 34** [Financial Support Assessment](#)
OP Form: 34A [Authorisation for Withdrawal of Funds](#)
OP Form: 34C [Consent to Hold Financial Information](#)
OP Form: 40 [CFA Card Movement Log](#)
OP Form: 40A [List of Regular Transactions on Service Users Bank Account](#)
OP Form: 40B [Service User's Bank Account Card Bank Book Movement Sheet](#)
[IP Reconciliation guide](#)

Useful information on the Priory Intranet:

Client monies - useful info <http://prioryintranet/home/default.aspx?cid=4857>

21 EQUALITY IMPACT ASSESSMENT

21.1

How is the policy likely to affect the promotion of equality and the elimination of discrimination in each of the groups?			
Protected Characteristic (Equality Act 2010)	Impact Positive/ Negative/ None	Reason/ Evidence of Impact	Actions Taken (if impact assessed as Negative)
Age	None		
Disability	None		

Operational

Gender identity and expression	None		
Marriage or civil partnership	None		
Pregnancy or maternity	None		
Race	None		
Religion or beliefs	None		
Sex	None		
Sexual orientation	None		
Other, please state:			
EIA completed by:			
Name:	Michael Bowskill		
Role/ Job Title:	Clients' Funds Manager		
Date completed:	30 th April 2024		