

Client Funds Manual

Client funds management guidelines for disability accommodation services in Western Australia

ACROD WA CLIENT FUNDS MANUAL

Acknowledgments

This resource manual was produced by ACROD WA with a service improvement grant provided by the Disability Services Commission. The contribution from the organisations and individuals listed below has been invaluable to the development of these guidelines and are greatly appreciated. ACROD acknowledges the support of:

- Debbie Karasinski (CEO Senses Foundation) who identified the need for guidelines to support the management of client funds. Debbie coordinated a meeting with disability services and Deacons law firm. The inspiration to develop this resource came directly from this initial meeting.
- ACROD Client Funds Management Working Party
Chair: Mike Mulroy (Activ Foundation)
Vice Chair: Chris Kumar (Cerebral Palsy Association)
Executive Support: Monique Williamson (ACROD WA)
Robyn Lieblich (Brightwater Care Group)
Graham Holman (Nulsen Haven Association)
Sue Denny (i.d.entity.wa)
Garry Parker (Senses Foundation)
- Deacons
- David Hounsome (Disability Services Commission)
- Disability Services Commission, who provided a Service Improvement Grant to develop this manual.
- ACROD WA Accommodation Subcommittee
- Gordon Trewern (Chair ACROD Accommodation Subcommittee)
- The Office of the Public Advocate
- The Office of the Public Trustee

ACROD WA CLIENT FUNDS MANUAL

Foreword

This resource has been developed for accommodation services working in the disability sector to assist them in establishing policies and guidelines for managing clients' funds.

The issue of managing clients' funds was raised by the CEO of an ACROD member organisation as a matter of concern within the disability sector. An initial meeting was hosted by this organisation with a Perth Law firm. Five other organisations attended the meeting; the outcome of the meeting was the recommendation that ACROD progress the development of principles and protocols for the management of client funds. ACROD secured a service improvement grant from the Disability Services Commission to develop this manual.

To ensure the resource is useful and relevant to the needs of services and their clients it was developed through consultation with service providers.

The resource manual has been developed for all state funded accommodation disability services to promote transparent and accountable practices for managing clients' funds.

Index

Summary of Best Practice Guidelines	9
About this publication	11
Best Practice Guidelines for Service Providers	17
Guideline 1 Determine the authority of the service provider	18
Guideline 2 Recruitment and management of staff and volunteers	19
Guideline 3 Determine the level of support a client requires	20
Guideline 4 Financial Information Record	21
Guideline 5 Financial Decision Making Guidelines	22
Guideline 6 Bank Accounts	24
Guideline 7 Safeguards	25
Guideline 8 Future Planning	26
Guideline 9 Investments	27
Guideline 10 Record keeping and reporting requirements	28
Guideline 11 Complaint handling procedures	29
Sample Policies for Service Providers	31
Relevant Legislation and Useful Contacts	69
Appendix	73

Disclaimer

The material presented in this manual has been provided in good faith but is provided solely on the basis that the readers will be responsible for making their own assessments of the guidelines and policies discussed within. ACROD WA or any working party members shall not be responsible for any loss or damage caused arising from the use of or reliance on any information or advice provided in this guide.

Client Funds Management: Best Practice Guidelines Summary

Guideline 1 Determine the authority of the service provider	Guideline 2 Recruitment and management of staff and volunteers	Guideline 3 Determine the level of support the client requires	Guideline 4 Financial Information Record	Guideline 5 Financial Decision Making Guidelines	Guideline 6 Day to Day Bank Account	Guideline 7 Financial Safeguards	Guideline 8 Future Planning	Guideline 9 Investments	Guideline 10 Record Keeping and Reporting Requirements	Guideline 11 Complaints Handling
<p>Summary All disability service providers should have a method by which it determines the role the service provider may take in relation to a particular client's funds</p> <p>Practices 1. Identifying key stakeholders 2. Identifying the role those stakeholders play 3. Identifying any conflicts of interest 4. Identifying how any conflicts of interest may impact upon the ability of the service provider to manage the client's funds</p>	<p>Summary The service provider should be able to show that it implements and follows a responsible procedure with respect to identifying and managing staff and volunteers who are authorised to deal with client funds</p> <p>Practices 1. Requiring police certificates 2. Conducting thorough reference checks 3. A comprehensive job description 4. Procedure for dealing with any actions outside of or in breach of its job description 5. Formal annual reviews of staff performance 6. Procedure for managing staff members and volunteers against whom complaints have been made</p>	<p>Summary If a disability accommodation provider supports a client with their finances, they must determine the individual support needs of each client.</p> <p>Practices Determine support required using a method that: 1. Maximises the client/family involvement 2. Identifies the clients financial capabilities and support needs 3. Is documented 4. Has client and/or key stakeholder final endorsement</p>	<p>Summary A service provider should have a Financial Information Record for every client whose finances they manage. The record should identify the financial circumstances of the client and identify strategies to meet any financial needs</p> <p>Practices The Financial Information Record should include: 1. A personal budget including assets and income, projected expenses, bank account, insurance of assets and outstanding debts 2. A strategy to meet any deficit in the clients budget 3. The financial information record should be reviewed annually or earlier if required</p>	<p>Summary A service provider should have a respectful, transparent and accountable method to guide decisions about supporting a client to spend any of their finances.</p> <p>Practices Financial Decision Making 1. Involving the client, 2. Consulting with others when appropriate; 3. Considering the clients financial circumstances 4. Purchases provide value for money 5. Spending limitations for staff 6. Clear policies on Purchasing of Gifts, Making a donation, Discretionary Expenditure, Purchasing of Prescribed Equipment and Joint Purchases</p>	<p>Summary A service provider should have a transparent and accountable method to hold and account for a client's money.</p> <p>Practices 1. Ensure clients have a day to day bank account 2. Separate accounting for each individuals' money 3. Document each individual transaction and balance 4. Regularly reconcile and review account 5. Require levels of authorisation to access the funds</p>	<p>Summary All disability service providers that are managing a client's funds should have safeguards in place to protect the client whose funds they are managing from financial abuse and neglect.</p> <p>Practices 1. Any discrepancies should be reported 2. Cash on hand be limited, regularly checked and kept in a safe place 3. One client's money is never to be used for others 4. Conflicts between the service provider, its staff, family and/or client 5. Staff Code of Conduct 6. Define a position in relation to any financial losses</p>	<p>Summary All disability service providers that are managing a client's funds should consider the clients future financial needs.</p> <p>Practices 1. Monitoring financial entitlements & liabilities for clients 2. Monitor retirement needs 3. Consider the value of private health insurance for each individual 4. Encourage all clients, with the capacity, to make a will and an enduring power of attorney</p>	<p>Summary All disability service providers that are managing client's funds have the responsibility to ensure that any sums of money managed on behalf of clients maximise the income clients can derive from their funds with minimum risks.</p> <p>Practices 1. All funds (up to \$20,000) surplus to the annual costs of living for individuals be invested by senior management in astute investments that maximise the income of clients with minimum risk 2. Senior management seek licensed financial advice for clients funds (over the amount of \$20,000) 3. Performance of all investments to be reviewed at least once a year</p>	<p>Summary All disability service providers that are managing a client's funds should have in place recording and reporting procedures.</p> <p>Practices 1. Outline information that is to be recorded in relation to client funds 2. Identify the service provider's internal reporting chain 3. A procedure for determining what/when information is to be reported to the client/key stakeholders 4. Policies that are to be complied with in collecting storing and using information</p>	<p>Summary The service provider should have in place a transparent procedure for managing any complaints that arise.</p> <p>Practices Procedure that include: 1. Formats in which complaints will be accepted 2. Time frame for handling complaints 3. Confidentiality requirements 4. An outline of the steps in the internal and external complaint procedure 5. A requirement that the complainant and the relevant client will not be penalised if a complaint is made</p>

Please note: This is a summary only, refer to the Best Practice Guidelines in this manual

About this publication

The purpose of this publication is to provide Western Australian disability accommodation services with guidelines for managing clients' funds. The manual is available to all West Australian Disability Services Commission (DSC) funded accommodation service providers to promote transparent and accountable practices for managing clients' funds.

The issue of managing clients' funds was raised by an ACROD member organisation as a matter of concern within the disability sector. An initial meeting was hosted by this organisation with a Perth law firm. Five other organisations attended the meeting; the outcome of the meeting was the recommendation that ACROD progress the development of principles and protocols for the management of client funds. ACROD secured a service improvement grant from the Disability Services Commission to develop this manual. In Western Australia, many disability service providers manage aspects of their client's funds. This manual provides accommodation service providers with guidelines to ensure they provide this management of funds in an accountable and transparent manner. *All management of client funds needs to be in the best interest of the client.* If the best interests of the client are not being met for any reason, a service provider should ensure that an application for the appointment of an administrator (under the Guardianship and Administration Act 1990) is submitted to the State Administrative Tribunal (SAT). SAT handles all matters that were previously the responsibility of the Guardianship and Administration Board.

The ACROD Accommodation Subcommittee established a working party chaired by Mike Mulroy (ACTIV Foundation) to progress the development of service provider guidelines for the management of client funds. The working party gathered and analysed relevant publications (Appendix 1) relating to managing the money of people with decision-making disabilities. The committee developed and endorsed draft guidelines and policies. The draft guidelines were reviewed by Deacons, Office of the Public Advocate and the Office of the Public Trustee. The recommendations from these parties were considered by the working party and incorporated into the manual, where appropriate.

This manual provides guidelines for disability accommodation service providers that provide services to clients who require their money to be handled or managed by the services staff. The manual provides guidelines to support best practice for the development of organisational policies and procedures in relation to managing client's funds.

Glossary of Terms

Accountability

Refers to being able to clearly justify the use of resources, power and control.

Financial abuse

The illegal or improper use of the client's property, finances and other assets without their informed consent or where consent is obtained by fraud.

Fraud

Fraud refers to the intentional use of false representations or deception to avoid an obligation, or gain an unjust advantage or property for themselves or others that they are not otherwise entitled to.

Least Restrictive Alternative

When deciding on how to meet a person's financial needs the options that would be less restrictive of the person's freedom of decisions and action. The principle of the least restrictive alternative ensures that the option of applying to the State Administrative Tribunal for the appointment of an administrator (that would have the effect of taking away a person's decision-making right) is a last resort. Less restrictive ways of meeting a person's needs should be explored first.

Reasonable

Where a duty of care exists, the law requires that the person exercise the same degree of care that a reasonable person could be expected to show. A higher standard is expected from a person responsible for the care of someone whom the law would regard as vulnerable. This would include client who have a disability. Management, staff and volunteers are therefore obliged to exercise the degree of care that could reasonably be expected from a competent and skilled person in that job. The overriding principle is that as long as management, staff and volunteers take reasonable care and consider the rights of all concerned, then the reasonable expectations of clients of the service, management, staff, volunteers and the community will be met.

Reasonable access

Where a service provider is arranging a system for keeping a clients money in a bank account, reasonable access refers to the client having ready access to amounts of money to cover the costs of living and an amount for unexpected costs (refer to persons' budget to determine appropriate amounts).

Service providers

Service providers in the context of this manual are those disability accommodation services, which are operated or funded by the Disability Services Commission.

Staff

All permanent or casual or temporary, full time or part time, paid or unpaid employees of the service provider. Students and volunteers undertaking paid or unpaid authorised work experience, practical or placement, are included.

Principles

The policies and practices entered in this manual have been guided by the following underlying principles.

1. Empowerment

People with a disability, to the level of their capability, are in the best position to manage their own affairs. Empowering people with a disability to make their own decisions, wherever possible, should be a priority. In considering the appropriateness of varying options of financial support the principles of the least restrictive alternative should be applied.

2. Heightened vulnerability of people with disabilities

People with a disability due to a variety of factors including a cognitive or physical impairment, social isolation and limited life experience may be extremely vulnerable to abuse including financial abuse. In managing clients funds, a service provider and its employees must always act in the best interest of the client. A service provider must acknowledge the heightened vulnerability of the people served and provide reasonable safeguards to protect the clients.

3. Collaboration

People with disabilities are likely to have a range of people who play an important role in their life including friends, family and service providers. To provide the best outcomes for people with disabilities, service providers need to work together with other stakeholders in a person's life, where appropriate.

4. Developmental Model

All people have the capacity to learn, grow and develop. A client of a disability service may be unable to manage some aspects of their finances without support however they will always have the capacity to be involved at some level and need to have ongoing opportunities to learn new skills.

Overview of the Manual

The manual is divided into the following sections.

Section 1: Best Practice Guidelines

This section provides best practice guidelines for accommodation disability service providers managing clients' funds. It is written to provide service management with guidelines and practices to ensure clients' funds are managed in a transparent and accountable manner.

Section 2: Sample Policies

This section provides sample policies that have been developed based on the best practice guidelines.

Section 3: Relevant Legislation

This section outlines legislation that is relevant to disability service providers and the management of client funds.

Section 4: Useful Contacts

This section provides a list of useful contacts that are relevant to disability services providers in relation to the management of client funds.

Section 5: Appendix

This section includes relevant appendices that have been referenced throughout the manual.

Section 1

Best Practice Guidelines

This section of the manual provides best practice guidelines for accommodation disability service providers when managing clients' funds. It provides disability services with guidelines to ensure clients' funds are managed in a transparent and accountable manner.

Guideline 1 Determine the authority of the service provider

Background

It is necessary to determine the role of the service provider in relation to the client's funds in order to determine the extent to which the service provider may be involved in managing the client's funds.

Guideline

All disability service providers should have a method by which it determines the role the service provider may take in relation to a particular client's funds.

The method used to identify the role of the service provider in relation to a client's funds should include:

- Identifying the key stakeholders in the client's life;
- Identifying the role those stakeholders play (i.e. family, friend, guardian, administrator, donee of a power of attorney);
- Identifying any **conflicts of interest** between the service provider and its staff, family and/or the client. Any conflicts of interest that put the client at risk of abuse are to be referred to the State Administrative Tribunal; and
- Identifying how any conflicts of interest may impact upon the ability of the service provider to manage the client's funds.

Guideline 2 Management of staff and volunteers

Background

To comply with any duty of care and other obligations for managing client funds, the service provider owes to a client for which funds are managed, the service provider should be able to show that it implements and follows a responsible procedure with respect to identifying and managing staff and volunteers who are authorised to deal with client funds.

Guideline

The service provider should have clear procedures in place to identify and regulate which employees and volunteers may manage client funds.

The procedures followed should include:

- requiring police certificates prior to offering employment to potential staff members and work to volunteers;
- conducting thorough reference checks prior to offering employment to potential staff members and work to volunteers;
- a comprehensive job description for each staff member and volunteer that clearly identifies the roles and responsibilities and the nature and extent of any authority the staff member or volunteer may have with respect to clients funds and the requirement to comply with all policies of the service provider;
- a procedure for dealing with any actions by an employee or volunteer outside of or in breach of its job description;
- the requirement for formal annual reviews of staff performance and informal annual reviews of volunteer performance; and
- a procedure for managing staff members and volunteers against whom complaints have been made.

Guideline 3 Determine the level of support a client requires

Background

Not all clients require support from an accommodation service provider to manage their finances. The level or type of support a client needs should be individualised. A client may have some support from family, friends, a donee of an enduring power of attorney and/or an administrator to manage their finances.

If a disability accommodation provider supports a client with their finances, they must determine the individual support needs of each client. A service provider needs to be able to justify the level of financial support they are providing to a client.

Guideline

All disability service providers that are managing a client's funds should have a respectful, transparent and accountable method to determine the level of support a client requires.

A service provider could use a range of methods to determine the appropriate level of support a client requires. The method used should include:

- maximising the involvement of the client and the involvement of key people in the clients life;
- demonstrating an understanding of the clients financial capabilities and support needs;
- complying with confidentiality obligations;
- establishing a system of transparency with respect to how financial support needs are determined eg via documentation; and
- final endorsement of the client and/or key stakeholders.

Guideline 4 Financial Information Record

Background

Following a determination (Guideline2) that a client needs support, a disability accommodation provider must offer a transparent and accountable method for providing individual financial support. To this end, each service should have a method to determine the current and future financial circumstances and needs of a client requiring support.

Guideline

A service provider should have a Financial Information Record for every client whose finances they manage. The record should identify the financial circumstances of the client and identify strategies to meet any financial needs.

The Financial Information Record should include:

- a personal budget including assets and income, projected expenses, bank account, insurance of assets and outstanding debts
- a strategy to meet any deficit in the clients budget; and

The financial information record should be reviewed annually or earlier if required.

Guideline 5 Financial decision making guidelines

Background

Where staff of an accommodation service provider, are making decisions about a clients finances, staff must be provided with clear guidelines.

Guideline

A service provider should have a respectful, transparent and accountable method to guide decisions about supporting a client to spend any of their finances.

To this end a service provider should have clear policies and procedures including:

1. General guidelines for staff related to financial decision making that include:

- involving the client, as much as practicable, in any decisions related to their finances;
- consulting with other key stakeholders in the clients' life, when appropriate;
- considering the financial circumstances of the client;
- ensuring any purchases provide value for money by providing at least two quotes for purchases, where appropriate; and
- identifying any spending limitations for staff.

2. Purchasing of Gifts

A service provider should have a procedure instructing staff of their authority to purchase gifts on a client's behalf. Staff who do have the authority, should consider:

- the financial situation of the client;
- is it a gift that the adult might reasonably be expected to make? For example, birthday, wedding and Christmas gifts for relatives; and
- the value of the gift is appropriate to their circumstances, especially the client's financial position and cultural beliefs.

3. Making a donation

A service provider should have a procedure to instruct staff of their authority to make donations on a client's behalf. In general, donations should not be made on persons' behalf unless:

- the client can afford the donation; and
- there is evidence that the client wants to make the donation or would have wanted to make it, if they could still express a view (including whether the adult previously made donations to charities).

Guideline 5 Financial decision making guidelines (cont.)

4. Discretionary Expenditure

A service provider should have a procedure instructing staff of their authority to make discretionary expenditure (including partaking in gambling, raffles and other expenditure). In general, discretionary expenditure should not be made on persons' behalf unless:

- the client can afford the expenditure; and
- evidence that the client wants to make the expenditure or would have wanted to make it, if they could still express a view (including whether the adult previously made this type of expenditure in the past).

5. Purchasing of Prescribed Equipment

A service provider should have a procedure instructing staff of their authority to make purchases of prescribed equipment on a client's behalf. Staff who have the authority, should consider:

- getting approval from key stakeholders, where appropriate;
- whether the client can afford the equipment;
- evidence that the equipment will improve the clients quality of life; and
- no other avenue for funding the equipment is available or timely.

6. Joint Purchases

A service provider should have a clear procedure stating the service provider's position and procedure for any joint purchases. It should clearly outline expectations of all parties and these should be agreed upon before any items are purchased.

Guideline 6 Day to Day Bank account

Background

Following the determination (Guideline 1) that a client needs support, a disability accommodation provider should have a transparent and accountable method to hold and account for a client's money.

Guideline

A service provider should:

- ensure clients have a day to day bank account in which their money is held (it is recommended that amounts over \$500 be held in a separate bank account that has higher levels of authority to access the funds e.g. required senior management to authorise transactions);
- ensure that bank accounts clearly acknowledged who owns the account *e.g. Community Enterprise held on behalf of John Citizen*
- ensure separate accounting for each individuals' money from the money of any other clients or the service provider;
- document each individual transaction and balance.
- regularly reconcile and review the bank account transactions and balances;
- protect the client's funds from unauthorised transactions by requiring levels of authorisation to access the funds within the account, for example including at least two trusted signatories and provides separation and limited access to large amount of money;
- keeps documentation in a safe and secure place; and
- allow the client reasonable access to their funds.

Guideline 7 Financial safeguards

Background

People with disabilities may have a heightened vulnerability to financial abuse. Disability service providers should implement safeguards to protect the interests of clients.

Guideline

All disability service providers that are managing a client's funds should have safeguards in place to protect the client whose funds they are managing from financial abuse and neglect.

1. Transparency

- All financial records are to be available to the client or key representatives of the client on request.
- Regular account records should be provided to clients and their representatives.
- Any discrepancies in the day to day records expenditure of a client should be reported in writing to the organisations senior management. Any irregular or large discrepancies should be reported to the Board of Management who will take the appropriate action.

2. Cash on Hand

- Cash on hand is kept in a safe and secure place.
- One client's money is never to be used for others.
- Large sums of cash (greater than \$200), unless for specific purposes, should not be kept on hand.

3. Regular checking

- Cash on hand should be regularly checked.
- Finances should be reconciled and randomly reviewed including annually by an independent person.

4. Conflicts between the service provider, its staff, family and/or client

- A service provider should outline to staff what to do in any situation of conflict over finances.
- All service providers should acknowledge its limitations and commitment to refer any conflicts of interest to the State Administrative Tribunal.

5. Staff Conduct

- All service providers should provide staff with clear guidelines on their expected conduct related to managing clients' funds (including a clear position discouraging staff accepting gifts from clients).

6. Protection of Losses

The service provider should clearly state its position in relation to any financial losses brought about as a result of negligent or illegal action by the service provider.

Guideline 8 Future planning

Background

All disability service providers, that are managing a client's funds, should consider the client's future financial needs.

Guideline

All disability service providers that are managing a client's funds should consider the clients future financial needs including:

1. Monitoring Financial Entitlements and Liabilities

The service provider should support the client to seek all relevant entitlements and liabilities. The service provider should monitor any changes to current and any future financial entitlements and liabilities for clients including taxation, income, insurance and Centrelink benefits.

2. Retirement

The service provider should consider the retirement needs of a client, including the adequacy of any superannuation fund and any need to seek professional advice.

3. Private Health Insurance

The service provider should consider the adequacy of a clients cost of health care provision and consider the value of private health insurance for each individual.

4. Wills and enduring powers of attorney

The service provider should encourage all clients, with the capacity, to make a will and an enduring power of attorney.

5. Funerals

The service provider should consider the adequacy of a client's financial situation and the appropriateness of a funeral plan.

Guideline 9 Investments

Background

All disability service providers that are managing client's funds have the responsibility to ensure that any sums of money managed on behalf of clients maximise the income clients can derive from their funds with minimum risks.

Guideline

All disability service providers that is managing a client's funds should have astute investment practices that include:

1. All funds (up to \$20,000) surplus to the annual costs of living for individuals be invested by senior management in astute investments that maximise the income of clients with minimum risk. The following investments maybe considered appropriate for the investment of a clients funds.

- Any public funds or Government stock or Government securities of the Commonwealth or any State.
- Any debentures or securities guaranteed by the government of Western Australia.
- Any debentures or securities:
 - issued by a public or local authority, or a statutory body representing the Crown, constituted by or under any law of the Commonwealth, or of any State or Territory and
 - guaranteed by the Commonwealth, any State or Territory,
- Any debentures or securities issued by the Northern Territory and guaranteed by the Commonwealth.
- Interest-bearing deposits in a bank.
- Any deposit with, withdrawable shares in, or loan of money to, an authorised deposit-taking institution.

2. Investment Advice

For clients funds (over the amount of \$20,000), the service providers senior management should obtain independent and impartial advice reasonably required for the investment of the adult's funds from a person who is licensed to give such advice. If this advice is obtained it must be considered and recorded (particularly in terms of whether and why the advice is used or not used).

3. The performance of all investments to be reviewed at least once a year.

Guideline 10 Record keeping and reporting requirements

Background

Disability service providers should ensure that the systems used to manage client funds uphold the principles of certainty, transparency and accountability therefore record keeping and reporting systems are to be clearly defined.

Guideline

All disability service providers that are managing a client's funds should have in place recording and reporting procedures that outline:

- the information that is to be recorded in relation to client funds;
- the service provider's internal reporting chain;
- the procedure for determining what information is to be reported to the client and when the information is to be reported;
- the procedure for determining what information is to be reported to key stakeholders of the client and when the information is to be reported; and
- the policies that are to be complied with in collecting storing and using information.

Guideline 11 Complaint handling procedures

Background

The service provider should have in place a transparent procedure for managing any complaints that arise.

Guideline

All disability service providers that are managing a client's funds should have in place complaint handling procedures that include:

- the formats in which complaints will be accepted;
- a time frame for handling complaints;
- confidentiality requirements;
- an outline of the steps in the internal complaint procedure of the service provider;
- an outline of the external avenues for complaint available to the complainant (such as the Disability Services Commission or the State Administrative Tribunal); and
- a requirement that the complainant and the relevant client will not be penalised if a complaint is made.

Section 2

Sample Policies

Policy 1: Determine the authority of the service provider

- 1. Background** Clients may have many people involved in their life, to assist them on both a formal and an informal basis, such as family, friends, a guardian, donee of power of attorney and/or an administrator. Before dealing with a client's funds, a disability service provider must determine the extent of their legal authority to deal with a client's funds.
- 2. Purpose and scope** The purpose of this policy is to set out guidelines to enable the service provider to identify their authority to deal with a client's funds. This policy applies to all clients.
- 3. Policy statement** The service provider is committed to ensuring it does not exceed its authority with respect to a client's funds.
- 4. Procedure** The following procedure is to be followed to ascertain the service provider's authority to deal with such clients' funds.
- The service provider will determine and record the key stakeholders in the client's life and whether their authority, if any, is formal or informal.
 - The service provider is to identify any potential conflicts of interest that may arise.
 - Any conflicts of interest will be reported to (*service provider to insert position*) who will determine whether an application should be made to the State Administrative Tribunal in respect of the conflict.
- 5. Review of the Policy** This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

Form 1: Determining the level of authority of the service provider

Clients Name: _____ **Date:** _____

Are any of the following formal arrangements in place for the person?

Power of Attorney/Enduring Power of Attorney Yes No
If Yes:

- Name of donee/s: _____
- Address of donee/s: _____
- Attach a copy of the Power of Attorney/Enduring Power of Attorney document

Guardianship Order Yes No
If Yes:

- Name of guardian: _____
- Address of guardian: _____
- Attach a copy of the Guardianship Order

Administration Order Yes No
If Yes:

- Name of administrator: _____
- Address of administrator: _____
- Attach a copy of the Administration Order

What informal arrangements are in place for the person?

Carer Yes No
If Yes:

Name/s: _____

Relationship to person: _____

Interested Family Members:

Name: _____

Relationship to person: _____

Name: _____

Relationship to person: _____

Name: _____

Relationship to person: _____

Name: _____

Relationship to person: _____

Form completed by: _____

Policy 2 Recruitment and management of staff and volunteers

- 1. Background** Service providers need to comply with any duty of care obligations in regard to managing client funds. The service provider should be able to show that it implements and follows a responsible procedure with respect to identifying and managing staff and volunteers who are authorised to deal with client funds.
- 2. Purpose and scope** The purpose of this policy is to set out guidelines to follow in recruiting staff and volunteers to assist the service provide in meeting its duty of care obligations.
- 3. Policy statement** The service provider is committed to having meeting its obligations to the client by using reasonable care in recruiting staff and volunteers and determining who will be authorised to deal with client funds.
- 4. Procedure** The following procedures are to be implemented to ensure that the service provider meets its policy objective of using reasonable care.
- The service provider must require potential staff and volunteers to provide a current national police certificate.
 - The service provider must conduct thorough reference checks of potential staff and volunteers (a minimum of 2 satisfactory references must be provided).
 - The service provider must provide all staff and volunteers with a comprehensive job description that:
 - clearly identifies the roles and responsibilities and the nature and extent of any authority the staff member or volunteer may have with respect to clients funds; and
 - the requirement for the staff member or volunteer to comply with all policies of the service provider;
- The service provider must conduct formal annual performance reviews of all staff and informal performance annual reviews of volunteers.
- 5. Review of the Policy** This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

Policy 3: Determine the level of support a client required

- 1. Background** Not all clients require support from an accommodation provider with the management of their finances. The level or type of support a client needs will be individualised. A client may have some support from family, friends and/or an administrator to manage their finances. However if a disability accommodation provider will be supporting a client with their finances, they must determine the individual support needs of each client. A service provider must justify the support they are providing with a client's finances ensuring they are not over or under providing such support.
- 2. Purpose and scope** The purpose of this policy is to set out guidelines to consider in relation to determining the level of support a client needs to manage their finances. The scope of this policy covers any client whose money is currently or is likely to be managed by the service provider.
- 3. Policy statement** The service provider is committed to having an accountable and transparent procedure in place to determine the level of support a client requires to manage their own finances.
- 4. Procedure** The following procedures are to be implemented to ensure that the service provider has accountable and transparent procedures to determine the level of support a client requires to manage their finances.
1. Those clients needing financial support by (*Name of service provider*) will be assessed to determine the level of support they requires to manage their finances using the 'Form 2: Determining the level of support a client requires' (attached).
 2. The 'Form 2: Determining the level of support a client requires' will be completed by (*insert person/role here*) in collaboration with the client and any other appropriate stakeholder in the clients' life (family, friends, direct support workers and advocates).
 3. The 'Form 2: Determining the level of support a client requires' will be kept secure.
 4. The 'Form 2: Determining the level of support a client requires' will be endorsed by (*insert person/role here*). Form 2: Determining the level of support a client requires' will be reviewed annually or earlier where significant changes in the clients needs are identified.
- 5. Review of the Policy** This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

Form 2: Determining the level of support a client requires

1. Details of the client

This material is a guide only and you may wish to add additional details of the client's financial matters, life circumstances and future considerations. If there is not enough space provided please attach information to the back of this form.

Name: _____
(Given Names) (Surname)

Date of Birth: ____ / ____ / ____

Address: _____

Telephone: _____

2. Details of the clients involved in the completion of the record

Date this form completed: _____

Completed by:

Who are the people who have contributed to the information in this form?

3. Does the person have any impairment that may affect their ability to manage their own financial affairs?

ACROD WA CLIENT FUNDS MANUAL

4. Determining the level of support a person requires

NB: This section has been adapted from work done by Villamanta Publishing. (See Reference Section)

Area of financial management.	Person has a history/experience in managing this aspect of their finances.	Do you believe the person currently has the capacity to manage this aspect of their finances?	Comments
1. Can the person indicate what is important to them?	Yes/No	Yes/No	
2. Does the person have a general understanding of the value of the finances or assets they have?	Yes/No	Yes/No	
3. Is the person able to learn or understand concepts when these are explained in simpler terms or in terms that are relevant to them?	Yes/No	Yes/No	
4. If the person makes the wrong decision about their money, will any loss be insignificant?	Yes/No	Yes/No	
5. Can the person make the link between the things they want and how much money they have?	Yes/No	Yes/No	
6. Can the person understand the need to deal with competing financial priorities and obligations?	Yes/No	Yes/No	
7. Can the person understand what it means to sacrifice some things for the sake of others?	Yes/No	Yes/No	
8. Does the person understand that they might not have enough money for some things?	Yes/No	Yes/No	
9. Does the person know when they need assistance and when they don't?	Yes/No	Yes/No	

5. Risk Assessment

5a. Is the person at risk of financial abuse, in what ways and at what level of risk? (E.g. undue influence, signing of contracts for purchases)

5b. Identify any conflicts between the service provider and its staff, family and/or client

5b. What safeguards could be put in place to reduce any of these risks? (NB Is a referral needed to the State Administrative Tribunal Board?)

ACROD WA CLIENT FUNDS MANUAL

6. Recommendation for the Financial Support required by the person

Area of financial management.	Is support required with this aspect of financial management?	Is a development plan required for the person to learn these skills?	Comments
Budgeting for daily living	Yes/No	Yes/No	
Signing documentation	Yes/No	Yes/No	
Saving for long term items including holidays	Yes/No	Yes/No	
Applying for entitlements including social security	Yes/No	Yes/No	
Taxation	Yes/No	Yes/No	
Planning for superannuation and retirement	Yes/No	Yes/No	
Managing large sums of money including investments	Yes/No	Yes/No	
Managing Debts	Yes/No	Yes/No	
Completing and maintaining warranties	Yes/No	Yes/No	
Banking	Yes/No	Yes/No	
Paying Bills	Yes/No	Yes/No	

7. Final recommendation:

Lined area for writing the final recommendation.

8. Are the recommendations supported by all stakeholders?

Lined area for answering question 8.

9. In the event that recommendations are not supported by all stakeholders what action is planned and by whom?

Lined area for answering question 9.

Endorsed By: (Service provider to add Position/Person that will authorise)

Name (please print)

Date

Signature

Name (please print)

Date

Signature

Policy 4: Financial Information Record

- 1. Background** Following the determination that a client needs support with the management of their funds, a transparent and accountable method for providing individual financial support will be determined.
- 2. Purpose and scope** The purpose of this policy is to set out specific procedures and performance standards in relation to developing a Financial Information Record for clients whose funds are managed by the service provider. This policy applies to all of the service providers programs and activities, where a client's money is managed.
- 3. Policy statement** The service provider is committed to ensuring that it has accountable and transparent procedure in place where it is managing client's money.
- 4. Procedure** The following procedures are to be implemented to ensure that the service provider meets its policy objective of accountable and transparent procedures in managing client funds:
1. All clients whose' money is managed by the service provider will have a Financial Information Record (Form 3: Financial Information Record).
 2. The Financial Information Record will be developed and reviewed by (insert person/role here) in collaboration with the client and any appropriate key stakeholders in the client's life (family, friends and advocates).
 3. The Financial Information Record will be kept secure with the clients other information.
 4. The Financial Information Record needs to be endorsed by senior management.
 5. Financial Information Records will be reviewed annually or earlier where significant changes in circumstances are identified.
- The Financial Information Record will include a section that defines what is paid for by the service provider and what is paid for by the client
- 5. Review of the Policy** This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

Form 3: Financial Information Record Form

1. Client details

This material is a guide only and you may wish to add additional details of the client's financial matters, life circumstances and future considerations. If there is not enough space provided please attach information to the back of this form.

Name: _____
 (Given Names) *(Surname)*

Date of Birth: _____ / _____ / _____

Address: _____

Telephone: _____

2. Details of the people involved in the completion of the record

Date Financial Information Record completed:

Financial Information Record completed by:

What other people have been involved in the development of this Financial Information Record?

3. Service Areas used by client:

4. What needs to be taken into account in this record so the person's lifestyle and standard of living and interests can continue or be improved? (E.g. Holidays, social recreational interests, employment, educational interest and other interests)

5. What legal issues relating to the persons finances or assets need to be considered and what is the service provider's involvement in these issues.

6. What formal arrangements exist for the person?

Social Security Nominee

Any Trust Arrangements

Power of Attorney and/or Enduring Power of Attorney

Guardianship or Administration Order

7. Are any professionals used to manage the person's finances?
(Accountants/solicitor)

8. Details of bank accounts and where they are held

Bank	Branch	Account No	Name on Account	Amount in Account

9. Debts and Liabilities

Who is owed money?	Due Date	Amount of Debt
Total		

10. Investments - Does the client have a large sum of money and who is responsible for investing these funds (Please describe the relationship between the person responsible and the client and state the authority that creates the responsibility)?

11. Budget

a. Income and sources of income

List Income Sources (Eg. Wages, pension, mobility allowance, investment income.)	After tax \$ per fortnight
Total	

ACROD WA CLIENT FUNDS MANUAL

b. Proposed expenditure

Select Wkly Mthly Qtly Yrly

Expense Items	Budgeted Expenditure \$
Taxation (provisional)	
Housing	
Mortgage Repayments	
Rent	
Council Rates	
Water Rates	
House & Contents Insurance	
Repairs & Maintenance	
Utilities	
Electricity	
Gas	
Telephone	
Travel Car	
Registration	
Insurance	
Maintenance	
Lease or Loan Payments	
Insurance	
Petrol	
Travel Other	
Trains/Bus Fares etc	
Personal	
Meals/Food	
Medical Health cover	
Loan/Credit card repayments	
Alcohol/Tobacco	
Entertainment/Gambling	
Clothing & Footwear	
Household furnishings	
Gifts B'days & donations	
Subscriptions	
Savings/Super/Insurance	
Care/Paid support expenses	
Medical consumables	
Hair/Beauty	
Child Support	
Specialist Medical Equipment	
Therapy/Counselling	
Recreational	
Holidays	
Regular Activities	
Educational	
Children	
Self/Partner	
Investment Expenses	
Any Other Expenses	
Total Expenditure	

Total Income and Total Expenditure

-

 =

Total Income **Total Expenditure** **Total Savings or Deficit**

c. Any deficit and a plan to overcome this? (This may include strategy to increase income or decrease expenditure.)

12. Is the client able to control any level of cash without supervision?
Please specify.

13. Below list what is paid for by the service provider and what needs to be paid for by the client.

14. Assets Register

<p>List Current Assets (Eg. House, contents, vehicle, jewellery, bank accounts, shares....)</p>	<p>Estimated Value \$ and/or sentimental value</p>
<p>Asset: Date Purchased: Location of the Asset:: Warranty details: Insurance Details: Details of Loss or Disposal of the Asset:</p> <p>Date reported:</p>	
<p>Asset: Date Purchased: Location of the Asset:: Warranty details: Insurance Details: Details of Loss or Disposal of the Asset:</p> <p>Date reported:</p>	
<p>Asset: Date Purchased: Location of the Asset:: Warranty details: Insurance Details: Details of Loss or Disposal of the Asset:</p> <p>Date reported:</p>	

ACROD WA CLIENT FUNDS MANUAL

<p>Asset: Date Purchased: Location of the Asset:: Warranty details: Insurance Details: Details of Loss or Disposal of the Asset:</p> <p>Date reported:</p>	
<p>Asset: Date Purchased: Location of the Asset:: Warranty details: Insurance Details: Details of Loss or Disposal of the Asset:</p> <p>Date reported:</p>	
<p>Asset: Date Purchased: Location of the Asset:: Warranty details: Insurance Details: Details of Loss or Disposal of the Asset:</p> <p>Date reported:</p>	
<p>Asset: Date Purchased: Location of the Asset:: Warranty details: Insurance Details: Details of Loss or Disposal of the Asset:</p> <p>Date reported::</p>	

ACROD WA CLIENT FUNDS MANUAL

Asset: Date Purchased: Location of the Asset:: Warranty details: Insurance Details: Details of Loss or Disposal of the Asset: Date reported:	
Asset: Date Purchased: Location of the Asset:: Warranty details: Insurance Details: Details of Loss or Disposal of the Asset: Date reported:	
Asset: Date Purchased: Location of the Asset:: Warranty details: Insurance Details: Details of Loss or Disposal of the Asset: Date reported:	
Total	

15. Do any assets require formal evaluation?

Policy 5: Financial Decision Making Guidelines

- 1. Background** A service provider should have a respectful, transparent and accountable method to guide staff and volunteers in making decisions about supporting a client to spend any of their finances. In maintaining this procedure, all staff members are expected to demonstrate a high level of ethical conduct in both their duty to the client and to the service provider. Staff operating at the direct “hands on” level with clients are in a privileged position of trust and need to be aware of the high degree of accountability they have to the individual and to the service provider for the security and protection of the clients’ finances.
- 2. Purpose and scope** The purpose of this policy is to set guidelines for financial decision making for clients of this service whose money is managed by the service provider. The scope of the policy includes all staff.
- 3. Policy statement** The service provider is committed to ensuring that it has accountable and transparent procedure in place when making financial decisions with or on behalf of a client.
- 4. Procedure** The following procedures are to be implemented to ensure that accountable and transparent procedures when making financial decisions with or on behalf of clients.
1. General Guidelines
- Empowerment of the person
Involve the client as much as practicable in any decisions related to using their finances. Just because the person cannot manage their affairs alone, it does not mean they do not have important contributions to make, especially about things that reflect their personal values, likes and dislikes. By consulting with the client, you can also enhance their feelings of dignity and the sense of retaining some control over their own affairs. Any financial decisions should consider the clients needs and be relevant and appropriate to these needs.
 - Consult with key stakeholders in the clients’ life, where appropriate
When appropriate consult with the clients’ family members, friends or other interested people involved in the clients’ life. They can provide insights or advice into the clients’ needs and preferences.

- Value for money

Any purchases should ensure value for money by providing at least two quotes, where appropriate.

- Financial circumstances of the client

When making financial decisions you must carefully consider the financial circumstances of the client and any expenditure should be appropriate to these circumstances.

2. Purchasing of Gifts

The service provider authorises (*insert person/role here*) to purchase gifts on a client's behalf for the client personally or for close friends and immediate members of the client's family, where appropriate. Other gifts should only be purchased in exceptional circumstances and only after obtaining consent from key stakeholders. Staff who do have the authority, should consider:

- the financial situation of the client;
- if the gift is one that the person might reasonably be expected to make? For example, birthday, wedding and Christmas gifts for relatives; and
- the value of the gift is appropriate to their circumstances, especially the client's financial position and cultural beliefs.

3. Making a donation

The service provider authorises only (*insert person/role here*) to make donations on a client's behalf, with the following guidelines to be considered. In general, donations should not be made on persons' behalf unless:

- the client can afford the donation; and
- evidence that the client wants to make the donation or would have wanted to make it, if they could still express a view (including whether the adult previously made donations to charities).

4. Discretionary Expenditure

In general, discretionary expenditure should not be made on a client's behalf unless:

- the client can afford the expenditure; and
- evidence that the client wants to make the expenditure or would have wanted to make it, if they could still express a view (including whether the adult previously made this type of expenditure in the past).

5. Purchasing of Prescribed Equipment

The service provider authorises only (insert person/role here) to make purchases of prescribed equipment on a client's behalf.

Staff who have the authority, should consider:

- whether the client can afford the equipment;
- evidence that the equipment will improve the clients quality of life; and
- no other avenue for funding the equipment is available or timely.

6. Joint Purchases

Before making any joint purchases for a single item, all parties involved, should agree upon future arrangements if circumstances change. One method of this in shared accommodation could be that all parties agree the joint purchase is for the homes general use and remains with the home should any of the parties move out.

5. Review of the Policy

This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly

Policy 6: Bank Accounts

- 1. Background** Following the determination that a client needs support with the management of their finances by a disability accommodation provider, the provider should have a transparent and accountable method to hold and account for a client's money. A bank account provides a method of acknowledging individuality and accountability.
- 2. Purpose and scope** The purpose of this policy is to set out specific procedures and performance standards in setting up bank accounts for clients whose funds are managed by the service provider.
- 3. Policy statement** The service provider is committed to ensuring that it has an accountable and safe procedure in place when providing bank accounts for client's money.
- 4. Procedure** The following procedures are to be implemented to ensure that the service provider meets its policy objective of having accountable and safe procedures in place when providing bank accounts for client's money.
1. All clients whose money is managed by the service provider will have a day to day bank account in which up to \$500 of their money is held.
 2. All clients' funds over \$500 will be held in a separate account that can only be accessed by at least 2 authorised senior management staff on behalf of the client.
 3. Any client's money will be accounted for separately. The bank account will be in (*insert clients name or organisations name so it is clear who owns the bank accounts e.g. Account name: Community Enterprise on behalf of Joe Citizen*).
 4. The bank account transactions will be reviewed regularly (*Service provider to insert specific time*).
 5. The bank account will require levels of authorisation to access the funds within the account. (*Organisation to insert the level of authorisation eg. at least two signatories, senior management approval for withdrawal of large sums of money*)
 6. All bank account documentation will be kept in a secure place.

7. Regular (*insert Specific time*) statements of an individuals account will be forwarded to the client and any key stakeholders as outlined in the individuals Financial Information Record.
8. All bank accounts should allow the client reasonable access to their funds.

5. Review of the Policy

This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

Policy 7 Safeguards

1. Background

A client can be extremely vulnerable to exploitation when another person manages their financial affairs. In addition, the service provider acknowledged the rights and responsibilities of people with disabilities and therefore ensures that the client takes as much responsibility for the management of their own financial affairs as possible. Therefore a delicate balance is required between being of assistance on the one hand and protecting the rights of the client on the other. In maintaining this procedure, all staff members are expected to demonstrate a high level of ethical conduct in both their duty to the client and to the service provider. Staff operating at the direct “hands on” level with clients are in a privileged position of trust and need to be aware of the high degree of accountability they have to the individual and to the service provider for the security and protection of the clients’ finances.

2. Purpose and scope

The purpose of this policy is to set out procedures to safeguard the finances for clients of this service whose money is managed by the service provider. The scope of the policy includes all staff in supporting clients whose money is managed by the service provider.

3. Policy statement

The service provider is committed to ensuring that the service provider has accountable and transparent procedure in place to safeguard the financial affairs of its vulnerable clients.

4. Procedure

The following procedures are to be implemented to ensure that the service provider meets its policy objective of accountable and transparent procedures to safeguard the financial affairs of its vulnerable clients.

1. Transparency

- All financial records and balances are to be available to the client or key representatives of the client on request.
- A monthly account record of the persons’ financial status should be provided to clients and their representatives.
- Any discrepancies in the day to day records expenditure of a client should be reported in writing to the organisations senior management. Any irregular or large discrepancies should be reported to the Board of Management who will

take the appropriate action.

2. Cash on Hand

- Cash on hand needs to be kept in a safe and secure place.
- One client's money is never to be used to buy items for others.
- Large sums of cash (greater than \$200), unless for specific purposes, should not be kept on hand.

3. Daily checking

- Cash on hand needs to be balanced daily by (*put in appropriate person*). Any discrepancies in the balance need to be reported to (*put in appropriate person*).

4. Conflicts between service provider, family and/or client;

All staff have the responsibility to bring to the attention of the (*service provider to insert the appropriate person*), should they consider that the client has any conflict with the service provider, family or others related to finances. In these cases consideration will be given to an application being made to the State Administrative Tribunal for a legally appointed administrator.

5. Seeking guardianship or administration order

All staff dealing with clients have the responsibility to bring to the attention of (*service provider puts in appropriate person*) should they consider that the clients needs have changed and they believe the client is at risk of financial exploitation. In these cases consideration will be given to an application being made to the State Administrative Tribunal for a legally appointed administrator.

6. Staff conduct in financial management

Staff members will:

- act honestly, with reasonable diligence;
- maintain clear and accurate records, including receipts, of all actions taken on the clients behalf;
- ensure that the client and/or their family, where appropriate, are included in the decision-making process;
- consider the client's cultural and religious values when making decisions;
- not give financial advice to any client or person involved with influencing a client;

- never borrow a client's money;
- not accept gifts from a client. (However if a situation arises that staff are offered gifts acceptance of the gift should be disclosed and approved by *(service provider puts in appropriate person)*);
- not profit from clients money;
- maintain absolute confidentiality in respect of client's funds and accounts;
- direct any inquiries by third party to *(service provider puts in appropriate person)*;
- not dispose of any clients' assets/possessions without permission from *(service provider puts in appropriate person)* and recording in the individuals' asset register;
- act within their authority and responsibly. Should a staff member act outside their authority or carry out their responsibilities negligently or illegally, they may be personally liable for losses; and
- report any situations where the client is at risk of financial abuse.

7. Protection of Losses

(Insert service provider's name) will make up any financial losses brought about as a result of negligent or illegal action by the service provider.

5. Review of the Policy

This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly

Policy 8: Future Planning

- 1. Background** Accommodation services may have a broad scope of influence in the life of the client's in their service. If a service provider has the responsibility for the financial needs of a person they have a duty to consider the client's current and future financial needs and aspirations.

- 2. Purpose and scope** The purpose of this policy is to set out procedures that ensure future Financial Information Record is managed by the service provider. The scope of the policy includes clients whose money is managed by the service provider.

- 3. Policy statement** The service provider is committed to ensuring that it has accountable and transparent procedures in place to allow for adequate Financial Information Record for the future of its clients.

- 4. Procedure** The following procedures are to be implemented to ensure that the service provider meets its policy objective of Financial Information Record for the future of its clients.
 1. Monitoring Financial Entitlements and Liabilities
The service provider will support the client to seek all relevant entitlements and liabilities. (*Insert position responsible*) will monitor any changes to current and any future financial entitlements and liabilities for clients including taxation, income, insurance and Centrelink benefits.
 2. Retirement
(*Insert senior position responsible*) will consider the retirement needs of a client, including the adequacy of any superannuation fund and any need to seek professional advice.
 3. Private Health Insurance
(*Insert position responsible*) will consider the adequacy of a clients cost of health care provision and consider the value of private health insurance.
 4. Wills and enduring powers of attorney
(*Insert position responsible*) will ensure all clients with the capacity to make a will and an enduring power of attorney are encouraged to do so.
 5. Funerals
(*Insert the persons' position responsible*) will consider the adequacy of a client's financial situation related to provisions of a funeral and the appropriateness of a funeral plan.

5. Review of the Policy

This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

Policy 9 Investments

- 1. Background** A service provider has the responsibility to ensure that any sums of money managed on behalf of a client will maximise the income the client can derive from their funds through astute investment with minimum risks.
- 2. Purpose and scope** The purpose of this policy is to set out procedures to maximise the income clients can derive from their funds through astute investment with minimum risks.
- 3. Policy statement** The service provider is committed to ensuring that it maximises the income clients can derive from their funds through astute investment with minimum risks.
- 4. Procedure** The following procedures are to be implemented to ensure that the service provider meets its policy objective of maximising the income clients can derive from their funds through astute investment with minimum risks.
1. Investment of surplus funds
All funds (up to \$20,000) surplus to the annual costs of living for individuals be astutely invested by senior management, to maximise the income of clients with minimum risk.
 2. Astute Investments
Investments that might reasonably be considered appropriate include:
 - any public funds or Government stock or Government securities of the Commonwealth or any State;
 - any debentures or securities guaranteed by the government of Western Australia;
 - any debentures or securities:
 - issued by a public or local authority, or a statutory body representing the Crown, constituted by or under any law of the Commonwealth, or of any State or Territory and
 - guaranteed by the Commonwealth, any State or the Northern Territory,
 - any debentures or securities issued by the Northern Territory and guaranteed by the Commonwealth;
 - interest-bearing deposits in a bank; and
 - any deposit with, withdrawable shares in, or loan of money to, an authorised deposit-taking institution.”

3. Investment Advice

For clients funds (over the amount of \$20,000), the service providers senior management should obtain independent and impartial advice reasonably required for the investment of the adult's funds from a person who is licensed to give such advice.

If this advice is obtained it must be considered and recorded (particularly in terms of whether and why the advice is used or not used).

4. Reviewing investments

The service provider is required to review the performance of the investments at least once a year. It might be expected that any investment that any investment would at least attract bank interest over the previous 12 months. If this has not occurred and funds are not being transferred to a better performing investment, documentation should be created to record reasoning for that decision.

5. Review of the Policy

This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

Policy 10 Recording and Reporting Requirements

- 1. Background** As a result of the position of trust held by disability service providers as manager of client funds, the service provider is required to maintain records in relation to the funds. Further, the service provider is required to disclose this information to the client. It may sometimes be necessary to disclose information to key stakeholders. The disability service provider must ensure that it complies with privacy obligations in reporting financial information to third parties.
- 2. Purpose and scope** The purpose of this policy is to set out procedures for accounting and reporting with respect to the finances of clients whose money is managed by the service provider.
- 3. Policy statement** The service provider is committed to ensuring that the service provider has accountable and transparent procedures for keeping records and reporting on the financial affairs of its clients.
- 4. Procedure** The following procedures are to be implemented to ensure that the service provider meets its policy objective with respect to keeping records and reporting in relation to client's funds.
1. Record Keeping
 - All financial transactions including bank account deposits, withdrawals, purchases and cash on hand need to be recorded (*Service provider to specify where it is recorded*).
 - A separate record needs to be kept for each client's funds.
 - Receipts need to be provided for all purchases where receipts are available.
 - Purchases where receipts are unable to be obtained need to be verified by filling in a purchase slip and signed by two people who can verify the purchase (i.e. by citing the goods).
 - All finances should be reconciled and audited annually by an independent auditor.
 - The Information Privacy Principles must be complied with at all times.
 2. Internal Reporting
 - All financial accounts in relation to client funds are to be recorded by (*Service provider to specify position responsible for recording client fund information*).

- *(Service provider to specify position responsible for recording client fund information)* is to report the information to *(Service provider to specify position of superior to which client fund information is to be reported)* on a monthly basis.
- All finances should be reconciled and audited annually by an independent auditor.
- 3. External reporting
 - All client fund information should be reported to the client on a monthly basis, if the service provider, in conjunction with the client and key stakeholders, determines that the client has the capacity to understand the information and the need to keep the information confidential.
 - All client fund information should be reported to the key stakeholders (i.e. family, friend, guardian, administrator, donee of a power of attorney) on a monthly basis, if each the key stakeholder is an appointor, guardian, power of attorney or parent of the client.
 - If any other third party asks to be provided with information concerning the funds of the client, the request must be reported to *(Service provider to specify position)* and *(Service provider to specify position)* is to determine whether:
 - the information is to be provided;
 - the request is to be refused; or
 - the issue is to be referred to the State Administrative Tribunal.

5. Review of the Policy

This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

Policy 11 Complaint handling procedures

- 1. Background** Clients and key stakeholders associated with a client may have concerns about the way in which the service provider is managing the client's funds. The service provider should have in place a transparent procedure for managing any complaints that arise.
- 2. Purpose and scope** The purpose of this policy is to set out procedures for managing complaints arising from the management of client funds by the service provider.
- 3. Policy statement** The service provider is committed to ensuring that the service provider has transparent procedures in place for handling complaints regarding its management of the funds of its clients to ensure the client is not penalised as a result of a complaint being made.
- 4. Procedure** The following procedures are to be implemented to ensure that the service provider meets its policy objective with respect to handling complaints.
1. Complaints will be accepted in writing or orally. Oral complaints must be confirmed in writing by (*service provider insert person responsible*).
 2. The service provider will attempt to resolve the complaint within 14 days of the complaint being received.
 3. To ensure confidentiality with respect to the complaint, the service provider will comply with the Information Privacy Principles.
 4. The service provider will have an internal procedure that identifies the individuals within the organisation responsible for handling complaints and the level of the individual within the organisation with respect to complaint handling.
 5. The service provider will provide the complainant with a list of the external avenues for complaint that may be available to the complainant (such as the Disability Services Commission and the State Administrative Tribunal).
 6. The service provider will ensure that a client is not penalised if a complaint is made with respect to that client.
- 5. Review of the Policy** This policy will be reviewed on a two yearly basis. However, if at any time the legislative, policy or funding environment is so altered that the policy is no longer appropriate in its current form, the policy will be reviewed immediately and amended accordingly.

Form 4: Complaint Form – Client Funds

1. Details of the client

Name: _____ <i>(Given Names)</i> <i>(Surname)</i>
Date of Birth: ____ / ____ / ____
Address: _____ _____ _____
Telephone: _____

2. Details of the complainant

Name: _____ <i>(Given Names)</i> <i>(Surname)</i>
Relationship to client: _____
Address: _____ _____ _____
Telephone: _____

3. Complaint

Description of complaint:

4. Desired outcome

Description of outcome desired:

Date complaint lodged: _____

Form 5: Complaint Outcome Form – Client Funds

1. Outcome of complaint

Resolved	<input type="checkbox"/>
Partly resolved	<input type="checkbox"/>
Unresolved	<input type="checkbox"/>
Withdrawn	<input type="checkbox"/>
Referred to an external avenue	<input type="checkbox"/>

2. Complainant response to the complaint handling procedure

Satisfied	<input type="checkbox"/>	Dissatisfied	<input type="checkbox"/>
-----------	--------------------------	--------------	--------------------------

3. Complainant response to the complaint outcome

Satisfied	<input type="checkbox"/>	Dissatisfied	<input type="checkbox"/>
-----------	--------------------------	--------------	--------------------------

4. Remedial action

<p>Description of actions taken to resolve the complaint</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

5. Was the complainant advised of external complaint handling avenues?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
-----	--------------------------	----	--------------------------

Date of document: _____

Section 3

Relevant Legislation
&
Useful Contacts

Relevant WA Legislation

Guardianship and Administration Act 1990
Public Trustee Act 1941
Health Services (Conciliation and Review) Act 1995
Disability Services Act 1993
Privacy Act 1988
Trustee Act 1962
Fiduciary obligations arising under the common law
Duty of Care

Useful Contacts

Office of the Public Advocate
Level 1 Hyatt Centre
30 Terrace Rd
East Perth WA 6004
Ph 08 92787333
Country Free Call 1800807437
Email opa@justice.wa.gov.au
Internet www.justice.wa.gov.au

Disability Discrimination Unit
29 Sussex St
East Victoria Park 6981
9470 2676

State Administrative Tribunal Board
Level 4
12 St Georges Terrace
Perth WA 6000
Ph 08 9219 3111
Country Free Call 1300 306 017
Email gab@justice.wa.gov.au
Internet www.justice.wa.gov.au

People with Disabilities Inc.
Oasis Lotteries House
37 Hampden Road
Nedlands 6009
Ph 9386 6477
Email info@pwdwa.org

ACROD WA Division
Unit 1, 59 Walters Drive
Osborne Park 6916
Ph 08 9242 5544
Email acrodwa@acrod.org.au
Internet www.acrod.org.au

Section 4

Appendix

Appendix 1: Literature Reviewed

Literature	<p>People with Disabilities (WA) Inc, (2004). People with Disabilities: A Legal Information Manual for Western Australians</p> <p>Villamanta Publishing (1997) Money for Life; A guide to Financial Management Options for Older People and People with Disabilities</p> <p>The Office of the Public Advocate of Western Australia (2004) Guide for Service Providers 4th Edition</p> <p>Guardianship and Administration Board and The Office of the Public Advocate WA (2004) Private Administrators' Guide</p> <p>The Office of the Public Advocate WA (1999) Safeguarding the Financial Interests of Vulnerable Seniors: A Research Project by the Office of Public Advocate.</p> <p>Office of the Public Advocate for people with decision-making disabilities WA Information Sheets</p> <p>The Public Trustee of Queensland (2001) A Guide for Financial Administrators (Website)</p>
Service Providers Policies	<p>Human Services Victoria (July 1998) Client Expenditure Recording System – Policy and Procedures Manual (Website)</p> <p>Nulsen Haven Association Expenditure Guidelines Nulsen Haven Policy Manual</p> <p>Cerebral Palsy Association Financial Procedures – Residential Services for Adults</p> <p>SENSES Foundation (Inc.) Management of Clients' Funds</p> <p>Adventist Special Families (2000) Residents Funds Policy</p> <p>i.d.entity.wa (2001) Residents' Trust Bank Accounts Policy</p>