

PWYLLGOR CRONFA ELUSENNOL CHARITABLE FUNDS COMMITTEE

DYDDIAD Y CYFARFOD: DATE OF MEETING:	27 September 2021
TEITL YR ADRODDIAD: TITLE OF REPORT:	Review of Charitable Funds Expenditure Eligibility Criteria
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Mandy Rayani, Director of Nursing, Quality and Patient Experience
SWYDDOG ADRODD: REPORTING OFFICER:	Nicola Llewelyn, Head of Hywel Dda Health Charities

Pwrpas yr Adroddiad (dewiswch fel yn addas)

Purpose of the Report (select as appropriate)

Ar Gyfer Penderfyniad/For Decision

ADRODDIAD SCAA

SBAR REPORT

Sefyllfa / Situation

The purpose of this report is to propose amendments to the Hywel Dda Health Charities' charitable funds expenditure eligibility criteria.

The Charitable Funds Committee (CFC) is requested to consider and approve the proposed amendments outlined within this report.

Cefndir / Background

The Trust Deed of Hywel Dda Health Charities sets out the following charitable objects:

The trustee shall hold the trust fund upon trust to apply the income, and at its discretion, so far as may be permissible, the capital, for all or any charitable purpose or purposes relating to the National Health Service.

The charity delivers its charitable objects through the provision of grants to support and enhance the NHS services provided by Hywel Dda University Health Board (HDdUHB). Grants are awarded using robust procedures to ensure that charitable income is spent within the charity's objects and carried out for the public benefit.

The purpose of the Hywel Dda Health Charities' charitable funds expenditure eligibility criteria is to provide charitable funds approvers and HDdUHB staff with guidance on the type of charitable expenditure that the charity is able to support, in line with the charity's objects and the Charity Commission guidance for NHS charities.

Asesiad / Assessment

An objective of the Hywel Dda Health Charities' planning objective 2E is to review charitable funds expenditure guidance for staff and fund approvers. As the current version of the Hywel Dda Health Charities' charitable funds expenditure eligibility criteria was last reviewed in March 2018, it is therefore considered timely that a review is undertaken of the charitable funds expenditure eligibility criteria.

The proposed amendments to the eligibility criteria are being made in line with the charity's charitable objects and guidance for NHS charities from the Charity Commission and NHS Charities Together, the national umbrella body for NHS charities.

The eligibility criteria provides charitable funds approvers and HDdUHB staff with guidance on the type of charitable expenditure that the charity is able to support, to ensure that all expenditure is in line with the charity's objects and carried out for the public benefit.

Although the intended beneficiaries of NHS charities are NHS patients, NHS charitable funds can be applied for the benefit of NHS staff "so long as a direct benefit to staff translates demonstrably to relief of sickness of NHS patients". The proposed amendments to the eligibility criteria provide clarification on what is considered eligible and ineligible expenditure relating to staff benefit to ensure that the intended charitable outcome is not too remote from the immediate and direct effect of the expenditure on NHS patients.

Items that CAN be funded by charitable funds	Items NOT to be funded by charitable funds
1. Equipment & Consumables	
Medical and surgical equipment and its maintenance for NHS patient care, education and research. <i>Confirmation on how any running costs associated with the equipment will be met must be in place prior to purchase.</i>	Medical and surgical equipment and its maintenance for private patient care unless such use is incidental to its main NHS use (i.e. less than 2% of total activity).
Medical and surgical consumables for new charitable equipment when ordered together. Incidental 'start up' stock to constitute no more than the first year's supply.	Ongoing medical and surgical consumables (e.g. dressings, implants, cannulae, hypodermic syringes, needles).
Furniture, fixtures and fittings for use in clinical areas by patients, visitors, relatives or staff (e.g. beds, chairs, treatment couches, bedside lockers, artwork , curtains) that create more welcoming and comfortable surroundings.	Furniture, fixtures and fittings for use in non-clinical areas by staff (e.g. offices, staff accommodation) unless forming part of a charitably funded service or building/refurbishment project, when incidental to total spend is less than 5%.
Computer equipment and software for use where used in direct patient care (e.g. attached to radiography equipment, tablet computers for use in direct diagnosis or care and communication).	Computer equipment and software where used in administrative and support roles (e.g. patient administration or business support).
	Office equipment and materials for use in administrative and support roles (e.g. stationery, filing cabinets, notes trolleys).
	Health and safety items (e.g. antibacterial gels, cleaning products/equipment, access equipment, industrial dishwashers).
Fans and air conditioning units for patient care, support and office areas.	Fans and air conditioning units in support and office areas. Portable heaters.
	Staff communication and navigation equipment (e.g. phones , mobile phones)

	and chargers, satellite navigation systems).
Books, educational DVDs, posters, leaflets, information screens for patient care.	
Items that CAN be funded by charitable funds	Items NOT to be funded by charitable funds
2. Education & Training	
<i>All charitable funds requests must comply with the UHB's Learning & Development Policy Applications for Study leave or higher award requests must be made for all education and training prior to the submission of a charitable funds application</i>	
Education and training (courses and conferences), over and above that provided by the NHS which will improve staff knowledge and performance in their roles within the NHS. Where no NHS resources are available, 100% of fees and associated costs can be funded in line with NHS subsistence rates.	Statutory, mandatory or essential education and training (e.g. required by law or identified as necessary for staff to undertake their roles within the NHS or required for maintenance of professional registration). Backfill for staff attending education and training programmes.
Higher award and academic studies for which significant benefit to the UHB can be quantified through training and development objectives. All applications will be referred to the Charitable Funds Operations Sub-Committee for consideration on a case by case basis.	Education and training (courses and conferences) defined as 'Continuing Development 2' in the UHB's Learning and Development Policy, which is not normally supported by the UHB. Backfill for staff attending education and training programmes.
Running costs associated with internally or externally run courses or conferences (including team skills development days) which are linked to identified education and training needs. E.g. speaker fees, room/ equipment hire, refreshments, honorariums, visiting speakers' accommodation.	Alcohol for course refreshments. Honorariums above and beyond out of pocket expenses, in line with Her Majesty's Revenue and Customs (HMRC) guidelines. Team building days/time out not linked to identified education and training needs.
Overseas courses and conferences where there is clear patient benefit and no UK provision available within 12 months. Maximum of 75% of all reasonable costs, in line with NHS subsistence rates. Accommodation for a maximum of 1 night before and 1 night after the event.	Cost of accompanying family members. <i>Requests for overseas courses and conferences must be received at least 3 months in advance and will be referred to the Charitable Funds Operations Sub-Committee for consideration.</i>
Library facilities and resources.	Requests which have not received study leave or higher award approval from the Learning and Development Department prior to the submission of a charitable funds application.
	Requests which have not complied with the UHB's Learning and Development Policy. or received the relevant approvals.
	Applications for education and training which has already taken place.

Items that CAN be funded by charitable funds	Items NOT to be funded by charitable funds
3. Patient Welfare	
Items that offer additional comforts to make time spent in hospital more comfortable (e.g. arts and crafts materials, children's themed duvet covers, themed curtains, patient library facilities, radios).	
Furniture, fixtures and fittings in patient or family/visitor rest areas.	
Additional snacks where there is a clear clinical need (e.g. for chemotherapy patients).	Tea, coffee, water, water coolers (adequate patient hydration is a mandatory requirement in the NHS).
Christmas extras for ward areas, gifts of nominal value (£5 each or less) for those inpatients in hospital on Christmas Day. <i>Allocation of Christmas monies is coordinated centrally on an annual basis.</i>	Gifts or Distributions of money to patients at any time. All presents patient gifts at Christmas must be non-monetary.
4. Staff Benefit	
Tax implications can arise from staff benefits, tax advice should be sought if considered necessary.	
Refurbishment works or furniture, fixtures and fittings for indoor and outdoor staff rest areas or accommodation , where charitable monies have been specifically raised for such projects or which would result in an improvement in staff welfare facilities where such enhancements would not normally be funded by NHS resources.	Furniture, fixtures and fittings for use in non-clinical areas by staff (e.g. offices) staff accommodation) unless forming part of a charitably funded service or building/refurbishment project. when incidental to total spend is less than 5%.
Books, educational DVDs, posters, leaflets, information screens for patient care or education of staff or staff welfare and wellbeing .	Televisions, Games or other entertainment for staff (e.g. gaming equipment).
Initiatives that promote staff wellbeing which demonstrate a clear improvement in the wellbeing of staff that translate to improved care to patients.	Staff celebrations or parties (including weddings, special birthdays or retirements). Gifts for staff including flowers, monetary and non-monetary gifts .
Ward and departmental subscriptions to clinical journals where such journals are not available from the local staff library.	Personal subscriptions/memberships and professional insurance fees. (can be offset against personal additional taxable income).
	Regulation staff uniforms, protective clothing, theatre shoes, non-static shoes, staff lockers. Including team fleeces or hoodies.

Items that <u>CAN</u> be funded by charitable funds	Items <u>NOT</u> to be funded by charitable funds
5. Building, Refurbishment & Environment	
Building and/or refurbishment works that create more welcoming and comfortable surroundings for patients, services users, visitors and staff. where charitable monies have been specifically raised for such projects. where no NHS exchequer resources are available and will not be available for at least 5 years.	Planned preventative maintenance or maintenance repair works (building and engineering).
Building and/or refurbishment works where no NHS exchequer resources are available and will not be available for at least 5 years.	Health and safety expenditure consequent upon charitably funded works (e.g. safe asbestos removal).
	Upgrading/replacement of existing infrastructure or fixed plant (e.g. boilers, central switchgear) unless consequent on a charitably funded scheme. Where absolutely required and where no NHS exchequer funds are available, charitable funding of such works should never exceed 20% of total scheme cost.
6. Research & Development	
Non-commercial medical research with direct benefits to NHS patients where ethical approval has already been granted and no other source of funding exists.	Commercial research or non-medical research.
Research where clear public/patient benefit potential is anticipated and where the results will be made publicly available. Funding will generally be limited to the balances in those funds that are raised and held specifically for purposes of research.	Research where the charity or UHB is unable to secure the intellectual property or other rights if the research is successful.
7. Other	
Staff posts for a limited time period (maximum of three years) where no other source of funding exists. E.g. projects piloting new models of care or part of a wider service development offering the most effective use of the funds available. Applications must outline the benefits to patients and the wider NHS and include a detailed exit strategy.	Recurring staff posts, except for situations where the role is undertaken exclusively for the benefit of the charity, i.e. fundraising staff funded from investment income.
Healthy living and health promotion initiatives.	

Argymhelliad / Recommendation

The Charitable Funds Committee is requested to consider and approve the proposed amendments to the Hywel Dda Health Charities' charitable funds expenditure eligibility criteria outlined within this report.

Amcanion: (rhaid cwblhau) Objectives: (must be completed)	
Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	4.2 To devise, implement and approve appropriate procedures and policies to ensure that fundraising and accounting systems are robust, donations are received and coded as instructed and that all expenditure is reasonable, clinically and ethically appropriate.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not applicable
Safon(au) Gofal ac Iechyd: Health and Care Standard(s):	Governance, Leadership and Accountability
Amcanion Strategol y BIP: UHB Strategic Objectives:	Not Applicable
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2018-2019	10. Not Applicable

Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	Requests for charitable funds expenditure Charitable Funds Financial Administration and Governance Procedure Charitable Funds Committee Terms of Reference Charitable Funds Sub-Committee Terms of Reference
Rhestr Termiau: Glossary of Terms:	Included within the main body of the report
Partion / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Cronfa Elusennol: Parties / Committees consulted prior to Charitable Funds Committee:	Senior Finance Business Partner (Accounting & Statutory and Reporting) Finance Business Partner (Accounting & Statutory and Reporting) Assistant Director of Organisation Development Head of Workforce Education and Development Digital Director Head of Digital Operations Deputy Director of Operations Head of Clinical Engineering

	Director of Estates, Facilities and Capital Management Compliance and Tax Accountant Assistant Director of Nursing Assistant Director of Nursing, Mental Health and Learning Disabilities Head of Community Nursing – Ceredigion Fundraising Manager
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Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Arian: Financial / Service:	The recommendations within this report should lead to more effective processes around the approval and expenditure of HDdUHB's charitable funds.
Ansawdd / Gofal Claf: Quality / Patient Care:	The recommendations within this report should lead to more effective processes around the approval and expenditure of HDdUHB's charitable funds which in turn should have a positive impact on the experience of our patients, service users and staff.
Gweithlu: Workforce:	There should be no workforce impacts from the implementation of the recommendations within this report.
Risg: Risk:	Breach of the Charitable Funds Financial Administration and Governance Procedure if the charitable funds expenditure eligibility criteria is not adhered to.
Cyfreithiol: Legal:	Breach of the Charitable Funds Financial Administration and Governance Procedure if the charitable funds expenditure eligibility criteria is not adhered to.
Enw Da: Reputational:	Reputational risk if associated with charitable expenditure that is not considered appropriate.
Gyfrinachedd: Privacy:	Not applicable.
Cydraddoldeb: Equality:	No EqIA is considered necessary for a paper of this type.