

Guidelines on Handling Resident's Possessions in Residential Care Homes for the Elderly

Operators and home managers of residential care homes for the elderly (RCHEs) shall strictly adhere to paragraphs 8.3 and 8.4 of Chapter 8 in the Code of Practice for Residential Care Homes (Elderly Persons) and the following guidelines on handling residents' possessions –

- (1) Under section 16 of the Residential Care Homes (Elderly Persons) Regulation, RCHEs shall maintain a record of every resident, including possessions or property stored or held on behalf of each resident, such as identity document(s), travel document(s), bank passbook(s), automated teller machine (ATM) card(s), name stamp(s), pocket money, medical follow-up card(s), Certificate(s) for Waiver of Medical Charges, Senior Citizen Card(s), etc. Written consent and authorisation from the residents and their guardians/guarantors/family members/relatives shall be obtained on admission or when necessary. RCHEs shall establish and maintain a comprehensive and regularly updated record system and keeping the records properly in the RCHEs for the inspection of the Licensing Office of Residential Care Homes for the Elderly (LORCHE) at any time.
- (2) An RCHE should clearly count and keep proper record of the possessions under its custody during admission.
- (3) Unless the RCHE has obtained written consent and authorisation from the resident and his/her guardians/guarantors/family members/relatives, the operator and staff of the RCHE should not take the initiative to handle the personal financial matters of residents such as paying the home fees. It is even prohibited to use or withdraw money from the bank accounts of residents for paying the home fees and other charges. The RCHE shall also establish and execute a proper monitoring mechanism in order to avoid dispute and misuse of money in residents' bank accounts (please refer to (4) below for the monitoring mechanism).
- (4) In order to avoid dispute and misuse of money in residents' bank accounts, an RCHE shall establish and execute the following monitoring mechanism:
 - (a) If the resident is of a good mental state, clear about his/her own financial conditions and capable of managing personal financial matters, subject to his/her willingness, the resident may appoint the RCHE to withdraw bank savings to pay the home fees and other charges on his/her behalf, while the RCHE shall keep a clear record of the authorisation. The letter of authorisation shall be jointly signed by the resident, staff concerned of the RCHE and the witness (who should be the resident's guarantors/family members/relatives, if any). The RCHE should formulate guidelines and operational procedures as appropriate, including keeping a complete and up-to-date record by a designated management/supervisory staff member. The RCHE shall also establish and strictly execute a proper monitoring mechanism; the accounts, bills, receipts, etc. are to be checked by

the home operator regularly. These records and accounts shall be made available for inspection at any time by the residents, family members, inspectors of LORCHE, the caseworker and staff concerned of the Social Welfare Department.

- (b) If the guardians/guarantors/family members/relatives, who are responsible for handling the personal financial matters of the residents, are not able to pay the home fees in person for any reasons (the resident shall be of a good mental state), they may sign a letter of authorisation to appoint any person who is trusted or the RCHE to handle the matters on their behalf. If the RCHE is entrusted, the RCHE is obliged to execute the appointment procedure and monitoring mechanism as mentioned in (a) above. The letter of authorisation shall be jointly signed by the resident, the resident's guardians/guarantors/family members/relatives, the staff concerned of the RCHE and a witness.
 - (c) If the resident is certified by a registered medical practitioner as incapable of managing personal financial matters, the operator and staff of the RCHE are strictly prohibited to withdraw any bank savings to pay the home fees and other charges on behalf of the resident. The RCHE should request the resident's guardians/guarantors/family members/relatives or the caseworker to arrange for an appointee to handle matters relating to the home fees and other charges.
- (5) RCHEs should refer to the chapter on "Basic Knowledge on Elder Abuse" in the Procedural Guidelines for Handling Elder Abuse Cases (the latest revised version) issued by the SWD to protect residents from financial abuse. RCHEs should also refer to paragraph 8.9 "Prevention of Elder Abuse" of Chapter 8 in the Code of Practice for Residential Care Homes (Elderly Persons) to protect residents from abuse.