

Justice Health NSW Policy

Justice Health and
Forensic Mental Health Network



Patient Purchases and Property

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Patient Purchases and Property – Forensic Hospital

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Risk Rating

Summary This policy provides guidance on the procedures to be followed by managers, clinicians and administrative staff when assisting patients in the Forensic Hospital to purchase personal property items. Financial and accounting requirements are also detailed and the clinical context for patient engagement in the process is the Rehabilitation Framework.

Responsible Officer Executive Director Clinical Operations

Applies to

- ☒ Administration Centres
- ☐ Community Sites and programs
- ☐ Health Centres - Adult Correctional Centres or Police Cells
- ☐ Health Centres - Youth Justice Centres
- ☐ Long Bay Hospital
- ☒ Forensic Hospital

Other:

CM Reference POLJH/2122

Change summary

- Patient Accounting and Costing Officer (PA&CO) - role is now Patient Fee and Trust Accounting Officer.
- EDCS no longer changed to Chief Financial Officer
- Cash in no longer available post June 23
- Procedure Manuals have been rescinded
- Hyperlinks have been updated

Authorised by Chair, Policy Steering Committee

Revision History

#	Issue Date	Number and Name	Change Summary
1	September 2016	DG66046/16	

2	January 2019	DG106/19	
3	June 2023	DG37137/23	

PRINT WARNING

Printed copies of this document, or parts thereof, must not be relied on as a current reference document. Always refer to the electronic copy for the latest version.

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2.Preface

This policy guides managers, clinicians and administrative staff on the procedures to be followed when assisting patients in the Forensic Hospital to purchase personal property items. Financial and accounting requirements are also detailed and the clinical context for patient engagement in the process is the Rehabilitation Framework.

3.Policy Content

3.1 Mandatory Requirements

The policy must be implemented in conjunction with Justice Health and Forensic Mental Health Network (Justice Health NSW) policies [2.126 Patient Purchasing Cards – Forensic Hospital](#), [2.124 Patient Trust Accounts](#).

All withdrawal transactions must be authorised in accordance with Justice Health NSW policy [2.022 Delegations Authority](#). Limits set must not be circumvented using multiple transactions for the same patient or purpose.

In accordance with NSW Ministry of Health (Ministry) [PD2015_049 NSW Health Code of Conduct](#), Justice Health NSW policy [2.010 Code of Conduct](#) and [2.124 Patient Trust Accounts](#), staff must report all breaches of policy, especially known or suspected fraud or misconduct immediately to their line manager, who must notify the Director of Nursing and Services Forensic Hospital (DNS) who must then report to the Chief Financial Officer (CFO) or Financial Accountant.

Finance-Patient Accounts has a duty of care to ensure the management and use of patient trust funds is conducted with appropriate governance. Where Finance-Patient Accounts deems trust funds are at risk of known or suspected fraud or misuse including, but not limited to, a purpose other than the specified and authorised purpose or for a purpose that is not in the best interest of a patient, FinancePatient Accounts must withhold trust funds until the matter is investigated and resolved.

In accordance with policy [2.010 Code of Conduct](#), only authorised staff are permitted to assist patients with their finances. Authorised staff are: Patient Fee and Trust Accounting Officer (Patient Fee and Trust Accounting Officer Finance staff, Allied Health staff, authorized ward clerks and staff authorised in writing by the DNS and Chief Financial Officer for a specific purpose.

Where a patient has a Financial Manager, apart from in-hospital transactions, withdrawals must be authorised in writing by the patient's Financial Manager. A Financial Manager's authorisation is not captured on patient trust account forms. Social Work is responsible for obtaining written authorisation directly from a Financial Manager and providing the Financial Manager's authorisation to FinancePatient Accounts.

Staff must not benefit or gain from transactions made on behalf of a patient including, but not limited to, seeking and/or accepting points for any banking, flybuys, discount petrol dockets or merchant loyalty/reward schemes in accordance with Ministry [PD2022_020 NSW Health Procurement](#).

3.2 Rehabilitation Framework

The process of selecting and making purchases and managing their income should be an intrinsic part of a patient's holistic, psychosocial program, communicating positive expectations and resulting in skills development and enhanced sense of self.

In accordance with the principles detailed in the [National Standards for Mental Health Services](#) and the [National framework for recovery-oriented mental health services](#) (August 2013), patients should be involved in their purchases in the least restrictive manner possible, subject to the limits imposed by their institutionalisation and current mental state. The management of patient finances should operate within the paradigm of recovery-oriented practice whereby:

- The overarching principle is the promotion of hope, optimism, self-determination, selfmanagement, empowerment and advocacy.
- A key determinant is the patient's right to the greatest possible degree of inclusion and decision- making.
- The patient's inherent strengths and capacity are utilised to promote autonomy and personal responsibility.

3.3 Implementation

The Patient

All trust account withdrawals require a patient's authorisation. Where this cannot be obtained because a patient is physically/mentally unwell or is in seclusion, the Nursing Unit Manager (NUM) as a Delegated Authority can authorise the transaction on behalf of a patient where the purchase is being made in the best interest of the patient.

Authorised Staff are responsible for:

- ensuring they have read, are familiar with and facilitate financial transactions in accordance with all Ministry and Justice Health NSW policies and Legislation and Related Documents;
- ensuring, where applicable, that the multidisciplinary team (MDT) has approved a transaction; and
- escalating policy and operational risks to their line manager, Finance Accountant or Chief Financial Officer (CFO).

Multidisciplinary Team (MDT)

Some withdrawals require authorisation from the MDT. Patient trust account forms indicate where this is the case. The Authorised Staff conducting the transaction are responsible for ensuring the MDT has authorised the transaction.

Delegations Authority

All transactions must be authorised in accordance with section [7.3 Patient Trust Funds](#) of Justice Health NSW policy [2.022 Delegations Authority](#).

Manager Allied Health (MAH) is responsible for:

- addressing staff breaches in policy and procedures and escalating where necessary.

3.4 Procedure Content

3.4.1 Property Provided Free of Charge by Justice Health NSW

Basic items such as toothbrushes, dental floss, shampoo and sunscreen may be supplied to patients free of charge by Justice Health NSW

3.4.2 Purchases Managed by Authorised Ward Clerks

3.4.2.1 Mandatory Requirements

- The FH Ward Clerks are the FH employees currently authorised to operate Patient Purchasing Cards (PP Cards) and must manage all patient purchases in accordance with legislation, Ministry policy and Justice Health NSW policy, in particular Justice Health NSW policy [2.126 Patient Purchasing Cards](#).
- Expenditure from a patient's FH trust account must be approved in accordance with Justice Health NSW policy [2.022 Delegations Authority](#).
- Documents generated for the purpose of managing PP Cards and conducting transactions must be captured, managed, retained and destroyed.
- Lost or stolen PP Cards or personal identification numbers (PINs) must be reported immediately to the Ward Clerk's line manager and CFO or Financial Accountant.
- PP Cards must not be used to purchase items prohibited in the FH. [Refer to [Procedure 9.014](#) Prohibited and Controlled Items – FH.]
- PP Cards must not be used for any unlawful purpose, including the purchase of goods or services prohibited by Australian law.
- Withdrawing cash from a PP Card is prohibited.

3.4.2.2 Procedure

As soon as possible after admission, the patient should be assessed for placement on the list of approved purchasers (the Patient Shopping List) by the MDT during the Clinical Review meeting. Patients should be referred to the MDT in the following circumstances:

- if the patient does not have a Primary Carer or a person capable or suitably responsible to purchase items on the patients behalf by way of Patient Trust Funds; or
- the decision by the MDT can be referred to the DNS for consideration and determination
- if the patient has family and carer involvement but is at risk of exploitation by this person or persons; or
- if the carer or family is at risk of exploitation by the patient, as this inhibits the patient's learning to take responsibility to manage their finances; and/or
- at the patient's request.

The MDT Clinical Review Meeting should assess and if appropriate, approve the patient for inclusion on the Patient Shopping List, with restrictions on some purchases, if necessary.

1. Areas for consideration to determine whether any restrictions should apply include:
 - historical and current risk factors,
 - record of compliance under unit conditions,
 - current mental state,
 - cognitive strengths and limitations,
 - any patient-specific issues.

The discussion and outcome must be documented in the patient's health record and Treatment and Management Plan (TPRIM). The NUM/NiC should notify the Ward Clerk of the decision to grant approval.

The patient and the allocated nurse (AN) negotiate the number, type and appropriateness of items to be purchased. The patient lists the type of essential items they would like to purchase and gives the list to their allocated nurse - *no catalogues*

Essential items Clothing

- Casual
- Underwear/socks
- Sleepwear
- Wet weather/seasonal
- Footwear

Accessories

- Electrical
- Music/audio
- Religious/cultural/educational resources

Ward Clerk (Purchasing Facilitator) or the ward MHCW prints examples of the items – maximum of 5 items from the approved vendors listed below: ***chosen because of the integrity of the website***

- Rebel
- Myer
- Big W
- Lowes
- Shaver Shop
- Angus and Robertson
- JB Hi Fi

If the item is not a listed essential item or is only available from a non-listed vendor, the request must be forwarded to the Director of Nursing for consideration and determination.

2. The Allocated Nurse and/or MHCW then meets with the patient and the NUM/NiC, and the patient selects the purchases, which are then documented on a Patient Trust Accounts Essential Property Items form ([FIN453](#)). The Ward Clerk is responsible for ensuring that:
 - sections 6 – 7 of FIN453 are completed; ○ Items purchased - payment is made by way of the ward allocated credit card ○ Items received - Purchasing Facilitator

- checks the tax invoices and receipts for accuracy and the patient signs for the items received
 - Patients allocated nurse updates the patient's property log
 - Purchasing Facilitator completes Form FIN453
- Form FIN 453 and receipts returned to Patient Fees and Trust Accounting Officer
 - original purchase receipts and tax invoices are attached separately to FIN453;

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- original receipts, FIN453 and PP Card are returned to the Patient Fee and Trust Accounting Officer by the end of each calendar month, wherever possible; and
 - accounts that do not reconcile are resolved with the Patient Fee and Trust Accounting Officer, wherever possible [Refer to *Patient Purchasing Cards*].
3. In addition to the purchase of essential property items, patients may participate in a two-monthly supervised shopping session via the process described in point 2 above, wherein they can choose to purchase non-essential personalised items, such as clothing, posters/décor items and particular brands of toiletries. This process aligns with the principles of the Rehabilitation Framework, which promote autonomy, identity, empowerment, personal responsibility and self-determination. It will also help to eliminate any discrepancy between patients who have family/carers to buy non-essential items and those who do not, and to reduce the potential for “standover” or trading to occur.
 4. The Patient Fee and Trust Accounting Officer /Ward Clerk must confirm availability of funds in a patient's FH trust account prior to submitting a request for loading of funds to a PP Card via the *CardWiz* online program. Funds provided to the Ward Clerk must not exceed the value of the patient's FH trust account or authorised transaction value. The structure of a PP Card ensures the maximum value available at any time will not exceed \$999.00.
 5. The Patient Fee and Trust Accounting Officer must notify the CFO or Financial Accountant of submissions for PP Card fund transfers requiring approval. The CFO or Financial Accountant may choose to approve or decline requests for fund transfers at their discretion.
 6. The Patient Fee and Trust Accounting Officer must record approved transfers for each patient in the PP Card Transactions Register for the current financial year and allocate a reference number from the register.
 7. The Patient Fee and Trust Accounting Officer must immediately update the patient's FH trust account with the withdrawn value and register the reference number.
 8. The Ward Clerk may use PP Cards to purchase online from approved providers.
 9. The Ward Clerk is responsible for ensuring the provision of secure storage for purchased patient property items, if temporarily in their care.

10. For further guidance on purchasing managed by ward clerks, staff should refer to local FH procedures.

3.5 Purchases Under the Buy-Ups Program

The Buy-Up program is a service whereby a patient can purchase non-food items unavailable for purchase at the FH kiosk, via an order and delivery service which operates under the auspices of NSW Corrective Services Industries (CSI) and is coordinated by designated Justice Health NSW staff. The Adolescent Unit does not participate in the ordering of buy-ups. The Buy-Ups Program takes place for all other units on a four-weekly cycle, commencing on a Monday. Payment for purchases of toiletries and other non-food items by FH patients is facilitated by the Patient Fee and Trust Accounting Officer using funds from a patient's individual FH patient trust account as follows:

- The Patient Fee and Trust Accounting Officer sends order forms (FIN450 *Patient Trust Accounts Buy-Up Order*) and delegation forms (FIN454 *Delegated Authorisation: Patient Trust Accounts Buy-Up Order*) to the NUM/NiC of Austinmer

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Women's, Bronte, Clovelly, Dee Why and Elouera Units by 10 – 10.30am on Monday (the first day of the cycle).

- Forms **must not** be stapled or paper-clipped, as these items can be misused by patients.
- The NUM/NiC distributes FIN450 order forms to the patients. This form contains categories of items, including hair, facial and body products, dental care items, stationery, clothing, footwear, razors and other miscellaneous necessities.
- The patient selects the items and quantity that s/he requires; for most items, only one manufacturer's brand is offered.
- This form is signed by the patient and checked by the NUM/NiC to determine whether both the type and quantity of item are appropriate, and in accordance with the patient's TPRIM.
- The FIN450 order forms and FIN454 delegation forms must be completed within 24hrs. The delegation forms must be authorised by the NUM only, not by the NiC.
- The Patient Fee and Trust Accounting Officer should collect all forms by no later than 10.30am on Tuesday (Day 2 of the cycle), wherever possible, from the NiC. Both order forms and delegation forms must be checked for completion before leaving the unit. If forms are incomplete or lacking adequate authorisation by the patient or NUM, one attempt only should be made to have the forms completed; if unsuccessful, the forms must remain with the NiC who should have them completed and delivered to Finance-Patient Accounts in the Justice Health Administration Centre (JHAC) by close of business. If this does not occur, the purchases will not be provided until the next Buy-Up.
- The Patient Fee and Trust Accounting Officer should check and process all forms, ensuring that each patient has sufficient funds to cover the order. If the patient has insufficient funds, The Patient Fee and Trust Accounting Officer should contact the NiC for advice as to whether adjustments can be made to the order, or whether it should be cancelled. Once confirmed, orders are sent to CSI.
- Delivery is coordinated by the Patient Fee and Trust Accounting Officer, occurs on Wednesday of the following week (Day 10 of the cycle, unless unavoidably delayed) and must be in accordance with policy [5.002 Access to the Forensic Hospital](#). As the CSI truck will enter the hospital perimeter, G4S must be advised of the delivery and the truck must be escorted by a Justice Health NSW staff member.
- The Patient Fee and Trust Accounting Officer must email Security Services, the NUM, NiC and Ward Clerk of the allocated escorting unit to advise the delivery arrangements. Escorts are provided by one of the units receiving delivery and work on a rotating roster. As a result, each unit is only required to escort the CSI truck once every five months. The NUM/NiC should allocate any available staff member to accompany the truck. If the unit is unable to act as the escort on their allocated day, it is the responsibility of the NUM/NiC to find a replacement.
- Items are delivered to the staff station for each unit, in sealed plastic bags for each patient with the delivery docket attached to it; the plastic bags are contained within sealed tubs. The Patient Fee and Trust Accounting Officer should email the summary sheet detailing which order belongs to each patient to the relevant NUM, NiC and Ward Clerk. Patients must sign their delivery dockets as confirmation of receiving the order and signed dockets should be placed in the allocated tray, to be collected by the Patient Fee and Trust Accounting Officer on Friday (Day 12 of the cycle). Any discrepancies must be reported to the Patient Fee and Trust Accounting Officer by email as soon as possible.
- The Patient Fee and Trust Accounting Officer is then responsible for reconciling patient trust accounts and arranging payment to CSI.

- Once completed, the Patient Fee and Trust Accounting Officer should Content Manager all paperwork and electronic records/spreadsheets.

3.6 Purchases by Cheque Withdrawal

Only certain cheque transactions are permitted. Cheque withdrawals from a patient's trust account are processed for various reasons including but not limited to:

- OTEN educational courses and course resources
- Reimbursement for patient purchases
- Newspaper/magazine subscriptions
- Essential goods and services
- Gifting/donations
- Financial support to family
- Transfers to a patient's external bank account
- Legal fees

3.6.1 Mandatory Requirements

1. All transactions require the completion of form [FIN421 Patient Trust Accounts Cheque Request](#) located on the Justice Health NSW Intranet.
2. Where a patient asks to withdraw money from their trust account, they must be directed to speak to a unit-based AHP to initiate the process.
3. All requests are subject to the criteria set out in policy [2.124 Patient Trust Accounts](#), . If the criteria are not met, the request must not be processed.
4. All withdrawals require a patient's authorisation. Where this cannot be obtained because a patient is physically/mentally unwell or in seclusion, the NUM can authorise the transaction, where the purchase is in the best interests of the patient.
5. Payments to external organisations require supporting documentation, for example, tax invoice, quote, order form, showing the amount owing, service, ABN, GST, letterhead.
6. Where a patient has a Financial Manager, withdrawals must be authorised in writing by the Financial Manager. The AHP of the relevant unit is responsible for obtaining written authorisation directly from a Financial Manager and providing it to the Patient Fee and Trust Accounting Officer. [
7. The patient must have funds available in their trust account to process the request. Staff should use this process as a money management training opportunity, by assisting the patient to consider other needs such as hospital fees, kiosk and toiletry purchases. If there are insufficient funds, the Patient Fee and Trust Accounting Officer should defer the request and notify the AHP; the request may be revisited when funds are available.
8. Requests for mail order purchases (excluding newspaper and magazine subscriptions) must be declined.
9. Concerns regarding any transaction, such as gifting a large amount of money to a relative or friend, must be raised in writing to the CFO, the transaction must be suspended and the request investigated.
10. The Patient Fee and Trust Accounting Officer must Content Manager all documents (form, supporting documents and Financial Manager approval).

3.7 Purchases by Family, Carers, Friends or Community Contacts

Reimbursement for purchases made by a patient's family, carer, friend or community contact on their behalf may be processed in the following ways:

- In advance – the patient may request that a cheque be sent to the relevant person. The patient completes and signs form [FIN421](#), facilitated by the relevant AHP. If the patient is unable to sign, either because s/he is in seclusion or physically/mentally unwell, the NUM as Delegated Authority can authorise the transaction on behalf of the patient. The purchase must also be authorised by the MDT. If any staff member becomes concerned that the patient may be subject to coercion or exploitation by third parties, or that the purchase is non-legitimate or inappropriate, or the patient reports concerns to staff, then the transaction must be suspended and concerns raised in writing with the CFO and investigated.
- By reimbursement – in accordance with policy [2.124 Patient Trust Accounts](#), reimbursement of costs will only be provided where form [FIN421](#) is completed and transaction authorisation has been obtained. Examples of supporting documents include, but are not limited to, invoices, quotes, order forms, application forms, purchase receipts and emails from the service provider. Documents must validate the transaction by clearly indicating to whom the funds are payable, a description and value of the goods, date and reference number. Where the Patient Fee and Trust Accounting Officer deems that supporting documentation does not sufficiently validate the transaction, it will be suspended until valid documentation is supplied or the transaction will be cancelled. Reimbursements from patient trust accounts are only paid by business cheque, not by cash or other methods, such as money orders.

The [FIN421](#) will indicate whether to mail the cheque on behalf of the patient, or to give to the patient for a pending visit to the hospital by the cheque recipient.

3.8 Storage of Patient Property and Valuables

Property must be purchased, cleared by G4S and stored in accordance with FH [Procedure 9.023 Patient Property and Valuables](#), policy [5.002 Access to the Forensic Hospital](#) and policy [5.016 Patient Mail – Forensic Hospital](#).

4. Definitions

Must

Indicates a mandatory action to be complied with.

Should

Indicates a recommended action to be complied with unless there are sound reasons for taking a different course of action.

5. Related documents

Legislations	Guardianship Act 1987 Government Information (Public Access) Act 2009 Health Services Act 1997 Health Records and Information Privacy Act 2002 Independent Commission Against Corruption Act 1988 Mental Health Act 2007 Mental Health and Cognitive Impairment Forensic Provisions Act 2020 NSW Trustee and Guardian Act 2009 Oaths Act 1900 Powers of Attorney Act 2003 Privacy and Personal Information Protection Act 1998 Public Authorities (Financial Arrangements) Act 1987 State Records Act 1998
Justice Health NSW Policies, Guidelines and Procedures	1.249 <i>Leave, Ground Access and SCALE – Forensic Hospital</i> 2.010 <i>Code of Conduct</i> 2.020 <i>Corruption Prevention and Fraud Control</i> 2.022 <i>Delegations Authority</i> 2.124 <i>Patient Trust Accounts</i> 2.126 <i>Patient Purchasing Cards – Forensic Hospital</i> Procedure 9.032 <i>Patient Property and Valuables</i> Procedure 9.014 <i>Prohibited and Controlled Items – FH</i>
Justice Health NSW Forms	FIN421 <i>Patient Trust Accounts</i> <i>Cheque Request</i> FIN453 <i>Patient Trust Accounts Essential Property Items</i>
NSW Health Policy Directives and Guidelines	PD2005_484 <i>Trust Fund Procedures – Mental Health</i> <i>Hospitals</i> PD2020_046 <i>Electronic Information Security Policy –</i> <i>NSW Health</i> PD2020_047 <i>Incident Management Policy</i> PD2015_045 <i>Conflicts of Interest and Gifts and Benefits</i> PD2015_049 <i>NSW Health Code of Conduct</i> PD2022_020 <i>NSW Health Procurement</i> IB2022_039 <i>Protecting People and Property: NSW Health Policy</i> <i>and</i> <i>Standards for Security Risk Management</i> NSW Health Privacy Manual for Health Information
Other documents and resources	National Standards for Mental Health Services National framework for recovery-oriented mental health services <i>Memorandum of Understanding between Justice Health NSW and NSW</i> <i>Trustee & Guardian</i>

