



Making the difference

The Loan or Grant of Equipment



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Background

Vranch House ("The Charity") is registered with the Charity Commission to provide educational and clinical services to people with physical disabilities. It is not registered, and therefore not able, to provide gifts or grants of money, equipment or anything else. There is some latitude within the definition of "clinical services" to loan appropriate equipment but the circumstances under which this might happen must be clearly defined.

Transfer of Liability

Every time the Charity loans equipment for use by trained or untrained people outside Vranch House there is a presumption that the responsibility for ensuring that the equipment is fit for purpose, is properly maintained and that the recipient has been properly trained in its use, remains with the Charity. This is an incorrect and potentially dangerous presumption. This protocol is designed so that the risk associated with this liability is mitigated as much as is practicable and reasonable in relation to the needs of the person to whom the loan is made.

Fundamental Considerations

No equipment will be loaned outside Vranch House unless it has been certified fit for purpose. This phrase is defined as:

- The equipment that is to be loaned will be used solely for the purpose for which it was designed.
- The equipment is still fit for that purpose, ie; it is in every sense (mechanical, electrical, structural) still capable of carrying out the purpose for which it was designed.

This means that the therapist wishing to loan the equipment *must first*:

- Ensure that the purpose is clearly defined in writing and that the family or individual receiving the equipment has agreed in writing that the equipment will only be used for that purpose, *and then*;
- Ensure that the equipment is fit for purpose. If you have any doubts then you should request that the equipment is serviced by qualified engineers or service centre personnel immediately prior to the loan (subject to later sections of this protocol).

Loan Procedure

The procedure for making a loan will be:

- Any loan must be considered as an exception and not the rule. Remember that the risk is proportional to the number of such loans. Before any further action is carried out, discuss the proposed loan with the Head of Therapy. All intermediate steps that then follow are conditional *on the full procedure being completed*.

- If a service is required then an estimate for the service of the equipment should be acquired and the family or individual invited to pay the cost of the service and of any refurbishment costs involved. The purpose should be identified in writing and the family or individual to whom the equipment *may* be lent should sign the document identifying the purpose. In **exceptional** circumstances you may apply to the Chief Executive to have these costs covered. Failure to sign the "purpose" document will bring the process to a halt.
- A loan certificate should be made out. These clearly specify that the recipient is responsible for not only maintaining the equipment but also returning it to Vbranch House in a serviceable condition. The equipment cannot be released until the loan certificate is signed. The signed certificate must be filed *together* with the signed "purpose" document.
- In conditions suggesting *any doubt whatsoever* that the recipient does not understand that *all liability* for the use and serviceability of the equipment is transferred by the Charity to the recipient as a condition of the loan then the process should be brought to a halt.
- At this point the therapist wishing to arrange the loan might, with the approval of the Chief Executive, convene a meeting with the recipient. The purpose of this meeting will be for the Chief Executive to determine whether or not a true transfer of liability can be made.
- **No loan** will be made without a proper transfer of liability.

K Moss
Chief Executive
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