

Gifts and Hospitality Policy

Date: January 2016

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On receipt of a new version, please destroy all previous versions.

Document Information

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Bribery and Fraud Prevention Policy including Declarations of Interest			
<p>The Trust is committed to preventing discrimination, valuing diversity and achieving equality of opportunity. No person (staff, patient or public) will receive less favourable treatment on the grounds of the nine protected characteristics (as governed by the Equality Act 2010): Sexual Orientation; Gender; Age; Gender Reassignment; Pregnancy and Maternity; Disability; Religion or Belief; Race; Marriage and Civil Partnership. In addition to these nine, the Trust will not discriminate on the grounds of domestic circumstances, social-economic status, political affiliation or trade union membership.</p> <p>The Trust is committed to ensuring all services, policies, projects and strategies undergo equality analysis. For more information about equality analysis and Equality Impact Assessments please refer to the Equality and Diversity Policy.</p>			

Amendment History

Issue	Status	Date	Reason for Change	Authorised
v0.1	Created	15.12.15	New Trust Policy post integration	
V1	Ratified	16/02/2016	Ratified following integration	Executive Team

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1. Statement/Objective

This policy provides guidance and support on how to deal with issues around gifts and hospitality. Section 7 of the bribery act places an onus on organisations to ensure they have adequate anti-bribery policies and procedures. The act creates a corporate offence of 'failing to prevent a bribe' and therefore Torbay and South NHS Trust has a zero tolerance towards bribery.

A separate policy is available regarding Bribery and Fraud prevention including declarations of interest.

2. Roles & Responsibilities

This policy applies to all employees of the Trust to include Board members and temporary staff and any other person associated with the Trust, including volunteers.

2.1 Staff

All **staff** have a duty to familiarise themselves with the contents of this Policy and to declare the receipt of any gifts and hospitality on the form provided at Appendix 1.

If you are unsure of whether you need to declare any item, please contact the Company Secretary for further guidance. Contact details are provided at Appendix 2.

2.2 Managers

All Managers have a duty to consider any forms submitted by staff for registration of gifts and hospitality promptly and to ensure that any forms authorised by the Director of Finance are stored on the staff member's personal file.

If you require any further guidance on whether to authorise a declaration submitted by a member of staff, please contact the Company Secretary for further guidance. Contact details are provided at Appendix 2.

3. Acceptance of Gifts and Hospitality

3.1 Gifts and hospitality offered by contractors or others should in general be politely but firmly declined. All staff must be aware that this provision applies regardless of whether the gift or hospitality is offered in respect of the staff member's NHS role or in any other capacity.

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Articles of low intrinsic value (less than £25) such as diaries, calendars or small tokens of gratitude from patients, clients or their relatives, need not necessarily be refused. In case of doubt, staff should seek advice from their line manager. Any gift over £25 in value, or gifts in total exceeding £100 in a 12 month period from the same source should be declared for inclusion in the gifts and hospitality register held at Hengrave House, Torbay Hospital.

- 3.2** Bequests in wills are not uncommon in the health and social care sector, however the Trust is clear that staff must at no time knowingly be involved in the preparation, influencing or witnessing of a will on behalf of a service user or patient. Staff members must be vigilant at all times to ensure that their actions do not indicate in any way the offer of preferential treatment at any time in return for gifts or other inducements of this kind. Should a member of staff be named in a will, without their knowledge, advice should be sought from the Company Secretary as to acceptance of the bequest. The Trust will consider the circumstances of the bequest in every case. All bequests to staff from service users and patients are disclosable to the Trust.
- 3.3** Modest hospitality is acceptable in the course of normal business relations. It should not, however, exceed that which staff would normally adopt when paying for themselves or that which could be provided by the Trust. Such hospitality should be declared for inclusion in the gifts and hospitality register.
- 3.4** Industry representatives organising meetings are permitted to provide appropriate hospitality and/or meet any reasonable, actual costs, which may have been incurred. If none is required, there is no obligation, or right, to provide any such hospitality, or indeed any benefit of equivalent value.
- 3.5** Hospitality must be secondary to the purpose of the meeting. The level of hospitality offered must be appropriate and not out of proportion to the occasion; and the costs involved must not exceed that level which the recipients would normally adopt when paying for themselves, or that which could be reciprocated by the NHS. It should not extend beyond those whose role makes it appropriate for them to attend the meeting.
- 3.6** Where meetings are sponsored by external sources, that fact must be disclosed in the papers relating to the meeting and in any published proceedings.

4. Equality and Diversity Exceptions

None identified.

5. Distribution

This policy is available to all staff and externally on the public website.

6. Appendices

- 1. Gifts and Hospitality Registration form**
- 2. Contacts**

APPLICATION FOR ACCEPTANCE OF GIFTS, HOSPITALITY, SPONSORSHIP

SECTION A (To be completed by employee)

NAME:

JOB TITLE:

ADDRESS:

.....

TELEPHONE NUMBER:

E-MAIL ADDRESS:

I wish to seek authorisation for the acceptance of:

Gifts

Hospitality

Sponsorship

Please provide full details, including costs, of the gifts/hospitality/sponsorship.

Signature: Date:

When section A completed, please send to your line manager for them to complete section B below

SECTION B (To be completed by Line Manager)

I support the above named person's request for acceptance of gift/hospitality/sponsorship

Signature: Date:

When section B completed, please send to the Director of Finance for approval

SECTION C (To be completed by Director of Finance)

The above named has been granted/refused authorisation for the acceptance of gifts/hospitality/sponsorship (please delete as appropriate)

Signature: Date:

Name: Job Title:

A copy of your completed application form will be disclosed under the Freedom of Information Act 2000 and the Department of Health document "Commercial Sponsorship – Ethical Standards for the NHS". Please note we will not seek your consent prior to disclosure

Copy: Employee's Personal File
Director of Finance

Appendix 2

Useful contacts

Title	Name	Telephone No.
Director of Finance	Paul Cooper	01803 655761
Company Secretary	Richard Scott	01803 655029
Corporate Governance Manager	Monica Trist	01803 210478