



***Nottingham North and East  
Clinical Commissioning Group***

**Code of Conduct  
Gifts and Hospitality Policy**

**Nottingham North and East  
Clinical Commissioning Group**

Reference	Corporate
Directorate	Operations
Version	3.0
Title	Gifts and Hospitality Policy
Author/Nominated Lead	Hazel Buchanan
Approval Date	
Approving Committee	Governing Body
Review Date	September 2018
Groups/staff Consulted	All Staff, Governing Body Members
Target audience	All CCG Staff including temporary and contract staff, Practice Members, Lay Members and Associated Committee /Group Members
Associated documents	CCG Constitution CCG Conflicts of Interest Policy CCG Counter Fraud Policy CCG Raising Concerns at Work Policy
Sponsoring Director	Chief Officer
Previous Approval Dates	September 2016 Governing Body

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# **Nottingham North and East Clinical Commissioning Group**

## **1.0 Introduction**

This policy sets out the standards and procedures which must be followed in respect of gifts and hospitality. It is intended to help staff, Governing Body and Committee members and others working with NNE CCG, to understand their responsibilities in protecting themselves and NNE CCG against any suggestion of inappropriate behaviour.

As a public body NNE CCG must demonstrate that it has open and transparent decision-making processes which are not influenced by inducements of inappropriate offers of gifts and hospitality.

The Bribery Act 2010 revised the legal framework to combat bribery in the public and private sectors. It makes it an offence to receive a financial or other advantage as a reward for an improper act such as the award of a contract. A gifts and hospitality policy is a key tool for organisations to demonstrate they have arrangements in place to discourage the offer or acceptance of such rewards.

The organisation is committed to ensuring that it treats its employees fairly, equitably and reasonably and that it does not discriminate against individuals or groups on the basis of their ethnic origin, physical or mental abilities, gender, age, religious beliefs or sexual orientation. A full equality impact assessment has been undertaken for this policy and procedure

## **2.0 Policy Statement**

This policy supports our values of Honesty and Integrity and enables NNE CCG to remain transparent in our business transactions. Gifts and hospitality should not be accepted other than in exceptional circumstances as set out in this policy. Instances where this policy is not followed will be viewed as serious and disciplinary action may be taken against individuals as a result, which may result in dismissal. Cases of potential fraud will be referred to the Local Counter Fraud Services for investigation. Where appropriate the Police will be involved.

## **3.0 Definitions**

**‘Committee’:** Members on NNE CCG Committees who are not employees/staff

**‘Gifts’:** Items of any value offered or provided in the nature of the organisation’s business by anyone other than the employer

**‘Governing Body’:** Members on the Governing Body who are not staff/employees

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- ‘Hospitality’:** Food, drink, accommodation or entertainment offered or provided in the nature of the organisation’s business by anyone other than the employer
- ‘NNE CCG’:** means Nottingham North and East Clinical Commissioning Group.
- ‘Staff ‘:** means all employees of NNE CCG including shared staff.

### **4.0 Scope of Policy**

This policy applies to all those who are employed by NNE CCG and/or act in an official capacity on its behalf. This includes:

- All employees of the CCG
- Governing Body members
- Appointed individuals who are working for NNE CCG in a temporary and/or advisory capacity
- All members of the CCG, this includes each provider of primary care medical services which is a member of the CCG under section 14O (1) of the 2006 Act where they are directly involved with the business or decision- making of the CCG
- Appointed individuals serving on committees, sub-committees and other decision-making groups established by NNE CCG

### **5.0 Receipt of Gifts and Hospitality**

A gift is defined as any item of cash or goods, or any service, which is provided for personal benefit, free of charge or at less than its commercial value.

#### **5.1 Gifts from Suppliers, Contractors or other sources**

Gifts from suppliers or contractors doing business (or likely to do business) with the CCG should be declined, whatever their value (subject to this, items of low intrinsic value such as low cost branded promotional aids may be accepted and not declared where they are under the value of £6).

Gifts from other sources (e.g. patients, families, service users)

- CCG staff should not ask for any gifts
- Modest gifts under a value of £50 may be accepted and do not need to be declared
- Gifts valued at over £50 should be treated with caution and only accepted on behalf of the organisation
- A common sense approach should be applied to the value of gifts

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- Multiple gifts from the same source over a 12 month period should be treated in the same way as single gifts over £50 where the cumulative value exceeds £50

In cases of doubt advice must be sought from your line manager and, in no case must a gift be accepted without prior written approval of the relevant manager if the estimated value of the gift exceeds £50. If a gift which is not a 'small value item' arrives without warning, it must be handed over to the appropriate director who will decide whether the gift should be returned (or passed on to a charity or good cause) and will ensure that the donor is informed of what has happened

### **5.2 Cash**

Under no circumstances must personal gifts of cash, even below the £25 limit be accepted.

CCG Staff, Governing Body and Committee members must not, under any circumstances, accept personal gifts with a significant financial value, or any benefits in kind, such as offers of holiday accommodation.

### **5.3 Hospitality**

A blanket ban on accepting or providing hospitality is neither practical nor desirable from a business point of view. However, individuals should be able to demonstrate that the acceptance or provision of hospitality would benefit the CCG

Hospitality is the offer of meals, refreshments, travel, accommodation, and other expenses in relation to attendance at meetings, conferences, education and training events etc.

CCG staff should not ask for or accept hospitality that may affect, or be seen to affect, their professional judgement

Caution should be exercised when hospitality is offered by actual or potential suppliers or contractors, these can be accepted if modest and reasonable, senior approval must be sought and the offer must be declared within 28 days.

Modest hospitality under the value of £25, for example, a drink and sandwich during a visit or a working lunch is reasonable and does not require recording or approval of a manager.

Where the hospitality is of a value between £25 and £75 this may be accepted and must be declared.

Where hospitality is not modest or of a value over £75, it should be refused unless (in exceptional circumstances) senior approval is given. A clear reason should be recorded on the Gifts and Hospitality Register. Where it is difficult to avoid meetings involving hospitality, for example meals taken in a restaurant, individuals might wish to consider paying for your own meal to demonstrate that no benefit was obtained from a third party.

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Attendance at working lunches or workshop events where food is provided, without a charge to NNE CCG, is acceptable only where the main focus of the event is work-related and providing attendees can demonstrate that NNE CCG will obtain some value from attendance.

Offers of hospitality such as theatre tickets, sporting events, holiday accommodation or similar offers of hospitality must be politely declined; advice should be sought from the line manager where relevant or the Director of Operations.

There is an important difference between attendance at events in an official capacity and accepting hospitality at events where representation by NNE CCG is not required. Where you are invited to an event as a representative of NNE CCG and consider that NNE CCG should be represented in an official capacity, attendance is acceptable and will be agreed prior to attending with your line manager. It is very unlikely that hospitality such as sporting events, holidays or theatre shows would ever fall into this category.

### **5.4 Travel and Accommodation**

Modest offers to pay for some or all of the travel and accommodation costs related to attendance at events may be accepted but must be declared.

Offers which go beyond modest, or are a type that the CCG do not usually offer will need approval by a senior member of staff. They should only be accepted in exceptional circumstances, and must be declared. An example would be an offer of business or first class travel or offers of foreign travel and accommodation.

### **5.5 Commercial Sponsorship**

CCG staff, Governing Body and Committee members, and GP member practices involved in CCG decision making may be offered commercial sponsorship courses, conferences, post/ project funding, meetings and publications in connection with the activities which they carry out for or on behalf of the CCG. All such offers (whether accepted or declined) must be declared so that they can be included on the CCG's register of interests. In cases of doubt, individuals should seek advice from their line manager and/or the Director of Operations.

Acceptance of commercial sponsorship should not in any way compromise the CCG's commissioning decisions or be dependent on the purchase or supply of goods or services.

Sponsors should not have any influence over the content of an event, meeting, seminar, publication, or training event.

The CCG should not endorse individual companies or their products. Therefore, it should be made clear that the fact of sponsorship does not constitute an endorsement by the CCG of a company's products or services. This is required to be made clear to the public and those attending the event. Where meetings are sponsored by external sources, that fact must be disclosed in the papers relating to the meeting and related publications.

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No information should be supplied to a company for their commercial gain unless there is a clear benefit to the NHS. As a general rule, information which is not in the public domain should not normally be supplied. During dealings with sponsors it is important to ensure that confidentiality requirements and data protection legislation are not breached.

### **5.6 Payment for Speaking at Meetings/ Conferences**

Should a member of staff, Governing Body and/or Committee member and GP members or individuals acting on behalf of the CCG be asked to speak at an event relating to CCG business for which payment is offered the payment should be declined or credited to the CCG

A member of staff, Governing Body and/or Committee member, GP acting on behalf of the CCG should not personally accept payment.

### **6.0 Declaring Gifts and Hospitality**

Declarations of receipt of gifts and hospitality should be made as soon as they become aware of it, and in any event within 28 days. A draft template for declaring gifts and hospitality is included in Appendix A. The declaration form must be returned to the Director of Operations either by email from the individual making the declaration or as a signed hard copy. This will be then added to the Gifts and Hospitality Register which can be found in Appendix B.

### **7.0 Register of Gifts and Hospitality**

NNE CCG has established a Register of Gifts and Hospitality, which is held by the Director of Operations.

This information will be recorded in the register. The following information will be included in the register:

- Recipient's name
- Current position(s) held by the individual (within the CCG)
- Date of offer and/or receipt
- Details of the gift or hospitality
- The estimated value of the gift or hospitality
- Details of the supplier/offeror (e.g. their name and the nature of their business)
- Details of previous gifts and hospitality offered or accepted by this offeror/supplier
- Action taken to mitigate against a conflict, details of any approvals given and details of the officer reviewing/approving the declaration made and date
- Whether the offer was accepted or not
- Reasons for accepting or declining the offer

If after referring to the above guidance, it is necessary for a member of staff to declare an acceptance or refusal of gifts or hospitality, a declaration form must be completed promptly. The declaration form is attached at Appendix A of this policy.



## **Nottingham North and East Clinical Commissioning Group**

The Gifts and Hospitality Register is published in the CCGs website and as part of the CCGs Annual Report and Annual Governance Statement

The Gifts and Hospitality Register is available on the CCG Website and, upon request at the CCG headquarters.

Address:

Nottingham North and East Clinical Commissioning Group  
Civic Centre  
Arnot Hill Park, Arnold  
Nottingham  
NG5 6LU

Telephone: 0115 883 1743

[www.nottinghamnortheastccg.nhs.uk](http://www.nottinghamnortheastccg.nhs.uk)

### **8.0 Implementation and Compliance of the Policy**

#### **8.1 Responsibilities of Managers**

NNE CCG managers must ensure members of staff are aware of the policy and the processes to be followed.

#### **8.2 Responsibilities of all Employees**

It is the responsibility of all staff, Governing Body and Committee members, to familiarise themselves with this policy and comply with the provisions set out in it.

### **9.0 Feedback Monitoring and Review**

Responsibility for monitoring review and further development of this Policy will lie with the Director of Operations.

The policy will be reviewed on an annual basis and the Hospitality and Risk Register will be published on our website at the end of every financial year.

## Appendix A

### Gifts and Hospitality Declaration

<b>Name</b>	
<b>Position</b>	
<b>Details of Gift or Hospitality</b>	
<b>Date of Offer</b>	
<b>Declined or Accepted</b>	
<b>Date of Receipt (if applicable)</b>	
<b>Details of Gift/ Hospitality</b>	
<b>Estimated Value</b>	
<b>Supplier/ Offer or Name and Nature of Business</b>	
<b>Details of Previous Offer or Acceptance by this supplier</b>	
<b>Details of the officer reviewing and approving the declaration made and date</b>	
<b>Reason For Accepting or Declining</b>	

<b>Other Comments</b>	
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Name:

Signature:

Date:

**Register of Gifts and Hospitality Template**

Recipient Name	Job Title / Position	Date of Offer	Date of Receipt (if applicable)	Details of Gift / Hospitality	Estimated Value	Supplier / Offeror Name and Nature of Business	Details of Previous Offers of Acceptance by this Offeror or Supplier	Action taken to mitigate against a conflict, details of any approvals given	Details of the Officer reviewing and approving the declaration made and date	Declined or Accepted	Reason for Accepting or Declining	Other Comments

