



Rushcliffe

Clinical Commissioning Group



Nottingham City

Clinical Commissioning Group



Nottingham North and East

Clinical Commissioning Group



Nottingham West

Clinical Commissioning Group

Gifts, Hospitality and Sponsorship Policy

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CONTROL RECORD			
Reference Number	Version 0.1	Status DRAFT	Author Head of Corporate Governance and Assurance
			Sponsor Corporate Director
			Team Corporate Governance and Assurance
Title	Gifts, Hospitality and Sponsorship Policy		
Amendments	N/A		
Purpose	To support a culture of openness and transparency in business transactions and to set out the CCG's requirements regarding gifts, hospitality and sponsorship; ensuring that all individuals are aware of their responsibilities.		
Superseded Documents	<ul style="list-style-type: none"> • NHS Nottingham City CCG Gifts, Hospitality and Sponsorship Policy • NHS Nottingham North and East Gifts, Hospitality and Sponsorship Policy • NHS Nottingham West CCG Standards of Business Conduct for CCG Staff (sections 7-10) • NHS Rushcliffe CCG Standards of Business Conduct for CCG Staff (sections 7-10) 		
Audience	All employees of the four Greater Nottingham CCGs (including all individuals working within the CCG in a temporary capacity, including agency staff, seconded staff, students and trainees, and any self-employed consultants or other individuals working for the CCG under contract for services), individuals appointed to the Governing Body and its committees, all member GP practices (single-handed practitioners, practice partners, or their equivalent) and any other individual directly involved with the business or decision-making of the CCG.		
Consulted with	N/A		
Equality Impact Assessment			
Approving Body	Greater Nottingham CCG Governing Bodies	Date approved	
Date of issue			
Review Date			
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Appendix B – Template Declaration of Gifts, Hospitality and Sponsorship

1. Introduction

- 1.1. NHS Nottingham City CCG, NHS Nottingham West CCG, NHS Nottingham North and East CCG and NHS Rushcliffe CCG (hereafter referred to as 'the CCGs') have a responsibility for ensuring that high standards of business conduct are maintained across their organisations and all Governing Body members are expected to show leadership by example in order to successfully influence the behaviour of staff. As such, members of the Governing Bodies and its committees must at all times comply with the expectations set out in the *Standards for members of NHS boards and Clinical Commissioning Group governing bodies in England*.
- 1.2. The CCGs' Governing Bodies determine to ensure that the organisation inspires confidence and trust, avoiding any potential situations of undue bias or influence in decision-making and protecting the NHS, the CCGs, and individuals involved from any appearance of impropriety. As such, this policy is aligned with the three crucial public service values that are required to underpin the work of the CCGs:
- **Accountability** - Everything done by those who work in the NHS must be able to stand the test of parliamentary scrutiny, public judgements on propriety, and professional codes of conduct.
 - **Probity** - There should be an absolute standard of honesty in dealing with the assets of the NHS: integrity should be the hallmark of all personal conduct in decisions affecting patients, staff and suppliers, and in the use of information acquired in the course of NHS duties.
 - **Openness** - There should be sufficient transparency about NHS activities to promote confidence between the NHS organisation and its staff, patients and the public.
- 1.3. All individuals within the CCGs are required to abide by the Seven Principles of Public Life (as set out by the Committee on Standards in Public Life) shown in **Appendix A**, ensuring that:
- The interests of patients remain paramount at all times.
 - They are impartial and honest in the conduct of their official business.
 - Public funds entrusted to them are used to the best advantage of the service, always ensuring value for money.
 - They do not abuse their official position for personal gain or to the benefit of their family or friends.
 - They do not seek to advantage or further private or other interests in the course of their official duties.

- 1.4. In addition, the CCGs must ensure that any possibility for bribery, fraud or corruption is eliminated. Organisations must act in accordance with the Bribery Act 2010 and have appropriate policies and procedures in place to mitigate the risk of acts of bribery and corruption committed by persons associated with them, in the course of their work. This policy has been developed as part of the CCGs' suite of Standards of Business Conduct policies to achieve compliance with relevant legislation and national guidance and ensure high standards of behaviour throughout the organisation. Other CCG policies that should be read in conjunction with this policy are shown in section 10.
- 1.5. In April 2018, the four CCGs formed the Greater Nottingham Clinical Commissioning Partnership (GNCCP) and established joint governance arrangements and a shared staffing structure. Whilst this policy has been developed for implementation across the GNCCP to ensure a consistent approach and aligned working practices; it is important to remember that the legal requirement for the management of conflicts of interest remains the responsibility of each individual CCG. As such, each CCG will need to continue to be able to demonstrate its own compliance with the national guidance on gifts, hospitality and sponsorship.

2. Scope of Policy

- 2.1. The CCGs require this policy to be followed by:
 - All employees of the CCGs (including all individuals working within the CCGs in a temporary capacity, including agency staff, seconded staff, students and trainees, and any self-employed consultants or other individuals working for the CCGs under contract for services).
 - Individuals appointed to the Governing Bodies and its committees.
 - Any other individual directly involved with the business or decision-making of the CCGs.

These are collectively referred to as 'individuals' hereafter.

3. Purpose

- 3.1. The purpose of this policy is to support a culture of openness and transparency in business transactions and to set out the CCGs' requirements regarding gifts, hospitality and sponsorship, ensuring that all individuals are aware of their responsibilities. It also provides detailed guidance to ensure that the CCGs' involvement with the pharmaceutical industry is transparent, ethical and legal, and improves the quality of patient care.

- 3.2. This policy supports each CCGs' Constitutions, Standing Orders, Schemes of Reservation and Delegation and Prime Financial Policies, which set out the statutory and governance framework in which the CCGs operate. All individuals are required to comply with the requirements of the CCGs' Constitution, Standing Orders, Schemes of Reservation and Delegation and Prime Financial Policies when carrying out their duties and these shall prevail over the requirements of this policy where conflicting advice is given.
- 3.3. It should be noted that all clinical staff employed by the CCGs should also refer to their respective professional codes of conduct relating to the acceptance of gifts, hospitality and sponsorship, and collaborative working with the pharmaceutical industry.

4. Roles and Responsibilities

Roles	Responsibilities
The CCG Governing Bodies and their committees	The Governing Bodies, and all committees of the Governing Bodies, are responsible for upholding the principles of good corporate governance and ensuring that the CCGs are acting in the best interests of stakeholders at all times.
The Audit and Governance Committees	The Audit and Governance Committees of each CCG are responsible for reviewing the establishment and maintenance of an effective system of integrated governance and internal control. In particular, the committees are responsible for monitoring compliance with the CCG's Standards of Business Conduct Policies.
The Accountable Officer	The Accountable Officer has overall accountability for the CCGs' management of conflicts of interest (related to this policy – see the Conflicts of Interest Policy for further details).
The Chief Finance Officer	The Chief Finance Officer is responsible for ensuring the adequacy of the CCGs' counter fraud arrangements.
The Corporate Director (supported by the Corporate Governance and Assurance Team)	The Corporate Director is responsible for: <ul style="list-style-type: none"> • The day to day management of matters and queries relating to the application of this policy; • Maintaining the Gifts, Hospitality and Sponsorship Register; • Ensuring that appropriate administrative processes are in

Roles	Responsibilities
as appropriate)	place.
Conflicts of Interest Guardians	The Conflicts of Interest Guardians are in place to further strengthen the scrutiny and transparency of the CCGs' decision-making processes (see Conflicts of Interest Policy)
Executive Management Team	Members of the Executive Management Team have an ongoing responsibility for ensuring the application of this policy.
Individuals	All individuals are responsible for complying with this policy and for seeking advice if unsure how it applies to them.

5. Definitions

Term	Definition
Gifts	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.
Hospitality	Offers of meals, refreshments, travel, accommodation and other expenses in relation to attendance at meetings, conferences, education and training events etc.
Sponsorship	Support (financial or otherwise) of CCG activities by an external body.
Register of Gifts, Hospitality and Sponsorship	The central register on which details of all offers of gifts, hospitality and sponsorship (accepted and declined) are recorded.

6. Gifts

6.1. Overarching principles

- Individuals should not accept gifts that may affect, or be seen to affect, their professional judgement. This overarching principle should apply in all circumstances;
- Under no circumstances are individuals allowed to accept personal gifts of cash or cash equivalents (e.g. gift vouchers), whatever their value and whatever their source. All such offers must be declared and recorded on the Register of Gifts, Hospitality and Sponsorship;

- A common sense approach should be applied to the valuing of gifts (using an actual amount, if known, or an estimate that a reasonable person would make as to its value);
- Individuals should not ask for any gifts;
- Individuals are advised to consult with the Corporate Director if they are unsure as to whether to accept any offers of gifts.

6.2. **Gifts from suppliers or contractors**

- Gifts from suppliers or contractors doing business (or likely to do business) with the CCGs should be politely declined and declared on the Register of Gifts, Hospitality and Sponsorship Register. This does not apply to low cost (less than £6) branded promotional aids, which may be accepted and do not require declaring;
- If a gift with an estimated value in excess of the £6 limit arrives without warning, it must be handed over to the Corporate Director who will decide whether the gift should be returned (or passed on to a charity or good cause). In such circumstances, action will be taken to ensure that the donor is informed of what has happened.

6.3. **Gifts from other sources** (eg. patients, families, service users)

- Modest gifts under a value of £50 may be accepted and do not need to be declared;
- 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.

7. **Hospitality**

7.1. **Overarching principles**

- Individuals should not ask for or accept hospitality that may affect, or be seen to affect, their professional judgement;
- Hospitality must only be accepted when there is a legitimate business reason and it is proportionate to the nature and purpose of the event;
- Particular caution should be exercised when hospitality is offered by actual or potential suppliers or contractors. These offers can be accepted if modest and reasonable, but individuals should always obtain approval from a Director or Executive Director and declare them;
- Individuals should never put themselves in a position where there could be any suspicion that their business decisions could have been influenced by accepting

hospitality from others. With this in mind, individuals should ask themselves what a member of the public, who may be critical or suspicious, might think;

- Individuals are advised to consult with the Corporate Director if they are unsure as to whether to accept any offers of hospitality.

7.2. Meals and Refreshments

- Under a value of £25 may be accepted and need not be declared;
- Of a value between £25 and £75 may be accepted and must be declared;
- Over a value of £75 should be refused unless (in exceptional circumstances) approval from a member of the Executive Management Team is given. A clear reason for the approval should be recorded on the Gifts, Hospitality and Sponsorship Register;
- Individuals should take a common sense approach to the valuing of meals and refreshments (if actual value is not known) and always adhere to the principles set out in section 6.1.

7.3. Travel and Accommodation

- Modest offers to pay some or all of the travel and accommodation costs related to attendance at events may be accepted and must be declared;
- Offers which go beyond modest, or are of a type that the CCGs themselves would not usually offer (eg. business class or first class travel, offers of foreign travel etc.) needs approval from a member of the Executive Management Team and should only be accepted in exceptional circumstances. A clear reason for the approval should be recorded on the Gifts, Hospitality and Sponsorship Register.

8. Sponsorship

8.1. Overarching principle

Sponsorship of the CCGs' events by appropriate external bodies should only be approved if a reasonable person would conclude that the event will result in clear benefits for the CCGs (or CCG if applicable).

8.2. Sponsored events

- ## **8.3.**
- Sponsorship of NHS events by external parties is valued, as such offers can secure their ability to take place and ultimately benefit patients, as well as NHS staff. Without this funding, there may be fewer opportunities for learning, development and partnership working.

- 8.4. However, there is the potential for conflicts of interest between the organiser and the sponsor and appropriate safeguards must be in place to prevent this. Please refer to the CCGS' Managing Conflicts of Interest Policy or seek advice from the Corporate Director if required.
- 8.5. Acceptance of commercial sponsorship should not in any way compromise the CCGs' commissioning decisions or be dependent on the purchase or supply of goods or services.
- 8.6. If sponsorship is accepted, the following principles must be adhered to:
- During dealings with sponsors there must be no breach of patient or individual confidentiality or data protection rules and legislation;
 - No information should be supplied to the sponsor from which they could gain a commercial advantage, and information which is not normally in the public domain should not normally be supplied;
 - At the CCGs' discretion, sponsors or their representatives may attend or take part in the event but they should not have a dominant influence over the content or the main purpose of the event;
 - The involvement of a sponsor in an event must always be clearly identified in the interest of transparency;
 - It must be made clear to sponsors that sponsorship in no way equates to the CCGs endorsement of a company or its products. This should be made visibly clear on any promotional or other materials relating to the event.
- 8.7. Individuals must be aware of and ensure that collaborative working with the pharmaceutical industry is in line with the Association of the British Pharmaceutical Industry (ABPI) Code of Practice for the Pharmaceutical Industry.
- 8.8. Sponsored events should be declared on the Register of Gifts, Hospitality and Sponsorship.

9. Gifts, Hospitality and Sponsorship Register

- 9.1. The CCGs have established a Gifts, Hospitality and Sponsorship Register, which is maintained and updated by the Corporate Governance and Assurance Team.

- 9.2. Individuals are required to report offers of gifts, hospitality and sponsorship, which are made to them in the capacity of their role with the CCGs, in accordance with this policy. This is required to be reported at the time such offers are made.
- 9.3. In addition, the Corporate Governance and Assurance Team will proactively contact all individuals on a monthly basis to ensure that all offers have been reported centrally.
- 9.4. The following information will be recorded within the Register:
- The person or organisation making the offer.
 - The individual to whom the offer was made and their position within the CCG.
 - Date of the offer and/ or receipt.
 - Details of the gifts, hospitality or sponsorship offered.
 - Whether the offer was accepted or declined.
 - Reasons for accepting or declining the offer.
 - The estimated value of the gift, hospitality or sponsorship.

10. Equality and Diversity Statement

- 10.1. The CCGs are committed to commissioning services which embrace diversity and that promote equality of opportunity including the aims of the public sector equality duty.
- 10.2. As employers, we are committed to equality of opportunity and to valuing diversity within our workforce. Our goal is to ensure that these commitments are embedded in our day-to-day working practices with our population, colleagues and partners.
- 10.3. We will provide equality of opportunity and will not tolerate unlawful discrimination on grounds of age, disability, gender identity, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, sexual orientation, or as a result of being any of the following: people with carer responsibilities, people experiencing economic and social deprivation, vulnerable migrants, homeless people, sex workers or gypsies and travellers.

11. Communication, Monitoring and Review

- 11.1. The CCGs will establish effective arrangements for communicating the requirements of this policy. This will include:
- All new starters being briefed on the requirements of this policy as part of their induction to the CCGs.
 - A bi-annual reminder of the existence and importance of this policy via internal communication methods.
- 11.2. Individuals who fail to disclose the receipt of gifts, hospitality or sponsorship, as required by this policy may be subject to disciplinary action, which could ultimately result in the termination of their employment or position within the CCGs.
- 11.3. The implementation of this policy, and the effectiveness of the arrangements detailed within it, will be monitored by the CCGs' Audit and Governance Committees on a bi-annual basis. This will include, as a minimum, details of the Gifts, Hospitality and Sponsorship Register being presented for review and scrutiny.
- 11.4. This policy will be reviewed by the Governing Bodies annually or in light of any legislative changes or best practice guidance.
- 11.5. The CCG actively encourages individuals with reasonable suspicions of non-compliance with this policy to report them. The CCG's Voicing Concerns (Whistleblowing) Policy provides further information on how to raise concerns.
- 11.6. Any individual who has queries regarding the content of this policy, or has difficulty understanding how this policy relates to their role, should contact the CCGs' Corporate Director.

12. References and Supporting Documents

- 12.1. This policy should be read in conjunction with the following corporate documents and supporting national guidance documents:
- The CCGs' Constitutions (including their Standing Orders, Scheme of Reservation and Delegation and Prime Financial Policies)
 - Policy on Fraud, Corruption and Bribery
 - Voicing Concerns (Whistleblowing) Policy
 - Conflicts of Interests Policy
 - Confidentiality and Data Protection Policy

- Respective professional Codes of Conduct
- Standards for members of NHS boards and Clinical Commissioning Group governing bodies in England (November 2012)
- The Healthy NHS Board: Principles for Good Governance (2013)
- Code of Conduct for NHS Managers (2002)
- ABPI Code of Practice for the Pharmaceutical Industry
- Managing Conflicts of Interest: Revised Statutory Guidance for CCGs (2017)

Appendix A – The seven principles of public life set out by the Committee on Standards in Public Life (The Nolan Principles)

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.

Appendix B – Template Declaration of Gifts, Hospitality and Sponsorship

Recipient Name	Position	Date of Offer	Date of Receipt (if applicable)	Details of Gift / Hospitality / Sponsorship	Estimated Value	Supplier / Offeror Name and Nature of Business	Details of the officer reviewing and approving the declaration made and date	Declined or Accepted?	Reason for Accepting or Declining	Name and details of who approved the declaration made and date of approval

The information submitted will be held by the CCGs for personnel or other reasons specified on this form and to comply with the organisation's policies. This information may be held in both manual and electronic form in accordance with the Data Protection Act 1998. Information may be disclosed to third parties in accordance with the Freedom of Information Act 2000 and published in registers that the CCG holds.

Please remember that the CCGs are obliged to publish the information that you provide on the CCGs' websites. If you have any concerns about this, please raise these when returning your declaration and explain why you consider that the information you supply should not be made publicly available.

I confirm that the information provided above is complete and correct. I acknowledge that any changes in these declarations must be notified to the CCG as soon as practicable and no later than 28 days after the interest arises. I am aware that if I do not make full, accurate and timely declarations then civil, criminal, professional regulatory or internal disciplinary action may result.

[Hard copy documents to be signed by individual and their line manager, as appropriate. Check boxes to be completed where electronic declarations are completed.]