



CC_HR22 Gifts Policy

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1. Purpose

To define appropriate business practices related to the sharing of gifts between interested parties and Communitas Clinics Ltd employees.

2. Policy Statement

Communitas Clinics Ltd intends to maintain ethical business practices and avoid conflicts between personal interests and the interests of the company. Intent and appearance are important considerations in our business relationships, therefore, it is the responsibility of all employees to maintain the good name of the company in their actions and communications with interested parties.

In order to aid employees in understanding the expectations for behaviour in this area the following guidelines are established.

3. Background

As staff in the NHS, staff will offer support during significant events in people's lives. For this work they may sometimes receive gifts as a legitimate expression of gratitude. We should be proud that our services are so valued. But situations where the acceptance of gifts could give rise to conflicts of interest should be avoided.

Staff and organisations should be mindful that even gifts of a small value may give rise to perceptions of impropriety and might influence behaviour if not handled in an appropriate way.

A gift means 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.

4. Patient gift to employees

It is the intent of Communitas Clinics Ltd to encourage patients who want to reward specific employees, departments or the overall hospital to make donations to a charity organisation.

A patient attempting to give a gift to an employee should be told that it is gratifying to know that the patient wants to express themselves in this way, however, just knowing the patient was happy is enough reward.

The employee should suggest a gift be made to a charity organisation. If the patient insists or expresses a feeling of sadness that the gift was not accepted, it is reasonable to accept the gift if the value is less than £50 and the following must be adhered to:

- Gifts of cash and vouchers to individuals should always be declined
- Staff should not ask for any gifts

- Gifts valued at over £50 should be treated with caution and only be accepted on behalf of an organisation (i.e. to an organisation's charitable funds), not in a personal capacity. These should be declared by staff
- Modest gifts accepted under a value of £50 do not need to be externally declared
- 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)
- 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.

If this occurs, the employee should report the gift to their immediate supervisor. It is not acceptable under any circumstances to accept a gift from a patient with a value in excess of £50.

5. Gifts from Vendors

Gifts from suppliers or contractors doing business (or likely to do business) with an organisation should be declined, whatever their value.

Subject to this, low cost branded promotional aids may be accepted where they are under the value of a common industry standard of £6* in total, and need not be declared. The £6 value has been selected with reference to existing industry guidance issued by the ABPI:

<http://www.pmcpa.org.uk/thecode/Pages/default.aspx>

6. Vender provided educational materials

Vendors may provide educational materials intended for distribution to patients only with the prior approval of the Senior Manager. The Senior Manager will determine the:

- Appropriateness of the educational material
- targeted patient population to receive the material(s).

Vendors may provide educational materials for dissemination to employees only with the prior approval of the Service Manager.

Educational material may contain sponsorship information; however, product endorsements and advertising should be discouraged and avoided if possible.

Separate advertising brochures and product endorsements should never be included with educational materials.

7. Vendor provided education/ training

All vendor provided education or training related to product or equipment purchases where the vendor is financially responsible for travel, accommodations, and instruction must be documented in the initial vendor contract agreement or in an addendum.

The Service Manager must approve all vendors training and instruction provided on or off site. If the training/instruction can only be provided during the lunch period, it is acceptable for the vendor to provide lunch.

8. Vendor provided promotional products

Vendors may provide Communitas Clinics' employees with promotional products such as ink pens (e.g., with vendor logo), sticky note pads, etc., with the approval of the Service Manager. Service Managers allowing vendors to provide these consumables must treat all department vendors consistently, either allowing or disallowing all to do so.

9. Hospitality

Delivery of services across the NHS relies on working with a wide range of partners (including industry and academia) in different places and, sometimes, outside of 'traditional' working hours. As a result, staff will sometimes appropriately receive hospitality.

Staff receiving hospitality should always be prepared to justify why it has been accepted, and be mindful that even hospitality of a small value may give rise to perceptions of impropriety and might influence behaviour.

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

Overarching principles applying in all circumstances:

- Staff 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 can be accepted if modest and reasonable but individuals should always obtain senior approval and declare these.
- 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) senior approval is given. A clear reason should be recorded on an organisation's register(s) of interest as to why it was permissible to accept
 - A common sense approach should be applied to the valuing of meals and refreshments (using an actual amount, if known, or an estimate that a reasonable person would make as to its value). *The £75 value has been selected with reference to existing industry guidance issued by the ABPI
<http://www.pmcpa.org.uk/thecode/Pages/default.aspx>

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 organisation itself might not usually offer, need approval by senior staff, should only be accepted in exceptional circumstances, and must be declared. A clear reason should be recorded on an organisation’s register(s) of interest as to why it was permissible to accept travel and accommodation of this type.
- A non exhaustive list of examples includes:
 - offers of business class or first class travel and accommodation (including domestic travel)
 - offers of foreign travel and accommodation

The Following must be declared:

- Staff name and their role with the organisation
- A description of the nature and value of the hospitality including the circumstances
- Date of receipt
- Any other relevant information (e.g. action taken to mitigate against a conflict, details of any approvals given to depart from the terms of this guidance).

10. References:

<https://www.england.nhs.uk/2017/02/coi-guidelines/>

<https://www.england.nhs.uk/wp-content/uploads/2017/02/guidance-managing-conflicts-of-interest-nhs.pdf>

11. VERSION HISTORY TABLE

VERSION	DATE UPDATED	UPDATED BY	REASONS
8. Human Resources Policy	14/12/2015	AB	Separated from HR archived HR policy. Policy template updated. Issued at V1.0.
1.0	18/12/2017	AB	4 and 5 updated inline with NHSE guidelines. Hospitality added Issued at V2.0