

Dear

Thank you for your Freedom of Information request concerning gifts or hospitality.

The Trust can provide the following information:

1. Under what circumstances (if any) can staff accept gifts and/or hospitality

See attachment –hospitality policy Sept 2011

2. If your organisation requires staff to declare gifts or hospitality, and if so, how this is recorded? For example, on a register of gifts/hospitality

On a register

3. Please specify if there any items of a certain nature, or worth below a set monetary value, that have to do not have to be declared? For example chocolates or items worth £5 and under

See attachment –hospitality policy Sept 2011

4. What items/ offers of hospitality must be declared? For example, dinner, alcohol, books

See attachment –hospitality policy Sept 2011

5. If there are any monetary limits placed on gifts?

See attachment –hospitality policy Sept 2011

6. What items/offers of hospitality must always be declined? For example, tickets, holiday offers or money. What happens when staff receive items of this nature?

See attachment –hospitality policy Sept 2011

7. Have you changed your policy on gifts and/or hospitality in the past five years or have plans to do so in the next 12 months? If your policy has changed or is due to change, please state the reasons why.

The policy has recently been revised but has not yet been formally approved. Will be later this week

8. If your organisation keeps a record of gifts and/or hospitality offered to staff, I would like information on items recorded dating from October 1 2010 to October 15 2013 on an excel spread sheet, ideally with a breakdown of:

Date item/hospitality offer was declared

Role of member of staff – i.e. nurse, healthcare assistant, doctor

Description of item, i.e. wine, chocolates, tickets
Value of item
Whether item/hospitality offer was accepted or declined
[See attachment gifts and hospitality register 2013](#)

9. I would also like to know how many staff have been subject to disciplinary proceedings over accepting and/or not declaring gifts and/or hospitality between October 1 2010 to October 15 2013

[None](#)

If you have any queries about this response please contact the information governance manager at foi@homerton.nhs.uk , in the first instance. If, following that, you still have any concerns, you may contact the Information Commissioner either by letter, FOI/EIR Complaints resolution, Wycliffe House, Water Lane, Wilmslow, Cheshire SM9 5AF, or by email www.informationcommissioner.gov.uk to take them further.

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Yours sincerely

James Cook
Information Governance Administrator

[Matthew Hall](#)
[Information Governance Manager \(Deputy Caldicott Guardian\)](#)

Gift / Hospitality	Date received	Job Title	Division	Description of Gift/Hospitality	Received from Company/Club	Estimated Value (£)	Accepted yes/no	Reason for Gift/Hospitality	Comments/Destination of accepted gifts
Gift	02/03/2011	Assistant Director of Nursing	Corporate	Signed Newcastle Shirt	Aggora Designers	150	Yes	Common Interest	
Hospitality	10/10/2011	Director of Finance	Corporate	Lunch	GE Healthcare	35	yes	Thank you to another Director	Part of relationship handover
Hospitality	10/10/2011	Director of Estates	Corporate	Lunch	GE Healthcare	50	yes	Close out GE legacy	
Hospitality	01/07/2012	Chief Operating Officer	Corporate	Visit to hospital in Chicago and attendance at Cerner conference by 7 people	Cerner		Yes	Trip organised for 7 staff to understand benefits of the Cerner system	
Gift	02/07/2012	Neonatal Consultant	CSDO	A dress by Hackney based fashion designer	Mother of patient	48	Yes	Thank you present	
Gift	21/07/2012	Neonatal Consultant	CSDO	Cowshed Spa Voucher	Knucklehead	200	Yes	Assisted with organising filming in neonatal unit	Gift was sent as a personal thank you for help with the organisation during and before filming. Fee waived for the advert and donation by GE to NICU charitable fund.
Gift	26/07/2012	Chief Executive	Corporate	Four tickets for dress rehearsal of Olympic ceremony distributed to staff	GE	Tickets by invitation no financial value	Yes		
Gift	18/12/2012	Physiotherapist	IMRS	DVD	Patient	10	Yes	Thank you present	
Gift	20/12/2012	Specialist Nurse	IMRS	Royal Albert Hall Voucher	Hatzola	80	Yes	Gift as recognition of liaison link between Trust and Hatzola	Given as a gift by charitable organisation

Gift	21/01/2013	Psychologist	IMRS	Boots Gift Voucher	Patients Mother	20	Yes	End of 2.5yr therapy with patient	Confirmed acceptance of gift with line manager
Gift	27/03/2013	Podiatrist	SWSH	3 bottle wine	Patient who had surgery	30-40	Yes	Thank you for Surgery	
Gift	17/05/2013	Occupational Therapist	IMRS	Bracelet	Patient	Less than £10	Yes	To thank staff for kind and responsive	Discussed with line manager agreed refusal would offend.
Gift	08/08/2013	Consultant Paediatrician	CSDO	Mamas and Papas Gift Card	Patient	40	No	Gift from patients mother	Gift politely declined
Fee	15/10/2013	Consultant Paediatrician	CSDO	Cheque	Danone Baby Nutrition	£450	Yes	Gave lecture on study day arranged by Danone	Accepted as professional fee for giving a lecture on study day

Hospitality, Gifts and Sponsorship Policy

Author(s)	Head of Governance
Version	V1.1
Version Date	August 2011
Implementation/approval Date	September 2011
Review Date	September 2013
Review Body	Audit Committee
Policy Reference Number	210\tw\o\hgs

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1.0. Introduction and Summary

This policy sets out the standards of conduct in relation to the acceptance of hospitality and gifts.

'Hospitality' can refer to a wide range of activities, but for current purposes it can broadly be considered as:

- A gift of money, goods or services or combination of these
- A loan of money, goods or services or combination of these
- The receipt of beneficial terms that is not generally available regarding the purchase or lease of goods or services.

'Goods' include vehicles or any type of equipment. 'Services' includes invitations to events, travel, accommodation or work carried out.

This document should be read in conjunction with the Standards of Business Conduct Policy, part of the Homerton University Hospital NHS Foundation Trust's Corporate Governance Framework and in addition, the Trust's 'Policy for working with the Pharmaceutical Industry'. These set out standards of behaviour expected of staff in relation to the above.

2.0. Policy Statement

The Policy of the Homerton University Hospital NHS Foundation Trust is that:

- Hospitality should not generally be accepted
- Where exceptionally, an individual believes there is a case for acceptance, appropriate approval must be obtained.
- Where approval is granted, any hospitality received with a significant value must be recorded in the Register of Gifts, Hospitality and Sponsorship.

It should be noted that the current limit is set at £25, however staff may be required to explain acceptance of any gift, hospitality or sponsorship even if below this limit.

3.0. Scope of Policy

This Policy applies to all staff groups, regardless of grade or profession, employed by the Trust including part time staff, locums, volunteers and those on fixed term and temporary contracts.

It is the responsibility of all staff to follow this policy. Staff should be aware that disciplinary action may be taken where there is a breach of this policy.

The Bribery Act 2010, which repeals existing corruption legislation, has introduced the offences of offering and or receiving a bribe. It also places specific responsibility on organisations to have in place sufficient and adequate procedures to prevent bribery and corruption taking place. Under the Act, Bribery is defined as "*Inducement for an action which is illegal unethical or a breach of trust. Inducements can take the form of gifts loans, fees rewards or other privileges*". Corruption is broadly defined as the offering or the acceptance of inducements, gifts or favours payments or benefit in kind which may influence the improper action of any person; corruption does not always result in a loss.

The corrupt person may not benefit directly from their deeds; however, they may be unreasonably using their position to give some advantage to another.

To demonstrate the organisation has sufficient and adequate procedures in place and to demonstrate openness and transparency, all staff are required to comply with the requirements of Gifts and Hospitality Policy. For a more detailed explanation see the Trust's Bribery Policy and Standards of Business Conduct Policy. Should members of staff wish to report any concerns or allegations they should contact the Local Counter Fraud Specialist.

The Trust's Whistleblowing (Raising Concerns at Work) Policy encourages staff not to turn a blind eye or to remain silent but to accept their responsibilities for the Trust's interests and to voice genuinely held concerns about Fraud and Bribery.

4.0. Casual Gifts

Casual gifts, offered by contractors or others, should be politely but firmly declined if it is thought that it would constitute an offence under the above Act.

It may be in order for staff to accept small tokens to a value of £25. This may include items of low intrinsic value such as diaries or calendars, or small tokens of gratitude from patients or their relatives.

In line with the Trust's Standing Orders all gifts and hospitality with a value in excess of £25 per item received must be registered. This includes accumulations of gifts from a single individual or company that total £25 or more over a twelve month period.

In cases of doubt staff should either consult their line manager or politely decline acceptance.

Whether a gift is accepted or not accepted the employee's line manager should be informed and the offer recorded within two weeks on the Trust's Register of Hospitality/Gifts form (appendix 1), which should then be submitted to the Head of Governance.

5.0. Hospitality of a non-commercial nature

Modest hospitality provided it is normal and reasonable in the circumstances, e.g. lunches in the course of working visits, may be acceptable, though it should be similar to the scale of hospitality which the NHS as an employer would be likely to offer.

Staff should decline all other offers hospitality or entertainment. If in doubt they should seek advice from their line manager.

6.0. Provision of Light Refreshment and Working Meals

Light refreshments (biscuits, tea, coffee and other non-alcoholic drinks) and working meals should only be provided to participants in meetings, if the following criteria are met:

- The meeting is held in relation to Trust business and attendees are present in that capacity;
- The meeting is scheduled to last for more than two hours within the normal working day (light refreshment); or
- Participants are involved in a series of back to back meetings which in total last longer than two hours (light refreshment); or

- The meeting is scheduled to last for more than one and a half hours and fall wholly or partially outside the normal working day (light refreshment);
- There is a minimum of 4 people attending.

Working meals should not be provided immediately before or after a meeting. Where considered essential, they should be limited to a buffet/sandwich type meal. The meeting must unavoidably continue through the normal lunch period noon – 2pm.

For Homerton arranged meetings in non-Homerton venues, hospitality (light refreshments) may be provided for participants at the discretion of the relevant budget holder.

7.0. Commercial Sponsorship – Hospitality and Meetings

As a general rule, sponsorship arrangements involving the Trust should be at a corporate, rather than individual level, but these guidelines will include any member of the Trust staff working under NHS terms and conditions and receiving sponsorship from agencies and/or commercial industry.

Agency/Industry representatives organising meetings are permitted to provide appropriate hospitality and/or meet any reasonable, actual costs, which may be incurred. Hospitality must be secondary to the purpose of the meeting.

The level of hospitality offered must be appropriate 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 Trust.

It should not be extended beyond those whose role makes it appropriate for them to attend the meeting.

Any meeting sponsored must be disclosed in papers relating to the meeting and any published proceeding.

8.0. Collaborative Partnerships

Where collaborative partnerships involve a pharmaceutical company, persons should also be aware of the requirements of the Medical (Advertising) Regulations Act 1994 (regulation 21 'Inducements and hospitality').

Specific issues may arise where there are opportunities for the Trust or the individual employees to enter into cooperative arrangements with pharmaceutical companies. Where such opportunities are considered, the following guidelines should be observed:

- The partnership activity should support the overall objectives and priorities of the Trust
- These activities should show tangible benefits to individual patient management
- The work should support the activities and decisions of the Trust
- The overall aim of the partnership should be considered and take account of the need for probity and transparency
- The agreement should take account of the programme's clinical effectiveness and of the strict requirements regarding patient confidentiality.
- Any benefits obtained should be documented in the Hospitality Register where appropriate

- Proposed arrangements with Pharmaceutical companies will be considered by the Chief Executive and the Board Members

Further details can be found in the Trust's 'Policy for working with the Pharmaceutical Industry'

9.0. Action required

In **all** instances of being offered gifts or hospitality or where any individual benefits from sponsored hospitality, a form should be completed showing:

- The nature of the goods/hospitality/sponsorship offered
- The approximate value (where this is unknown an estimate should be included in all cases)
- The person/organisation offering the goods
- Date of the offer
- Action taken (accepted/declined) plus supporting information

The form should be reviewed by the employee's line manager, and then sent to the Trust's Head of Governance within 2 weeks of the offer.

Staff should note that under the Freedom of Information Act 2000, the information contained within the Trust Register of Gifts will be subject to disclosure to any member of the public on request.

10.0. Authorisation

Only Clinical/Corporate Directors, Operations/Budget Managers and General Managers may approve the provision of hospitality. An application form must be completed prior to the ordering of hospitality. Commercial sponsorship provided by pharmaceutical companies must be authorised by the Chief Executive or Executive Directors.

11.0. Supply

Catering must be ordered through the Catering Department at the site on which the meeting is to be held. To order catering a 'Catering function request form' duly signed by an authorised signatory should be forwarded to the Catering Department at least 24 hours prior to the date of the meeting.

12.0. Review of Policy

This policy will be reviewed in 2 years time (2013). Earlier review may be required in response to exceptional circumstances, organisational change or relevant changes in legislation or guidance.

13.0. Training and awareness

Homerton will provide awareness training to all employees on induction to make them aware of this and associated policies and guidelines.

14.0. Monitoring/Audit

Application of this policy will be monitored annually through review of completed hospitality forms by the Head of Governance.

15.0. Sources of Evidence; References / Bibliography

The Department of Health issued guidance HSG (93) 5.

This policy should be read in conjunction with the following Trust policies:

- Standards of Business Conduct Policy
- Counter Fraud and Corruption Policy.
- Bribery Policy
- Raising Concerns at Work (Whistle blowing) Policy.
- Standing Financial Instructions.
- Standing Orders

Appendix 1 - Register of Hospitality / Gifts

**Register of Hospitality / Gifts
Offered and Received**

Gift / Hospitality	Date received	Gift received by	Directorate	Description of Gift/Hospitality	Received from Company/Club	Estimated Value (£)	Accepted yes/no	Reason for Gift/Hospitality	Comments/Destination of accepted gifts

I declare that the information I have given on this form is a true and accurate record to the best of my knowledge at the time of completion. I understand that if I knowingly provide false information this may result in disciplinary action and I may be liable for prosecution and civil recovery proceedings. I consent to the disclosure of information from this form to and by the Trust and the NHS for the purpose of verification of this claim and the investigation, prevention, detection and prosecution of fraud.

Signed:

Date:

Please complete the above form for each offer of gift/hospitality received, note action taken and return to the Head of Governance c/o Trust Offices

Appendix 2. Equalities Impact Assessment

Policy/Service Name:	Hospitality Policy
Author:	David Bridger
Role:	Head of Governance
Directorate:	Corporate
Date	September 2011

Equalities Impact Assessment Question	Yes	No	Comment
1. How does the attached policy/service fit into the trusts overall aims?			Policy required as part of the Trust's Standing Financial instructions
2. How will the policy/service be implemented?			Through dissemination to staff at induction and monitored by the Audit Committee.
3. What outcomes are intended by implementing the policy/delivering the service?			Inappropriate hospitality and gifts are not accepted and individuals are not compromised. Register of gifts/hospitality maintained.
4. How will the above outcomes be measured?			Annual review
5. Who are they key stakeholders in respect of this policy/service and how have they been involved?			Audit Committee and Clinical Board – consulted as part of the policy review.
6. Does this policy/service impact on other policies or services and is that impact understood?		No	
7. Does this policy/service impact on other agencies and is that impact understood?		No	
8. Is there any data on the policy or service that will help inform the EqIA?		No	
9. Are there are information gaps, and how will they be addressed/what additional information is required?		No	

Equalities Impact Assessment Question	Yes	No	Comment
10. Does the policy or service development have an adverse impact on any particular group?		No	
11. Could the way the policy is carried out have an adverse impact on equality of opportunity or good relations between different groups?		No	
12. Where an adverse impact has been identified can changes be made to minimise it?		No	
13. Is the policy directly or indirectly discriminatory, and can the latter be justified?		No	
14. Is the policy intended to increase equality of opportunity by permitting Positive Action or Reasonable Adjustment? If so is this lawful?		No	

EQUALITIES IMPACT ASSESSMENT FOR POLICIES AND PROCEDURES

1. If any of the questions are answered 'yes', then the proposed policy is likely to be relevant to the Trust's responsibilities under the equalities duties. Please provide the ratifying Committee with information (the 'form') on why 'yes' answers were given and whether or not this is justifiable for clinical reasons. The author should consult with the Director of Workforce & Education to develop a more detailed assessment of the Policy's impact and, where appropriate, design monitoring and reporting systems if there is any uncertainty.

2. A copy of the completed form should be submitted to the ratifying committee when submitting the document for ratification. The Committee will inform you if they perceive the impact to be sufficient that a more detailed assessment is required. In this instance, the result of this impact assessment and any further work should be summarised in the body of the Policy and support will be given to ensure that the policy promotes equality.

Appendix 3. Policy Submission Form

1	Details of policy	
1.1	Title of Policy:	Hospitality Policy
1.2	Lead Executive Director	Director of Finance
1.3	Author/Title	Head of Governance
1.4	Lead Sub Committee	Audit Committee
1.5	Reason for Policy	Requirement to be in place to which all staff comply. To ensure that inappropriate hospitality and gifts are not accepted and individual staff are not compromised. Register of gifts/hospitality maintained.
1.6	Who does policy affect?	All Trust staff
1.7	Are national guidelines/codes of practice incorporated?	Department of Health Guidance HSG (93) 5
1.8	Has an Equality Impact Assessment been carried out?	Yes
2	Information Collation	
2.1	Where was Policy information obtained from?	Review of existing policy
3	Policy Management	
3.1	Is there a requirement for a new or revised management structure if the policy is implemented?	No
3.2	If YES attach a copy to this form	
3.3	If NO explain why	Applies to existing management structure
4	Consultation Process	
4.1	Was there internal/external consultation?	Internal
4.2	List groups/Persons involved	Clinical Board Audit Committee

4.3	Have internal/external comments been duly considered?	Yes
4.4	Date approved by relevant Sub-committee	September 2011
4.5	Signature of Sub committee chair	Mr Stephen Hay
5	Implementation	
5.1	How and to whom will the policy be distributed?	All staff via Trust intranet and briefing
5.2	If there are implementation requirements such as training please detail?	No additional training needs
5.3	What is the cost of implementation and how will this be funded?	Nil
6	Monitoring	
6.1	List the key performance indicators e.g. core standards	Number of completed gift/hospitality forms. Understanding of the nature and extent of gifts and hospitality accepted
6.2	How will this be monitored and/or audited?	Reviewed annually by Audit committee
6.3	Frequency of monitoring/audit	

Date policy approved by Trust Policy Group:

..... 10/10/2011

Signature of Trust Board Group chair:

..... 