

## **Flexible Worker HR Guidance**

### **Gifts and Hospitality**

## **CONTENT**

- 1 Scope
- 2 Purpose
3. Definitions
- 4 Responsibilities
  - 4.1 NHSP
  - 4.2 FW
5. Receipt of gifts and hospitality
  - 5.1 Cash
  - 5.2 Receipt of gifts
  - 5.3 Receipt of hospitality
  - 5.4 The management of offers of gifts and hospitality.
6. Fraud

## **Appendices**

- Appendix 1: Declaration of Gifts, Hospitality and sponsorship Form  
Appendix 2. Examples of gifts and hospitality which may be offered

## 1. Scope

The following guidelines have been created for all NHS Professionals Ltd (NHSP) Flexible Workers (FW) to provide guidance regarding Gifts and Hospitality.

## 2. Purpose

This guidance sets out the rights and responsibilities of FWs regarding the offer of, and acceptance of, gifts and/or hospitality while on an assignment with NHSP.

## 3. Definitions:

Gifts	For the purpose of these guidelines, gifts shall be understood to be any personal, material and/or financial advantage or reward.
Hospitality	Hospitality shall be understood to be an offer of food, drink, invitation to events, travel and or/ accommodation. Examples of gifts and hospitality which may be offered are contained in Appendix 2.

## 4 Responsibilities

### 4.1 NHSP

- Ensure these guidelines are made available to FWs.

### 4.2 FW

- Act in accordance with these guidelines
- Declare any gifts or hospitality which they have been unable to decline using the form in Appendix 1 in accordance with the NHSP's guidance below and relevant Trust policies.
- Remain impartial and honest in the conduct of their business and remain above suspicion.
- Ensure that they do not put themselves in a position which risks, or appears to risk, conflict between their private interests and their NHS duties.
- Not use their position for personal gain or to benefit their family and friends
- Not seek an advantage to further private business or other interests in the course of their duties with NHSP.

## 5. Receipt of Gifts and Hospitality

The acceptance of gifts and hospitality, even on a modest scale, may arouse suspicion and needs to be capable of public justification. The following guidance should be followed in relation to gifts and hospitality. All receipt of gifts, hospitality and sponsorship is prohibited whenever these could affect or be perceived to affect the outcome of business transactions.

## 5.1 Cash

Under no circumstances must FWs accept personal gifts of cash. It is however permissible to accept cash donations to a Trust's charitable funds, subject to a receipt being issued and the cash being banked through the Trust's cash office.

## 5.2 Receipt of Gifts

FW's must decline all offers of gifts or hospitality in a polite way. If this is not possible, for example because a gift is left for them, or a patient is insistent, the gift should be passed to either a local trust representative, or a member of the FWHR team, who will deal with it in accordance with NHSP's guidelines.

In conjunction with these guidelines, FWs should declare any Gifts and Hospitality in accordance with the policy of the Trust in which they are working at the time. They should also complete the declaration form in Appendix 1 for NHSP.

## 5.3 Receipt of Hospitality

All offers of hospitality should be approached with caution. Offers of hospitality relating to theatre evenings, sporting fixtures, or holiday accommodation or other hospitality must be declined.

There is an important difference between, for example, attendance in an official capacity at a function organised by a public body and accepting hospitality from a private individual or firm standing to benefit from the goodwill of the Trust. Particular care must be taken when dealing with contractors, developers and firms or individuals in a comparable position.

## 5.4 The management of offers of gifts and hospitality.

- Under the Prevention or Corruption Act 1916, any money, gift or consideration received by a worker in public service from a person or organisation holding or seeking to obtain a contract will be deemed to have been received corruptly unless otherwise proven.
- A FW should not accept any gift, reward or hospitality from any organisation or individual with whom they have contact with, in the course of their work as an inducement either for doing something or not doing something whilst working on an assignment via NHSP
- Offers of casual gifts should be politely but firmly declined.
- FW's who, in the course of their duties, are required to visit patients in their homes, must decline any offers of food and/or drink.
- When in doubt FWs are advised to report any matters concerning gifts and hospitality to the FWHR team at [fwhumanresources@nhsprofession-als.nhs.uk](mailto:fwhumanresources@nhsprofession-als.nhs.uk), to ensure that they do not expose themselves to risk.

## 6. Fraud

Any indication of deliberate noncompliance with these guidelines particularly where there is a suspicion of financial irregularity, will be referred to the NHSP Local Counter Fraud Specialist (LCFS) for further investigation. Where fraud or corruption is proven, NHSP will appropriately consider the application of disciplinary and criminal sanctions, as well as redress, against identified perpetrators.

**Appendix 1- Declaration of Gifts, Hospitality and sponsorship Form**

<b>Section A: To be completed by FW</b>	
<b>Notes:</b> This form must be completed if in connection with your official duties you are offered and/or accept any form of gift, hospitality or sponsorship from a third party. The completed form should be returned to the FWHR team at <a href="mailto:fwhumanresources@nhsprofessionals.nhs.uk">fwhumanresources@nhsprofessionals.nhs.uk</a> .	
<b>Name of FW</b>	
<b>Role</b>	
<b>Trust</b>	
<b>Section B: To be completed by FW</b>	
<b>Nature of *gift, *hospitality or *sponsorship offered to you (*delete as applicable)</b>	
<b>Value of the gift, hospitality or sponsorship (if exact value is unknown, this should be estimated)</b>	£
<b>Details of the supplier or person offering the gift, hospitality or sponsorship, including the name and the nature of their business where known.</b>	
<b>Date the gift, hospitality or sponsorship was offered</b>	
<b>Was the gift, hospitality or sponsorship accepted or declined</b>	
<b>Do you consider that this offer was made appropriately?</b>	
<b>Have you been offered gifts by this supplier previously? If so, please provide details.</b>	
<b>To be completed by NHSP</b>	
<b>Approval considered by (please refer to the gifts, hospitality and sponsorship policy for authority levels)</b>	<b>Approval given: *Yes / *No</b>  <b>Name:</b>  <b>Role:</b>  <b>Signature:</b>

## **Appendix 2:**

Examples of gifts and hospitality which may be offered are: - (Please note this list is not exhaustive)

- Bottle of wine or any kind of alcohol
- Box of chocolates
- Hamper
- Invitation to dinner at a restaurant
- Art work
- Smart Phones, iPads etc.
- Cash or cash equivalent (such as gift certificates or vouchers)
- Tickets to a show
- Invitation to a sporting event
- Round of golf
- Offer of use of a holiday home
- Offer to have accommodation and/or travel paid for by an external party