

Reference Number: UHB 474 Version Number: 2	Date of Next Review: 01 July 2028 Previous Trust/LHB Reference Number: N/A
Declaration of Gifts, Hospitality and Sponsorship Procedure	
<p>Introduction and Aim</p> <p>Independent Members and employees should ensure that they are not placed in a position that risks, or appears to risk, compromising their role or the organisation’s public and statutory duties or reputation. Employees must not, or be perceived to, secure valuable gifts and hospitality by virtue of their role.</p> <p>The Bribery Act 2010 makes it a criminal offence to give or offer a bribe, or to request, offer to receive or accept a bribe. The Act reformed the criminal law of bribery, making it easier to tackle this offence proactively in both the public and private sectors. It introduced a corporate offence which means that commercial organisations, including NHS bodies, will be exposed to criminal liability, punishable by an unlimited fine, for failing to prevent bribery.</p>	
<p>Objectives</p> <ul style="list-style-type: none"> • To ensure there is a clear understanding of what gifts, hospitality and sponsorship entail • To ensure there is a clear understanding of when it appropriate to accept or decline any offers of gifts, hospitality or sponsorship • To ensure all parties know when to declare gifts, hospitality or sponsorship and the processes to follow • To set out the roles and responsibilities around accepting and declaring gifts, hospitality or sponsorship • To describe the process of recording and publishing declarations of gifts, hospitality or sponsorship 	
<p>Scope</p> <p>All Independent Members and Employees of the UHB including those working for its hosted organisations are, without exception, within the scope of this Policy.</p> <p>In the context of this policy the term ‘employees’ refers to all staff of the UHB and</p> <ul style="list-style-type: none"> ▪ Consultants; ▪ Agency workers; ▪ Specialist Contractors; ▪ Those who have an honorary contract with the UHB; ▪ Secondees who carry out work for the UHB but are not directly employed by it; 	

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- NHS Trainees on placement with the UHB;
- Jointly appointed staff

In addition, some individuals who work with, but are not employed by the UHB are required to comply with this policy, for example members of the UHB's advisory groups, such as its Stakeholder Reference Group and volunteers.

Equality and Health Impact Assessment	This Procedure is covered by the Standards of Behaviour Policy EHIA – this found there to be a no impact.
Documents to read alongside this Procedure	<ul style="list-style-type: none"> • Standards of Behaviour Policy • Declaration of Interests Procedure • Standing Orders. • Scheme of Reservation and Delegation • Standing Financial Instructions. • Procedure for NHS Staff to Raise Concerns • Data Protection Act Policy • Information Governance Policy
Accountable Executive or Clinical Board Director	Director of Corporate Governance
Author(s)	Corporate Archivist & Records Management Manager
<p><u>Disclaimer</u> If the review date of this document has passed please ensure that the version you are using is the most up to date either by contacting the document author or the Governance Directorate.</p>	

Summary of reviews/amendments			
Version Number	Date Review Approved	Date Published	Summary of Amendments
1	28 Nov 2019	13 Dec 2019	Previously contained within the Standards of Behaviour Framework Policy (UHB 064 v 1 & v 1.1)
2	July 2025		Removed links to previous form and updated to direct to ESR

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1 Roles and Responsibilities

The Director of Corporate Governance will:

- Ensure that a Register of Gifts, Hospitality and Sponsorship accepted is maintained.
- Ensure appropriate information from the Registers of Declarations of Interests and Gifts, Hospitality and Sponsorship is published on the UHB's Website in accordance with the requirements of the organisations Freedom of Information Publication Scheme.
- Report the content of the Registers of Declarations of Gifts, Hospitality and Sponsorship and the effectiveness of the arrangements in place to the Audit Committee at agreed intervals.

Executive Directors and Clinical Board teams will:

- Lead by example and ensure that they personally declare any gifts, hospitality or sponsorship received
- Approve (or not) the acceptance of gifts, hospitality and sponsorship that have been offered within their Directorate/Clinical Board prior to the event.
- Ensure that they review the contents of the Register of Declarations on an annual basis to assist with the verification of the information contained within it

Line Managers will:

- Ensure that employees are aware of the requirements of this Procedure and the implications for their work
- Support individuals in the applications of this Procedure, seeking advice from seeking advice from other managers or from the Directorate of Corporate Governance/Corporate Governance Team if required.

Employees and Independent Members will:

- ensure they are aware of and are compliant with the requirements of this Procedure, consulting their line manager or appropriate senior manager if they require clarification
- Declare to the UHB any offer of a gift, hospitality or sponsorship which requires recording in the Register of Gifts, Hospitality and Sponsorship
- Obtain permission from their Director/Clinical Director before accepting gift, hospitality or sponsorship which require recording.
- Observe the Standing Orders, Standing Financial Instructions and procurement policies and procedures of the UHB.

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2 Gifts

A gift is an item of personal value, given by a third party e.g. a patient or a supplier. The definition includes prizes in draws and raffles at sponsored events/conferences. Independent Members and employees should not ask for or accept gifts, gratuities or honoraria (such as grants, scholarships) from any individual or organisation that may be capable of being construed as being able to influence any decision or cast doubt on the integrity of such decisions. It may be considered to be a breach of the organisation Disciplinary Policy to solicit gifts. It may also be illegal, under the Bribery Act 2010, and staff that are found to have done so may face disciplinary action and prosecution.

Independent Members and employees should always refuse gifts or other benefits which might reasonably be seen to compromise their personal judgement or integrity. Under no circumstances should employees accept a personal gift of cash or cash equivalents (e.g. tokens, vouchers, gift cards, lottery tickets or betting slips) regardless of value.

2.1 Gifts from suppliers or contractors

Gifts from suppliers, contractors and other commercial organisations the UHB does business (or is likely to do business) with should be declined, whatever the value. Subject to this, low cost branded promotional aids (such as calendars, diaries or other small gifts) may be accepted where they are valued at under £6 in total. Team or directorate gifts of low value, such as confectionary (up to approximately £20) intended to be shared by the team may also be accepted. Gifts accepted from suppliers in accordance with this provision must be declared using the form on ESR. Clear reason should be recorded as to why it was considered permissible to accept the gift, alongside the actual or estimated value and include line manager approval. This will allow the UHB to monitor when such organisations are inappropriately offering gifts or potential inducements.

Under some circumstances suppliers may send gifts to all of its clients as custom and practice e.g. hampers at Christmas. Whilst such practices should be discouraged and it is not acceptable for staff to personally accept these gifts, following discussion with the supplier/commercial organisation and the appropriate Executive Director it may be considered appropriate to accept the gift and utilise it for the benefit of Charitable Funds. The Corporate Governance team will provide advice regarding the mechanism for appropriately receipting such items

2.2 Gifts from patients, families and service users

Personal gifts of cash from patients or their relatives are not acceptable. Cash may only be accepted as a donation to an appropriate Charitable Fund and recorded as such.

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The acceptance of gifts of over £30 should be treated with caution and only accepted on behalf of the organisation, not in a personal capacity. Gifts accepted over a value of £30 must be declared using the using the form on ESR. A clear reason should be recorded as to why it was considered permissible to accept the gift, alongside the actual or estimated value and include line manager approval.

Modest gifts accepted under a value of £30 need not be declared, however multiple gifts from the same source over a 12-month period should be declared where the cumulative value exceeds £30.

A common sense approach should be applied to the valuing of gifts, using the actual amount if known, or an estimate that a reasonable person would make as to its value.

If there is any doubt about the appropriateness of accepting a gift, employees should either politely decline or consult their line manager or another senior manager.

2.3 Gifts from Dignitaries/Overseas Organisations

There may be occasions when visits are made by dignitaries or overseas organisations who consider it “culturally custom and practice” to exchange gifts. In such cases Employees should seek guidance from the Director of Corporate Governance and declare these gifts on ESR. A decision will then be jointly made as to the most appropriate way to manage the gift. This will depend on the nature of the “gift culture” and may include decisions to “keep and display in public”, “donate to an internal user group”, “auction for charity” etc.

3 Hospitality

Hospitality in this context means the provision of meals and refreshments, invitations to functions such as ceremonies, receptions, presentations and conferences as well as invitations to social, cultural and sporting events. Some offers may include overnight accommodation and travel to and from a venue at which an event is being held.

Hospitality must only be accepted when there is a legitimate business reason and it is proportionate to the nature and purpose of the event. Employees should exercise discretion in accepting offers of hospitality in case it would, or might appear to:

- place them under any obligation to the individual or organisation making the offer;
- compromise their professional judgement and impartiality; or otherwise be improper.

Hospitality should only be accepted on a one-off basis and should not take the form of regular events. It is very important that receiving hospitality does not influence, or is perceived to potentially influence, any decision making or

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behaviours.

Acceptable hospitality includes offers of food and non-alcoholic drink, provided it is equivalent to that offered in similar circumstances by the NHS, can be accepted during working visits and does not need to be recorded in the Gifts, Hospitality and Sponsorship Register. Other hospitality that may be accepted includes instances where:

- There is a genuine need to impart information, or represent the Organisation at Stakeholder Community Events e.g. Local Authority or Charitable organisations which have an association with the UHB;
- An employee has been invited to receive an award or prize in connection with the work of the organisation or their role within it.
- An employee is invited to a Society or Institute Dinner or Function which is to be funded by a commercial organisation and where there is a genuine benefit to the professional standing of the individual or the UHB.

These types of hospitality must be authorised prior to their acceptance by a Corporate or Divisional Director and a Declaration on ESR must be completed.

3.1 Hospitality from Suppliers or Contractors

Particular caution should be exercised when hospitality is offered by actual or potential suppliers or contractors. Offers can be accepted if modest and reasonable but must be declared and approved by the line manager or other senior manager.

3.2 Meals and Refreshments

Meals and refreshments under the value of £10 may be accepted and need not be reported. In case of doubt, employees should seek advice from their line manager or another senior manager.

Meals and refreshments offered of a value between £10 and £50 may be accepted but must be declared, using ESR.

Offers over a value of £50 should be refused unless (in exceptional circumstances) Directorate Manager (or equivalent) approval is given in advance of acceptance. A clear reason should be recorded on the declaration as to why it was permissible to accept hospitality of this value.

A common sense approach should be applied to the valuing of meals and refreshments, using an actual amount, if known, or an estimate.

3.3 Travel and accommodation

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Modest offers to pay some or all the travel and accommodation costs related to attendance at events may be accepted but must be declared and authorised. Offers which go beyond the type which would be funded by the UHB must have Director Manager (or equivalent) approval in advance. A clear reason should be recorded on the declaration as to why it was permissible to accept travel and accommodation of this type.

Examples of travel and accommodation which we would not normally be funded are shown below, although this list should not be regarded as exhaustive:

- offers of business or first-class travel and accommodation (including domestic travel)
- offers of foreign travel and accommodation.
- a holiday or weekend/overnight break;
- offers of hotel accommodation when this is not associated with a sponsored course or conference (see below);
- use of a company flat or hotel suite;
- attendance at a function or event restricted to Employees which is not for the purposes of training or organisational development;

All references to hospitality include that provided by contractors, organisations or individuals concerned with the supply of goods or services.

4 Declaring Gifts and Hospitality

All employees must declare any gifts and hospitality in accordance with the guidance above as soon as is practicable. Declarations should be made via ESR. Your declaration will need to include the following:

- date of offer of gift or hospitality, and date of event where relevant
- name, job title and organisation of recipient / provider
- nature and purpose of gift or hospitality received or declined
- the name of any other organisation involved
- estimated value
- confirmation of approval where relevant.

5 Register of Gifts and Hospitality

The register of gifts and hospitality is maintained by the Directorate of Corporate Governance who will formally record the declarations of Independent Members and all employees.

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6 Gifts and Hospitality Provided by the UHB

Gifts provided by the UHB are included in the restricted list of expenditure and would require HM Treasury approval, via the Welsh Government. Any proposal would require the prior approval of the Chief Executive of NHS Wales.

Care should also be taken when providing hospitality from UHB funds and employees must be aware that hospitality provided is still sourced from public funding and the public expect these funds to be used for legitimate purposes and demonstrate value for money.

In certain circumstances, it may be acceptable for the UHB to provide modest hospitality in the way of working lunches and/or dinners as long as this is:

- subject to a genuine business reason; and
- with the prior approval of the Chair and Chief Executive

7 Sponsored Research

Funding sources for research purposes must be transparent. Any proposed research must go through the relevant approvals process.

There must be a written protocol and written contract between the UHB, the institute at which the study will take place and the sponsoring organisation, which specifies the nature of the services to be provided and the payment for those services. Where the contract includes provision of people this, and accompanying arrangements, must be clearly articulated.

The study must not constitute an inducement to commission any service. The Research and Development Department will be able to offer advice and support in this area

8 Charitable Donations

There may be occasions when commercial organisations offer to pay monies into Charitable Funds as a way funding attendances at courses or conferences. Monies may only be paid into Charitable Funds from commercial companies if it is a donation or sponsorship. It can only be used to fund expenditure which is in line with the terms of the funds use as set out within the Charitable Funds Governance Framework. The overarching aim of the Cardiff and Vale Charity is *“the advancement of health or the saving of lives”* and includes *“prevention or relief of sickness, disease or human suffering”*.

Expenditure from Charitable Funds does not fall within the remit of this policy, however there may be a close association with the Standards of Behaviour

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Policy. Further guidance is available on the Corporate Governance Intranet pages.

9 Declaring Sponsorship

Should there be any doubt about the appropriateness of accepting sponsorship, employees should seek advice from their line manager or the Directorate of Corporate Governance.

All employees must declare any sponsorship in accordance with the guidance above including the value of the sponsorship. A common-sense approach should be applied to valuing the sponsorship if there is not a contractual value specified, for example a room and refreshments being provided for an event.

Any sponsorship in the form of hiring venues, awards, catering etc. for events organised by the UHB (e.g. nursing conference, staff recognition awards) either directly or through a third party, must also be declared.

Declarations should be made by completing the conflict field in ESR by the employee responsible for the event. For the purposes of events the declaration should be made within 28 days of when the sponsorship was agreed rather than the date of the event. In exceptional circumstances where there are multiple sponsorship arrangements, the sponsorship may be declared within 28 days of the event taking place provided that this is agreed in advance by the Director of Corporate Governance or the Head of Corporate Governance.

Declarations made in accordance with the policy will be published on the UHB's website at intervals set out in the summary. In exceptional circumstances the value of the sponsorship may be published in bands where there are multiple sponsors of an event. A complete register will be held by the Director of Corporate Governance.

10 Register of Sponsorship

The register of sponsorship is maintained by the Directorate of Corporate Governance who will formally record the declarations of all employees.

11 Miscellaneous Payments/Honoraria

Independent Members and employees may be invited to give presentations at conferences, provide responses to surveys or attend professional meetings where a one off payment or honoraria is offered. If this activity is to be undertaken during hours when the employee is contracted to work for the UHB the payment should be made to the UHB. Individuals may accept payment for activities that they undertake in their own time, subject to the provisions

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regarding outside employment contained within the various employee Contracts and Terms of Service. The activity should be reported using ESR and it should be authorised by the appropriate Executive/Clinical Board Director.

12 Non-compliance and Concerns

Any instances of non-compliance with this procedure or concerns about compliance with it should be dealt with in line with the Standards of Behaviour Policy