

Gifts and Hospitality Policy



Please complete the table below:	
<i>To be added by corporate team once policy approved and before placing on website</i>	
Policy ref no:	6
Responsible Executive Director:	Shane Devlin, Chief Executive
Author and Job Title:	Sarah Carr, Corporate Secretary Lucy Powell, Corporate Support Officer
Date Approved:	1 July 2022 1 st February 2024
Approved by:	Integrated Care Board (ICB) Board
Date of next review:	February 2025 (Annually)

Policy Review Checklist

	Yes/ No/NA	Supporting information
Has an Equality Impact Assessment Screening been completed?	Yes	See Appendix 1
Has the review taken account of latest Guidance/Legislation?	Yes	The policy is aligned to the Revised Statutory Guidance on Managing Conflicts of Interest in the NHS (February 2017)
Has legal advice been sought?	Yes	Specialist advice has been sought from the relevant Counter Fraud service. Counter Fraud is represented on the Corporate Policy Review Group.
Has HR been consulted?	Yes	Advice has been sought from HR. HR is represented on the Corporate Policy Review Group. HR issues arising from the application of the policy are set out

	Yes/ No/NA	Supporting information
		in relevant HR policies and the recruitment toolkit
Have training issues been addressed?	Yes	Mandatory training requirements are detailed in the policy. NHS England provides a mandatory training package which is completed annually.
Are there other HR related issues that need to be considered?	No	The policy refers to relevant HR policies
Has the policy been reviewed by Staff Partnership Forum?	No	The HR issues arising from the application of the policy are set out in relevant HR policies which are considered by the Staff Partnership Forum
Are there financial issues and have they been addressed?	No	There are no financial issues arising from the application of the policy
What engagement has there been with patients/members of the public in preparing this policy?	N/A	The policy describes the ICB's statutory responsibilities and there had been no engagement with patients/members of the public in preparing this policy beyond that undertaken by NHS England as part of the legislative process
Are there linked policies and procedures?	Yes	Associated policies are referenced in the policy
Has the lead Executive Director approved the policy?	Yes	Shane Devlin, Chief Executive
Which Committees have assured the policy?		Corporate Policy Review Group and Audit and Risk Committee. Both provided feedback which has been included.
Has an implementation plan been provided?	Yes	See Appendix 2

	Yes/ No/NA	Supporting information
How will the policy be shared with staff		The policy will be published on the ICB website and intranet and will be featured in internal news communication. Regular prompts regarding declaring gifts and hospitality will be placed in internal communications.
Will an audit trail demonstrating receipt of policy by staff be required; how will this be done?	No	
Has a DPIA been considered in regards to this policy?	Yes	A DPIA has been completed for the gifts and hospitality process
Have Data Protection implications have been considered?	Yes	The gifts, hospitality and sponsorship register is published on the ICB website and consent for publication is included on the declaration form.

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Gifts and Hospitality Policy

1 Introduction

This policy describes the arrangements that NHS Bristol, North Somerset and South Gloucestershire Integrated Care Board has in place for the management of gifts and hospitality. This policy is written in line with the Statutory Guidance on Managing Conflicts of Interest in the NHS which was issued by NHS England in February 2017.

Staff in the NHS offer support during significant events in people's lives. For this work they may sometimes receive gifts as a legitimate expression of gratitude, and individuals should be proud that their services are so valued. However, situations where the acceptance of gifts could give rise to conflicts of interest must be avoided as even gifts of a small value may give rise to perceptions of impropriety and might influence behaviour if not handled in line with this policy.

The NHS England Managing Conflicts of Interest Statutory Guidance the NHS 2017 defines a gift as "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." The ICB definition also includes recognition of gifts which could also be for another person, or to benefit an organisation

The ICB has in place a Conflicts of Interest Policy that reflects the legal requirements and the statutory guidance issued by NHS England under sections 14O and 14Z8 of the National Health Service Act 2006 (as amended by the Health and Social Care Act 2012). This should be read in conjunction with this policy as combined, they describe the overall systems the ICB has in place to create an environment in which staff, ICB Board and committee members feel able, encouraged and obliged to be open, honest and upfront about actual or potential conflicts.

1.1 BNSSG ICB Values

The policy supports the ICB values by ensuring the ICB does the right thing, it enables commissioners to demonstrate they are acting fairly and with integrity. The policy outlines best practice for managing gifts and hospitality which enables the ICB to strive for excellence, behave with integrity and to do the right thing.

2 Purpose and scope

The aims and objectives of this policy are to:

- Safeguard partner led commissioning, whilst ensuring objective investment decisions;
- Enable commissioners to demonstrate that they are acting fairly and transparently and in the best interests of their patients and local populations;
- Uphold confidence and trust in the NHS;
- Ensure that the ICB operates within the legal framework.

This policy applies to:

- All ICB employees (including temporary staff, students, apprentices, trainees, agency staff, seconded staff, self-employed consultants, sessional staff or those on short term contracts, self-employed consultants and individuals working for the ICB under a contract for services)
- Any work experience staff or volunteers
- Members of the ICB Board, all members of the ICB's committees, sub-committees or sub groups including co-opted members, appointed deputies and any member of committees/groups from other organisations. Where the ICB is participating in a joint committee, any interests which are declared by the committee members must be recorded on the register(s) of interest

These are collectively referred to as 'individuals' hereafter.

3 Duties – legal framework for this policy

This policy is written in line with the Revised Statutory Guidance on Managing Conflicts of Interest in the NHS which was issued by NHS England in February 2017.

The ICB has in place a Conflicts of Interest Policy that reflects the legal requirements and the statutory guidance issued by NHS England under sections 14O and 14Z8 of the Act.

The ICB is awaiting clarification of the implications of the new Economic Crime and Corporate Transparency Bill following its Royal Assent to consider whether any ICB Policies require amendment. Under this Bill, organisations will be liable where a specified fraud offence is committed by an employee or agent, for the organisations benefit, and the organisation did not have reasonable fraud prevention procedures in place. It does not need to be demonstrated that company leaders ordered or knew about the fraud.

4 Responsibilities and Accountabilities

Chief Executive

- Has overall accountability for the ICB's management of gifts and hospitality.

Line Managers

- Provide basic advice, support and guidance on how gifts and hospitality should be managed in line with this policy and advise staff including as part of local induction.
- Ensure their team members do not accept a gift or hospitality that would create a breach of this policy
- Ensure gifts and hospitality offered to their team which meet the criteria described in sections 6 and 7 are declared regardless of whether or not the offer is accepted
- Line Managers are responsible for ensuring that staff undertake their mandatory training and are aware of requirements associated with managing declarations of gifts and hospitality

Corporate Secretary

- Provides advice, support and guidance on how gifts and hospitality should be managed.
- Maintains the register(s) of gifts and hospitality
- Supports the Conflict of Interest Guardian to enable them to carry out their role effectively and,
- Ensures that the appropriate administrative processes are in place to ensure compliance with legislation and statutory guidance
- Management of the Corporate Governance Team to deliver its functions described in this policy.

Conflicts of Interest Guardian

This role is undertaken by the ICB Audit and Risk Committee Chair who will:

- Act as a conduit for members of the public and healthcare professionals who have any concerns with regards to the acceptance of gifts and hospitality or conflicts of interest
- Be a safe point of contact for employees or workers of the ICB to raise any concerns in relation to this policy
- Support the rigorous application of gift and hospitality principles and policies
- Provide independent advice and judgement.
- Provide advice on minimising risks of conflicts of interest

Contact details can be found at Appendix 3.

Individuals

Every individual should observe the principles of good governance in the way they do business including adherence to the Nolan principles , more detail has been included at Appendix 3

Every individual is responsible for ensuring that they complete annual conflicts of interest training. This training is available through the training platform.

All individuals must consider the risks associated with accepting offers of gifts, hospitality and entertainment when undertaking activities for or on behalf of the ICB and must not accept gifts that may affect, or be seen to affect, their professional judgement. This overarching principle must apply in all circumstances and is especially important during procurement exercises, as the acceptance of gifts could give rise to real or perceived conflicts of interests, or accusations of unfair influence, collusion or canvassing. All individuals are required to declare any gifts and hospitality offered.

All individuals must declare all offers of gifts and hospitality and service whether accepted or rejected within 28 days.

Under no circumstances should individuals ask for any gifts.

ALL Individuals - Disclosure UK Database

Disclosure UK provides a valuable opportunity for healthcare professionals to further demonstrate their integrity in the eyes of patients and the public. All ICB staff who undertake work for pharmaceutical companies must disclose payments on the [UK Disclosure database](#). All work undertaken with pharmaceutical companies must also be recorded on a Declaration of Interest Form.

5 Definitions/explanations of terms used

Gift	Any item of cash or goods, or any service, which is provided for personal benefit, or as an enticement for the organisation or a third party, 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. which are free of charge or less than its commercial value.

6 Gifts

A 'gift' is defined as in Section 5 above.

As an overarching principle ICB staff must not accept gifts that may affect, or be seen to affect, their professional judgement. This overarching principle must apply in all circumstances.

Any personal gift of cash or cash equivalents (e.g. vouchers, tokens, offers of remuneration to attend meetings whilst in a capacity working for or representing the ICB) must always be declined, whatever their value and whatever their source, and the offer which has been declined must be declared to the Corporate Governance Team within 28 days so that it can be recorded in the Gifts and Hospitality register.

Gifts from suppliers or contractors doing business (or likely to do business) with the ICB must be declined, whatever their value (with the exception of low cost branded promotional aids under the value of £6 which must be declared). The individual to whom the gift was offered must declare the offer to the Corporate Governance Team within 28 days so that it can be recorded in the Gifts and Hospitality register.

Modest gifts from other sources (e.g., patients, families and service users) under a value of £50 may be accepted and do not need to be declared. ICB staff must not ask for any gifts, nor will they accept modest gifts that compromise their position or the reputation of the ICB.

Gifts over the value of £50 must only be accepted on behalf of the ICB (e.g., to the ICB's charitable funds or equivalent), not in a personal capacity. These must be declared to the Corporate Team within 28 days so they can be recorded in the Gifts and Hospitality register.

Multiple gifts from the same source over a 12-month period must be treated in the same way as gifts over £50 where the cumulative value exceeds £50.

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) and at all times keeping the overarching principle at the heart of decision making.

7 Hospitality

Hospitality is defined as in Section 5 above.

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 such, individuals will sometimes appropriately receive hospitality. Staff receiving hospitality must 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.

When accepting or providing hospitality, individuals must be able to demonstrate that the acceptance or provision of hospitality would benefit the NHS or ICB. Individuals must 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.

Caution must be exercised when hospitality is offered by actual or potential suppliers or contractors, these can be accepted if modest and reasonable, but individuals must always obtain senior approval and declare these as there may be particular sensitivities, for example if a contract re-tender is imminent. Where there is uncertainty as to whether a gift or hospitality is acceptable, advice should always be sought from the Corporate Governance Team before an offer is accepted.

7.1 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 must be refused unless (in exceptional circumstances) Executive Director approval is given. A clear reason must be recorded in the ICBs Gifts and Hospitality register 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). Refer to the policy on alcohol (in development at October 2023)

7.2 Travel and Accommodation

- Modest offers (i.e., standard public transport rates in the UK or mileage payments in line with the NHS standard public transport mileage rate) 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 ICB might not usually offer i.e., business class or first class travel and accommodation or foreign travel, need approval by an Executive Director and must only be accepted in exceptional circumstances. Such offers must be declared whether it is accepted or not and a clear reason recorded on the Gifts and Hospitality Form as to why it was permissible to accept travel and accommodation of this type

7.3 Sponsored Events

Sponsorship of ICB events by external parties is valued and offers to meet some or part of the costs of running an event secures their ability to take place, benefitting NHS staff and patients. Without this funding there may be fewer opportunities for learning, development and partnership working. However, there is potential for conflicts of interest between the organiser and the sponsor and it is important that individuals are aware of the safeguards in place to manage this. As such, the following principles must be adhered to:

- Sponsorship of ICB events by appropriate external bodies must only be approved if a reasonable person would conclude that the event will result in clear benefit for the ICB and the NHS;
- There must be no conflict of interest between organiser and sponsor;
- 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 in the public domain must not be supplied;
- At the ICB's discretion, sponsors or their representatives may attend or take part in the event, but they must 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;
- The ICB must make it clear that sponsorship does not equate to endorsement of a company or its products and this must be made visibly clear on any promotional or other materials relating to the event;
- Staff must declare their involvement with sponsored events to the Corporate Governance Team within 28 days so that the Register of Gifts, Hospitality and Sponsorship can be updated accordingly.

- A Gifts, Hospitality and Sponsorship Form (appendix 4) must be completed and given to the Corporate Governance Team.
- If there is any uncertainty regarding the acceptance of sponsorship, individuals must seek advice from their Line Manager or the Corporate Governance Team before accepting any offer.

The ICB has a separate Policy for the Sponsorship of Activities and Joint Working with the Pharmaceutical Industry that can be found on the ICB website. [Policy for the Sponsorship of Activities by and Joint Working with the Pharmaceutical Industry - NHS BNSSG ICB](#)

A Register of Gifts, Hospitality and Sponsorship template is at appendix 5 and will be made publicly available on the ICB website. [Gifts, Hospitality and Sponsorship Register - NHS BNSSG ICB](#)

Acceptance of commercial sponsorship must not in any way compromise commissioning decisions of the ICB or be dependent on the purchase or supply of goods or services. Sponsors must not have any influence over the content of ICB events, meetings, seminars, publications or training events. The ICB will not endorse individual companies or their products.

7.4 Other forms of Sponsorship

Organisations external to the ICB or NHS may sponsor posts or research. However, there is potential for conflicts of interest to occur, particularly when research funding by external bodies does or could lead to a real or perceived commercial advantage, or if sponsored posts cause a conflict of interest between the aims of the sponsor and the aims of the organisation, particularly in relation to procurement and competition.

Where such circumstances arise, advice should be sought from the Corporate Governance Team before proceeding or continuing with any arrangement so that the conflict of interest can be appropriately managed. Further information can also be found on the NHS England website at: <https://www.england.nhs.uk/ourwork/coi/>

8 Declarations of Gifts and Hospitality

The ICB is required to maintain one or more registers of gifts, hospitality and sponsorship and must ensure that robust processes are in place to ensure that individuals do not accept gifts or hospitality or other benefits, which might reasonably be seen to compromise their professional judgement or integrity.

A gifts, hospitality and sponsorship register will be maintained for all of the individuals referred to in section 2 by the Corporate Governance Team and will be made publicly available on the ICB website.

In exceptional circumstances, where the public disclosure of information could give rise to a real risk of harm or is prohibited by law, an individual's name and/or other information may be redacted from the publicly available register(s). Where an individual believes that substantial damage or distress may be caused to them or somebody else by the publication of information about them, they are entitled to request that the information is not published. Such requests must be made in writing to the ICB Conflicts of Interest Guardian (Appendix 3). The outcome of this request will be shared with the individual within 10 working days.

Where a decision is made not to publish information the ICB will retain a confidential un-redacted version of the register(s). Where a decision is made to refuse a request not to publish information the individual will have the right to appeal this decision through the ICB Grievance Policy. During this process a redacted form of the information will be published.

9 Raising Concerns and Breaches

It is the duty of all individuals referred to in section 2 to speak up about genuine concerns in relation to the administration of this policy and to report these concerns in line with the ICB's Freedom to Speak Up Policy. Suspicions must not be ignored or investigated directly.

Anyone who is not an employee or worker of the ICB, but who wishes to report a suspected or known breach of this policy should ensure that they comply with their own organisation's Freedom to Speak Up Policy.

All disclosures will be treated with appropriate confidentiality at all times in accordance with ICB policies and applicable laws. Anybody making such disclosures may expect an appropriate explanation of any decisions taken as a result of any investigation.

Providers, patients and other third parties may make a complaint to NHS England in relation to the ICB's conduct under the Procurement Patient Choice and Competition Regulations.

Anonymised details of breaches will be published on the ICB's website for the purpose of learning and development. The outcomes of any investigation of breaches will also be reported to the ICB Audit and Risk Committee and NHS England.

10 Breaches of the ICB's Gifts and Hospitality Policy

Failure to comply with the policy on Gifts and Hospitality can have serious implications for the ICB and any individuals concerned.

Civil implications: The ICB could face civil challenges to decisions it makes. For instance, if breaches occur during a service re-design or procurement exercise, the ICB risks a legal challenge from providers that could potentially overturn the award of a contract, lead to damages claims against the ICB, and necessitate a repeat of the procurement process. This could delay the development of better services and care for patients, waste public money and damage the ICB's reputation. In extreme cases, staff and other individuals could face personal civil liability, for example a claim for misfeasance in public office.

Criminal implications: The acceptance of inappropriate Gifts, Hospitality or Sponsorship could lead to criminal investigations into fraud, bribery and corruption. This could have implications for the ICB, linked organisations, and the individuals who are engaged by them.

Disciplinary implications: Individuals who fail to disclose any gift or hospitality offered to them in line with this policy will be subject to investigation and, where appropriate, to disciplinary action. Individuals should be aware that the outcomes of such action may result in the termination of their employment or position with the ICB.

Statutorily regulated healthcare professionals who work for or are engaged by the ICB are under professional duties imposed by their relevant regulator to act appropriately with regard to conflicts of interest including the acceptance of gifts and hospitality. Failure to comply with this policy may result in the ICB reporting such individuals to their regulator for investigation if they believe that they have acted improperly. The consequences for inappropriate action could include fitness to practise proceedings being instigated which may result in individuals being struck off by their professional regulator.

10.1 Managing breaches of this policy

All breaches of the Gifts and Hospitality policy will be subject to internal investigation in the first instance, notwithstanding any external investigations which may be necessary. Internal investigations will be completed and all subsequent actions will be taken in line with relevant Human Resource policies.

Investigation outcomes in relation to breaches of this policy will be shared with the ICB Audit and Risk Committee who will review any lessons to be learnt and recommendations for action. Confidentiality will be maintained in line with the relevant

HR policies that are being used. The Audit and Risk Committee will monitor the implementation of any recommendations raised from the outcomes of investigations.

Once a breach is confirmed, the Corporate Governance Team will ensure that NHS England is notified, including information about the nature of the breach and the actions taken in response. This information will also be published anonymously on the ICB website and communications plans will be put in place to manage any media interest. This will be managed on case by case basis.

11 Countering Fraud, Bribery and Corruption

The ICB is committed to reducing fraud in the NHS to a minimum, keeping it at that level and putting funds stolen through fraud back into patient care. Therefore, we have given consideration to fraud and corruption that may occur in this area and our responses to these acts during the development of this policy document.

12 Training requirements

The information and responsibilities within this policy will be disseminated to staff by the publication of this policy on the BNSSG ICB website and intranet. Conflict of Interest training which includes Gifts and Hospitality is mandatory for all individuals referred to in section 2 and is to be completed annually by all staff. Conflicts of Interest training packages are provided by NHS England.

13 Equality Impact Assessment

All relevant persons are required to comply with this document and must demonstrate sensitivity and competence in relation to the nine protected characteristics as defined by the Equality Act 2010. If you, or any other groups, believe you are disadvantaged by anything contained in this document please contact the Document Lead (author) who will then actively respond to the enquiry.

14 Implementation and Monitoring Compliance and Effectiveness

An implementation plan has been prepared and is attached at appendix 2. Compliance with this policy will be monitored by the Corporate Governance team and reported quarterly to the ICB Audit and Risk Committee. The outcomes of any audits will be reported to the Audit and Risk Committee.

15 References, acknowledgements and associated documents

The following related documents may be accessed through our website:

<https://bnssqlCB.nhs.uk/>

- Local Counter Fraud, Bribery and Corruption Policy
- Grievance Policy and Procedure
- Disciplinary Policy
- Managing Conflicts of Interest Policy
- Policy for the Sponsorship of Activities by and Joint Working with the Pharmaceutical Industry
- Freedom to Speak Up Policy
- Policy on alcohol at work (in development at October 2023)

<https://www.england.nhs.uk/ourwork/coi/>

<https://www.england.nhs.uk/publication/managing-conflicts-of-interest-in-the-nhs-guidance-for-staff-and-organisations/>

16 Appendices

Appendix 1 Equality Impact Assessment

Appendix 2 Implementation Plan

Appendix 3 Principles of Good Governance and Nolan Principles

Appendix 4 Contact details for the Corporate Governance Team and Conflicts of Interest Guardian

Appendix 5 Gifts, Hospitality and Sponsorship declaration form

Appendix 6 Gifts, Hospitality and Sponsorship Register template

16.1 Equality Impact Assessment

Other documents required to complete the Equality & Health Inequality Impact Assessment:

- [Equality & Health Inequality Impact Assessment Guidance](#)
- [Equality & Health Inequality Impact Assessment Resources](#)

Title of proposal: Gifts and Hospitality Policy				Date: 17/10/23
<input checked="" type="checkbox"/> Policy	<input type="checkbox"/> Strategy	<input type="checkbox"/> Service	<input type="checkbox"/> Function	<input type="checkbox"/> Other (<i>please state</i>)
EHIA type:	Screening EHIA <input checked="" type="checkbox"/>	Full EHIA <input type="checkbox"/>	HEAT in progress/ completed <input type="checkbox"/>	Has an EHIA been previously undertaken? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> EIA undertaken on previous policy version
Is the policy under:	Development <input type="checkbox"/>	Implementation <input type="checkbox"/>	Review <input checked="" type="checkbox"/>	
Which groups will this service/proposal impact (e.g. patients, service users, carers/family, staff, general public, partner organisations)?				
All BNSSG ICB employees and also ICB Board and Committee members. The individuals impacted are outlined in section 2 of the policy.				
Lead person(s) completing this assessment: Lucy Powell				
Lead person job title(s) and service area: Corporate Support Officer				

Briefly describe the proposal

Give a brief description of the context, purpose, aims and objectives of the proposal. Describe what services are currently being provided. Describe the intended outcomes and benefits and who these might impact. Include whether it is a new



proposal or change to an existing one and the key decision that will be informed by the EHIA (e.g. whether or not to proceed with the proposal to publish an employee handbook)

This is an update to the current Gifts and Hospitality policy in line with current best practice and national guidance. The aim is to ensure that all individuals understand the arrangements that BNSSG ICB has in place for the management of offers of gifts and hospitality. This policy aims to provide clear guidance in relation to the actions required when offers of gifts and hospitality are received by individuals.

Health inequalities (HI) are systematic, avoidable and unjust differences in health and wellbeing between different groups of people. Reducing health inequalities improves life expectancy and reduces disability across the social gradient. What health inequalities have or might emerge and what actions can you take to reduce or eliminate them? Include details of any evidence, research or data used to support your work, e.g. JSNA, ward data, meeting papers, NICE etc below. You can also consider completing the [HEAT tool](#) to support summarising key issues, this can help to systematically evaluate HI:

This policy will not directly impact Health Inequalities

Give details of any relevant patient experience data or engagement that supports your work and where there is significant impact and major change how have patients, carers or members of the public been involved in shaping the proposal. Note, where the proposed change results in significant variation public consultation is required, seek advice from your PPI team. If you have not undertaken any engagement, state how you will involve people with protected characteristics or vulnerable groups in the project or explain why there is not likely to be any involvement.

N/A The policy describes the ICB's statutory responsibilities and there has been no engagement with patients/members of the public in preparing this policy beyond that undertaken by NHS England as part of the legislative process

Has the project/service ensured that they have/will comply with the Accessible Information Standards (AIS)? Yes or No

Describe how the project/service will ensure staff are in compliance and have a consistent approach to identifying, recording, flagging, sharing and meeting the information and communication support needs of patients, service users, carers and parents, where those needs relate to a disability, impairment or sensory loss.

For more information on AIS please refer to and [NHS England » Accessible Information Standard](#) and [AIS at NBT - YouTube](#).



The policy has been written with a view to be accessible to all individuals set out in section 2 of the policy and to members of the public for transparency. Additional information will also be provided on the Hub and the Corporate Governance team will be available to support as required.

Could the proposal have a positive or negative impact on any of the protected characteristic groups or other relevant groups?

Although some of your conclusions will be widely known and accepted (e.g. need for accessible information), your analysis should include evidence to support your statements to aid the decision-maker – references and links to documents can be listed in section 4.1. Evidence might include insights from your engagement, focus groups, stakeholder meeting notes, surveys, research paper, national directives, expert opinion etc. If there is insufficient evidence, state this and include an action to find out more in the action plan in Step 3. In addition to having due regard for the Equality Act 2010 Public Sector Equality Duty to eliminate unlawful discrimination, advance equality and foster good relationship between protected groups; you must also have due regard to the principles of the Armed Forces Act 2021 including regarding the unique obligations and sacrifices they make, removing disadvantage and making special provision to ensure services and employment opportunities are accessible.

Positive Impact:				
<input type="checkbox"/> Sex	<input type="checkbox"/> Race	<input type="checkbox"/> Disability	<input type="checkbox"/> Religion & Belief	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> Age	<input type="checkbox"/> Pregnancy & Maternity	<input type="checkbox"/> Marriage & Civil Partnership	<input type="checkbox"/> Gender Reassignment	<input type="checkbox"/> Armed Forces <input type="checkbox"/> Other health inequality (please state below)
Provide a narrative about the benefits including benefits to any of the protected characteristic groups plus health inequality groups (such as digital exclusion). Also include intersectional impact where possible here: There is no positive impact on those holding protected characteristics. The policy outlines the arrangements that BNSSG ICB has in place for the management of offers of gifts and hospitality. This policy aims to provide clear guidance in relation to the actions required when offers of gifts and hospitality are received. The policy applies to all individuals set out in section 2 of the policy.				



Negative Impact				
<input type="checkbox"/> Sex	<input type="checkbox"/> Race	<input type="checkbox"/> Disability	<input type="checkbox"/> Religion & Belief	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> Age	<input type="checkbox"/> Pregnancy & Maternity	<input type="checkbox"/> Marriage and Civil Partnership	<input type="checkbox"/> Gender Reassignment	<input type="checkbox"/> Armed Forces <input type="checkbox"/> Other health inequality (please state below)
<p>Provide a narrative about the negative impact for any of the protected characteristic groups plus health inequality groups (such as digital exclusion). Also include intersectional impact where possible here:</p> <p>It is not believed that the content of the policy would have a direct negative impact on those holding protected characteristics. The ICB has a duty to provide the policy in various formats as required to ensure equitable access to the information within the policy.</p> <p>(you can share further details and mitigations below in 2.2)</p>				
No Effect				
<p>Your policy might not have a positive or negative impact, or it might maintain a status quo – complete this section if ‘not applicable’</p> <p>This EHIA is being undertaken as part of the review process for a current ICB policy. There have been no significant amendments made to the processes already in place.</p>				



Outline any negative impacts of the proposal on people based on their protected characteristic or other relevant characteristic. Consider how you might level the ‘playing field’ for all people

Protected Characteristic(s)	Details of negative impact (e.g. access to service, health outcome, experience, workforce exclusion)	Identify any mitigations that would help to reduce or eliminate the negative impact
N/A		

Outline any benefits of the proposal for people based on their protected or other relevant characteristics?

Outline any potential benefits of the proposal and how they can be maximised. Identify how the proposal will support our Public Sector Equality Duty to:

To eliminating discrimination, harassment and victimisation.	Positive	<input type="checkbox"/>
	Negative	<input type="checkbox"/>
	No effect	X
Please describe:		

To advance equality of opportunity between people who share a protected characteristic and those who don't	Positive	X
	Negative	<input type="checkbox"/>
	No effect	<input type="checkbox"/>
Please describe: The policy applies to all the individuals outlined in section 2 equally. The aim is to ensure that everyone understands the arrangements that BNSSG ICB has in place for the management of offers of gifts and hospitality and provides clear guidance in relation to the actions required when offers of gifts and hospitality are received.		



Gifts and Hospitality Policy

To foster good relations between people who share a protected characteristic and those who don't (e.g. does the project raise any issues for community cohesion, or linked to current topics that are contentious in society; will it affect relationships between any groups)	Positive	<input type="checkbox"/>
	Negative	<input type="checkbox"/>
	No effect	x
Please describe:		

Action Plan

What actions will you take to mitigate the negative impact outlined above?

Action	Timeframe	Success Measure	Lead
Senior support and promotion of the policy	From ICB Board approval on the 1 st February 2024	ICB Board approval and subsequent promotion at staff meetings and through staff newsletters	RH/LP
Individual is identified to provide independent advice and judgement	Ongoing	Independent Non-Executive Member and Chair of the Audit and Risk Committee identified	

How and when will you review the action plan (include specific dates)?

As part of the quarterly promotion of the policy
--

What are the main conclusions of this Equality & Health Inequality Impact Assessment?

Share a brief summary of the positive impact the project will make and any negative impact and mitigations, e.g. what steps you have been taken to improve accessibility, and what recommendations you are making to the decision maker.

Explain how the EHIA has informed, influenced or changed the proposal and include a recommendation for the decision maker:



The policy is for all individuals identified in section 2 of the policy, including all ICB staff and the arrangements outlined are a legal requirement. The EHIA has highlighted the importance of promotion of the policy

Select a recommended course of action:	
Outcome 1: Proceed – no potential for unlawful discrimination or adverse impact or breach of human rights articles has been identified. E.g. proposal is not likely to have any detrimental impact on any group	x
Outcome 2: Proceed with adjustments to remove barriers identified for discrimination, advancement of equality of opportunity and fostering good relations or breach of human rights articles. E.g. arrangements put in place to produce a BSL video to promote changes to a service	<input type="checkbox"/>
Outcome 3: Continue despite having identified some potential for adverse impact or missed opportunity to advance equality and human rights (justification to be clearly set out). E.g. pilot benefits one neighbourhood due to funding restrictions	<input type="checkbox"/>
Outcome 4: Stop and rethink as actual or potential unlawful discrimination or breach of human rights articles has been identified. E.g. dress code policy discriminates against people who practice particular religions; new service that proposes to detain patient but insufficient evidence of safeguarding or human rights considerations in place	<input type="checkbox"/>

All Equality & Health Inequality Impact Assessments should be reviewed internally and obtain sign off to show an organisational commitment.

Reviewer’s Feedback (this document should be reviewed by an equality officer or trained project lead/senior manager)
Equality Officer Name:
Equality and Inclusion Team Signature:

Date:

Equality Delivery System 2022

Equality, Diversity & Inclusion is an evidence-based practice, Healthier Together partners are committed to demonstrating how we have taken steps to improve patient and service user access, experience and outcomes and how we have created an inclusive working environment for our staff, including supporting our workforce to have healthy and fulfilled lives. Please indicate which Domain your project will deliver against:

Domain 1 – Commissioned & Provided services

- 1A: People can readily access the service.
- 1B: Individual people's health needs are met
- 1C: When people use the service, they are free from harm.
- 1D: People report positive experiences of the service.

Domain 2 – Workforce health and wellbeing

- 2A: When at work, staff are provided with support to promote healthy lifestyles and manage their long term conditions
- 2B: When at work, staff are free from abuse, harassment, bullying and physical violence from any source.
- 2C: Staff have access to independent support and advice when suffering from stress, abuse, bullying harassment and physical violence from any source (response to Covid-19)
- 2D: Staff recommend the organisation as a place to work

Domain 3 – Inclusive Leadership

- 3A: Board members and senior leaders (Band 9 and VSM) routinely demonstrate their commitment to equality.
- 3B: Board/Committee papers (including minutes) identify equality related impacts and risks and how they will be mitigated and managed
- 3C: Board members, system and senior leaders (Band 9 and VSM) ensure levers are in place to manage performance and monitor progress with staff and patients



The policy aims to provide clear guidance to staff on the responsibilities for managing offers of gifts and hospitality. Having a clear policy in place with support from the appropriate teams and conflict of interest guardian supports Domain 2 with the ICB as a good place to work. Having a clear policy in place also supports Domain 3 as the policy provides a framework for Board/Committee members and senior managers to monitor impact and risk.



16.2 Implementation Plan

Target Group	Implementation or Training objective	Method	Lead	Target start date	Target End date	Resources Required
ICB Board	Ensure the ICB Board is aware of ICB's responsibilities and provide assurance that appropriate process is established to ensure legal compliance	Cover paper to the policy to be presented to the ICB Board	Chief of Staff	1 st Feb 2024	1 st Feb 2024	Staff time, Board members time
Executive Directors	Ensure awareness of responsibilities to ensure compliance for both Individual Executive Director responsibilities and Directorate Responsibilities	Discussion with individual directors as required	Corporate Support Officer	1 st Feb 2024	Ongoing	Staff time, Executive Director time
All Staff	Ensure awareness of ICB processes and procedures	<p>Policy to be placed on website following approval and information about the policy and ICB process to be placed on the Hub</p> <p>Information about the policy and ICB process to be communicated through The Voice and staff meetings</p> <p>Annual Conflicts of Interests training module – Staff to be regularly reminded to undertake training</p>	Corporate Support Officer /Training manager	1 st Feb 2024	<p>Following ICB Board approval</p> <p>Ongoing</p> <p>Ongoing</p>	Staff time, Training Module



16.3 Principle of Good Governance and Nolan Principles

ICBs should observe the principles of good governance in the way they do business including:

- The Nolan Principles (also known as the 7 Principles of Public Life) set out below
- The Good Governance Standards for Public Services (2004), Office for Public Management (OPM) and Chartered Institute of Public Finance and Accountancy (CIPFA)
- The seven key principles of the NHS Constitution
- The Equality Act 2010
- The UK Corporate Governance Code
- Standards for members of NHS Boards

Nolan Principles, also known as The 7 Principles of Public Life

- **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 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.

16.4 Contact details for ICB Governance Lead and Conflict of Interest Guardian

Senior person responsible for Governance	
Name	Shane Devlin
Title	Chief Executive
Telephone No.	0117 900 2397
Email	shane.devlin@nhs.net
Conflict of Interest Guardian	
Name	John Cappock
Title	Independent Non-Executive Member for Audit
Email	John.cappock@nhs.net
Corporate Governance Team	
Email	bnssg.corporate@nhs.net

16.5 Gifts, Hospitality and Sponsorship Declaration form

Recipient Name	
Position within, or relationship with, the ICB (or other organisation):	
Date of Offer	
Date of Receipt (If applicable)	
Details of Gift / Hospitality/Sponsorship	
Estimated Value (£)	
Name of person/company making the offer and nature of business	
Details of any previous offers or acceptance by this person / company	
Name of Officer reviewing and approving the declaration made and date	
Was the Gift / Hospitality/Sponsorship Accepted or Declined?	
Reason for accepting or declining	
Other Comments	

The ICB is required to take steps to manage conflicts of interest that may arise; we collect this information to ensure that we are able to comply with the statutory guidance on this subject. The information collected in this form will be held securely and used for the purposes of identifying and managing conflicts of interest. Personal data will be managed in line with Data Protection Legislation. Details of gifts, hospitality and sponsorship are published online and available on our website. Information may be disclosed to third parties in accordance with the Freedom of Information Act 2000 and published in registers that the ICB holds.

I confirm that the information provided above is complete and correct. I acknowledge that any changes in these declarations must be notified to the ICB as soon as practicable as 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.

I do / do not (cross out as applicable) give my consent for this information to be published on registers that the ICB holds. If consent is NOT given, please give reasons below:

Employee Signature:

Employee Print name:

Date:

Line Manager Signature:

Line Manager Print name:

Date:

Please return to **The Corporate Team, bnssg.corporate@nhs.net**

16.6 Gifts, Hospitality and Sponsorship Register template

Register of Gifts, Hospitality and Sponsorship 20xx/xx									
Name	Position	Date of offer	Declined or accepted	Date of receipt (if applicable)	details of gift or hospitality	estimated value	Supplier/offer or name and nature of business	Reason for Accepting or declining	details of officer reviewing/approving the declaration and date of decision if applicable

