

COUNCIL OF GOVERNORS' MEETING

12 MAY 2016

Paper Title:	Register of Hospitality, Gifts and Sponsorship
Lead Director:	Michael Smith, Chair
Paper Author:	Stella Jackson, Deputy Trust Secretary
Agenda Item:	11b
Presented For:	To Note

1. PURPOSE OF THIS PAPER:

To note the Trust's Standards of Business, Conduct, Bribery, Gifts, Hospitality and Outside Employment policy.

2. EXECUTIVE SUMMARY

During a recent audit of Governor declaration of interest procedures, a recommendation was made that Governors abide by the Trust's 'Standards of Business, Conduct, Bribery, Gifts, Hospitality and Outside Employment policy'. The policy will be updated to reflect this requirement and a copy of the existing policy is attached at Annex A. This paper contains a brief explanation of requirements under the policy.

3. PRINCIPLES TO BE FOLLOWED AND LEGAL OBLIGATIONS

Section 5 of the policy sets out the principles which should be followed by staff and others acting on behalf of the Trust. These include the following:

- Gifts, hospitality or benefits of any kind from a third party which might be perceived as compromising your personal judgment or integrity should not be accepted;
- You should not use your official position to further your private interests or those of others; and
- You should declare any private interests.

Section 5.1 also outlines legal and statutory responsibilities as defined by the Bribery Act 2010.

4. HOSPITALITY

The organisation or individual receiving the hospitality should never put themselves in a position where there could be any suspicion that their decisions could have been influenced by accepting hospitality from others.

The use of NHS funds for hospitality should be carefully considered. All expenditure on these items should be capable of justification to both internal and external auditors as reasonable in the light of accepted practice in the public sector. Any hospitality provided would need to be recorded in the gifts, hospitality and sponsorship registers.

5. GIFTS AND SPONSORSHIP

Offers of cash or cash equivalents made by suppliers, contractors, service users/patients or their relatives to employees or individuals acting on behalf of the Trust should be declined. Instead, the supplier, contractor, patient/service user or relative should be made aware of the charitable fund to receive cash donations for general or specific purposes. Details of the charitable fund are available from the Director of Finance.

Gifts of a small or inexpensive nature of below approximately £25, such as calendars, pens or diaries or other simple or inexpensive items such as flowers and chocolates can be accepted.

It is not necessary to record items of an advertising nature received at training courses, conferences, seminars or part of a “promotional” exercise, e.g. pens, books, folders, etc.

Gifts valued at more than £25 would be considered expensive and/or substantial items which cannot on any account be accepted. These should be firmly but politely declined. If there is any doubt as to whether the acceptance of such an item is appropriate, the matter should be referred to the Trust Secretary.

6. BRIBERY

It is an offence for any person to request, agree to receive or accept (either directly or through any other party) a financial or other advantage in connection with the improper performance of their duties.

7. OUTSIDE EMPLOYMENT AND PRIVATE PRACTICE

Governors are required to declare any interests which are relevant and material to the Council. Further information about what is considered to be relative and material and the procedure to be following when declaring an interest are contained in the ‘Register of Interests and Fit and Proper Person’ paper (item 10a on this agenda).

8. RECORDING OF HOSPITALITY, GIFTS AND SPONSORSHIP

Any Governors wishing to request an offer or acceptance of gifts, hospitality and sponsorship should, in the first instance, seek guidance via the Deputy Trust Secretary who will, if necessary, arrange for relevant approval to be given, documentation to be completed and registers to be updated.

8. RECOMMENDATION:

That the Council of Governors notes the Standards of Business, Conduct, Bribery, Gifts, Hospitality and Outside Employment policy.