## Gifts and Hospitality Policy and Guidance

<table>
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<tr>
<th>Responsible Officer</th>
<th>Business Planning &amp; Resources Director</th>
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<tbody>
<tr>
<td>Author</td>
<td>Policy Development Group</td>
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<tr>
<td>Date effective from</td>
<td>December 1999</td>
</tr>
<tr>
<td>Date last amended</td>
<td>August 2013</td>
</tr>
<tr>
<td>Review date</td>
<td>August 2016</td>
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<tr>
<td>Audience</td>
<td>NICE Board and staff (including contractual staff)</td>
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Introduction
1. The National Institute for Health and Care Excellence has a high public profile and often receives requests to attend speaking engagements, conferences, business lunches and seminars to discuss the work of NICE, to engage with stakeholders and the media and to promote the aims of NICE. At the same time there are contacts with suppliers that are essential for our business.

2. These contacts will sometimes involve offers of gifts or hospitality (for definition, see 4). This policy sets out the circumstances in which it is appropriate to accept gifts or hospitality. It is designed to protect the reputation of NICE and individuals from allegations of dishonesty, fraud or improper conduct.

3. NICE’s Standard of Business Code of Conduct states all hospitality received during the course of NICE business should be sufficient, given the nature of the event, for the modest comfort and reasonable wellbeing of the individual(s) involved.

4. In this policy “hospitality” is collectively defined as travel, accommodation, costs associated with conferences (such as registration fees), meals and refreshments, and payments received in the course of carrying out NICE business. In any case of doubt, advice should be sought from the Director of Business Planning and Resources.

Scope
5. This policy applies to NICE staff (including those on secondment to other organisations) and the following groups of people working for or on behalf of NICE. This document describes these (non-staff) groups collectively as 'affiliates':

- committee chairs and members and remunerated expert advisers
- non-executive directors
- agency workers and contractors on temporary contract or employed through agency to work for NICE
- secondees (those who are seconded to NICE from other organisations)

Policy
6. Normally any gifts or hospitality should be politely refused unless to do so may cause offence. Accepted gifts must be passed to the Associate Director, Corporate Office for safe custody and disposal. Accepted hospitality of any kind should always be secondary to the business event.

7. The Corporate Office will maintain an annual register of gifts and hospitality on the global drive. The Gifts and hospitality register or form must be completed for the following when on NICE business:

- any meals and refreshment with an estimated value of £25 or more
• any travel and subsistence above the limits set out in NICE’s travel, subsistence and general expenses policies for Board members and staff.

• all gifts received unless they are of a trivial nature such as calendars.

8. It is the responsibility of the individual receiving the gift or hospitality to complete the following:

• NICE staff and affiliates who have access to NICE Global drive should enter the details of any gifts or hospitality into the Gifts and Hospitality register within two weeks of the event. This responsibility can be delegated and all entries must be approved by the individual receiving the gift or hospitality.

• Affiliates who do not have access to NICE global drive should complete the form on the NICE website (see Appendix 1) and return it to the Associate Director - Corporate Office within two weeks of the event. The Corporate Office will enter the relevant details on the Gifts and Hospitality register on their behalf.

9. The people covered by this policy may only accept gifts or hospitality in the circumstances set out below.

10. Travel, accommodation, meals and refreshments should be sufficient, given the nature of the event, for the modest comfort and reasonable wellbeing of the individual(s) involved. Meals and refreshments should not exceed £25. Travel and accommodation must be in line with the limits set out in NICE’s travel, subsistence and general expenses policies for Board members and staff.

11. Reasonable refreshments and meals (£25 and under) during visits to other organisations do not need to be declared. Where refreshments and meals are being made available by the organisers of a conference or meeting at which the individual is participating and is integral to that meeting (such as where the meeting is taking place in a hotel which is also the venue for the meeting), it may be accepted even though the cost may exceed £25, provided that it would be discourteous to refuse and that it could not reasonably be regarded as excessive or extravagant.

12. Where payment is offered to an individual for a lecture, conference appearance or other similar work undertaken on behalf of NICE the individual should, where possible, agree the terms with the third party and pass details to the Finance Department who will invoice the organisation directly. Where this is not possible, the payment may be accepted in the form of a direct Electronic Funds Transfer (EFT) into the NICE’s bank account or by cheque made out to the National Institute for Health and Care Excellence.

13. In order to protect the individual’s position, NICE requires that all those covered by this policy report to the Business Planning and Resources director any inappropriate hospitality offered, which is intended to influence the conduct or decisions of those individuals.
14. If there is any uncertainty in the application of this policy, clarification should be sought from the Director of Business Planning and Resources or the Governance Manager.

15. It is the responsibility of the Chief Executive and the other directors to ensure this policy is applied and adhered to by NICE staff and affiliates.

**Bribery Act 2010**

16. The Bribery Act 2010 includes 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.

17. 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, favours, payments or benefit in kind which may influence the improper action of any person. It should be noted that corruption does not always result in a loss.

18. The corrupt person may not benefit directly from their deeds, but they may be unreasonably using their position to give some advantage to another. Any offer of gifts, hospitality or any other benefit made as an inducement to influence NICE business, including but not limited to the development of NICE guidance, should be promptly reported to the Business Planning and Resources Director.

19. For a more detailed explanation see the Counter Fraud and Anti-Bribery Policy. Should members of staff wish to report any concerns or allegations they should contact the Business Planning and Resources Director.

**Review**

20. This policy will be monitored by the Corporate Office and reviewed every 3 years.

**Related Policies**

21. This policy should be read in conjunction with the following NICE policy and procedure documents:

- Code of Conduct on the Declaring and Dealing with Conflicts of Interest
- Standards of Business Code of Conduct
- Counter Fraud and Anti-Bribery policy
- Board and staff Travel, Subsistence and General Expenses Policy and Procedures
Appendix A – Gifts and hospitality form

NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE

Gifts and hospitality form

(For those who DO NOT have access to the gifts and hospitality register on the network drive)

1. Please complete the form below for the following:
   - any meals and refreshment with an estimated value of £25 or more
   - any travel and subsistence above the limits set out in NICE’s travel, subsistence and general expenses policies for Board members and staff
   - all gifts received unless they are of a trivial nature such as calendars.

   The form should be returned to the Corporate Office within 2 weeks of the event.

2. It is the responsibility of the individual receiving the gift or hospitality to complete the form.

3. In the event of any uncertainty in the application of this policy, you should contact the Director of Business Planning and Resources or the Governance Manager.

4. Please ensure you have read the Gifts and Hospitality Policy before completing this form.

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<tr>
<th>DETAILS</th>
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<tbody>
<tr>
<td>Name:</td>
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<tr>
<td>Hospitality received</td>
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<td>Estimated value</td>
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<td>Supplier</td>
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<tr>
<td>Reason</td>
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<tr>
<td>Date received</td>
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<tr>
<td>Signature:</td>
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<td>Date:</td>
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Return to the Associate Director: Corporate office.

Data Protection Act 1998 – This information will be held by NICE to comply with the NICE’s policies and in accordance with the Data Protection Act 1998. It may be disclosed to third parties under the Freedom of Information Act 2000.
## Appendix B - Version Control Sheet

<table>
<thead>
<tr>
<th>Version</th>
<th>Date</th>
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<th>Replaces</th>
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<tr>
<td>2</td>
<td>10 Nov 2010</td>
<td>Julian Lewis</td>
<td>All previous hospitality policies</td>
<td></td>
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<tr>
<td>2.1</td>
<td>August 2013</td>
<td>Corporate Office</td>
<td>V.2.0 of the policy</td>
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