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**Gifts and Hospitality Policy**

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| Responsible Officer | Director of Finance |
| Author | Corporate office |
| Date last amended | October 2023 |
| Review date | October 2026 |

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**Introduction**

1. The National Institute for Health and Care Excellence has a high public profile and staff often receive requests to attend speaking engagements, conferences, business lunches and seminars to discuss NICE’s work, to engage with stakeholders and the media, and to promote the aims of NICE. NICE staff also interact with suppliers that are essential for our business.
2. These contacts sometimes involve offers of gifts or hospitality.
3. 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. It should be read in conjunction with the international conference attendance policy, standards of business conduct, staff travel and subsistence and non-staff travel reimbursement as well as policies on declaring and managing interests.
4. Staff at all levels must take great care over accepting any offers of gifts or hospitality that are in any way linked (currently or prospectively) to NICE's business. This is to avoid anyone being put in a position where there is a potential or actual conflict of interest, or which might reasonably be perceived to be a conflict.

**Scope**

1. 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:

* committee chairs and members and remunerated expert advisers
* non-executive directors
* contractors on temporary contracts, bank staff and temporary staff employed through an agency to work for NICE
* secondees (those who are seconded to NICE from other organisations).

**Gifts**

1. Staff must not ask for gifts. Any offered gifts should be politely refused unless to do so would cause offence. Gifts of cash should always be declined.
2. All offers of gifts, whether they are accepted or declined, must be entered in the register of gifts and hospitality. Accepted gifts should be passed to the Associate Director, Corporate Office for safe custody and disposal (low value perishables can be shared with staff in the receiving department).
3. Gifts from suppliers or contractors doing business (or likely to do business) with NICE should be declined and the offer entered on the register of gifts and hospitality. Any gifts delivered directly to NICE should either be returned to the donor or if this is not feasible, should be passed to the Associate Director, Corporate Office for safe custody and disposal (with the exception of low value perishables which can be shared with staff in the receiving department).
4. Low value branded promotional items such as pens or stationery may be accepted, retained by the staff member and do not need to be declared.

**Hospitality**

1. Staff must not ask for or accept hospitality unless there is a legitimate business reason, is proportionate to the level NICE would normally offer, and could not be perceived to affect the staff member’s professional judgement or impartiality.
2. Hospitality should always be secondary to the business event. Provision or acceptance of entertainment, such as tickets to sporting or cultural events should be declined.
3. Particular caution should be exercised when hospitality is offered by actual or potential suppliers or contractors. This can be accepted if modest and reasonable, and must be declared. Approval from the relevant Director must be obtained prior to acceptance. A clear reason should be recorded on the gifts and hospitality register as to why it was permissible to accept.
4. For all other offers of meals and refreshments, the following principles apply:

* Under a value of £25 - can be accepted and need not be declared.
* Of a value between £25 and £75[[1]](#footnote-1) - can be accepted subject to paragraphs 11 and 12 above and must be declared.
* Over a value of £75 - should be refused unless the relevant Director has given prior approval or it would be inappropriate or impractical to decline the offer. A clear reason should be recorded on the gifts and hospitality register as to why it was permissible to accept.

1. A common sense approach should be applied to the valuing of meals and refreshments (using an actual amount, if known, or a reasonable estimate).
2. Where refreshments are provided by a third party, or at a business meeting/conference, subsistence allowances must not be claimed.

**Travel and accommodation**

1. Travel and accommodation costs to attend events, which are met by a third party, may be accepted where these are standard class tickets and modest accommodation (i.e. not considered to be excessive), and in the spirit of the staff travel and subsistence and non-staff reimbursement policies, and they must be declared.
2. Offers which go beyond this (as described in the staff travel and subsistence policy) need approval from the relevant Director, and should only be accepted in exceptional circumstances, and must be declared. A clear reason should be recorded on the gifts and hospitality register as to why it was appropriate to accept travel and accommodation of this type.

**Fee for service programmes**

1. Reimbursement of travel, accommodation, and meals necessary to enable NICE’s fee for service activity may be accepted provided that it is consistent with this policy. Recording in the gifts and hospitality register (see below) will make clear where travel, accommodation and meals have been provided as part of NICE’s fee for service activities rather than Grant-in-Aid funded core programmes.

**Register**

1. The Corporate Office maintains and monitors a register of gifts and hospitality.
2. All those with access to NICE’s electronic register should enter the details of the gift/hospitality within two weeks of the offer/event. This responsibility can be delegated but all entries must be approved by the individual offered/receiving the gift or hospitality.
3. Anyone without access to the register should complete the form in Appendix A and return it to the corporate governance and risk manager within two weeks of the event. The Corporate Office will enter the relevant details on the gifts and hospitality register on their behalf.
4. Entries on the register are disclosable under the Freedom of Information Act and the register is routinely published on the NICE website.

**Speaking engagements**

1. All remuneration from speaking engagements should be made payable to NICE and not the individual member of staff. Staff should not take a personal payment for speaking engagements in their own time that draw on their knowledge or experience of working for NICE. Attendance by NICE employees at single company events is not normally appropriate, unless it is a fee for service event where there is a contract arrangement in place. For further information see the international conference attendance policy.

**Bribery Act 2010**

1. The Bribery Act 2010 includes the offences of individuals giving or receiving a financial or other advantage in connection with the improper performance of a relevant function or activity. It also places specific responsibility on organisations to have in place sufficient and adequate procedures to prevent bribery and corruption taking place.
2. In order to protect the individual’s position and that of NICE, all those covered by the policy must report to the Director of Finance any offer of gifts, travel or hospitality, which is intended to influence the conduct or decisions of those individuals.
3. For a more detailed explanation and additional routes for reporting concerns see the counter fraud, bribery and corruption strategy policy and response plan.

**Review**

1. This policy will be overseen by the Corporate Office and reviewed every three years. The next review will be October 2026
2. Queries about this compliance with this policy should be sent to the Corporate Governance and Risk Manager in the Corporate Office.

**Related Policies**

1. This policy should be read in conjunction with the following NICE policies:

* Policy on declaring and managing interests (staff and non-staff as appropriate)
* Standards of business code of conduct
* International conference attendance policy
* Counter fraud, bribery and corruption strategy, policy and response plan
* Staff travel and subsistence/ non-staff reimbursement policies

**Version Control Sheet**

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| --- | --- | --- | --- | --- |
| **Version** | **Date** | **Author** | **Replaces** | **Comment** |
| 2 | 10 Nov 2010 | Julian Lewis | All previous hospitality policies |  |
| 2.1 | August 2013 | Corporate Office | V.2.0 of the policy |  |
| 3 | October 2017 | Corporate Office | V2.1 of the policy | Reviewed in line with the NHS Managing Conflicts of Interest in the NHS, issued 1 June 2017 |
| 3.1 | November 2018 | Corporate Office | V3.0 of the policy | Paragraphs 15, 16 and 27 revised to reference the new staff reimbursement policy issued in November 2018 |
| 3.2 | October 2020 | Corporate Office | V3.1 of the policy | Periodic review |
| 3.3 | October 2023 | Corporate Office | V3.2 of the policy | Periodic review |

1. The £75 value has been selected with reference to existing industry guidance issued by the ABPI: <https://www.pmcpa.org.uk/media/3406/2021-abpi-code-of-practice.pdf> [↑](#footnote-ref-1)