

OFFERS AND ACCEPTANCE OF GIFTS AND HOSPITALITY POLICY (INCLUDING SPONSORSHIP)

AUGUST 2020

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Date Issued:	September 2020
Date to be reviewed:	August 2022

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1 Introduction

- 1.1 During the course of their work, employees of the CCG, any staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises will sometimes receive offers of gifts (which includes goods or payment) and hospitality. To refuse such offers may cause offence or hinder working relationships. However, to accept may be wrong.
- 1.2 This policy sets out some guiding principles covering the acceptance of gifts and hospitality, including references to interests in contracts. It does not provide for every eventuality and, therefore, staff/Office Holders should not hesitate to seek advice from their Line Manager or the Associate Director of Corporate Affairs.

2 Purpose

- 2.1 The purpose of this document is to provide guidance to staff and Office Holders on the action that can, or should, be taken in the event that they are offered gifts and/or hospitality.

3 Impact Analysis / Regulations

3.1 Equality

The CCG is committed to designing and implementing services, policies and measures that meet the diverse needs of its population and workforce, ensuring that no individual or group is disadvantaged.

In developing and applying this policy, the CCG will have due regard to the need to eliminate unlawful discrimination, promote equality of opportunity, and foster good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

Please see Appendix 2 for the full equality impact assessment and findings.

3.2 Bribery Act 2010

NHS Hull Clinical Commissioning Group has a responsibility to ensure that all staff are made aware of their duties and responsibilities arising from The Bribery Act 2010. It is therefore, extremely important that staff adhere to this and other related policies and documentation (as detailed on the CCG's website) when considering whether to offer or accept gifts and hospitality and/or other incentives.

Under the Bribery Act 2010 it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function

or activity, or as a reward for already having done so, and

- Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.

These offences can be committed directly or by and through a third person and, in many cases, it does not matter whether the person knows or believes that the performance of the function or activity is improper.

It is, therefore, extremely important that staff adhere to this and other related documentation (as detailed at section 12) when considering whether to offer or accept gifts and hospitality and/or other incentives.

Please see Appendix 3 for full details.

3.3 General Data Protection Regulation (GDPR)

The CCG is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. More detailed information can be found in the CCGs Data Protection and Confidentiality and related policies and procedures.

4 Scope

- 4.1 This policy applies to all employees of the CCG, any staff who are seconded to the CCG, contract and agency staff and any other individual working on CCG premises.
- 4.2 It also applies to Office Holders, e.g. Members of the Board and its Committees/Sub-Committees.

5 Responsibilities

5.1 The Associate Director of Corporate Affairs

- 5.1.1 The Associate Director of Corporate Affairs is responsible for advising Staff/Office Holders on the contents of this policy. The CCG's Conflict of Interest Guardian (the lay member with responsibility for audit, governance and conflict of interest matters) is also available for advice.

5.2 Managers

- 5.2.1 Managers are responsible for ensuring their staff are aware of, and adhere to, this policy.

5.3 Staff/Office Holders

- 5.3.1 All staff and Office Holders are responsible for following this policy.

6 Definitions

Gifts - examples of the kind of gifts which might be made/offered include:

- Stationery items such as pens, notepads, calculators, or carrier bags, food or confectionery, particularly chocolates and biscuits, flowers or plants, ornaments, mugs, wines and spirits, articles of clothing, jewellery or watches, tickets for cultural or sporting events, discounted rates for hire or purchase, free publications and cash.

Hospitality - covers a wide spectrum and can include:

- Free meals, drinks, receptions, meetings sponsored by drug companies, hospitality tents at shows, exhibitions or conferences, music and cultural events, sport and leisure events, particularly golf competitions, use of company facilities, hotel accommodation and holidays.

7 Equality and Diversity

7.1 The CCG is committed to:

- Eliminating discrimination and promoting equality and diversity in its Policies, Procedures and Guidelines, and
- Designing and implementing services, policies and measures that meet the diverse needs of its population and workforce, ensuring that no individual or group is disadvantaged.

7.2 As a result of performing an equality analysis, the policy does not appear to have any adverse effects on people who share *Protected Characteristics* and no further actions are recommended at this stage.

8 NHS Constitution

8.1 The CCG is committed to:

- the achievement of the principles, values, rights, pledges and responsibilities detailed in the NHS Constitution, and
- ensuring they are taken account of in the production of its Policies, Procedures and Guidelines.

8.2 This Policy supports the NHS Constitution, as follows:

The NHS aspires to the highest standards of excellence and professionalism - in the provision of high-quality care that is safe, effective and focused on patient experience; in the planning and delivery of the clinical and other services it provides; in the people it employs and the education, training and development they receive; in the leadership and management of its organisations; and through its commitment to innovation and to the promotion and conduct of research to improve the current and future health and care of the population.

The NHS is accountable to the public, communities and patients that it serves - the NHS is a national service funded through national taxation, and it is the Government which sets the framework for the NHS and which is accountable to Parliament for its operation. However, most decisions in the NHS, especially those about the treatment of individuals and the detailed organisation of services, are rightly taken by the local NHS and by patients with their clinicians. The system of responsibility and accountability for taking decisions in the NHS should be transparent and clear to the public, patients and staff. The Government will ensure that there is always a clear and up-to-date statement of NHS accountability for this purpose

9 Guiding Principles

- 9.1 The action of any employees of the CCG, any staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises and Office Holders must not give rise to, or foster the suspicion that they have been, or may have been, influenced by a gift or consideration to show favour or disadvantage to any person or organisation. Staff/Office Holders must not allow their judgement or integrity to be compromised in fact or by reasonable implication.
- 9.2 Gifts or offers of hospitality and sponsorship must be refused if there could be any doubt about the propriety of accepting them.
- 9.3 If in any doubt at all as to whether or not to accept gifts, hospitality, or sponsorship, staff, Members of the Board, Committee Members and Office Holders should immediately seek the advice of their Line Manager or the Associate Director of Corporate Affairs.

10 Codes of Conducts

- 10.1 All NHS staff are covered by at least one code of conduct which specifies the need for them to be honest and trustworthy and to act with integrity.
- 10.2 Such codes include:
- The Standards of Business Conduct for NHS Staff;
 - Professional codes such as the Nursing and Midwifery Council's Code of Professional Conduct, and
 - The Confidentiality Code of Conduct

This guidance should be read in conjunction with those codes.

11 Pharmaceutical Companies

- 11.1 All private companies must adhere to the Bribery Act 2010. Where pharmaceutical companies are involved, inducements and hospitality must comply fully with the Medicines (Advertising) Regulations 1994 (regulation 21 'Inducements and hospitality') Any person who contravenes regulation 21(1) is guilty of an offence, and liable, on summary conviction to a fine not exceeding £5000, and on conviction on indictment to a fine, or to imprisonment for a term not exceeding two years, or both. Anyone contravening regulation 21(5) is also guilty of an offence and is liable, on summary conviction to a fine not exceeding £5000'. The MCA Guidelines on Promotion and Advertising set out the standards to be followed.
- 11.2 If an offer received is contrary to the above, details should be sent to the Associate Director of Corporate Affairs who will take up the matter with the company concerned.

12 Gifts and Hospitality – Refusal and Acceptance

12.1 Gifts and Hospitality - Refusal

- 12.1.1 Overarching principle applying in all circumstances: employees of the CCG, any staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises should not accept gifts/hospitality that may affect, or be seen to affect, their professional judgement. All offers of gifts and/or hospitality **must be refused** where they are made under the following circumstances:

Gifts from suppliers or contractors doing business (or likely to do business) with the CCG should be declined, whatever their value.

Subject to this, low cost branded promotional aids may be accepted where they are under the value of a common industry standard of £6 in total, and need not be declared

- 12.1.2 Offers of any of the following **must be refused** under all circumstances: -

- Cash (including gift vouchers)
- Paid holidays, and
- Use of company flats or facilities.

12.2 Other Gifts/Offer of Gifts

- 12.2.1 All employees of the CCG, any staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises 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. We should be proud that our services are so valued. But situations where the acceptance of gifts could give rise to conflicts of interest should be avoided. Staff should be mindful that even gifts of a small value may give rise to perceptions of impropriety and might

influence behaviour if not handled in an appropriate way.

A gift means 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.

12.2.2 Gifts from others sources (e.g. patients, families, service users/non contractual organisations that the CCG works with):

- Gifts of cash and vouchers to individuals should always be declined.
- Employees of the CCG, any staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises should not ask for any gifts.
- Gifts valued at over £50 should be treated with caution and only be accepted on behalf of the CCG (i.e. to the CCG's charitable funds), not in a personal capacity. These should be declared by staff.
- Modest gifts accepted under a value of £50 do not need to be declared. 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).

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

12.2.3 Offers of gifts (e.g. flowers, chocolates, etc. but not cash/gift vouchers) by members of the public to any employees of the CCG, any staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises may be accepted where the notional value is less than £50 when given as acknowledgment for services performed in the course of their work.

12.2.4 Gifts given by employees of the CCG, any staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises to other employees of the CCG, staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises are, of course, acceptable and do not have to be declared.

12.2.5 All other offers of gifts should be declared to your Line Manager, or the Associate Director of Corporate Affairs who will recommend refusal or acceptance.

12.2.6 If refusal is recommended, then arrangements should be made for the gift/offer to be returned at the earliest opportunity with an appropriate explanation.

12.2.7 Regardless of whether the gift/offer of gift is refused or accepted employees of the CCG, any staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises must submit a declaration to the Associate Director of Corporate Affairs for inclusion in the Gifts and Hospitality Register. This form can be found on the Y: Drive under

12.3 Other Hospitality/Offers of Hospitality

12.3.1 The Bribery Act 2010 does not prevent companies from providing hospitality provided it is 'reasonable' and 'proportionate'. The CCG will, therefore, continue to receive offers.

12.3.2 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 a result, staff will sometimes appropriately receive hospitality. Staff receiving hospitality should 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.

Hospitality means offers of meals, refreshments, travel, accommodation, and other expenses in relation to attendance at meetings, conferences, education and training events, etc.

12.3.3 Overarching principles applying in all circumstances:

Employees of the CCG, any staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises should 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.

Particular caution should be exercised when hospitality is offered by actual or potential suppliers or contractors these can be accepted if modest and reasonable but individuals should always obtain senior approval and declare these.

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 should be refused unless (in exceptional circumstances) senior approval is given. A clear reason should be recorded on the CCG's register(s) of interest 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).

12.3.4 Working breakfasts or working lunches and dinners integral to meetings, training events, presentations, conferences, seminars or similar events

where the attendance is in the CCG's interest are acceptable and do not have to be declared.

- 12.3.5 Attendance at lunches, dinners, receptions or comparable functions organised by embassies, cultural organisations, professional bodies and their equivalents, where attendance is in the CCG's interest.
- 12.3.6 Offers to attend private, social or sporting functions should be accepted only when these are part of the life of the community or where the CCG should be seen to be represented.
- 12.3.7 If refusal is recommended, then arrangements should be made for the hospitality to be refused at the earliest opportunity with an appropriate explanation.
- 12.3.8 Regardless of whether the hospitality is refused or accepted, staff/Office Holders must submit a declaration to the Associate Director of Corporate Affairs for inclusion in the Gifts and Hospitality Register. This form can be found on the Y: Drive under 'Corporate Templates and Forms'.
- 12.3.9 Attendance at relevant company sponsored conferences is acceptable where it is clear that the hospitality is corporate rather than personal and any possible purchasing decisions are not compromised. However, prior approval is required in accordance with the *Policy on Commercial Sponsorship*.
- 12.3.10 When receiving authorised hospitality, staff/Office Holders should be particularly sensitive as to its timing in relation to decisions which the CCG may be taking affecting those providing the hospitality. However, account must be taken of the nature of the relationship between the CCG and the organisation concerned and of the scale of the hospitality offered. If there is any doubt, the offer should be declined.

12.4 Sponsorship

Commercial Sponsorship - Offers of funding from private companies for events (e.g. training events for clinicians), which may include the provision of hospitality, must adhere to the following principles:

- Sponsorship of CCG events by appropriate external bodies should only be approved if a reasonable person would conclude that the event will result in clear benefit for the CCG and the NHS;
- 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 whom they could gain a commercial advantage and information which is not in the public domain should not normally be supplied;

- At the CCG's discretion, sponsors or their representatives may attend or take part in the event but they should not have a dominant influence over the content or the main purpose of the event;
- The involvement of a sponsor in an event should always be clearly identified in the interest of transparency; Sponsorship does not equate to endorsement of a company or its products and this should be made visibly clear on any promotional or other materials relating to the event;
- Staff should declare involvement with arranging sponsored events to their CCG;
- Acceptance of commercial sponsorship should not in any way compromise commissioning decisions of the CCG or be dependent on the purchase or supply of goods or services.
- Sponsors should not have any influence over the content of an event, meeting, seminar, publication or training event;
- Organisations external to the CCG or NHS may also 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.

The process for declaring, and considering, **offers** of sponsorship is as follows:

- Staff report the offer of sponsorship to their Line Manager, via completion of the relevant declaration form.
- The Line Manager considers the request and, if recommending approval, provides supporting evidence as to how the CCG will benefit.
- The request is referred to the relevant Director for a final decision (and, where necessary, endorsement by the Chief Finance Officer and depending on the financial implications the CCG Board).
- The form is returned to the person receiving the offer (for action).
- A copy is submitted to the Associate Director of Corporate Affairs for inclusion in the Register of Commercial Sponsorship.

- Regardless of whether the sponsorship is refused or accepted, employees of the CCG, any staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises must notify the Associate Director of Corporate Affairs for inclusion in the Sponsorship Register.

12.5 Travel and Accommodation

Modest offers 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 organisation itself might not usually offer, need approval by senior staff, should only be accepted in exceptional circumstances, and must be declared. A clear reason should be recorded on the CCG's register(s) of interest as to why it was permissible to accept travel and accommodation of this type.

A non-exhaustive list of examples includes: offers of business class or first class travel and accommodation (including domestic travel) and offers of foreign travel and accommodation.

13 Gifts and Hospitality Register

13.1 The Gifts and Hospitalities Register is maintained by the Corporate Governance Team.

13.2 All offers of gifts and hospitality, whether accepted or not, should be recorded in the Gifts and Hospitality Register and will be published on the CCG website at <http://www.hullccg.nhs.uk/>. The register of interests will be published as part of the CCG's Annual Report and Annual Governance Statement.

Particularly mention should be made if:

- The Gifts/Hospitality were offered to, or received by, staff/Office Holders in any part of a procurement process, and
- The Gifts/Hospitality were offered by companies, or other organisations, with which the CCG has a contractual, grant giving or regulatory relationship, or is actively considering such a relationship.

14 Penalties

14.1 This policy describes conduct which staff/Office Holders are expected to observe. Failure to do so could render an individual liable to disciplinary proceedings and may lead to criminal proceedings under the Bribery Act 2010.

15 Monitoring Compliance with and Effectiveness of this Policy

15.1 The effectiveness of this Policy will be monitored by the Associate Director of Corporate Affairs.

16 References

Bribery Act 2010. Available at www.opsi.gov.uk/acts

17 Associated Documentation

17.1 This policy links to the CCG's:

- NHS Constitution (including Standing Financial Instructions)
- Conflicts of Interest Policy
- Counter Fraud Bribery and Corruption Policy
- Whistleblowing Policy
- Disciplinary Procedure

18 Review

18.1 This Policy will be reviewed within two years from the date of implementation.

18.2 Minor amendments (such as changes in title) may be made prior to the formal review, details of which will be monitored/approved by the Associate Director of Corporate Affairs in consultation with the Senior Leadership Team.

DECLARATIONS OF GIFTS AND HOSPITALITY

Recipients Name: (please print)	
Job Title: (please print)	
Date of receipt of Offer of Gift/Hospitality:	
Description of Gift/Hospitality: (including date if applicable)	
Individual/Company giving or offering Gift/Hospitality:	
Details of Previous Offers or Acceptance from this offeror/supplier	
Reason for Gift/Hospitality:	
Estimated Value: NB: (a estimate must be provided)	
Advice sought from Line Manager or Associate Director of Corporate Affairs: (please state if not sought and why)	
Action Taken/Declined/Accepted	
Signed by recipient: * (See notes overleaf)	
Date:	
Signature of Associate Director of Corporate Affairs or Chief Finance Officer.	
Date:	

Declaration Number (added by Corporate Affairs Manager)	<input type="text"/>

**The information submitted will be held by the Clinical Commissioning Group (CCG) for personnel or other reasons specified on this form and to comply with the organisation's policies. This information may be held in both manual and electronic form in accordance with the Data Protection Act 1998. Information may be disclosed to third parties in accordance with the Freedom of Information Act 2000 and published in registers that the CCG 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 CCG as soon as practicable 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 [delete as applicable] give my consent for this information to published on registers that the CCG holds. If consent is NOT given please give reasons:

ON COMPLETION PLEASE SUBMIT TO MICHELLE LONGDEN, CORPORATE AFFAIRS MANAGER FOR INCLUSION IN THE CENTRAL GIFTS AND HOSPITALITY REGISTER AND PUBLICATION ON THE CCG WEBSITE



Hull

Clinical Commissioning Group

Please refer to the EIA Overview & Navigation Guidelines located in Y:\HULLCCG\Corporate Templates and Forms\Equality and Diversity Information before completing your EIA)

HR / Corporate Policy Equality Impact Analysis:	
Policy / Project / Function:	Offers and Acceptance of Gifts and Hospitality Policy (Including Sponsorship)
Date of Analysis:	11 August 2020
Completed by: (Name and Department)	Michelle Longden, Corporate Affairs Manager
What are the aims and intended effects of this policy, project or function?	The aim of this policy is to provide guidance to staff and Office Holders on the action that can, or should, be taken in the event that they are offered gifts and/or hospitality.
Are there any significant changes to previous policy likely to have an impact on staff / other stakeholder groups?	There are no significant changes to the previous policy.
Please list any other policies that are related to or referred to as part of this analysis	<p>This policy links to the CCG's:</p> <ul style="list-style-type: none"> • NHS Constitution (including Standing Financial Instructions) • Conflicts of Interest Policy • Offers and Acceptance of Gifts and Hospitality Policy (including sponsorship) • Counter Fraud Bribery and Corruption Policy • Whistleblowing Policy • Disciplinary Procedure

<p>Who will the policy, project or function affect?</p>	<p>All employees of the CCG, any staff who are seconded to the CCG, board and committee members contract and agency staff and any other individual working on CCG premises.</p>
<p>What engagement / consultation has been done, or is planned for this policy and the equality impact assessment?</p>	<p>Consultation with</p> <ul style="list-style-type: none"> • SLT • Relevant Senior Managers • IAGC
<p>Promoting Inclusivity and Hull CCG's Equality Objectives.</p> <p>How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation?</p> <p>How does the policy promote our equality objectives:</p> <ol style="list-style-type: none"> 1. Ensure patients and public have improved access to information and minimise communications barriers 2. To ensure and provide evidence that equality is consciously considered in all commissioning activities and ownership of this is part of everyone's day-to-day job 3. Recruit and maintain a well-supported, skilled workforce, which is representative of the population we serve 4. Ensure the that NHS Hull Clinical Commissioning Group is welcoming and inclusive to people from all backgrounds and with a range of access needs 5. To demonstrate leadership on equality and inclusion and be an active champion of equalities in partnership programmes or arrangements. 	<p>This Policy does not directly promote inclusivity, but an effective Offers and Acceptance of Gifts and Hospitality Policy but applies to everyone regardless of if there are part of a protected group.</p>

<p>Is any Equality Data available relating to the use or implementation of this policy, project or function?</p> <p>Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <p>1: Recruitment data, e.g. applications compared to the population profile, application success rates 2: Complaints by groups who share / represent protected characteristics 4: Grievances or decisions upheld and dismissed by protected characteristic group 5: Insight gained through engagement</p>	<p>Yes</p> <p>No</p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document). If you answered No, what information will you use to assess impact?</p> <p>Please note that due to the small number of staff employed by the CCG, data with returns small enough to identify individuals cannot be published. However, the data should still be analysed as part of the EIA process, and where it is possible to identify trends or issues, these should be recorded in the EIA.</p>
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Assessing Impact

<p>Is this policy (or the implementation of this policy) likely to have a particular impact on any of the protected characteristic groups? (Based on analysis of the data / insights gathered through engagement, or your knowledge of the substance of this policy)</p>				
Protected Characteristic:	Neutral Impact	Positive Impact:	Negative Impact:	Evidence of impact and, if applicable, justification where a <i>Genuine Determining Reason</i> ¹ exists (see footnote below – seek further advice in this case)
<p>It is anticipated that these guidelines will have a positive impact as they support policy writers to complete meaningful EIAs, by providing this template and a range of potential issues to consider across the protected characteristics below. There may of course be other issues relevant to your policy, not listed below, and some of the issues listed below may not be relevant to your policy.</p>				
Gender	✓			This has been considered and has a neutral impact.

1. ¹ *The action is proportionate to the legitimate aims of the organisation (please seek further advice)*

Age	✓			This has been considered and has a neutral impact.
Race / ethnicity / nationality	✓			As the policy is written in English there is a potential impact on employees whose first language is not English and therefore my struggle reading the policy. However this potential impact is minimised due to the available 'portal' facilities.
Disability	✓			This has been considered and has a neutral impact.
Religion or Belief	✓			This has been considered and has a neutral impact.
Sexual Orientation	✓			This has been considered and has a neutral impact.
Pregnancy and Maternity	✓			This has been considered and has a neutral impact.
Transgender / Gender reassignment	✓			This has been considered and has a neutral impact.
Marriage or civil partnership	✓			This has been considered and has a neutral impact.

Action Planning:

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse impact or strengthen the promotion of equality?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
The policy may not be accessible in its current format."	The CCG's Communication Team has developed the 'portal' to signpost individuals to alternative formats.	CCG Communications	Updating of this facility is ongoing	Review July 2021

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Sign-off
All policy EIAs must be signed off by Mike Napier, Associate Director of Corporate Affairs
I agree with this assessment / action plan
If <i>disagree</i> , state action/s required, reasons and details of who is to carry them out with timescales:
Signed:  Associate Director of Corporate Affairs
Date: 24.08.20

If you have any comments or feedback about this equality impact assessment, please contact your line manager if you are a member of staff, or telephone 01482 344700, or email HULLCCG.contactus@nhs.net.

Bribery Act 2010:

Under the Bribery Act 2010, it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and
- Be bribed by another person by requesting, agreeing to receive or accepting a financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.
- Failure to prevent bribery; The Bribery Act also introduced a corporate offence for a relevant commercial organisation (the CCG) to bribe another person intending (1) to obtain or retain business, or (2) to obtain or retain an advantage in the conduct of business. The only defence available to the CCG against Bribery Act offences would be to prove that it had adequate procedures in place designed to prevent persons associated with it from undertaking any of the conduct outlined above.

These offences can be committed directly or by and through a third person and, in many cases, it does not matter whether the person knows or believes that the performance of the function or activity is improper.

It is therefore, extremely important that staff adhere to this and other related policies and documentation (as detailed on the CCG's website) when considering whether to offer or accept gifts and hospitality and/or other incentives.

If fraud, bribery and corruption are particularly relevant to a policy, the section should be headed Anti-fraud, Bribery and Corruption and should include a cross reference to the Local Anti-fraud, Bribery and Corruption Policy. The following wording should also be included:

'If an employee suspects that fraud, bribery or corruption has taken place, they should ensure it is reported to the Local Counter Fraud Specialist (LCFS) and/or to NHS Counter Fraud Authority (NHSCFA) as follows:

- LCFS, AuditOne, Kirkstone Villa, Lanchester Road Hospital, Lanchester Road, Durham, DH1 5RD. Tel: 0191 4415936; Email: counterfraud@audit-one.co.uk or ntawnt.counterfraud@nhs.net
- The CCG's Chief Finance Officer,
- NHSCFA, 0800 028 40 60 (powered by Crimestoppers)
- Online: <https://cfa.nhs.uk/reportfraud>.'

For further information see <http://www.justice.gov.uk/guidance/docs/bribery-act-2010-quick-start-guide.pdf>. If you require assistance in determining the implications of the Bribery Act please contact the LCFS on the details above.