

Gifts and Hospitality Policy and Procedure

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1 Introduction

1.1 Policy statement

This policy sets out the approach of Cradley surgery regarding the receiving of gifts which do not form part of an employee's terms and conditions of employment, as well as the receipt of gifts or hospitality from patients or third parties. In addition, this policy establishes a gift and hospitality register whereby necessary records can be kept.

This policy does not cover the awarding of bonuses to staff for performance-related or target-driven achievement.

The organisation is committed to upholding the highest standards of ethical conduct and integrity in its activities. Every individual working for, and on behalf of, the surgery is responsible for maintaining the organisation's reputation and zero-tolerance approach to bribery and corruption, by always acting professionally and honestly.

This policy is written in accordance with the [BMA guidance](#) on accepting donations from patients, the [GMC ethical guidance](#) on gifts, bequests and donations and also [NHS England's guidance](#) on conflicts of interest.

This policy should be read in conjunction with the [Anti-bribery and Counter Fraud Policy](#).

1.2 Status

This organisation aims to design and implement policies and procedures that meet the diverse needs of our service and workforce, ensuring that none are placed at a disadvantage over others, in accordance with the [Equality Act 2010](#). Consideration has been given to the impact this policy might have regarding the individual protected characteristics of those to whom it applies.

This document and any procedures contained within it are non-contractual and may be modified or withdrawn at any time. For the avoidance of doubt, it does not form part of your contract of employment. Furthermore, this document applies to all employees of the organisation. Other individuals performing functions in relation to the organisation, such as agency workers, locums and contractors, are encouraged to use it.

All individuals have a responsibility to uphold this policy and any breach is likely to be dealt with under the disciplinary procedure.

2 Employers' gifts to an employee

2.1 Types of gifts

There are times when this organisation may wish to give an employee a gift or benefit, for example a voucher at Christmas, food or sending flowers following a bereavement.

These non-contractual gifts could have tax implications for an employee.

2.2 Social functions

Social functions such as a Christmas party or summer barbecue are not reportable to HMRC if they fulfil the following criteria:

- Are open to all employees
- Are annual (e.g., Christmas party or summer barbecue)
- Cost £150 or less (combined total per annum per employee)

If the combined value is more than £150 per annum per employee, the organisation must notify HMRC for each employee and pay tax and Class 1A National Insurance (NI) contributions against the value of the full cost of the event at the end of the tax year. Submissions can be made through payroll software or via HMRC's [online PAYE](#) service.

Each benefit type is treated differently for tax and NI purposes so are to be checked on the [HMRC's](#) site to ensure that both tax and NI are correctly calculated. Of note, the organisation can register to [payroll expenses and benefits](#) before the start of each tax year (6 April) to report online and pay any tax due throughout the year.

It should be noted that 'away days' may be considered as being a training event and as such the £150 cap may not apply. In this instance, it is advised to discuss with the accountants

2.3 Cash or non-cash gifts

Gifts can be in the form of money, vouchers/pre-paid cards or gift items. No tax is due on a gift if all the following apply and it:

- Costs £50 or less to provide (per employee)
- Is not cash or a voucher that can be exchanged for cash
- Is not a reward (for work or performance)
- Is not in the employee's contract of employment

As these are considered 'trivial benefits', they do not need to be reported to HMRC. Trivial benefits can include Christmas parties, tickets to a sporting event, flowers or a gift voucher.

Gifts that do not meet all those criteria should be checked against HMRC's [A-Z rules](#) for different types of benefits and the appropriate action taken. Some types of non-cash vouchers are listed on [HMRC's](#) website as exempt from being counted towards an employee's earnings for PAYE and NI purposes.

2.4 Keeping records of gifts to employees

HMRC may ask for evidence of expenses or gifts to employees. Cradley surgery will keep a record of all benefits or gifts given to employees which includes:

- The date of the benefit/gift
- The calculation of the costings/value
- Any amount contributed by an employee towards their gift

Records will be kept within a register. The register is kept by the Practice Manager on the secure drive and is to be retained for three years from the end of the tax year to which they relate.

Further information can be sought in the [Record Retention Schedule](#).

3 Receiving gifts or hospitality

3.1 Principles

Staff are often involved during significant events in patients' lives. Patients or their families may wish to express their gratitude to staff in the form of a gift and we are proud that our services and staff are so valued.

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. Even gifts of a small value may give rise to perceptions of impropriety and might influence an employee's future behaviour if not handled appropriately.

An individual should never accept or receive benefits of any kind which might reasonably be seen to compromise their personal judgement and integrity, or the ethical conduct or reputation of Cradley surgery

The [Bribery Act 2010](#) makes it a criminal offence to give or offer a bribe, or to request, offer to receive or accept a bribe. The Act reformed the criminal law of bribery, making it easier to tackle this offence proactively in both the public and private sectors. It introduced a corporate offence which means that commercial organisations, including NHS bodies, will be exposed to criminal liability, punishable by an unlimited fine, for failing to prevent bribery.

3.2 Gifts from patients or their families

- Staff should never actively ask for or seek any gift.

- Offers of gifts of cash or vouchers to individual staff members should always be declined.
- Gifts worth over £50 should be treated with caution and only be accepted on behalf of the organisation (i.e., through the organisation's charitable funds) not kept by an individual staff member. A clear reason should be recorded as to why it was considered permissible to accept the gift, alongside the actual or estimated value and include Practice manager approval.
- Modest gifts worth less than £50 do not need to be declared, but 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.
- Common sense 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).
- The Practice manager will write to thank donors of any gift of over £50 to the organisation.

A sample thank you letter can be found at [Annex B](#).

3.3 Gifts from suppliers or contractors

- Staff should not accept gifts that may affect, or be seen to affect, their professional judgement.
- Gifts from suppliers or contractors doing business (or likely to do business) should be declined, whatever their value.
- Branded promotional aids with a total value of less than £6 (such as calendars, diaries, pens or other small gifts) may be accepted and need not be declared.
- Gifts of low value (up to £20) intended to be shared by the team, such as biscuits or chocolates, may also be accepted. A clear reason should be recorded as to why it was considered permissible to accept the gift, alongside the actual or estimated value.

3.4 Hospitality

- Staff should not accept hospitality that may affect, or be seen to affect, their professional judgement.
- Hospitality may only be accepted when there is a legitimate business reason and it is proportionate to the nature and purpose of the event.
- Caution should be exercised when hospitality is offered by actual or potential suppliers or contractors. A clear reason should be recorded as to why it was

considered permissible to accept the hospitality, alongside the actual or estimated value and include Practice Manager approval.

- Meals and refreshments:
 - Valued below £25 may be accepted and need not be declared
 - Valued £25-£75 may be accepted and must be declared
 - Over a value of £75 should be refused except in exceptional circumstances

Common sense should be applied to the valuing of meals and refreshments (using an actual amount, if known, or a reasonable estimate).

3.5 Record keeping of gifts and hospitality

Section 22.1 of the [GMS Contract](#) requires contractors to keep a register of gifts received that are valued at more than £100. However, at Cradley surgery gifts or hospitality received from, or on behalf of, a patient, relative of a patient or person who provides or wishes to provide services to the organisation, and that has an estimated value of more than £50 is to be recorded in the gifts and hospitality register.

The register must include:

- The donor's name
- The patient's NHS number or, if the number is not known, their address (if the donor is a patient)
- The donor's address (if the donor is not a patient)
- The nature of the gift
- The estimated value of the gift
- The name of the person who received the gift.

Commissioners can request sight of gift registers and therefore the register must be maintained fully and accurately.

The register is on GP Teamnet and accessible by all

Annex A – Example gift registers

Example register of gifts to employees by the organisation

Date of benefit/gift	Cost calculations and value of gift	Amount contributed by the employee

Example gifts and hospitality register (from patients and third parties)

Date of offer	Date of event (if different)	Donor's name (or address if not a patient)	Description of gift	Estimated value	Recipient's name	Reasoning for acceptance of gift (if over £50)

Annex B – Sample thank you letter

[Organisation name]
[Organisation address]

[Date]

[Name of donor]
[Address of donor]

Dear [name of donor]

GIFT OF [INSERT DESCRIPTION OF GIFT]

On behalf of [insert name of organisation], I would like to thank you for your very kind gift of [insert description of gift].

Staff at [insert name of organisation] are proud that their contribution towards [your care/name of patient's care] is so highly valued by you and appreciate your generosity in thinking of them.

The gift will be held in the organisation's surgery fund account whilst a decision to spend it on is made] or [used to purchase a named product/equipment]. We ensure that all donations are spent on equipment or services that benefit the ongoing and future healthcare of our patients and are very grateful for your donation.

Your sincerely,

[Name and role]